



CHARLOTTE

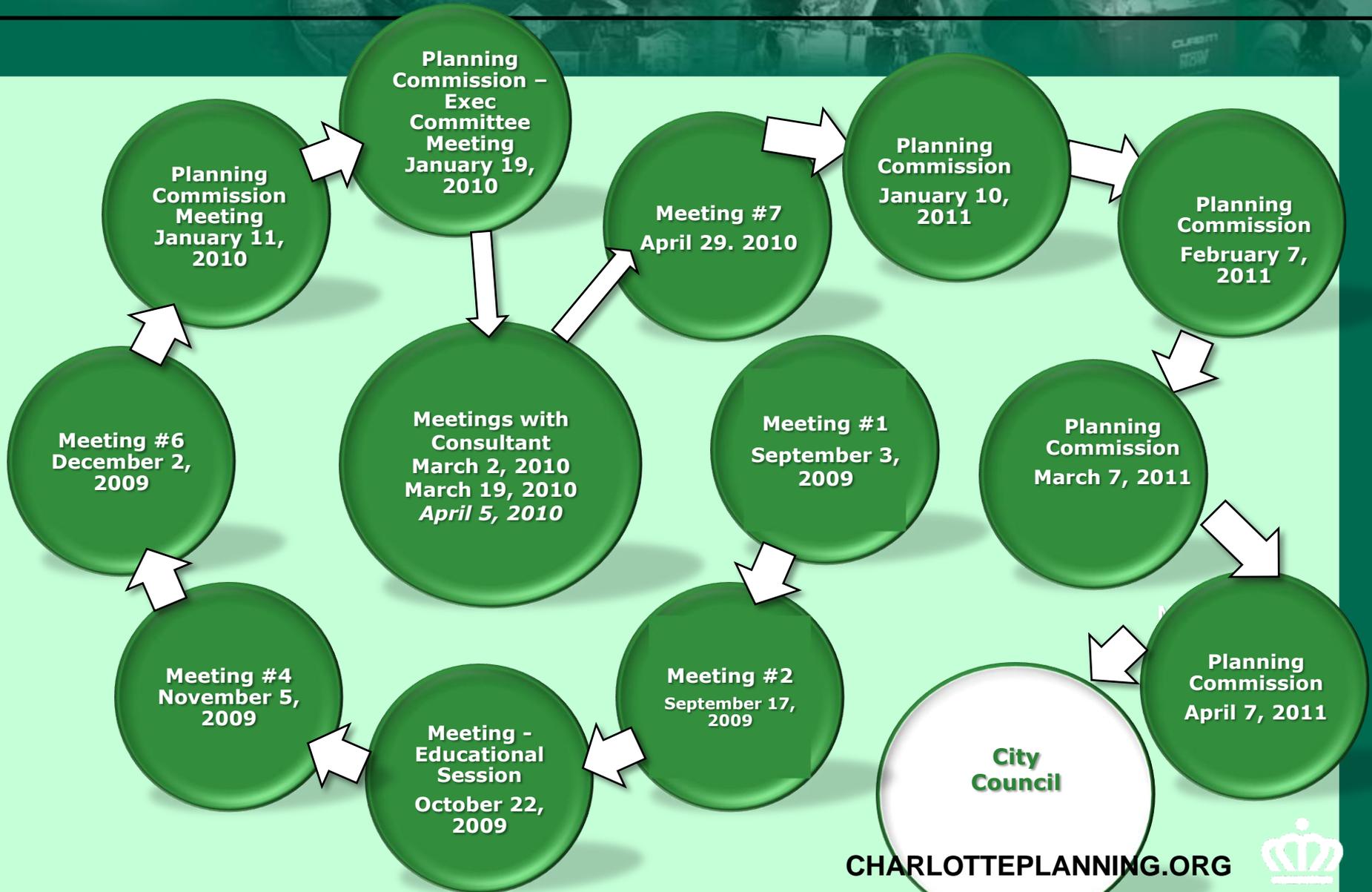
HEIGHTS IN RESIDENTIAL DISTRICTS

City Council Presentation
Katrina Young, Zoning Administrator

June 20, 2011

- ❑ A rezoning petition (#2008-32) was initiated by the Myers Park Neighborhood Association to rezone 40.9 acres from R-22MF to R-8MF.
- ❑ The petition was filed to respond to concerns about the height and scale of development proposed in the area.
- ❑ The petition went to hearing and City Council directed Planning staff to examine existing regulations that control height in residential areas.

