

1. APPENDIX: SUMMARY OF STAKEHOLDER FEEDBACK

Through meetings, interviews, and an online survey, the city received over 500 comments about Charlotte's current Zoning Ordinance throughout the autumn of 2012. The comments ranged from very general to very specific. Below is a brief summary of the comments received, organized by major topics.

A. REVIEW PROCESS

The largest number of comments pertained to the various procedures used to review and approve rezoning and development proposals.

- The review process takes too long.
 - Due to a heavy reliance on conditional zoning, most major development proposals must go through a lengthy and expensive rezoning process.
- The review process is too political and too uncertain (especially for proposed rezonings), which undermines trust in the fairness of the review process and city decision-makers.
 - Due to a heavy reliance on conditional zoning, most major development proposals are reviewed by the City Council, which many neighborhood residents perceive as biased towards developers and many developers perceive as unpredictable due to neighborhood demands.
 - A number of developers perceive city staff review as overly complicated and inconsistent due to vague and ambiguous regulations, the need to reconcile conflicting positions among multiple city agencies involved in the review process, and a tendency to change staff positions on issues during the review process.
 - Many neighborhood residents perceive the conditional zoning review process as frustrating because it requires them to negotiate with developers and the city the same issues previously addressed during development of area plans.
 - A number of developers perceive the ordinance and city staff as too inflexible in allowing minor changes to plans approved through conditional zoning, while many neighborhood residents perceive city staff as too lenient in allowing changes to plans approved through conditional zoning (and without notice to or input from the residents).
- Neighborhood residents have insufficient notice and opportunity for input.
 - Many neighborhood residents state they do not receive notice of all development proposals that significantly affect them, that provided notices come too late to allow for significant input, or that they do not receive notice of late changes to development proposals or post-approval changes to approved plans.
 - Some neighborhood residents recommend the City provide an advocate, ombudsman, or similar person to represent the neighborhoods interests and help ensure adequate input and communication between neighborhood residents, developers, city staff, and city boards.

B. RELIANCE ON AND USE OF CONDITIONAL ZONING

- The ordinance and city staff and boards place a heavy reliance on the conditional zoning process to review major developments, as opposed to by-right approvals under current zoning classifications
 - Many developers state they shouldn't have to go through the lengthy, expensive, and uncertain conditional zoning process to obtain approval of development that could be allowed by right.
 - Some developers believe that ordinance and city staff force developers to use the conditional zoning process as a means to exact changes to development proposals that would not otherwise be required.
 - Some people believe the city's reliance on conditional zoning is so ingrained that it would be difficult to significantly lessen it.
- As noted above, many people view the conditional zoning process as unreasonably lengthy, political, and uncertain.
- While a number of developers state they appreciate the flexibility afforded by the conditional zoning process, some believe it does not provide adequate flexibility because of the expectation for relatively detailed site plans and inflexibility in allowing staff approval of changes to those plans once approved.

C. RELATIONSHIP TO CITY PLANS

- The ordinance should implement the goals, objectives, policies, and plans in adopted plans, especially area plans, but there is a big disconnect between adopted plans and the ordinance.
 - Zoning is not consistent with area plans.
 - Carrying out area plans often requires rezoning, which is time-consuming and expensive, thus property owners frequently develop in accordance with current zoning, which allows development inconsistent with the area plans.
 - People vest time and effort in developing area plans, but become demoralized because the ordinance fails to implement the plans.
 - The city does little rezoning of land to implement area plans ("corrective zoning").
- The city approves rezonings that are inconsistent with adopted plans.
 - If a rezoning proposal is inconsistent with adopted plans, it is nevertheless approved and its approval is deemed an amendment of adopted plans.
- Some people state that area plans should not be treated as regulations, but as guidelines from which deviations need to be allowed—while others state that the ordinance should expressly require compliance with the specific policies and plans included in adopted area plans.

D. SUBURBAN DEVELOPMENT VS. URBAN DEVELOPMENT/REDEVELOPMENT

- Ordinance regulations are geared more for suburban development (e.g., separation of uses, low connectivity, large lots) than urban development or redevelopment.
 - It is easy to build single-family subdivisions, but difficult to build well-designed mixed-use, walkable areas.

- Too many suburban uses are allowed in the city’s inner ring and activity centers.
- A number of development standards (e.g., buffers, setbacks, parking) impede redevelopment of sites where space is at a premium.
- The ordinance is a “one size fits all’ ordinance, doing little to create unique places or to address different priorities in different areas (e.g., promote economic development in distressed areas, preserve neighborhood character in established healthy neighborhoods).
- The ordinance does not encourage infill development where infrastructure is in place.

E. ZONING DISTRICTS AND USES

- There are way too many districts, with too many varying standards.
- There is heavy reliance on the MUDD district because of the flexibility it offers developers.
- The ordinance should include a set of scaled mixed-use districts with expanded district standards sufficient to allow appropriate by-right development.
 - Need more districts should be the norm; single-use zoning the exception.
 - Many districts are outdated (e.g., B-1, CC, O-2, BP, MX, NS, UMUD).
- District regulations allows too much building height in some districts (MUDD and UMUD).
- Use standards for districts impede the development of a mix of housing types.
- The ordinance needs a better way to allow new uses not listed in the ordinance.
- Home occupation regulations are very restrictive and do not reflect economic and communication realities.
- Ordinance should allow use of empty lots for community gardens.

F. ORDINANCE’S ORGANIZATION, UNDERSTANDABILITY, AND ACCESSIBILITY

- The ordinance is not well organized.
 - Standards and review procedures are not consolidated in easily accessible and understandable locations.
 - Tables of content and the index are incomplete.
 - Related provisions are not linked or cross-referenced.
- Many provisions are ambiguous, and needed provisions are missing—which requires substantial interpretation and thus inconsistency.
 - Ordinance language requires a steep learning curve regarding terminology and the ramifications of the regulations.
 - Much ordinance language is too complicated; needs to be simplified.
 - More graphics and tables should be used.
 - The ordinance includes many duplicated provisions,
- Zoning ordinance provisions are inconsistent with provisions in other development ordinances (subdivision, stormwater management, tree protection).
- The ordinance should be searchable and web-based.

G. DEVELOPMENT STANDARDS

- Need stronger environmental protection standards (for trees, greenspace, water quality).
 - Some believe tree protection standards are inadequate, allowing clear-cutting and large mature trees to be replaced by small immature trees.
 - The ordinance does not require parks or greenways.
 - Water supply watershed stream buffers are inadequate to protect water quality.
- The ordinance does not adequately address connectivity, especially bike connections.
- Parking requirements are too high in suburban districts and too low in urban districts.
 - Need maximum parking standard for urban neighborhoods with transit.
 - Need better process to consider shared parking and reduced parking requirements.
- Need stronger site and building design standards, particularly to reduce reliance on conditional zoning to address design.
- The ordinance should provide more transitional standards to protect the most sensitive residential properties from adjacent nonresidential development, especially nuisance-causing businesses such as bars, nightclubs, and loud outdoor entertainment.
- Need to better address cumulative impacts of new development on public infrastructure and services.
- The ordinance should encourage revitalization.
- Ordinance regulations are so permissive, there's no room for incentives for benefits such as affordable housing.