



HEIGHTS IN RESIDENTIAL DISTRICTS

PLANNING AND ZONING 101
EDUCATION SESSION

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Presentation Outline

- ❑ **Planning Process (Policy Plans)**
- ❑ **Plan Implementation Tool (Zoning)**
- ❑ **Definitions and Examples**
- ❑ **Conclusions**

What is a Plan?

□ What a plan IS:

- Policy guide
- Framework for development
- Shared vision
- Service-delivery guide

□ What a plan IS NOT:

- Regulations, ordinance or law
- Mandatory



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Hierarchy of Plans





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Area Plan Development Process

*Information
Gathering,
Mapping and
Analysis*

Public Meeting – Project Kick off

Extensive Public
Notification

Stakeholder Meetings

Public Meeting – Present Recommendations

Extensive Public
Notification

Planning Committee Tour/Public Comments

Extensive Public
Notification

Planning Committee Recommendation

ED & Planning Committee Tour Overview

City Council Public Comment Session

Extensive Public
Notification

ED & Planning Committee Recommendation

City Council Recommendation

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Questions?

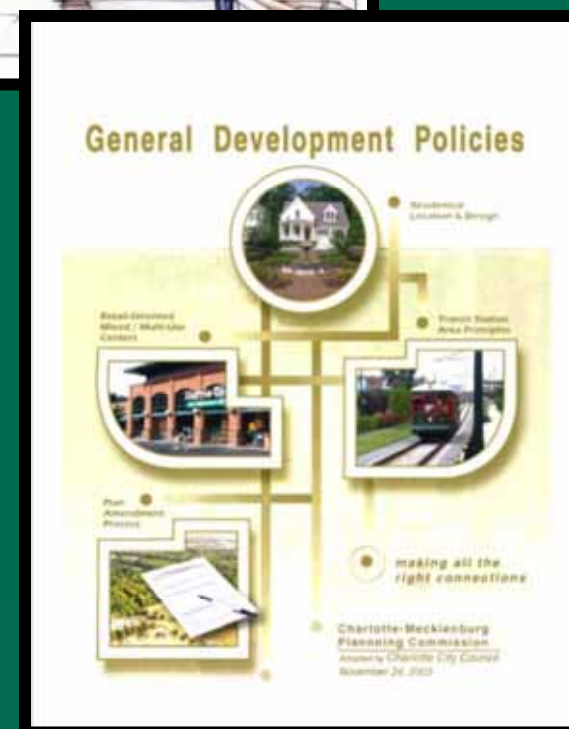
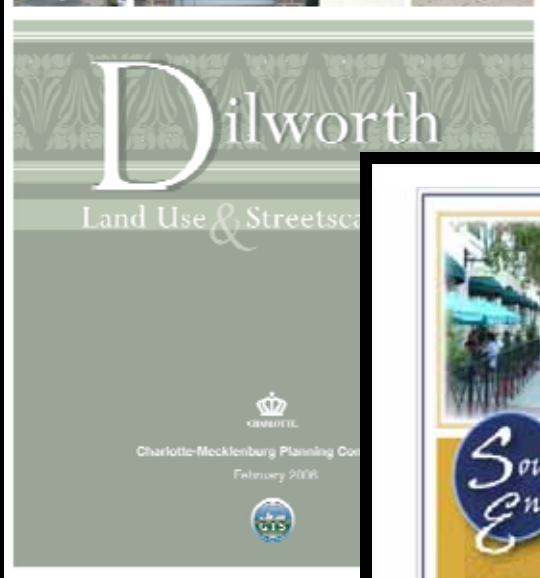


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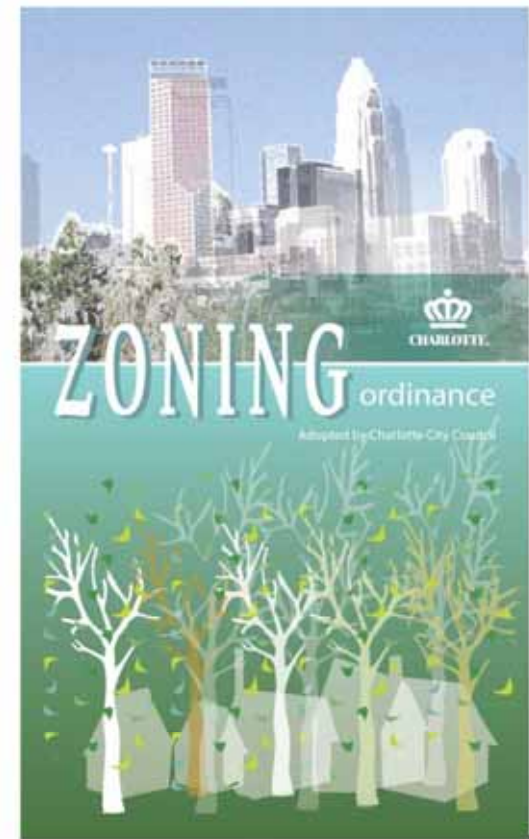
How are plans implemented?



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Zoning Ordinance

- ❑ Regulatory document
- ❑ Specifies use districts and development standards
- ❑ Outlines development approval, appeal, amendment and enforcement process



What Is Zoning?