Process Slide



STAKEHOLDER PRIMARY CONCERNS

- ❑ There are no maximum height limits
- ❑ Height compatibility requirements for buildings are inadequate
- ❑ Loss of development rights
- ❑ Creating nonconforming buildings

The base maximum height of a building is 40'. The existing regulations allow a building to exceed 40' with the following conditions:

1. Buildings above 40' must increase side and rear yards by 1 foot for every foot increase in height when abutting a residential district or use.
2. Buildings above 40' abutting any other district or use are required to increase side yards by 1 foot for every 2 feet increase in height.

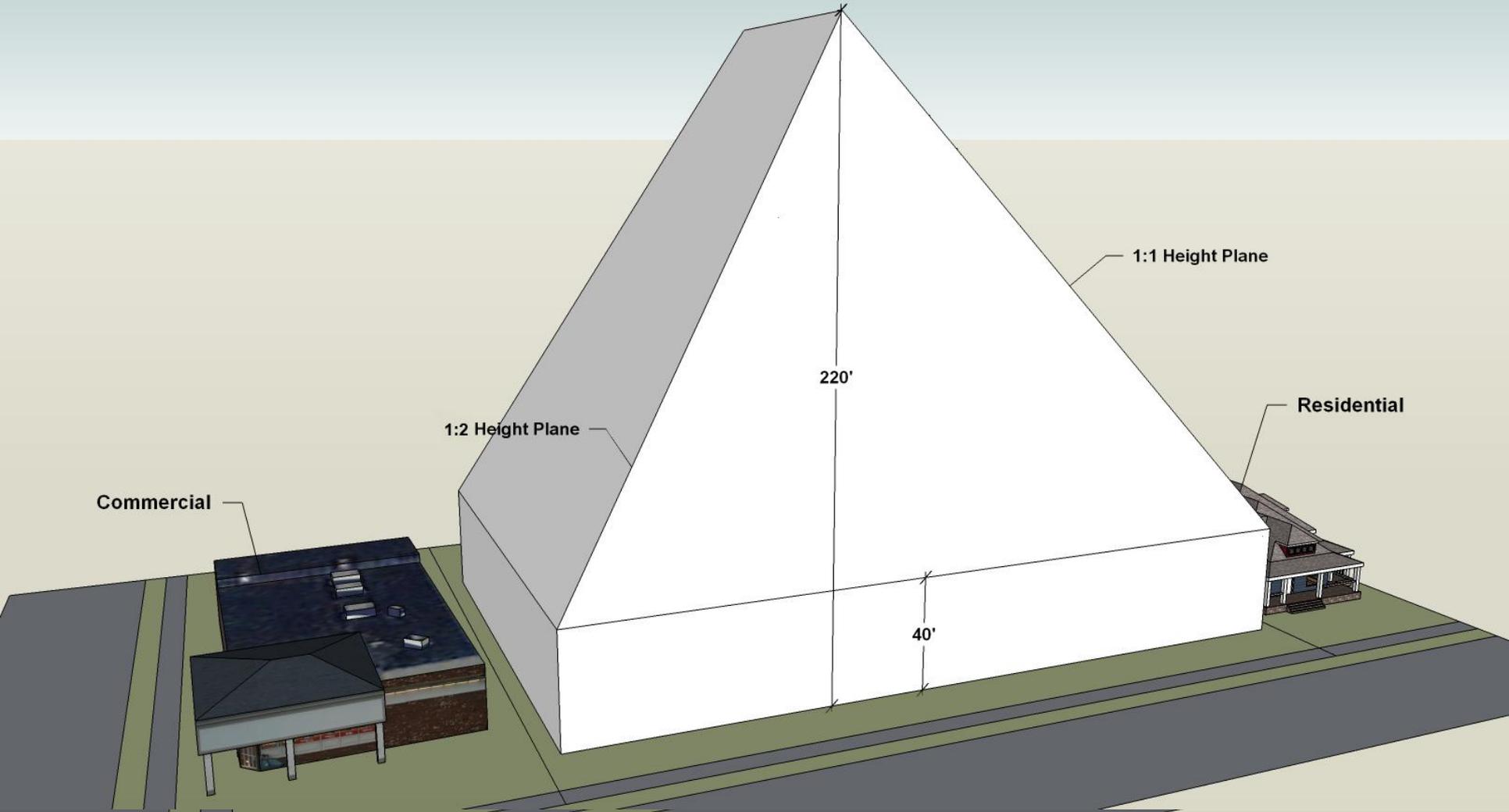
RESIDENTIAL BUILDING ENVELOPE EXISTING REGULATION



R-3, R-4, R-8MF, AND R-12MF



MULTI-FAMILY & NONRESIDENTIAL BUILDING ENVELOPE EXISTING REGULATION



1. Improve compatibility of development in single family neighborhoods (use existing development as contextual framework for new development)
2. Minimize creation of non-conforming structures
3. Maintain and preserve development rights in appropriate locations (i.e. when not adjacent to single family zoning or use)
4. Define terms and recommend a consistent way building height is measured

RESIDENTIAL ZONING DISTRICTS IMPACTED BY CHANGES

- ❑ **Single Family** – R-3, R-4, R-5, R-6 and R-8
- ❑ **Multi-Family** – R-8MF, R-12MF, R-17MF, R-22MF and R-43 MF
- ❑ **Urban Residential** – UR-1, UR-2 and UR-3
- ❑ **Mixed Use** – MX-1, MX-2 and MX-3
- ❑ **Manufactured Housing** – R-MH



COMPARISON RECOMMENDATION #1 SINGLE FAMILY & LOW DENSITY MF

CURRENT

- No max height of building
- Max base height at side and rear yards
- Increase yards for portion of building over 40'

PROPOSED

- Max height at front building line
- Max base height at side yards
- No height maximum at rear
- Increase yards for portion of building over 40'

RESIDENTIAL BUILDING ENVELOPE EXISTING REGULATION



R-3, R-4, R-8MF, AND R-12MF

RESIDENTIAL BUILDING ENVELOPE PROPOSED REGULATION



R-3, R-4, R-8MF, AND R-12MF

RESIDENTIAL BUILDING ENVELOPE PROPOSED REGULATIONS



R-3, R-4, R-8MF, AND R-12MF



COMPARISON RECOMMENDATION #2 HIGH DENSITY MF & NONRESIDENTIAL

CURRENT

- No max height of building
- Increase yards for portion of building over 40'
- No measurement of height at setback

