



Zoning Ordinance Update

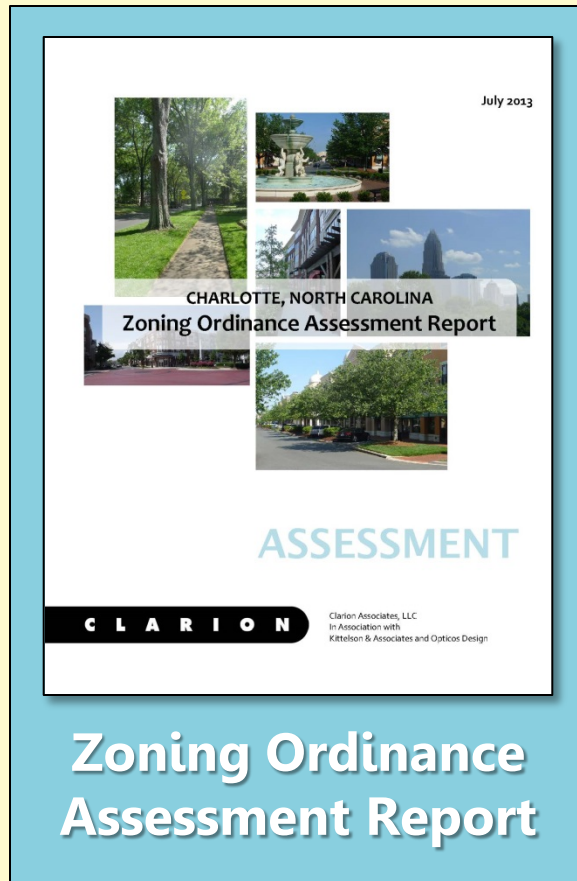
Charlotte-Mecklenburg Planning Commission

February 3, 2014

- 1. Where We've Been**
- 2. City Council Support/Direction**
- 3. Immediate Next Steps**
 - **TOD and TS Overlay Update**
 - **Unified Development Ordinance**
 - **Form-Based Codes and Regulating Plans**
- 4. Proposed Project Schedule**
- 5. Planning Commission Involvement**



Initial Steps – Assessment Report

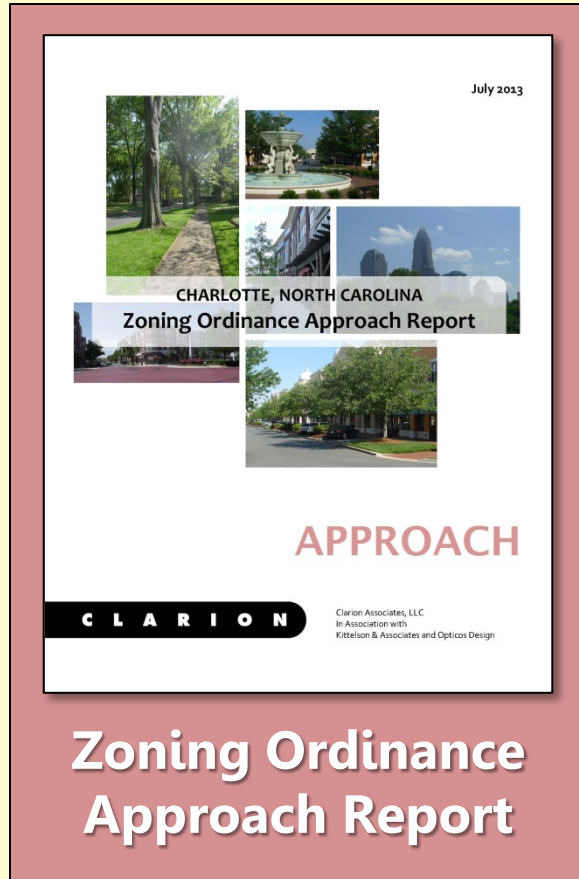


- No clear connection between area plans and zoning.
- Zoning is able to implement land use policies but it is often necessary to use conditional rezonings.
- The document is challenging to use.
- New zoning tools are needed to implement the vision of the City's area plans.