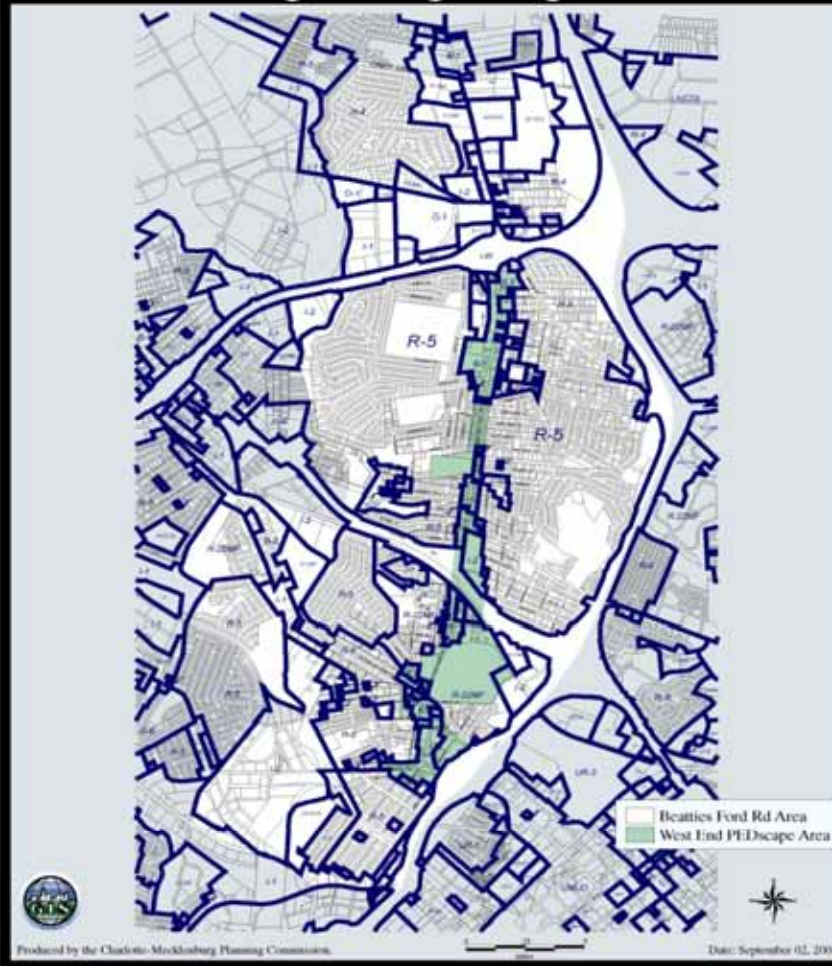
- ❑ Zoning is a legal ordinance used to regulate how land can be used.
- ❑ Every parcel of land in Charlotte and Mecklenburg County is zoned for a particular use (ie residential, office, industrial, retail, institutional, etc.)



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Types of Zoning Districts

Beatties Ford Road Area
Existing Zoning Designations



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Types of Zoning Districts

Every parcel of land in Charlotte and Mecklenburg County is zoned for a particular use (residential, office, industrial, retail, institutional, etc.)

- ❑ By Right Districts (examples: R-3, B-1, O-1)
 - No Site Plans required
- ❑ Conditional Districts – 2 types
 - **By Right Districts made Conditional**
examples: B-1(CD), O-1(CD)
 - **Conditional Districts** – (examples: NS, CC, MX)
 - Site Plans Required
- ❑ Overlay Districts (examples: PED, TOD)

What is the relationship between zoning and an adopted plan?

- ☐ Zoning is the tool that controls how land is used
- ☐ In most cases, it is desirable to have the adopted land use and zoning be the same
- ☐ Staff can initiate rezonings to ensure the zoning matches the proposed land use



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Questions?



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- Definitions
 - Abutting
 - Adjacent
 - Grade (Average)
 - Height
 - Nonconforming Structure
 - Required Setback
 - Required Side Yard
 - Required Rear Yard
 - Residential Use

Abutting

Having common property boundaries or lot lines which are not separated by a street. For purposes of this ordinance adjoining shall have the same meaning as abutting.

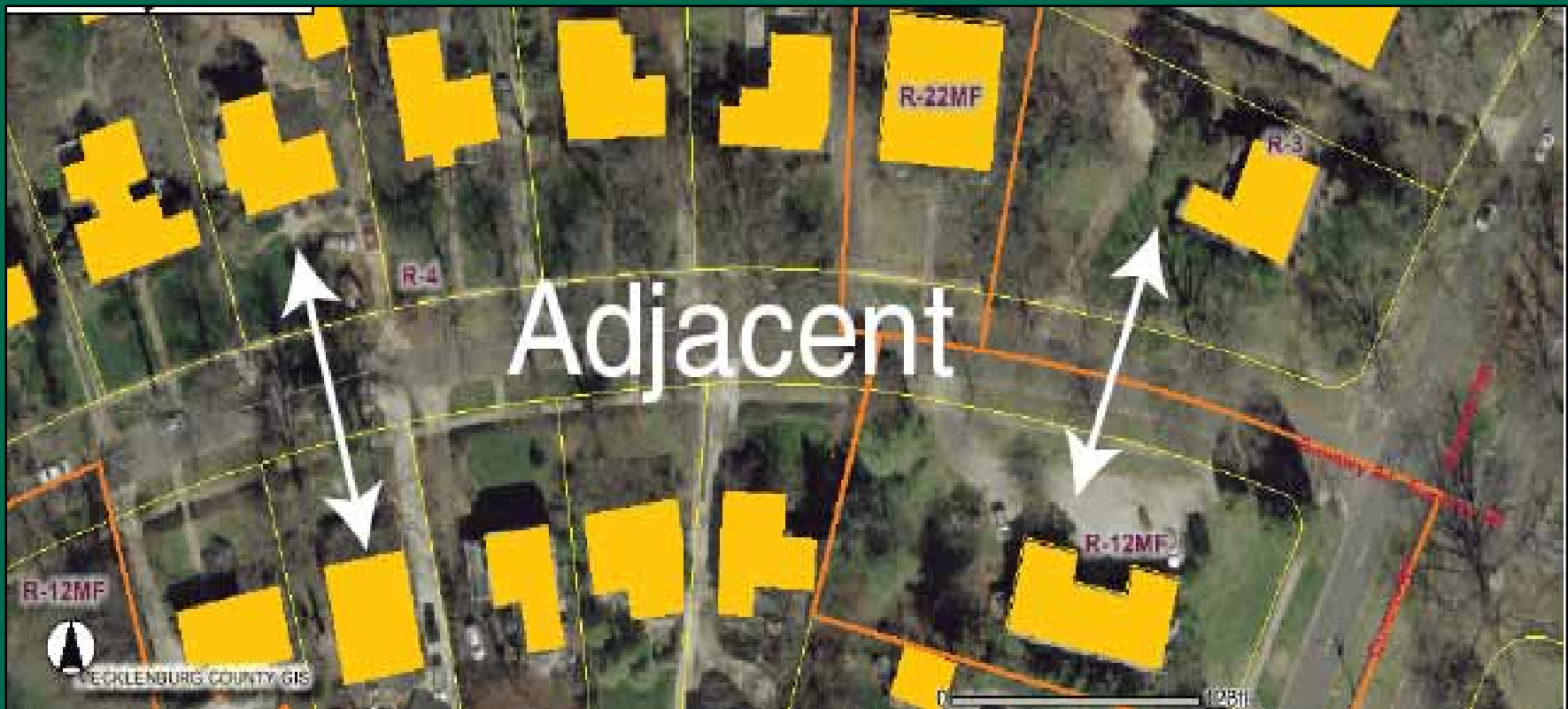




Definition

Adjacent

Having common property boundaries or lot lines or being directly across a street, alley or body of water none of which exceeds 100 feet in width.