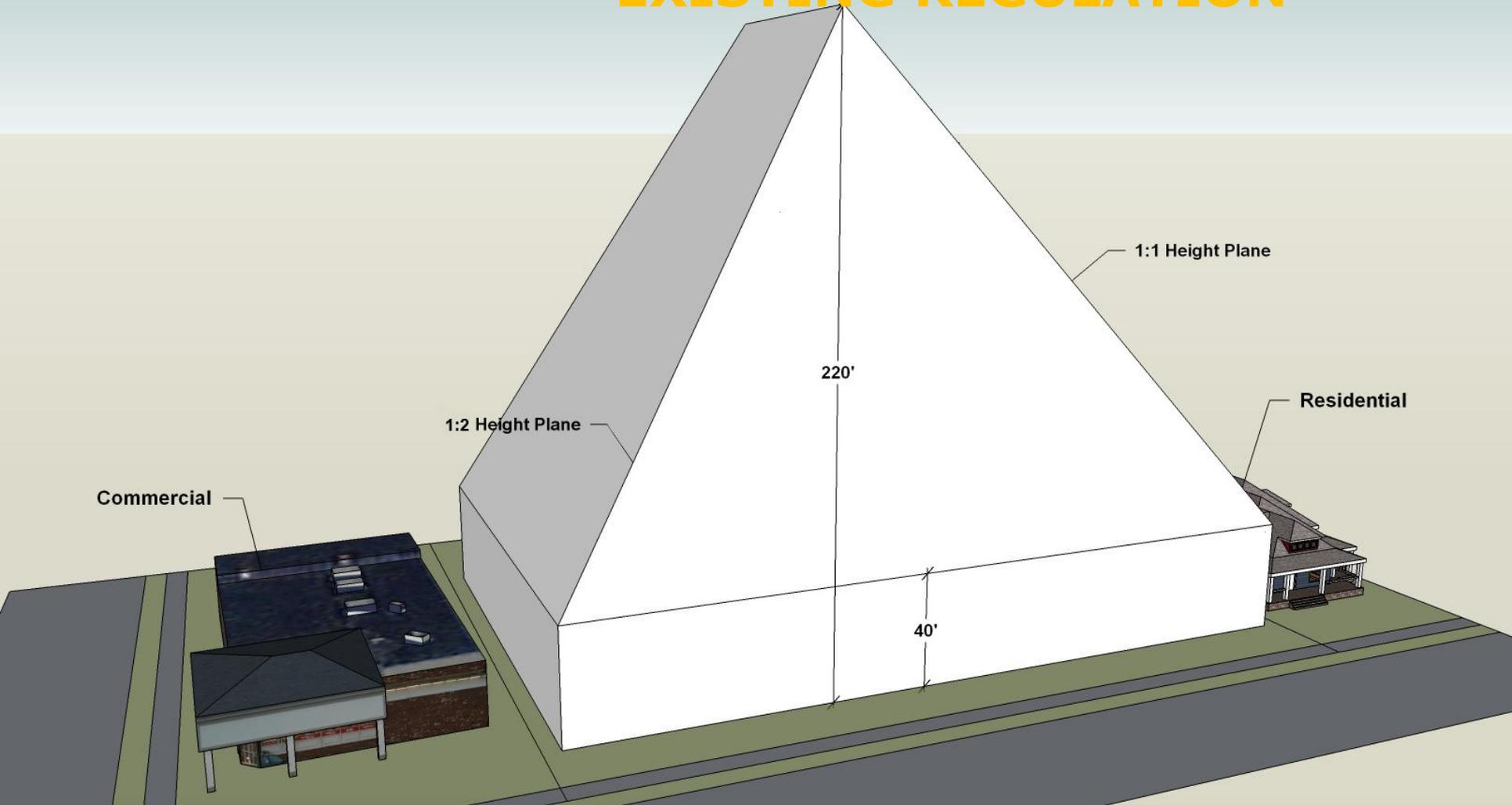
PROPOSED

- Max height
- Measurement from lowest to highest point
- Adjacent district and use dictates height at building setback, side and rear yards