Initial Steps – Approach Report

- **Consider Consolidating Zoning and Other Development Regulations**
- **Determine the Organizing Approach**
 - Conventional
 - Negotiated
 - Performance
 - Form-Based
 - Hybrid
- **Determine the Key Elements of an Effective Ordinance**
- **Revision Process:**
 - Comprehensive change or targeted change?
- **Practical issues:**
 - Staffing
 - Political feasibility
 - Budget
 - Time
 - Accountability

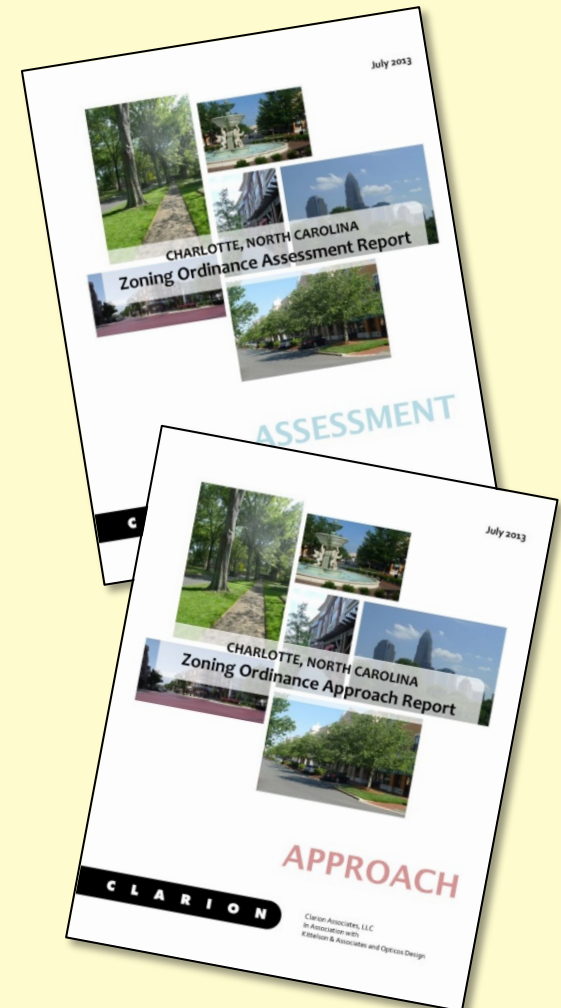




July 25, 2013

Clarion Associates presented the findings of both reports to City Council's Transportation & Planning Committee, the Planning Commission, and the public.

City Council members were supportive of Staff's plans to move ahead with a Zoning Ordinance update initiative.





September 2013

City Council voiced approval of a Planning Staff proposal to modify Transit Oriented Development (TOD and TS) zoning districts in an effort to better achieve the vision of the station area plans.

1

Sponsor Conditional Rezoning



City Council Support

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Link the Zoning Ordinance to Plan Vision



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Pre-zone to TOD or Transit Supportive (TS)



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Pre-zone to TOD or Transit Supportive (TS)

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Modify TOD/TS Development Standards



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1 Sponsor Conditional Rezoning

2 Link the Zoning Ordinance to Plan Vision

3 Pre-zone to TOD or Transit Supportive (TS)

4 Modify TOD/TS Development Standards

5 Revise the Zoning Ordinance



Immediate Next Steps (2014)

Clarion Associates will assist Staff in the following tasks as part of the next phase of the Zoning Ordinance update effort:

- **Update TOD and TS Overlay Districts**

Can this effort serve as a model for future zoning districts in a new or revised ordinance?

- **Unified Development Ordinance (UDO)**

Should Charlotte work toward developing a UDO?

- **Further Study of Form-Based Codes and Regulating Plans**

How could form-based zoning fit into the Zoning Ordinance approach for Charlotte?



The TOD/TS update can serve as a model for how a future revised Zoning Ordinance could look and work.

CHARLOTTE CODE
PART 12: TRANSIT ORIENTED DEVELOPMENT DISTRICTS

1. Driveways providing access to the parking area may be installed. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible to minimize intrusion into the landscaped area, and for pedestrian safety.
 2. Driveways providing access to structured parking facilities are permitted between the rail corridor setback and the building. However, the length of the driveway shall not exceed 50% of the length of the property line along the rail corridor.
- (d) In the event that the City or State removes any on-street parking that was allowed to count toward the minimum requirement, the existing use shall not be required to make up the difference and shall not be made non-conforming, with respect to parking.
- On-street parking shall be provided for properties on blocks with single family zoning except where prohibited by CDOT or NCDOT. On-street parking may be used to meet minimum residential parking requirements but shall not be counted in calculating maximum parking spaces.
(Petition No. 2009-12 §9.1208(e)(d) 03/19/09)
- (e) All recessed, on-street parking shall comply with Charlotte's Urban Street Design Guidelines.
- (f) The vehicular parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of Engineering and Property Management (for commercial and planned multi-family projects, change of use permits), or Neighborhood Development (for all other residential projects, change of use permits).
(Petition No. 2001-73 §9.1208(e)(f), 06/20/01)
- (g) Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than 35% of the total lot width.
- (h) Shared parking shall be permitted and encouraged pursuant to the regulations of Section 12.203.
- (i) Bicycle parking facilities shall be required as per Chapter 12, Part 2.
- (j) All surface parking shall conform to the internal planting requirements for parking areas in the *Charlotte Tree Ordinance*.