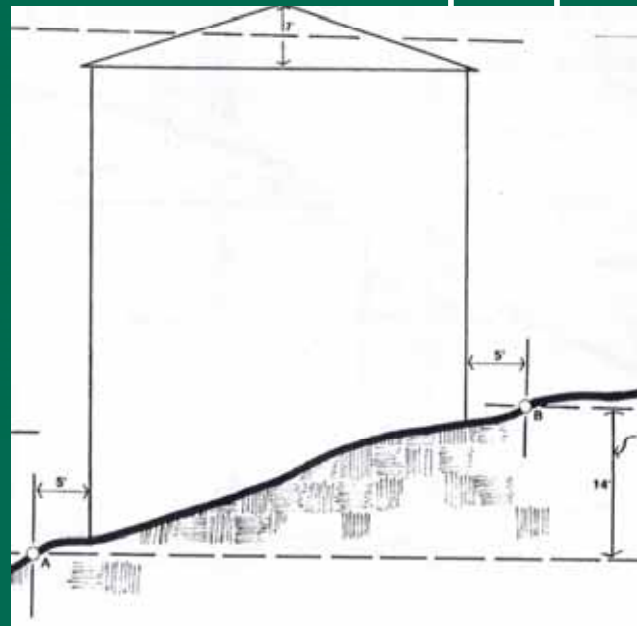




Definition

Grade

Along any lot line abutting a street, "grade" means the elevation at the higher of either the center line of the street or the property line. Along any lot line not abutting a street, "grade" means the ground elevation at the property line.



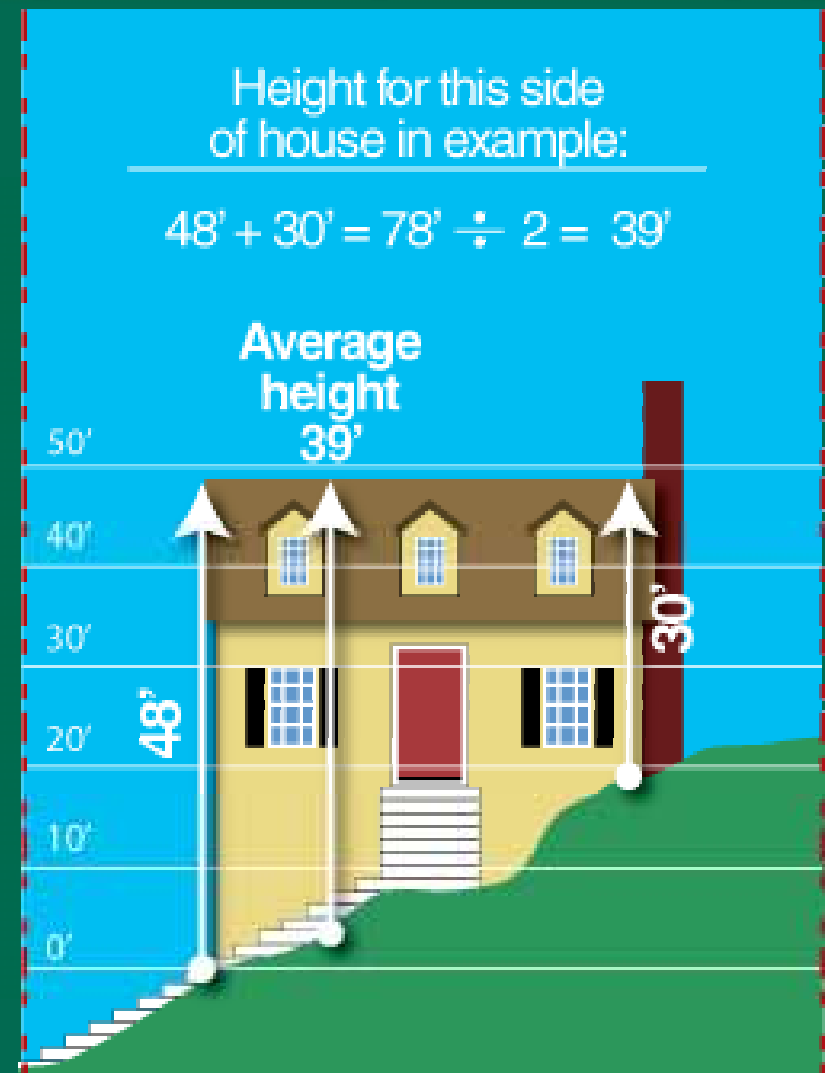
Height

The vertical distance between the average grade at the base of a structure and the highest part of the structure, but not including sky lights, and roof structures for elevators, stairways, tanks, heating, ventilation and air-conditioning equipment, or similar equipment for the operation and maintenance of a building.



Definition

- The chimney is not included when measuring height.
- When measuring height, each side of the building is measured separately.
- Height is measured from each elevation.





Definition

Nonconforming Structure

Any structure lawfully existing on the effective date of these regulations, or on the effective date of any amendment thereto, which does not comply with these regulations or any amendment thereto, whichever might be applicable.

What does it mean?

Any building that was built prior to the adoption of the Zoning Ordinance or an approved amendment that does not meet the new requirement(s) is still legal.



