
REQUEST	Text amendment to Section 6.109 of the Zoning Ordinance.
SUMMARY OF PETITION	The petition proposes to comply with the North Carolina General Statutes 160A-384 and Session Law 2009-178 by adding new notification requirements for third-party rezoning petitions.
STAFF RECOMMENDATION	Staff recommends approval of this petition. The petition is consistent with adopted policy.
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Commission Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.

PLANNING STAFF REVIEW

- **Background**
 - Zoning petitions to reclassify property to a conventional zoning district may be initiated by the City Council or Planning Commission, or by any owner with a legal interest in the property, anyone else authorized in writing to act on the owner's behalf, or by any non-owner.
 - A "third-party" rezoning is defined as a conventional rezoning filed by a person(s) or entity that is not an owner with a legal interest in the property being petitioned for rezoning.
 - The State has added a new notification requirement for third-party rezoning petitions.
 - **Proposed Request Details**

The text amendment contains the following provisions:

 - Modifies the Zoning Ordinance to comply with Session Law 2009-178 and the North Carolina General Statutes, Chapter 160A-384 by adding the following requirements for third-party rezoning applications:
 - Actual notice of a third-party rezoning petition and a copy of the notice of public hearing shall be delivered to the property owner of land subject to a rezoning petition if that person did not initiate the petition. The requirement for actual notice does not apply if the rezoning petition was initiated by the City;
 - The third-party requesting the rezoning will be responsible for ensuring delivery of the required notice;
 - The process for the required notice delivery is detailed in the North Carolina General Statutes, and includes personal delivery, registered or certified mail, or delivery by a designated delivery service.
 - A certification form must be submitted by the third-party petitioner to the Planning Department certifying to City Council that the property owner(s) of the parcel of land have received actual notice of the proposed rezoning petition and a copy of the notice of public hearing.
 - **Public Plans and Policies**
 - The petition is consistent with adopted policy.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:** No issues.
 - **Vehicle Trip Generation:** Not applicable.
 - **Connectivity:** Not applicable.
- **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 comments received.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

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

OUTSTANDING ISSUES

- No issues.
-

Attachments Online at www.rezoning.org

- Application
- 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

Planner: Sandra Montgomery (704) 336-5722