

ZONING ORDINANCE TEXT AMENDMENT APPLICATION

CITY OF CHARLOTTE

FY2009

Petition #: 2009-012

Date Filed: _____

Received By: _____

Office Use Only

Revised 2-20-09

Section #: 9.1202 "Establishment of a Transit Oriented Development District"; 9.1203 "Rezoning to a TOD Zoning District"; **9.1204, "Applicability and Exceptions";** 9.1205 "Uses Permitted by Right"; 9.1206 "Uses Permitted by Right Under Prescribed Conditions"; 9.1208 "Development Standards"; 9.1209 "Urban Design Standards"; **and 9.1212, "Transit Oriented Development Zoning Districts (Optional)."**

Purpose of Changes: The purpose of TOD districts is to encourage higher density development in transit station areas. However, some residents have expressed concern over the type of development occurring at the edge of single family districts. This text amendment will modify certain regulations in TOD to protect the character of adjacent single family neighborhoods, particularly where TOD is across the street from, or on the same side of the street of single family development. The text amendment will also make minor revisions such as clarifying text, etc. The requested changes are:

When TOD is across the street from or adjacent to single family development:

1. Modify the setback standards to apply to both public and private streets, and modify them based upon the street classification.
2. Change the starting point for measuring the height plane from the zoning district line to the setback line, or side yard, based on the location of single family development.
3. Prohibit loading and service areas.
4. Screen parking garages and decks with active uses.
5. Provide architectural design details such as roof line variation, material changes, enhanced design for building entrances, wall plane variation, window placement and design, etc.

Other general changes to TOD include:

1. Modify uses excluded in the TOD-Employment district.
2. Expand the conditions when property may be rezoned to TOD.
3. Add moped sales and showrooms as a permitted use.
4. Modify the setback standards for development not across the street from, or adjacent to single family development.
5. Modify the list of architectural features that may encroach into the setback.
6. Modify the minimum side and rear yard requirements when within or adjacent to a freight or rail corridor.
7. Create minimum parking requirement for residential development, and modify the parking for restaurants and nightclubs.
8. Modify the standards for driveways.
9. Add a requirement **that on-street parking shall be provided on blocks with single family zoning to provide on-street parking , in addition to the off-street parking requirements.**
10. Prohibit front loaded garages and parking pads for individual **single family and multi-family** residential uses along both private and public streets.
11. Clarify screening standards.
12. Clarify outdoor lighting standards.
13. Modify the urban open space requirements.
14. Modify the urban design standards for "street walls".
15. Clarify building entrance and orientation standards.
16. Delete the provision allowing a size bonus for neon light signs.
17. Clarify streetscape standards.
18. **Modify the applicability and exception section.**

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