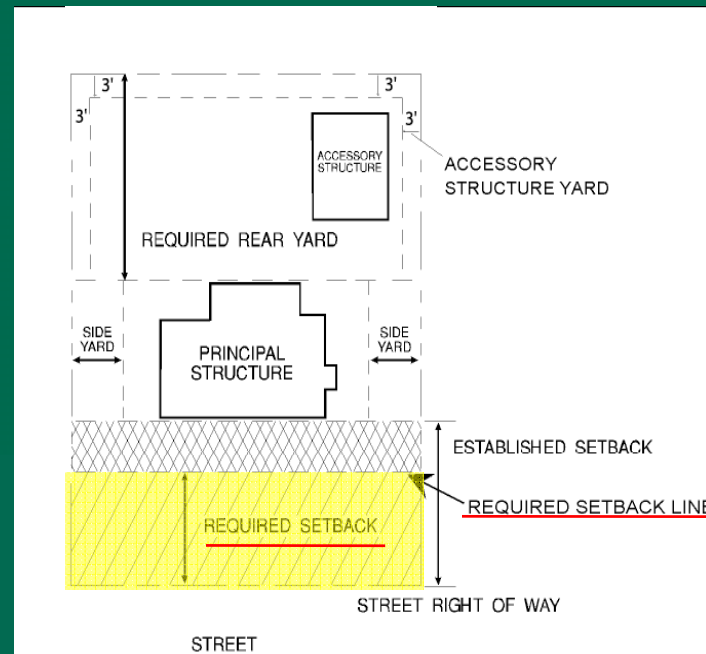
Required Setback

The minimum distance required by this ordinance between the street right-of-way line and the front building line of a principal building or structure as measured parallel from the street right-of-way line, projected to the side lines of the lot. In the case of a through lot, a required setback also will be measured from the right-of-way line at the rear of the lot to the rear building line.

Required Setback

What does this mean?

A building must be located at least this amount (example - 30') of distance from the right of way. When a lot has a street to the front and a street to the back then it actually has two setbacks and no rear yard.

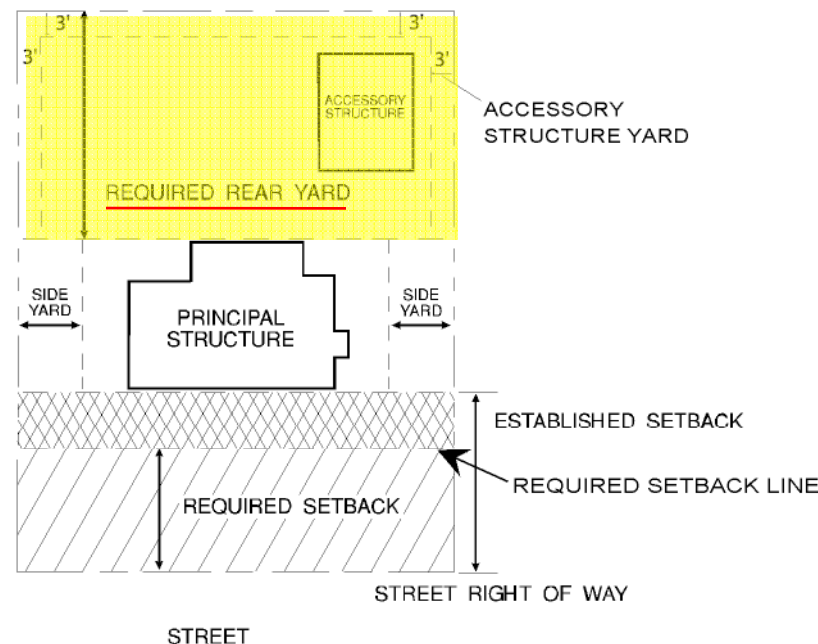


Required Rear Yard

The minimum distance required by this ordinance between the rear of a principal building or structure and the lot line farthest from the street fronting the lot as measured parallel to the rear lot line, projected to the side lines of the lot on which the building or structure is located.

What does this mean?

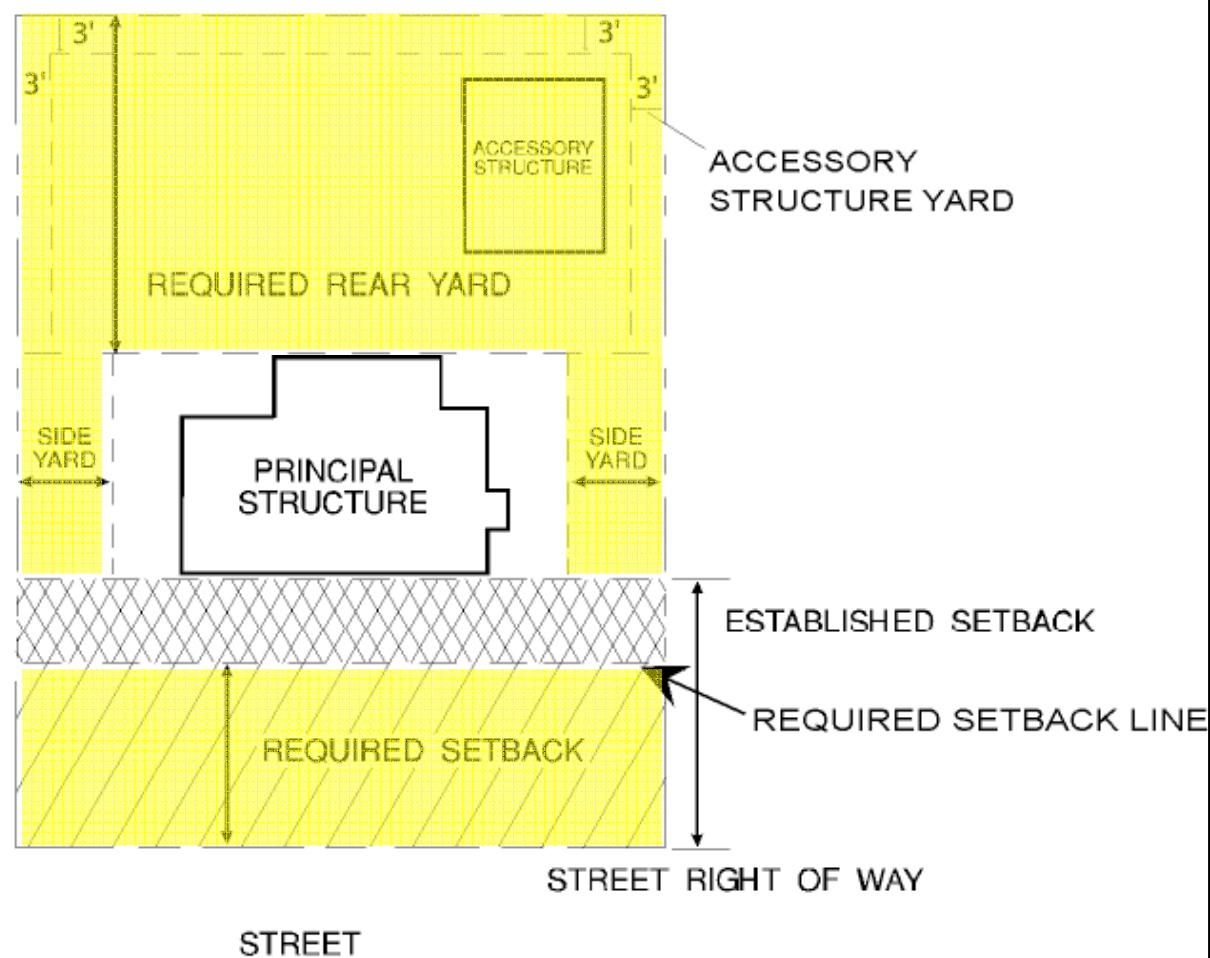
A building must be located at least this amount (example - 45') of distance from the rear property line. The rear property line is the line opposite the property line that abuts the street.