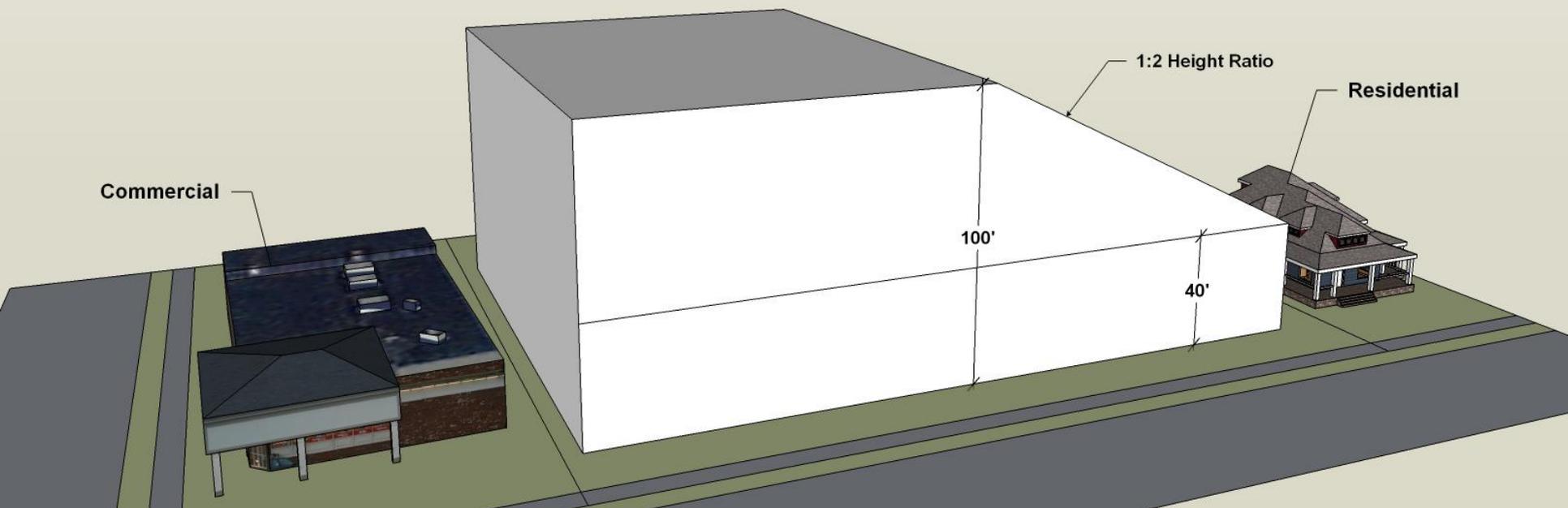
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MULTI-FAMILY & NONRESIDENTIAL BUILDING ENVELOPE EXISTING REGULATION





