

REQUEST	Text amendment to Sections 15.2, 15.4.CC, 15.4.FF, 15.4.FF.1, 15.4.HHH.1, 15.4.HHH.2, 15.4.HHH3, 15.6.1, 15.6.3, 15.6.4, 15.6.5, 15.6.6, 15.6.7, 15.6.B, and Table 15-1 of the Charlotte Unified Development Ordinance (UDO)
SUMMARY OF PETITION	The purpose of this UDO text amendment is to make amendments to the uses permitted in the CG (General Commercial) and CR (Regional Commercial) zoning districts, and their prescribed conditions when located in a Centers Place Type.
PETITIONER AGENT/REPRESENTATIVE	Charlotte Planning, Design & Development Department Charlotte Planning, Design & Development Department
COMMUNITY MEETING	Meeting is not required.

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The text amendment is consistent with the <i>2040 Comprehensive Plan</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> Some Centers Place Types have parcels with zoning that will translate to the CG (general Commercial) zoning district when the UDO goes into effect on June 1. The goals of the Centers Place Types include a desirable pedestrian environment and mix of uses. The text amendment will align the uses permitted in Commercial zoning districts when located in a Centers Place Type with the Centers Place Type goal of supporting a mixed-use, pedestrian-friendly environment.
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PLANNING STAFF REVIEW

- Background**

 - The UDO was adopted by City Council on August 22, 2022, and becomes effective on June 1, 2023.
 - The proposed text amendment was presented to the Charlotte-Mecklenburg Planning Commission on March 13.
 - The text amendment was reviewed and discussed with the UDO Advisory Committee on March 9.
 - A high-level review of the proposed text amendment was presented to the Transportation, Planning and Development Committee of the City Council on April 3.
 - The proposed text amendment was presented to the community via two virtual public information sessions on April 11.
- Proposed Request Details**

The text amendment contains the following highlights:

General:

 - Adds "PC/C" to the Use Matrix, Table 15.1, to indicate a use shall comply with the prescribed conditions and a conditional zoning shall also be required in certain circumstances.

Accessory Drive-Through Changes:

 - Deletes the accessory use "drive through facility" term from the Use Matrix and text, and replaces it with the term, "accessory drive-through."

- Requires a conditional zoning for an accessory drive-through if a site is zoned CG or CR and located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type.
- Adds a prescribed condition stating the dimensional and design standards and open space requirements shall apply to accessory drive-throughs on sites zoned CG or CR and located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type.
- Modifies where drive-through lanes and circulation may be placed for a site zoned CG or CR, and located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type. For such sites, the drive-through lane and circulation may not be located between the street and the front façade of the building.
- Requires a restaurant/bar principal use to have a minimum of 24 seats, indoor or outdoor, to have an accessory drive-through.

Drive-Through Establishment Changes:

- Adds a prescribed condition to a "drive-through establishment" that it must be located in a Commercial or Manufacturing and Logistics Place Type.

Multi-family Changes:

- Revises the Use Matrix to allow multi-family attached, multi-family stacked, and multi-dwelling development in the CG and CR zoning districts, when located in a Neighborhood Center, Community Activity Center or Regional Activity Center Place Type and under prescribed conditions.
- Adds a prescribed condition requiring that multi-family attached and multi-family stacked development meet the dimensional and design standards and open space requirements of the NC (Neighborhood Center) zoning district when a site is zoned CG or CR and is located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type.
- Adds a prescribed condition requiring that multi-dwelling development meets the dimensional and design standards and open space requirements of the NC (Neighborhood Center) zoning district, unless otherwise specified, when a site is zoned CG or CR and is located in a Neighborhood Center, Community Activity Center, or Regional Activity Center Place Type.

The following changes were made after the public hearing:

- In Section 15.4.HHH.1, added "by" after "modified" and before "this."
- In Section 15.3. Use Definitions, renamed "Drive-Through Facility" as "Accessory Drive-Through."

- **Public Plans and Policies**

- The text amendment will modify the uses permitted in CG and CR (commercial) zoning districts when located in a Centers Place Type to better align with the *2040 Comprehensive Plan* goal of supporting a pedestrian-friendly, mixed-use environment. It does this by permitting multi-family residential development in the CG and CR zoning districts when in a Centers Place Type, and only permitting an accessory drive-through in the CG or CR zoning districts in a Centers Place Type with a conditional zoning and prescribed conditions designed to support a pedestrian environment.

- **TRANSPORTATION SUMMARY**

- **Charlotte Department of Transportation:** CDOT supports the UDO amendments for Commercial zoning districts in centers place types (RZ #2023-057).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** CATS staff commented that this text amendment does not impact CATS.
- **Charlotte Fire Department:** No comments received.
- **Charlotte Planning, Design & Development - Zoning Administration:** Charlotte Zoning Administration supports the text amendment for Commercial zoning districts when located in a centers place type (RZ #2023-057).
- **Charlotte Solid Waste Services:** No comments received.
- **Charlotte Water:** No comments received.

- **Erosion Control:** No comments received
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
 - **Storm Water Services:** No comments received.
 - **Urban Forestry / City Arborist:** No comments received.
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Additional information online at www.rezoning.org

Planner: Sandra Montgomery (704) 336-5722