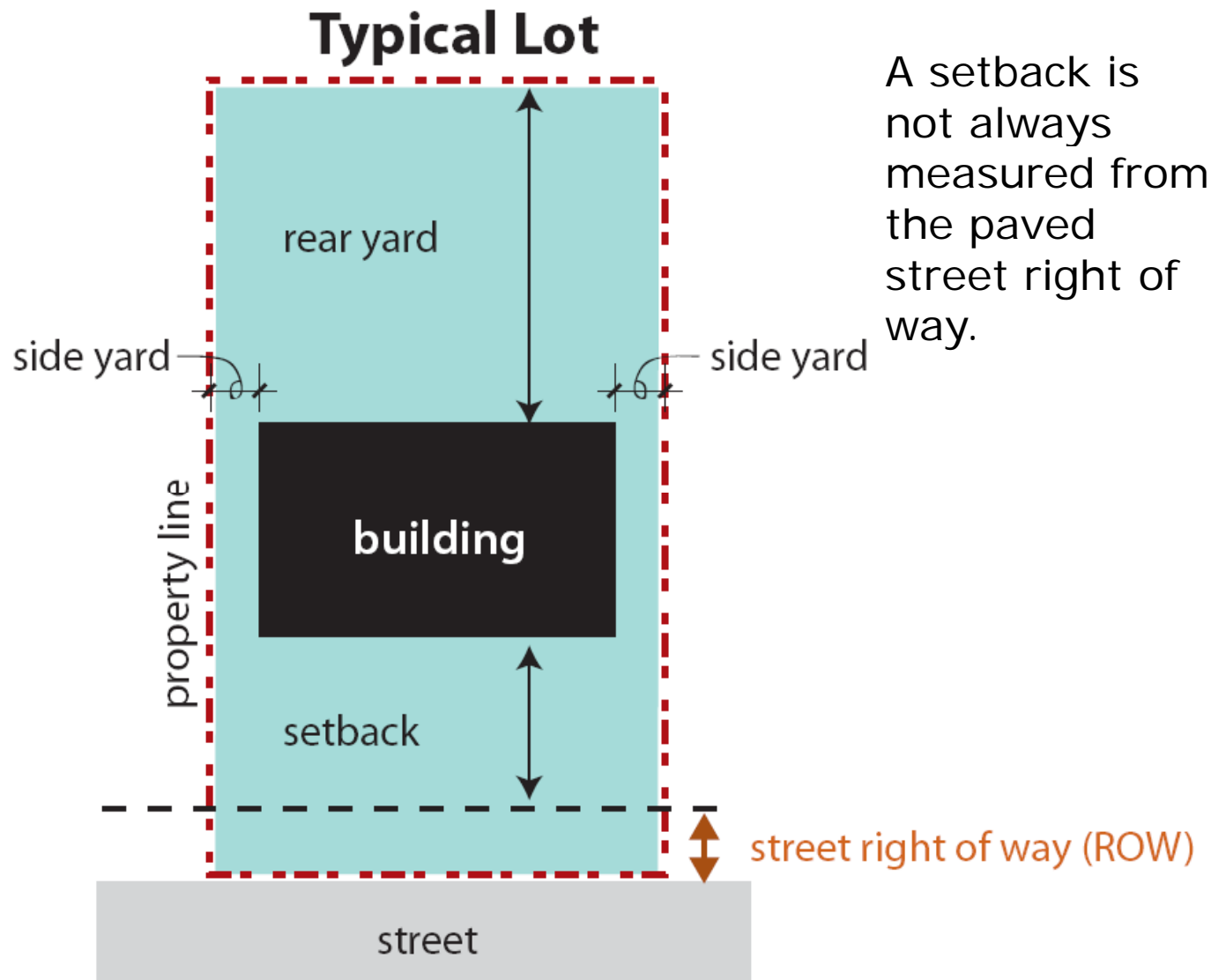
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Setback and Yard Requirements