MULTI-FAMILY & NONRESIDENTIAL BUILDING ENVELOPE PROPOSED REGULATION





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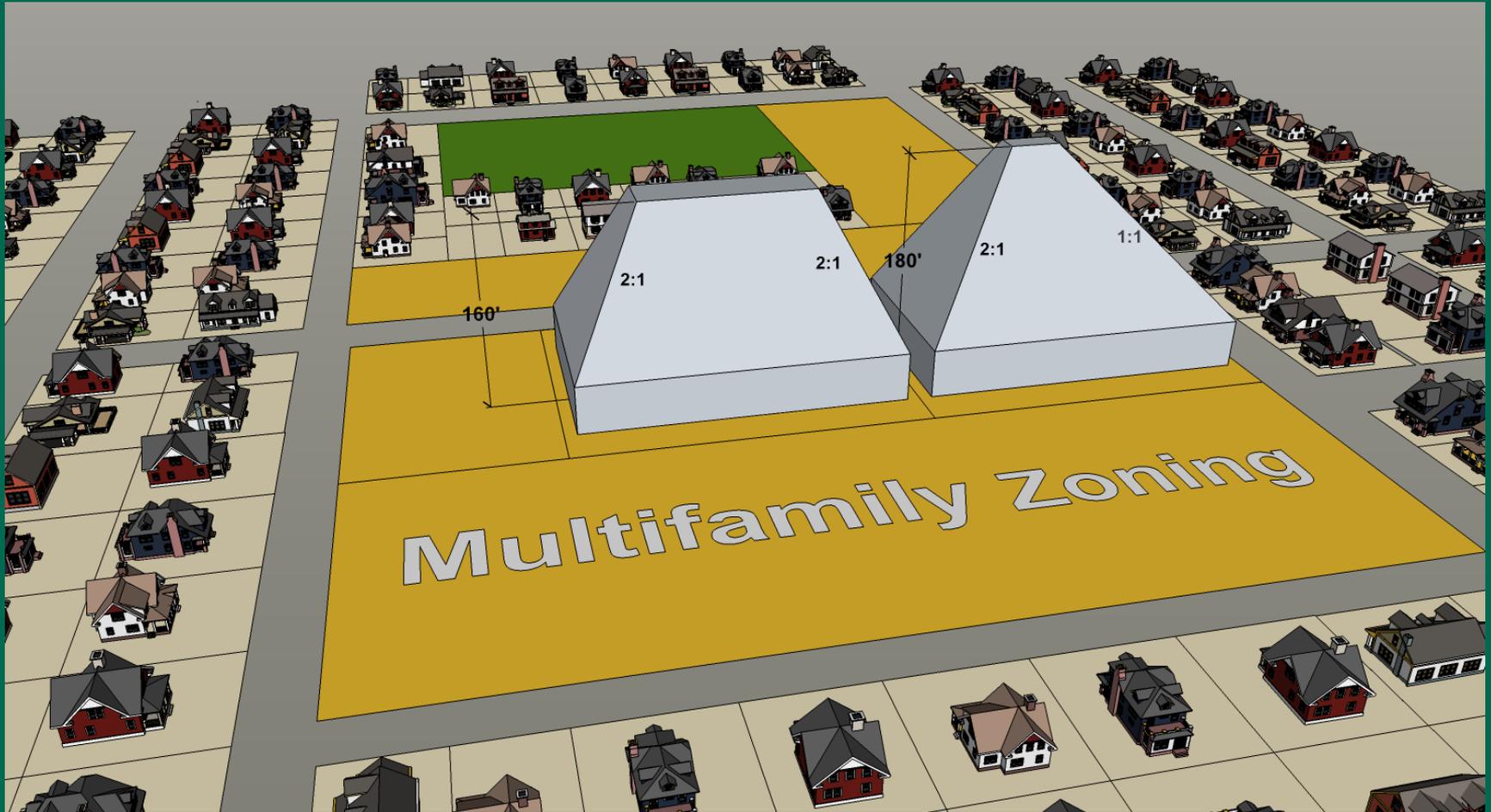
MULTI-FAMILY & NONRESIDENTIAL BUILDING ENVELOPE PROPOSED REGULATION





