

MINUTES
HEIGHT IN RESIDENTIAL DISTRICTS STAKEHOLDER GROUP
12-02-09

Stakeholders In Attendance:

Ann King	Jeanne Woosley	Natalie Beard	Caroline Tate
George Warren	John Carmichael	Susan Lindsay	John Fryday
Jack Brosch	Bill Nichols	Pamela May	Louise Barden
Charles Rulick	Andy Munn	Katie Zender	Barbara Highfill
Sandy Weathersbee	Bob Williams	Nicole Storey	

Staff In Attendance:

Katrina Young, Planning Department	Laura Harmon, Planning Department	John Howard, Planning Department
Sonda Kennedy, Planning Department	Tammy Keplinger, Planning Department	Shad Spencer, Planning Department
Barry Mosley, Planning Department	Solomon Fortune, Planning Department	

Katrina Young welcomed everyone to the meeting, which began at 6:12 p.m. Ms. Young introduced herself, and thanked everyone for coming to the meeting. She reviewed the items on the agenda.

I. Recap

Ms. Young recapped the specific issues related to Height in Residential Zoning Districts. The issues fell into three categories:

1. Different Requirements for Different Uses
 - *there are no maximum heights*
 - *no maximum heights needed*
 - *transition for different use and districts*
 - *different regulations for institutional uses*
 - *different heights for multi-family and single family*
 - *revise exceptions for heights*
2. Consider Adjacent Uses and Properties
 - *scale relative to neighborhood*
 - *aware of nearby zoning*
 - *consider character of a neighborhood*
 - *consider proximity to other residences not just adjacent*
3. Consider Road Classifications
 - *For major corridors there should be different height regulations*
 - *Street widths should be considered*
 - *Development near transit corridors should have different regulations*

II. Recommendations

Based on these issues and concerns, Ms. Young presented the proposed text amendment for heights in residential districts. Explanations and illustrations were given for each recommendation.

PROPOSED TEXT AMENDMENT FOR HEIGHTS IN RESIDENTIAL DISTRICTS

Maximum height within residential zoning districts

The maximum building height shall be determined as follows:

1. The base maximum height for all residential districts shall be 40 feet.
2. The maximum height for all residential districts shall be 100 feet.
3. The permitted maximum height for a new development shall be determined by the distance from the proposed structure to the property line of the nearest single family use or vacant lot within a single family district (R-3, R-4, R-5, R-6, and R-8). The height may increase over 40 feet by one foot for every five feet in distance the portion of the proposed structure is from the property line(s) of the existing single family use(s) or vacant lot(s) within a single family district (R-3, R-4, R-5, R-6, and R-8).
4. For new development abutting, on the same side of the street, an existing single family use or vacant lot in a single family zoning district (R-3, R-4, R-5, R-6, and R-8), the 40-foot base height shall be measured at the required side yard. The building height may increase over 40 feet provided that the side yard is increased by five feet for every one foot of increase in height in excess of 40 feet.
5. For new development across a local street (public or private) from an existing single family use or vacant lot in a single family district (R-3, R-4, R-5, R-6, and R-8), the 40' base height shall be measured at the minimum setback line. The height may increase over 40 feet by one foot for every five feet in distance the portion of the building is from the required setback along that street.
6. For new development that is in a single family or multi-family district and is also adjacent to either a non-residential district, a multi-family districts, or a non-single family use in a single family district, the height may increase over 40 feet by one foot for every two feet in distance the portion of the building is from the required setback and yards.
7. For new development that may qualify for height increases in more than one of the above situations, the height for the building shall meet the most restrictive requirement.
8. The maximum height regulations within this section apply to all residential zoning districts excluding TOD-R.

III. Recommendation Summary

1. Maintain 40' base maximum height
2. Establish maximum height of 100 feet
3. 5 to 1 height ration after 40' maximum base height for development based on distance to single family property

4. When abutting single family use or vacant lot in single family district, increase side yard by 5 feet for every foot increase in height
5. When across a local street from single family use or vacant lot in single family district, measure 5 to 1 eight ration from required setback
6. 2 to 1 height ration after 40' maximum base height for development adjacent to non-residential zoning or multi-family district or adjacent to non-single family use in single family district
7. If above standards conflict, the most restrictive applies
8. Standard do apply to TOD-R

IV. *Feedback*

Ms. Young asked for feedback about the recommendation. The following items were in question:

- Single family district within a multi-family zoning
- The term “use” is misleading
- Local street definition
- How to measure the height plane
- Measuring from street level
- Recommendations #3, #4, & #5
- How did you come up with “100 feet”
- How to file a “minority report”

V. *Conclusions*

Ms. Young summarized the recommended text amendment. She asked for a show of hands who were satisfied with the proposal and another show of hands who were not satisfied. There were several stakeholders who had the following outstanding issues:

- Recommendation #3
- Scale
- Recommendation #4 should read the same as Recommendation #5
- Can stakeholders edit the recommendations

One member asked the process for filing a “minority report”. Ms. Young told him that it should be filed in her office before the Planning Commission meeting which will be on January 11, 2010.

VI. *Next Steps*

Ms. Young gave the timeline for the text amendment.

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| • December 3, 2009 | Finalize text amendment |
| • January 11, 2010 | Request permission to file (Planning Commission) |
| • April 19, 2010 | City Council public hearing |
| • April 28, 2010 | Zoning Committee |
| • May 17, 2010 | City Council decision |

She asked that each member check the web page for updated information.

VII. *Floor Area Ratio*

Ms. Young mentioned to the group that there will be a F.A.R. (floor area ratio) stakeholders group that will convene sometime in January. If anyone is interested in participating, please contact Sonda Kennedy at skennedy@ci.charlotte.nc.us.

The meeting was adjourned at 7:45 p.m.