



Memo

To: City of Charlotte Planning Commission
From: Bryan Myrkle, Community Development Director
Date: July 7, 2022
Re: Staff report for July, 2022 Planning Commission Meeting

Background – Fence regulations

The Charlotte City Council, serving in its capacity as the Zoning Board of Appeals, recently heard an appeal from a resident regarding our local regulations on fences for corner lots. While the City Council did not grant the appeal, it did ask that the Planning Commission review these regulations and consider whether they should be updated.

It is the case that corner lots are more restricted as to the construction of buildings, fences and similar items because the code treats these properties as if they have two 'front yards,' one facing each street. This is common among codes in many communities, however there may be a chance to make changes that provide more opportunities for homeowners while preserving those elements of the code protecting sight-lines for vehicles and pedestrians, as well as neighborhood aesthetics.

Aside from this specific issue, while local fence regulations are being discussed, there are several other items related to fences that I would ask the Planning Commission to consider. These include:

- How fences that have finished and unfinished sides should be oriented, i.e. should the 'pretty' side face outward?
- Should there be fence standards that prohibit blocking reasonable access to neighboring property or driveways?
- Should there be additional standards for fence materials? For example, requiring treated lumber, or prohibiting used or makeshift materials.
- Should there be standards for commercial fences? Currently, there are some standards in place for required commercial fences, but not for others. This seems to be a gap in our code, as there are certain standards in place for residential and industrial fences.

I have included our current fence regulations in your meeting packet, but I will also have examples from other communities to share at the meeting.

Background – Domestic Animals & Fowl

Among the recommendations from last year's Ad Hoc Committee on Code Enforcement was the suggested review of a number of City Codes including regulations on Domestic Animals & Fowl. The intention of the committee was to ensure that our local codes reflect current community standards, and are effectively supporting their intended aims.

Dogs, in particular, are a common source of community concern. Issues related to waste, odor, noise and control (leashing, fencing, etc.) are regularly brought to the City's attention.

Those portions of the City Code regulating these issues are not part of the Zoning Ordinance, but we would still like the Planning Commission to review the ordinance and consider whether any updates are appropriate.

Among the considerations that we would like the Planning Commission to discuss are the following:

- Whether there should be any limit on the type of animal that may be kept as an indoor household pet.
- Whether there should be any limit on the number of animals that may be kept at an individual residence, especially if they are spending time outside.
 - Whether an animals' size should be a factor in considering an appropriate number.
- Whether there should be standards of care for domestic animals, including shelter, water, food, sanitation or outside tethering.
- Whether there should be standards for inoculation (rabies) or licensing.
- Whether there should be a stated prohibition on wild, exotic, invasive or dangerous animals.
- Whether there should be a prohibition on feeding stray and feral animals.
- Whether the City should consider expanding the permitting process now in place for chickens to other types of animals that are commonly associated with urban homesteading, such as rabbits or ducks.

I have included copy of our current ordinance for your reference and review prior to the meeting. You will see that our ordinance does address some of these issues in at least a limited way, but does not address them all. As a resident of Charlotte and a member of the Planning Commission, you may have other issues or suggestions you would like to add to the discussion, as well.

In my review of other community's ordinances, I have found a range of different approaches to most of these issues. It is not our intention to direct the discussion toward any predetermined outcomes, but simply to consider whether our ordinance is meeting the needs of the community.

Background – Exterior Lighting

Residential exterior lighting is another area within our code that the Ad Hoc Committee on Code Enforcement suggested for review. We currently have regulations, but they have not been actively enforced. I would like the Planning Commission to review these regulations and consider whether they are needed and should be enforced, whether they should be changed, or even possibly eliminated.

As in the other topic areas, I am including a copy of our regulations with the meeting packet for your review and reference. Also like the other areas, I am not making any specific recommendations at this time, but rather hoping to learn from the Planning Commission what they think our community standards should be.