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CURRENT MULTIFAMILY DEVELOPMENT BUILDING ENVELOPE





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PROPOSED MULTIFAMILY DEVELOPMENT BUILDING ENVELOPE



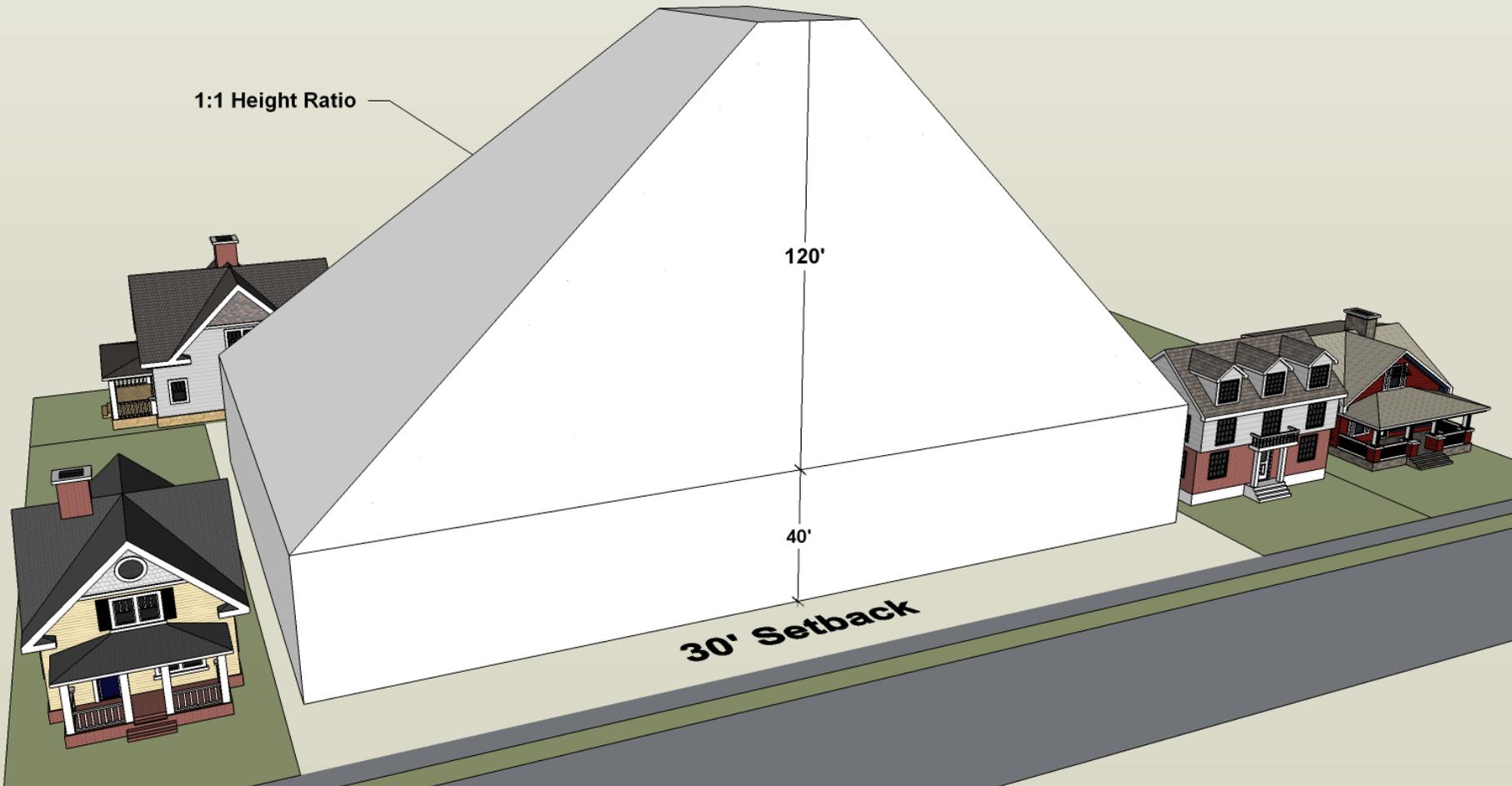
MULTIFAMILY DEVELOPMENT BUILDING ENVELOPE PROPOSED REGULATIONS





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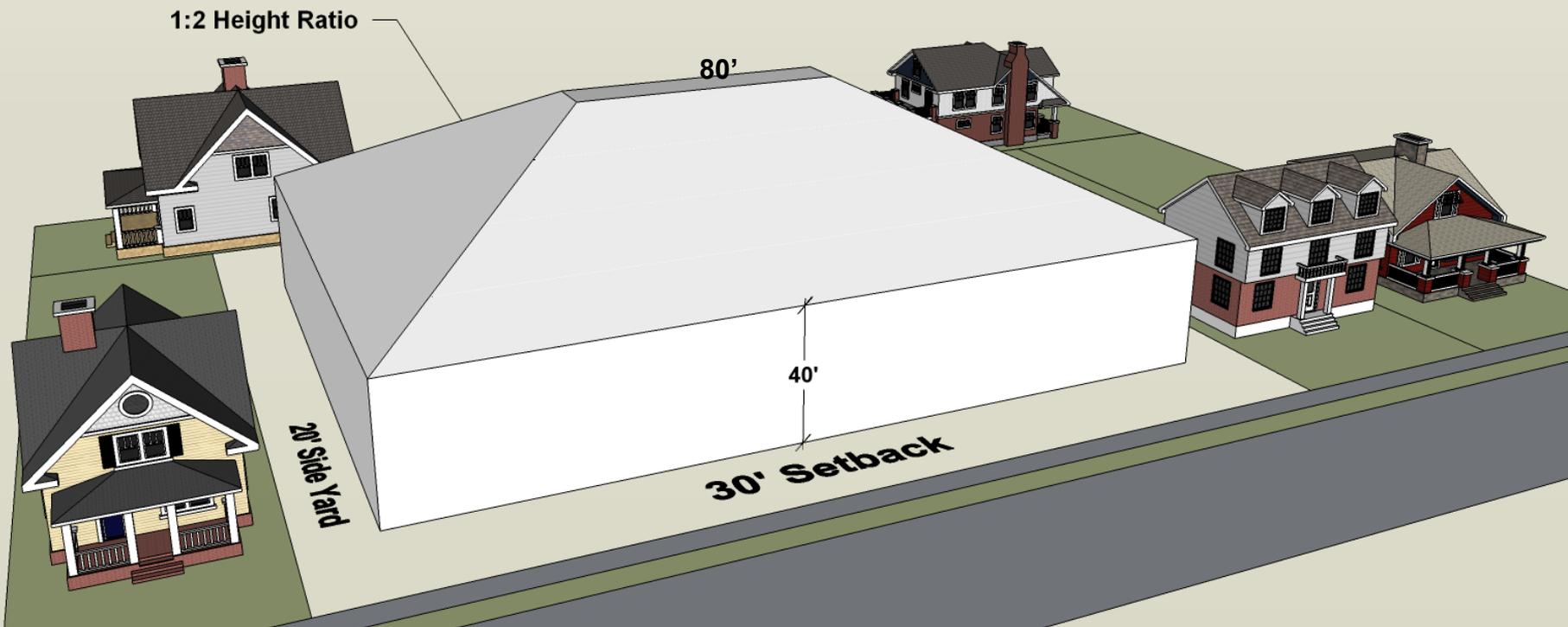
NONRESIDENTIAL USE IN SF AND MF DISTRICT ADJACENT TO RESIDENTIAL BUILDING ENVELOPE





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NONRESIDENTIAL USE IN SF AND MF DISTRICT ADJACENT TO RESIDENTIAL BUILDING ENVELOPE





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NONRESIDENTIAL USE IN SF AND MF DISTRICT ADJACENT TO RESIDENTIAL BUILDING ENVELOPE



ADDITIONAL RECOMMENDATIONS

- ❑ Modify the current definition of “height” to:
 - Exclude chimneys and firewalls from the measurement
 - Clarify how average grade is calculated

- ❑ Modify section 7.103(7) regarding the time period for when a building permit is required to repair or restore a nonconforming residential structure, based on height, after it is destroyed or damaged from 12 months to **24** months.

- ❑ Modify Section 11.208 (MX Districts) to add building height as a standard that can be modified through the innovative development process.

- ❑ Create a system that encourages compatible structures
- ❑ Height requirements based on:
 - Zoning District
 - Use
 - If adjacent to Single Family Zoning
- ❑ Increase time period for non-conforming structures to be rebuilt
- ❑ Limit heights in residential districts

**Request that amendment become effective January 1, 2012*



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QUESTIONS