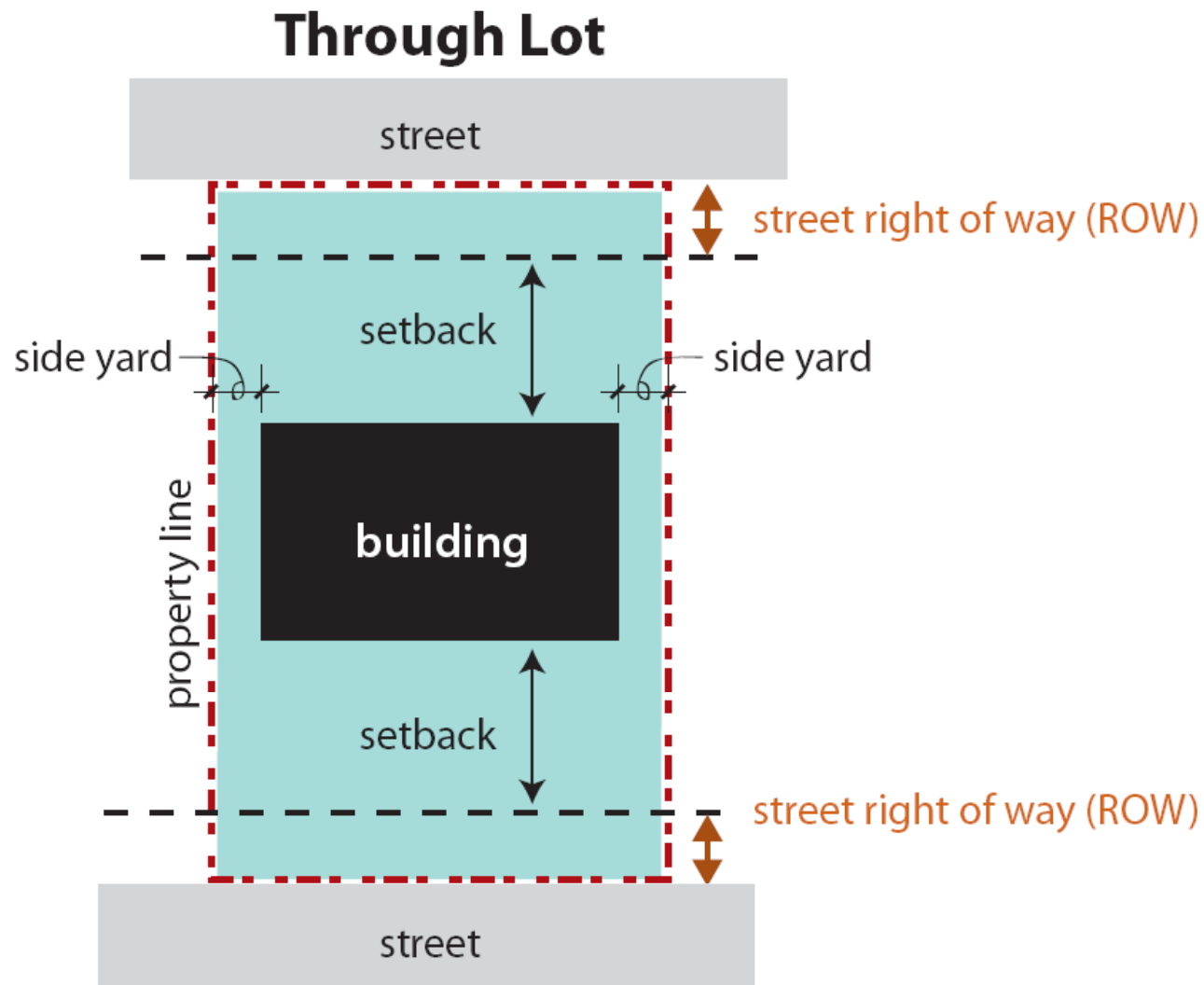
Typical Lot



A setback is not always measured from the paved street right of way.



