

Sustain Charlotte's Comments on the First Draft of the UDO:

(1) Article 4: Section 5 - Sub. Section B - Voluntary Mixed-Income Resident Development

Allowing the voluntary Mixed-income to be permitted in N1-E, N1-F, and N2 districts.

Adding additional benefits for providing affordable housing (1) reducing required parking minimums in Tier 1 and 2, (2) giving a reduction of Minimum Rear Setback (3) giving ability to reduce the **minimum lot area/width** including the mixed-use components. All three bonus recommendations can apply to the denser districts N1-C to N1-F and N2.

(2) Article 4: Section 4 - Open Space Requirements Sub. Section B - Nonresidential and Mixed-Use On-Site Open Space

Giving the ability to convey open space land to the Mecklenburg County in exchange for additional building height (w/ some increased side setback if needed) or reduced parking minimums. It could apply to N1-C and higher.

(3) Article 4: Section 4.5 - Sub. Section A - Conservation Residential Development Part B - Common Open Space under item ii:

ii. Common open space may be conveyed as follows:

(A) To Mecklenburg County in support of the Mecklenburg County Park and Recreation Department, if accepted by the County.

This needs to be tiered or incentivized with the development bonus similar to the voluntary mixed-income bonus, this will be the best way to increase small urban parks. The county is willing to and recognizes the need for more land. This option could be applied in districts N1-D TO N1-F.

(4) Article 4: Section 3 - Dimensional and Design Standards - Part D Building Height:

N1-F Building Height should be higher than 40 feet (increasing it to 48ft+) and increased sidewall height without taking the average of adjacent building sidewalls. This will allow more flexibility for quads.

Part C Building Siting:

Allowing more flexibility for N1-F with Min. Front/Rear Setback. Allowing 10 ft for Front and 20 ft for Rear.

(5) - Article 13.3 Dimensional and Design Standards - Part B Building Height - Table A: Minimum Building Height

Comment:

Bringing this topic up given conversations during the ACRC centering around flexibility in height minimums.

(6) Article 14: Special Purpose and Overlay Zoning Districts

Overall Suggestion:

We propose adding an overlay district to areas of medium to high housing precarity risk utilizing UC Berkeley's Housing Precarity Risk model and applying it within the Charlotte city limits and all of the unincorporated locales within Charlotte's "sphere of influence." Any development built within this overlay district would "trigger" a community benefits table. Developers would be required to choose whether or not to meet the point system of the community benefits table or go through an exception (EX) rezoning process.

(7) Article 14: Special Purpose and Overlay Zoning Districts - Section 3 - RIO Residential Infill Overlay

Comment:

This overlay is just a larger version of the NCO. We believe most overlays propose, except maybe the CCO are protective of existing neighborhoods. The EX does not apply to N1, so could the RIO transform into a Yes In My BackYard (YIMBY) overlay for creative, innovative, denser residential areas. Allowing more flexibility with lot size, setbacks, heights/sidewalls, parking, and open space. Allowing more attached units with flexibility on primary pedestrian entries.

(8) Article 5 Section 3 Dimensional and Design Standards Part D Building Height

Comment:

Building Heights for N2-B should be increased to at least 52 feet to provide a better ground floor experience by having a higher ceiling height.

Building Heights for N2-B with Mixed-Use should have additional height with a bonus of up to 60 feet. Multiple bonus requirements could be required.

(9) Article 15: Use Regulations - Section 2 - Global Use Martrix - Table 15.1 Use Martrix

General Comment:

There should be more by-right/prescribed conditions for TOD districts.

Examples:

Dwelling – Quadraplex allowed in TOD-TR

Dwelling - Accessory Unit (ADU) allowed in TOD-TR

Removing or Limiting the use of Parking Lot (Principal Use) in TOD-NC

(10) Article 16: General Development Regulations - 16.2 Exterior Lighting

Comments:

The following exterior lighting requirements apply to lighting for nonresidential uses on private property. These lighting regulations do not apply to lighting in the right-of-way or the illumination of signs.

This needs to be expanded to at least Multifamily uses in all districts.

