

**ZONING COMMITTEE  
RECOMMENDATION  
June 28, 2006**

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**Rezoning Petition No. 2006-067**

**Petitioner:** Charlotte-Mecklenburg Planning Commission

**Request:** Text amendment to add new requirements for landscape screening on residential reverse frontage lots along major and minor thoroughfares, as well as along major collectors that function as a minor arterial, whether or not they are on the thoroughfare maps. The screening will provide a visual screen between the use and the street which will not provide direct vehicular access.

**Action:** The Zoning Committee voted unanimously to recommend **APPROVAL** of this text amendment

**Vote:** Yeas: Carter, Cooksey, Farman, Howard, Ratcliffe and Shield

Nays: None

Absent: Hughes

**Summary of Petition**

Currently there are no screening requirements when a residential development does not propose two tiers of buildable lots (reverse frontage lots), other than the landscape and sidewalk requirements along public streets. Because these requirements are not sufficient to create a visual screen between the use and the street, this amendment seeks to require screening in one of two ways:

1. A deed restricted, recorded, common open space strip, that is a minimum of 30' in width shall be provided for reverse frontage lots and noted as "common open space". There shall not be vehicular access through this open space strip to the public street right-of-way. In addition, a berm at least 4' high shall be provided with trees and shrubs, provided at a ratio of 6 trees and 20 shrubs per 100 linear feet, evenly distributed. Or, in lieu of a berm, a wall or fence 4' in height may be provided, planted with the same amount of plantings per 100 linear feet. In lieu of a berm, fence, or wall, a tree save area may be provided, again meeting the same minimum planting requirements above.

If the planting or berm cannot fit within the 30' strip, the strip must be increased accordingly, but the minimum plantings requirements will remain the same.

Maintenance of the strip will be the responsibility of the homeowner's association. A minimum rear yard of 20' is required, measured from the interior edge of the common open space strip.

2. If common open space cannot be provided, or there is no homeowner association, then the lots must be increased in depth to provide a minimum of 30' recorded landscaped easement. The easement shall contain a berm with minimum required plantings of 6 trees and 20 shrubs per 100 linear feet, evenly distributed. Or, in lieu of a berm, a wall or fence 4' in height may be provided within the 30' easement planted with the same landscaping provisions above. In lieu of a berm, wall, or fence, a tree save area may be provided again, meeting the minimum planting requirements.

If the berm or the landscape plantings can not fit within the 30' easement, then the easement must be increased accordingly, but the plantings required per 100 linear feet will remain the same.

Maintenance of the landscaped easement will be the responsibility of the homeowner's association. A minimum rear yard of 20' is required, measured from the interior edge of the common open space strip.

### **Zoning Committee Discussion/Rationale**

Mr. MacVean summarized the text amendment to add new requirements for landscape screening on residential reverse frontage lots along major and minor thoroughfares, and along collectors that function as a minor arterial. The screening will provide a visual screen between the use and the street which does not provide the vehicular access.

### **Statement of Consistency**

A motion was made by Ratcliffe and seconded by Howard finding that this text amendment was inconsistent with the current plans and policies, but appropriate and in the public interest. The Zoning Committee unanimously approved this motion.

### **Vote**

**Upon a motion made by Howard and seconded by Carter, the Zoning Committee voted unanimously to recommend approval of this text amendment.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.