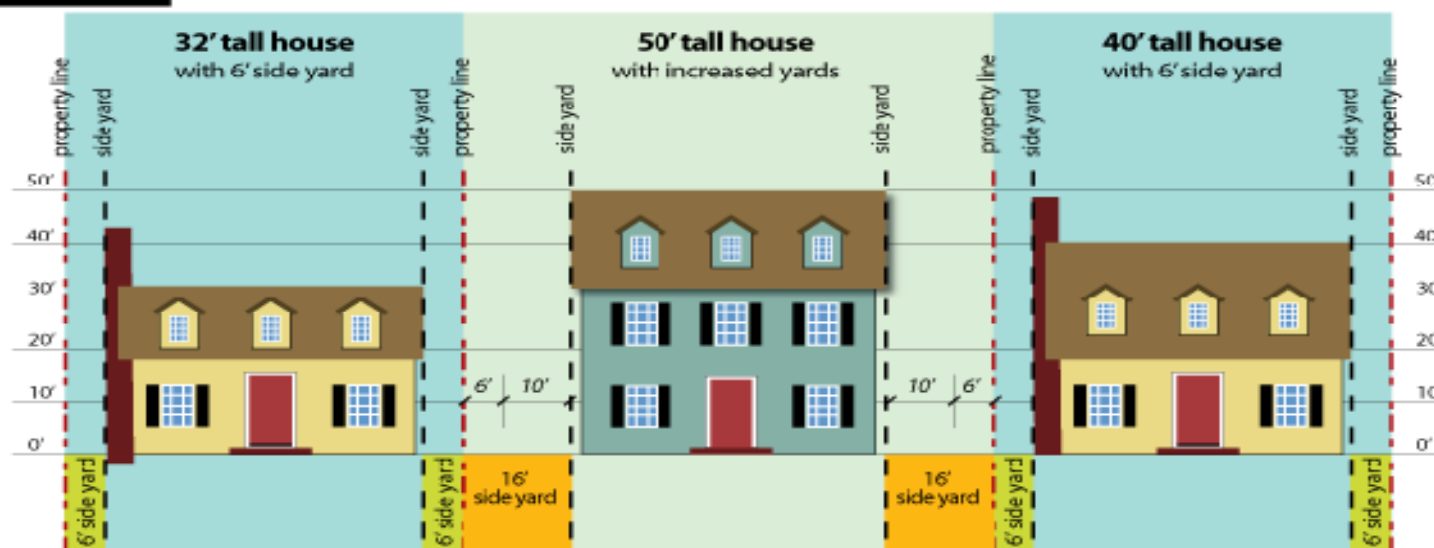
Through Lot



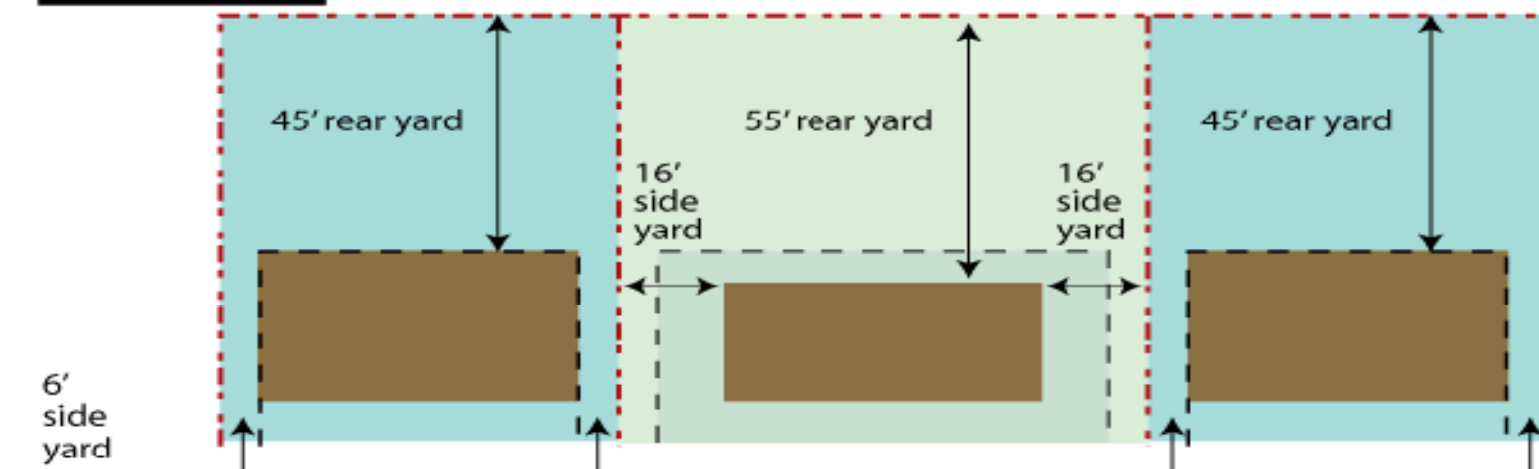


Increased Yards

Elevation



Plan View



Residential Use

Any detached, duplex, triplex, quadraplex, attached, or multifamily dwelling, manufactured home, mobile home, group home for up to six clients, boarding house, or dormitory.

Residential Zoning Districts

- **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
- **Transit Oriented** – TOD-R

Residential Zoning Districts also includes any of the above districts with CD after the designation.

- *TOD –R revision completed*



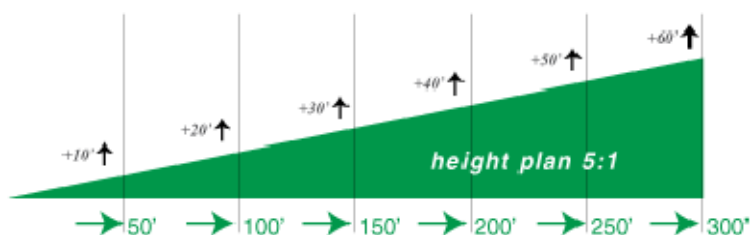
Height Plane

The incline that a building height increases over a certain distance.