Part B. Lighting Design

Item 1. All lighting shall be of full cut-off or semi-cut-off luminaire design. Remove Semi Cut-Off Luminaire design

Item 4. Change wording to this: All exterior lighting including non-single family dwellings shall be located, screened, or shielded in a manner as not to cause glare or impair the vision of anyone using the public right-of-way including but not limited to transit users, motorists, cyclists, and pedestrians.

(11) 16.3 Development Bonus Part B. Bonus Actions: Subsection 2 Open Space Reduction/Height Bonus in

relationship to Table 16-1 under Transportation Improvements:

Comments:

Allowing for open space reduction or height bonus if all or a majority of a mobility hub is built (higher amount of points) or setting aside land for future mobility hubs on primary frontages (lower amount of points).

UC District has unlimited height by right, what bonus item(s) beyond open space reduction can be added? UC is not currently included in Article 16.3, missing out on an opportunity to add key “last-mile” infrastructure like mobility hubs, or transit right-of-way, and LEED construction.

(12) Article 19: Section 2 Part F - Spaces Exempt from Parking Maximums

The exception to Maximums in Item 2 for EVSE-Installed parking spaces may need a cap not to be abused.

(13) Article 19: Section 2 - Table 19-1 Vehicle Parking Requirements - Parking Calculations Minimums and Maximums. Ideally, we would want all minimums removed and replaced with maximums using the currently drafted minimums.

- **Consider changing how the UDO Calculates the number of spaces using something other than GFA; we suggest using Net Internal Area (NIA):** Net internal area is the usable area available to occupants of the building. It's calculated by taking the **gross internal area** and **subtracting floor areas** being used by: lobbies/storage/service areas, machinery rooms on the roof, stairs/escalators/elevators/risers, building columns, and bathroom areas. A simple alternative is to change the definition of GFA in 2.3 General Definitions to include more items suggested above.

- **Changing parking requirements for Tier 3: - Submitted in First Round of Comments**

Tier 3: More aggressive parking maximums in or near rapid transit stations.

The number should be less than 1 per unit and not per bedroom while being more aggressive at the ¼ mile distance from rapid transit. The number of

parking spaces can increase at the ½ mile distance of a rapid transit station.

Example .7/unit within 1/4 mile and .9/unit within 1/2 mile Multi-family and 1/500sf GFA or 1/300sf NIA

- We also suggest that **N-2B district** be moved into **Tier 2**.
- **Maximums in Tier 2 - Do not apply to parking structures. This needs to be removed; not having parking structures included here would be a big miss.**

(14) Article 19: Section 3 - Required Electric Vehicle Charging Stations as written with the addition of the 0-9 spaces segment of off-street parking, zero types of EV charging stations are called for in the current draft. We believe EVs are the future; and we will need at least 1 EV-Ready space in the 0-9 segment or at the very least 1 EV-Capable. The EV requirement should apply to all sizes of parking spaces, including parking lots with only 0-9 and 10-25 parking spaces. A clear statement of office use is needed to Part C's requirement of EV charging stations.

(15) 19.4 REQUIRED BICYCLE PARKING Part C:

Comment:

This line should be removed: "In no case are more than 30 short-term bicycle parking spaces required to be provided."

Section 2-4: Long Term Bicycle Parking definition:

Bicycle Spaces, Long-Term. Bicycle parking spaces where bicycles will be stored for longer periods of time within a safe and weatherproof storage area.

Comment:

Add to the definition... "safe, secure, and weatherproof storage area."

Table 19.3 Bicycle Parking Requirements in relation to Public Park at 2 per Acre

Comment:

Suggestion:

Urban parks can tend to be smaller but more heavily used with more people biking to them. Example 1st Ward Park is a 2-3 acre park and would have 4 to 6 required bicycle spaces.

(16) Article 32. Network, Cross-Access, & Driveway Regulations

32.2 CROSS-ACCESS:

Suggestion: Make it easier to use the existing alleyway right-of-way to provide cross-access.

(17) General Comment - Related to Article 14. Special Purpose & Overlay Zoning Districts

Suggestion to add this type of overlay to Article 14. Special Purpose & Overlay Zoning Districts (PBD - Parking Benefit District). It could be used in areas with Tier 3 parking requirements near N1 districts to alleviate the conflict areas that represent the concerns of some of the draft comments posted thus far.