9-234



TOD/TS Overlay Update

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9-234

Dynamic Header

Prominent Titles

Nested Text

Balance Between
Text and White Space

Illustrations with Captions

Adoption Date
Page Numbers

District-Specific Development Standards
Town Center Residential District
Subsection 5.3: Site Layout and Building Organization

5.3 Site Layout and Building Organization

A. INTENT

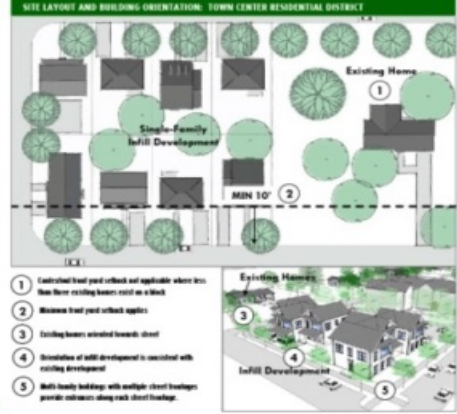
- (i) To ensure the layout and organization of infill development is compatible with the varied pattern of established residential development in the Town Center Residential District, and
- (ii) To facilitate a range of housing options within walking distance of the Main Street District.

B. CONTEXTUAL FRONT YARD SETBACKS

- (i) Town Center Residential development shall comply with standards for Contextual Front Yard Setbacks as contained in Section 3 of this Article. (Figure 18)
- (ii) Where an established pattern of setbacks has not been established along the block by three or more homes, front yard setbacks shall be a minimum of:
 - (1) 10 feet for detached single-family; and
 - (2) 15 feet for townhomes and multi-family.

Figure 18

SITE LAYOUT AND BUILDING ORIENTATION: TOWN CENTER RESIDENTIAL DISTRICT



1 Contextual front yard setback not applicable where less than three existing homes exist on a block

2 Minimum front yard setback applies

3 Existing homes oriented towards street

4 Orientation of infill development is consistent with existing development

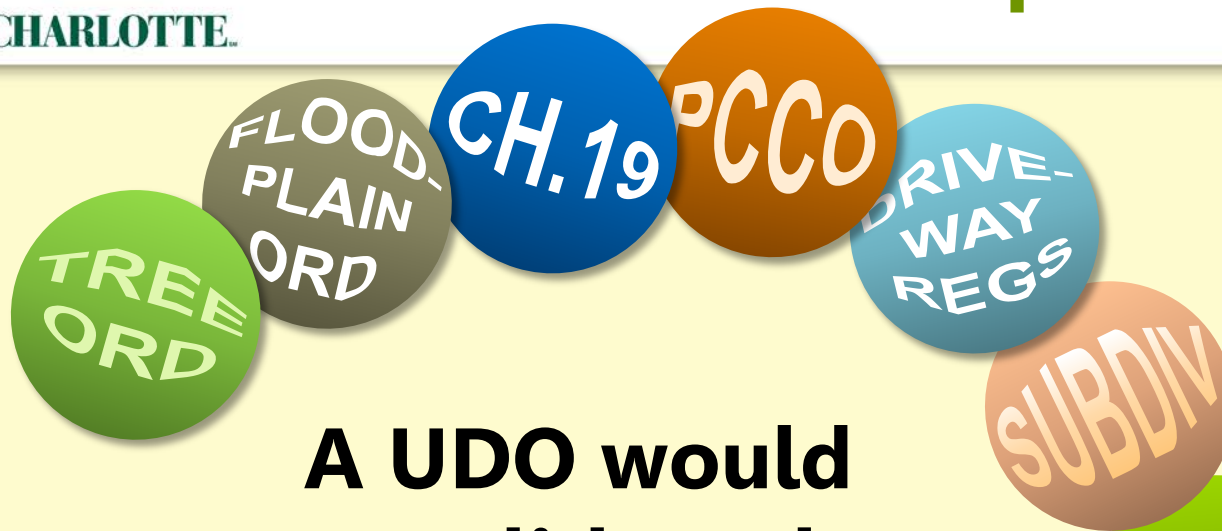
5 Multi-family buildings with multiple short frontages provide setbacks along each short frontage

