

Mandatory Referral Process

(Approved by the Planning Committee of the Charlotte-Mecklenburg Planning Commission 1/17/2017)

After reviewing the NC Statute, the Planning Committee recognized a need to better articulate the Mandatory Referral review process to ensure that each referral is appropriately evaluated and discussed and that Committee concerns are communicated to the appropriate parties. Below is the proposed process developed by the Executive Committee of the Planning Commission, working with staff and members of the Planning Committee.

Planning Staff Review and Evaluation

Planning Staff will ensure that each Mandatory Referral is evaluated for:¹

- Consistency with any applicable adopted planning policies (e.g, Area Plans, Place Types);
- Consistency with any other applicable public policies, goals, and capital plans for the area;
- Consistency with the submitting agency's capital plans and capital plans of other public agencies;
- Compatibility with surrounding land uses;
- Impact on public services and infrastructure; and
- Potential for shared use or joint use opportunities.

Staff will provide the Planning Committee with documentation of the above evaluation, including any staff concerns, for their review and response. This documentation is referred to below as the "Mandatory Referral Report".

Planning Committee Review

Given the 30 day window of the Statute, and the time needed for staff review and evaluation, staff will provide the Committee the final Mandatory Referral Report that includes the staff evaluation and recommendation a week prior to the Planning Committee meeting. Included in this report will be a summary of any discussion of the Mandatory Referral by the Joint Use Task Force and a list of the departments/agencies in attendance at the Joint Use Task Force meeting. Committee members are responsible for reviewing this information.

Planning Committee Recommendation and Response

Conforming to the Statute, the Planning Committee "will review the project or action and make whatever response, if any, to the submitting body and others as it deems appropriate"². The Committee may choose to respond to the Mandatory Referrals as consent items, or may choose to discuss in more detail. Typical Planning Committee responses will include:

When the Committee has no additional comment to transmit:

- Response – The standard Planning Committee response in these cases will be: "The Planning Committee reviewed Mandatory Referral report <fill in number> on <fill in date> and has no additional comments for the submitting agency."

¹ Criteria based on the Mandatory Referrals Section of the Charlotte-Mecklenburg Planning Commission Handbook

² NC State Statute language on Mandatory Referral process

Transmittal and Communication - Planning Staff will provide an email response, including the full Mandatory Referral Report with the Planning Committee response of no additional comments, to submitting staff.

When the Committee has additional comment(s) to transmit:

- Response – The standard Planning Committee response in these cases will be: “The Planning Committee reviewed Mandatory Referral report <fill in number> on <fill in date> and has the following comments . . .” The comments included in this response will be part of the Committee’s motion and may also include comments that represent a minority opinion. A typical Committee motion would be “I move that the Planning Committee make the following comments to the following bodies . . .”

Transmittal and Communication - Planning staff will provide an email response, including the full Mandatory Referral Report with the Planning Committee response, to submitting staff. In addition, if specified in the Committee motion, a formal letter from the Planning Committee Chair will be attached to the Mandatory Referral Report and will be sent to those bodies specified in the Committee motion.

Transmittal and Communication Contact List:

Staff will draft an example letter to use as a template to facilitate the response letter from the Planning Committee Chairperson. The list below is provided for guidance when the Committee response is to provide additional comments to specified bodies.

- Mecklenburg County
 - Submitting Staff:
 - Department Head:
 - Agency Head: Mecklenburg County Manager
 - Board of County Commission/Chairperson:
- Charlotte Mecklenburg Schools
 - Submitting Staff:
 - Department Head:
 - Agency Head: Superintendent
 - Charlotte Mecklenburg School Board/Chairperson:
- Charlotte Mecklenburg Public Library
 - Submitting Staff:
 - Department Head:
 - Agency Head:
 - Charlotte Mecklenburg Public Library Board/Chairperson:
- Central Piedmont Community College
 - Submitting Staff:
 - Department Head:
 - Agency Head:
 - CPCC Board/Chairperson:

- City of Charlotte
 - Submitting Staff:
 - Department Head:
 - Agency Head: City Manager
 - City Council/Mayor:

Mandatory Referral Process Timeline – Key Activities

The schedule shown below is followed to allow review of Mandatory Referrals within the 30- day timeframe specified by state statute.

	Activity	Notes
Week 0	By the 20 th day of the month all Mandatory Referrals proposed for consideration at the following month's Planning Committee meeting must be submitted to Planning Staff.	<ul style="list-style-type: none"> ▪ Once submittals are received, Planning staff does an initial review to determine if additional information/corrections/clarifications are needed and follows up with submitter. ▪ Draft maps are prepared and Planning staff begins analysis of proposals.
Week 1	Joint Use Task Force (JUTF) agenda packet sent out a week prior to their meeting.	<ul style="list-style-type: none"> • Packet includes listing of the proposed Mandatory Referrals along with any preliminary information and maps. • JUTF members begin their review of the proposals.
Week 2	JUTF staff meets on the first Wednesday of the month.	<ul style="list-style-type: none"> • As part of their meeting agenda, JUTF discusses the proposed Mandatory Referrals. ▪ After the JUTF meeting, staff from various departments follow up on issues/concerns from the meeting; additional information is gathered/discussions held if needed; and, the staff analysis/report and maps are updated, additional information added and finalized. ▪ Finalized reports and maps are sent to Agenda Coordinator to include in Planning Committee agenda package.
Week 3	Planning Committee agenda packet sent out a week prior to their meeting.	<ul style="list-style-type: none"> • Packet includes complete Mandatory Referral reports. • Planning Committee members begin their review of the reports.
Week 4	Planning Committee meets on the third Tuesday of the month	<ul style="list-style-type: none"> • As part of their meeting agenda, the Planning Committee reviews the Mandatory Referrals. • Following the meeting, the final Mandatory Referral report, including any Planning Committee comments, is transmitted to the submitter and any other bodies identified by the Committee. In some specific cases, a letter from the Committee Chair will accompany the report.