

<b>REQUEST</b>	Text amendment to Sections 2.201, 4.107, 7.103, and 12.106 of the Zoning Ordinance.
<b>SUMMARY OF PETITION</b>	The petition proposes to: <ol style="list-style-type: none"> <li>1) add a new definition for "heating, ventilation, or air conditioning units";</li> <li>2) modify the regulations for heating, ventilation, or air conditioning units;</li> <li>3) relocate the nonconforming provisions for accessory utility structures into Chapter 7; and</li> <li>4) update the names of City and County departments.</li> </ol>
<b>PETITIONER AGENT/REPRESENTATIVE</b>	Charlotte-Mecklenburg Planning Commission Charlotte-Mecklenburg Planning Department
<b>COMMUNITY MEETING</b>	Meeting is not required.
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with adopted policies and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Dodson seconded by Commissioner Phipps).

<b>ZONING COMMITTEE ACTION</b>	The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition.
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<b>VOTE</b>	<div> <div>Motion/Second:</div> <div>Dodson/Fallon</div> </div> <div> <div>Yeas:</div> <div>Dodson, Fallon, Firestone, Phipps, Rosenburgh, and Walker</div> </div> <div> <div>Nays:</div> <div>None</div> </div> <div> <div>Absent:</div> <div>Lipton</div> </div> <div> <div>Recused:</div> <div>None</div> </div>
<b>ZONING COMMITTEE DISCUSSION</b>	Staff summarized the text amendment and provided a handout of the text amendment for reference. There were no questions.
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The text amendment contains the following provisions:

- Adds a new definition for "heating, ventilation, or air conditioning units".
- Replaces the term, "air conditioning units" with "heating, ventilation, or air conditioning units".
- Clarifies that heating, ventilation, or air conditioning units are considered to be part of a structure, and shall not be located in any setback, sight distance triangle, or required buffer or screening.
- Allows heating, ventilation, or air conditioning equipment to encroach into the required side or rear yard by no more than 50 percent of the required yard.
- Relocates the nonconforming provisions for accessory utility structures such as heating,

ventilation, or air conditioning units and backflow preventers into the Nonconforming chapter. Updates the names of City and County departments.

- **Public Plans and Policies**
    - The petition is consistent with adopted policies.
  - **Staff Recommendation (Updated)**
    - Staff recommends approval of this petition.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Charlotte Department of Transportation:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** Not applicable.
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**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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