5:1 Ratio

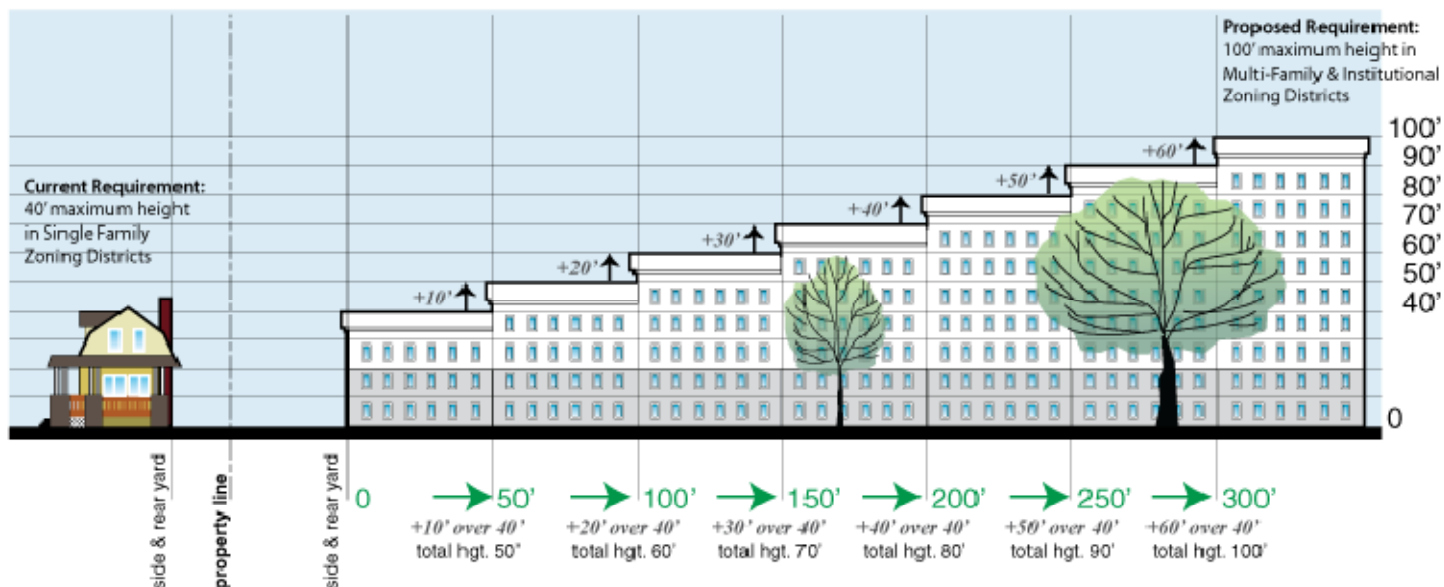
Proposed 5:1 Height Plane



Height Plane

→ **5:1** ↑

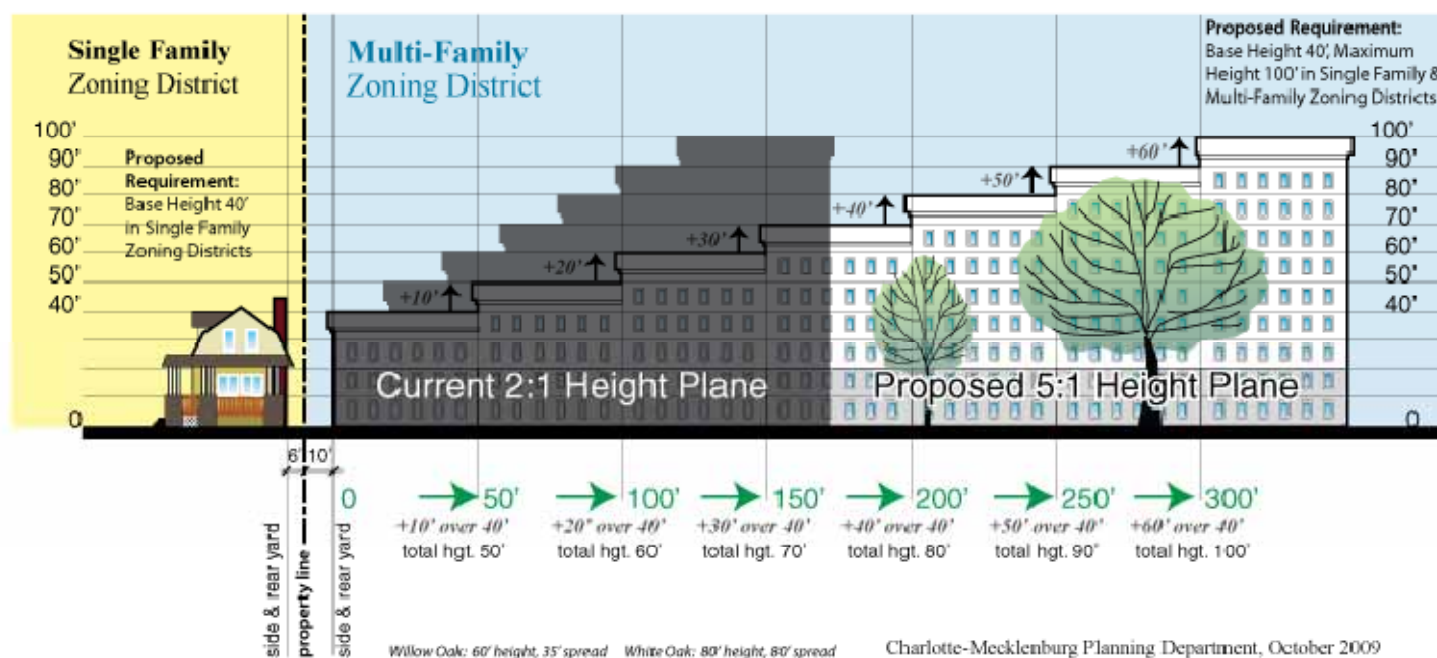
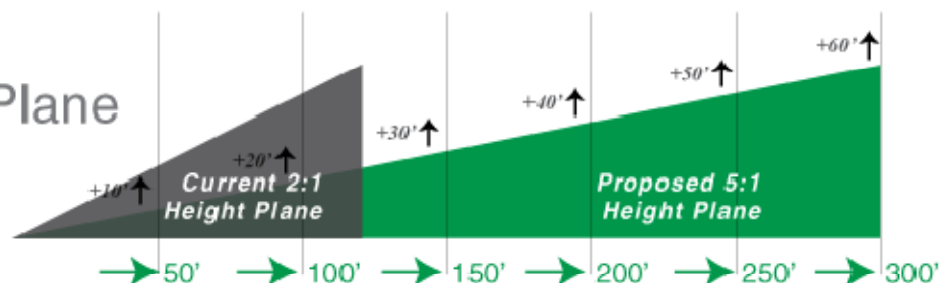
- 50' from side and rear yard allows 10' additional height over 40'
- 100' from side and rear yard allows 20' additional height over 40'
- 150' from side and rear yard allows 30' additional height over 40'
- 200' from side and rear yard allows 40' additional height over 40'
- 250' from side and rear yard allows 50' additional height over 40'
- 300' from side and rear yard allows 60' additional height over 40' to a maximum height of 100'





Height Plane Comparison

Proposed 5:1 Height Plane *compared to* Current 2:1 Height Plane





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Measuring Buildings

Using
Pictometry
Software



Height: 23.333 Feet

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2410 Roswell Avenue



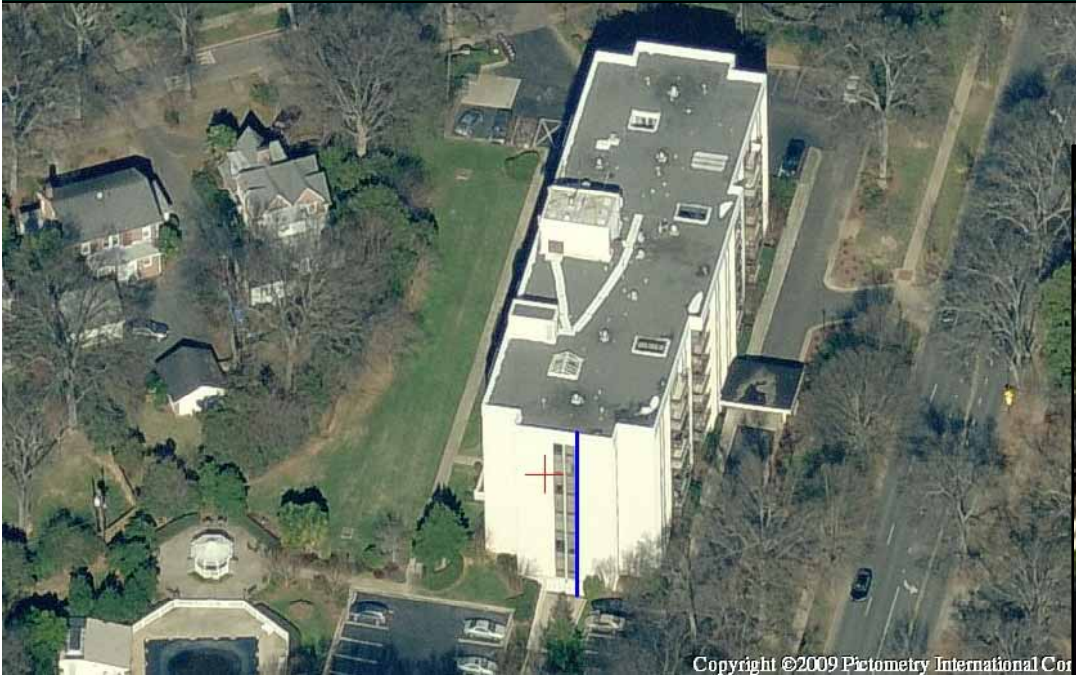
← Building Height 60'





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2222 Selwyn Avenue



Building Height 80'





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1530 Queens Road



← Building Height 130'



- ❑ Plans are not law
- ❑ Zoning is the tool used to regulate how land can be used
- ❑ Different types of zoning
 - By right (no site plan)
 - Conditional Districts (site plan)
 - By right with Conditions (site plan)
- ❑ Building height determined by zoning
- ❑ Most zoning districts use side and/or rear yards to determine maximum height allowed