Parking Benefit District (PBD) - are defined geographic areas, typically in downtown areas or along commercial corridors in which a majority of the revenue generated from on-street parking facilities (Parking meters, parking permits, or even off-street public parking decks) within the district are returned to the district to finance neighborhood improvements.

One KEY part is that funds collected in each district must NOT go into a general fund or be diverted to any other organization. When done right, PBDs build community support b/c funds go back into their neighborhoods, it keeps parking inline b/c parking is never really free, and begins to manage parking for the public good.

Articles on PBD:

<https://why.org/articles/ideas-worth-stealing-parking-benefit-districts/>

https://www.sullivansgulch.org/uploads/4/0/9/1/40915355/parking_benefit_districts.pdf

<https://www.mapc.org/resource-library/parking-benefit-districts/>

Sustain Charlotte's Comments on the first draft of the Comprehensive Transportation Review (submitted to the portal on March 15th, 2022)

- This is a great tool to supplement other TDM and multimodal strategies that the city is adopting to ensure that communities benefit from development and the possible negative impacts are mitigated.

- Some suggested programmatic strategies have a questionable distribution of points that may not accurately reflect the relative impact of implementing them. For example, the distribution of materials (p. 6, table 4. “Education, Marketing and Outreach) should be 0.5 points instead of 1
- Some strategies do not provide mechanisms for how their efficiency would be assessed over time, and whether points should be reevaluated. This applies to the majority of mitigation options listed in the guidance
- The current version of CTR (Table 4. TDM Mitigation Options: Physical Strategies) says that the developer would gain (1) mitigation point if they “Designate (5) parking spaces or 5% of spaces for carpooling/vanpooling and car-share services”. We argue that more car-sharing spaces should be dedicated for car-share parking for daily/hourly car rental, vs “on-demand” services like “Uber and Lyft”. The latter actually leads to higher VMTs in some cities because the driver is coming to pick up the passenger, instead of the passenger accessing a shared car that’s parked on-site.
- Strategies should be implemented to evaluate the ongoing efficiency of these mitigation measures. We are concerned that many of the programmatic strategies could be quickly reversed by building owners or managers, which would result in no long-term benefits to tenants and people in the surrounding community.
- The strategies for mitigation in business (employees) and residential development (residents) projects should be separated, or at least clarified. Mixing them all together is confusing. For example, “Guaranteed Ride Home”, “Flexible work schedule”) (Table 4, p. 6) that are more applicable for the employees, rather than residents.
- The improvements that developers implement might be not enough. We suggest that the following mitigation strategies could be added: “bus stop improvements” (for example, 1 point for the provision of a bench, and 2 points for provision of a shelter”; additional measures that would offset the need for travel, especially in a mix-use development (provision of the fitness center; convenience/grocery store; parcel drop off on-site for shipment”); car-share subsidy for membership costs)
- **Comment concerning Table 1. Comprehensive Transportation Review**
Thresholds. The breakout of Low-Intensity Development and High-Intensity development needs to be adjusted. The UDO Zoning districts CAC-1, NC, N2-C, IMU located under the "Low-Intensity" Development have the following building heights without bonuses, CAC-1 (75'), NC (60'), N2-C (65'), and IMU (80'). All of these districts could be/are moderate-density residential in nature.
- Thresholds, as drafted, maybe too high to trigger the Multimodal Assessment. Lowering the threshold will capture more development. Given an example of a series of "smaller" developments (under >750) along a corridor adding up to a

very impactful situation for the neighborhood. We want to ensure that the cumulative changes are tracked or considered for the broader geography so the impacted residents are not left behind. This point also helps make a case for removing CAC-1, NC, N2-C, IMU from the "Low-Intensity Development" category.

- Comment under Physical Strategies in Table 4: TDM Mitigation Options
"Bicycle Facilities – Completion of Streets Map designated bicycle facility along the development frontage (including ordinance requirements) and/or off-street trails or crossing treatments that encourage bicycling to and from the site."
Adding an option here or under "Active Transportation Strategies " incorporating the Bicycle Priority Network facility (using the map when released with the SMP) with an All Ages Abilities (AAA) buildout. Having a higher level of safety and comfort with the added connectivity should be highly rewarded in this process.
- Comment under Physical Strategies in Table 4: Parking Strategies:
Adding the option for installing on-street parking meters in appropriate street types like Main Street and a primary or secondary frontage.