Morrisville Town Center Code—Final Draft, December 2009 PZB Recommendation Version

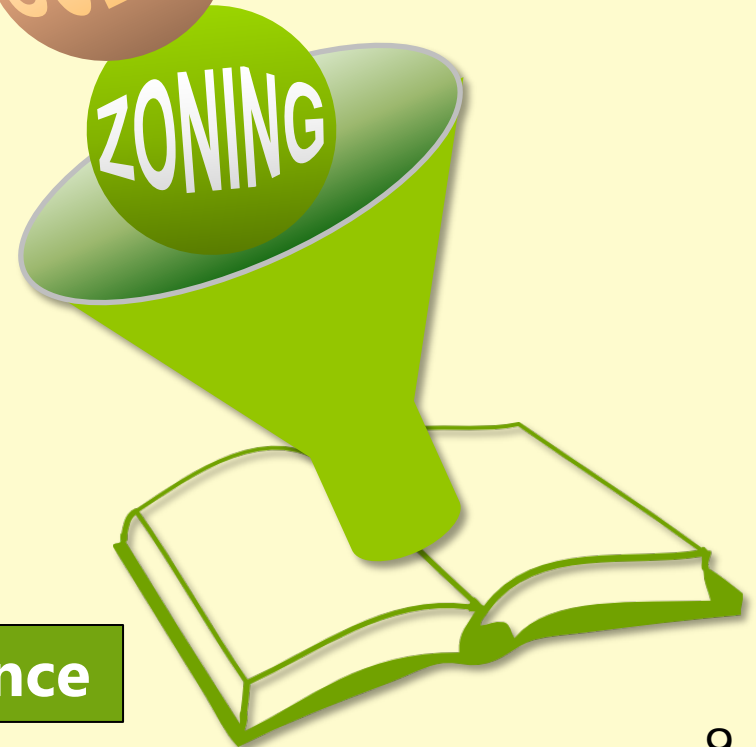
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Unified Development Ordinance



A UDO would consolidate the various regulations that control how land is developed.



Unified Development Ordinance



Unified Development Ordinance

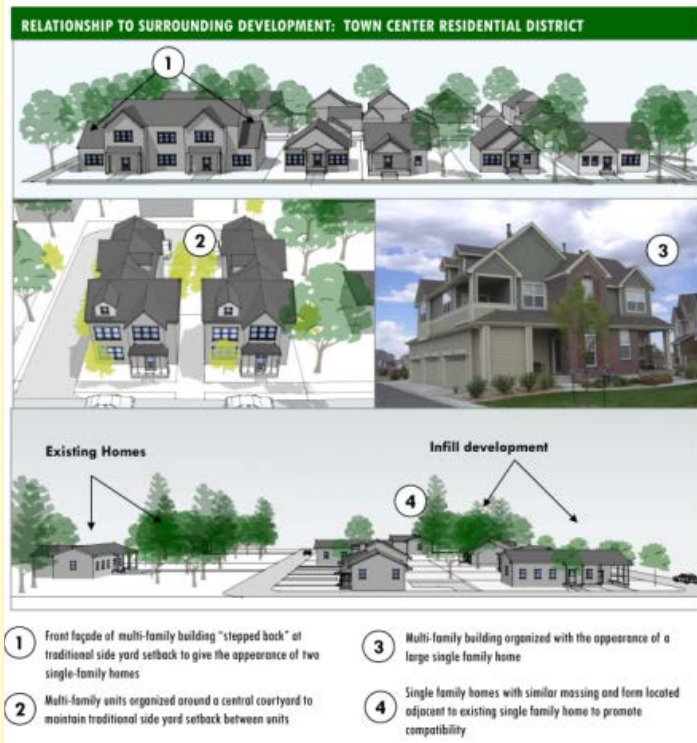
Hypothetical Challenge Posed by Multiple Development Ordinances

A property owner wishing to develop residentially-zoned land for a multiple-lot commercial use must review procedures and standards for rezonings and site plan approval in the **Zoning Ordinance**, and procedures and standards for division of the property and provision of public improvements in the **Subdivision Ordinance**, standards for protecting trees in the **Tree Ordinance**, and standards for stormwater management in the **Sediment and Erosion Control Ordinance**. If the property abuts a waterway or lies in a floodplain, the owner must also consult the **Floodplain Ordinance**. The property owner must be able to find all the applicable regulatory provisions from among the separate ordinances, determine how they interrelate (i.e., which approvals come first), and resolve any conflicts and ambiguities created where different ordinances address the same or similar aspects of development or development review.





Form-Based Codes...



Morrisville, NC

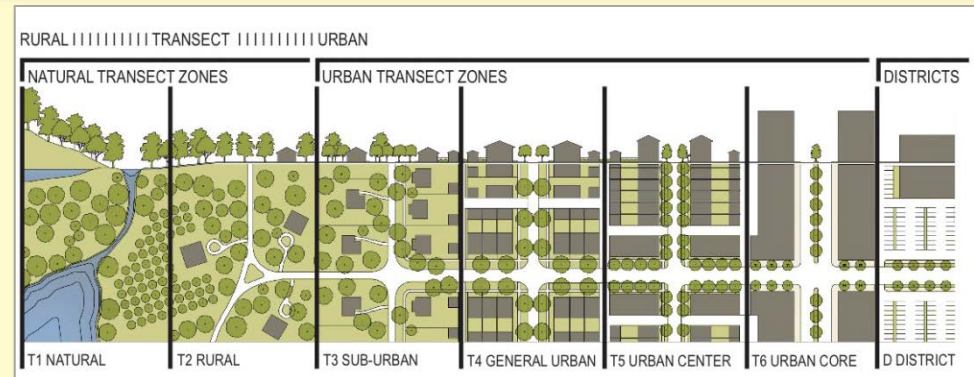
- Primarily emphasize the physical form, rather than the separation of uses.
- Are used to reinforce, support, and encourage a variety of place types, from residential neighborhoods to mixed-use environments.
- Are usually highly prescriptive, and can provide a greater level of detail.
- Emphasize walkability, high quality design, and building upon existing character of places.



Form-Based Codes

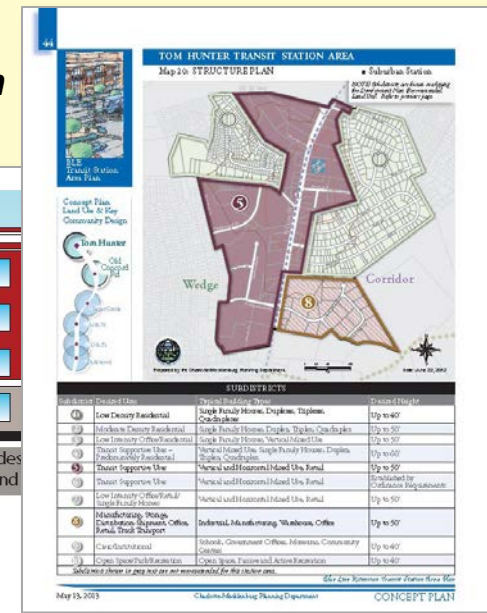
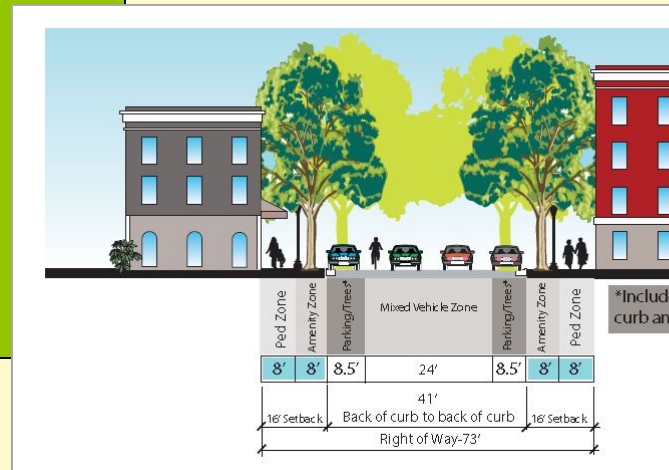
Form-based codes usually include a set of minimum components, including:

- Regulating Plan
- Public Space Standards
- Building Form Standards



Rural-to-Urban Transect

BLE Structure Plan



Area Plan Streetscape Cross-Section



Proposed Project Schedule

2014

- Revisions to TOD and TS Overlay Zoning Districts
- Further study on UDO and Form-Based Codes/Regulating Plans

2015-2016

- Determine the ordinance type/approach
- Develop ordinance outline
- Initiate Phase 1 changes
- Determine/develop implementation strategy

2016-2017

- Finalize Phase 2 ordinance changes
- Implementation phase
- Revise zoning map

2018

- Full implementation

Ideas for Near Term Activities

- Representatives assist in review of TOD/TS updates
- Work sessions on TOD/TS Overlay updates
- Consultant presentations on UDO and Form-Based Codes for Planning Commission Feedback
- Provide advice and feedback on overall citizen engagement/public involvement strategies
- Other ideas?

Questions and Discussion