



## Instructions for Filing a Protest Petition

1. **The 3/4 rule:** Pursuant to G.S. 160A-385 and Charlotte Zoning Ordinance 6.113, if valid protest petitions representing the owners of either (i) 20% or more of the area included in the proposed zoning change or (ii) 5% or more of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned, the affirmative votes of three-fourths of the Mayor and City Council (not excused from voting) are necessary in order for the rezoning change to be approved. Street right-of-ways shall not be considered in computing the 100-foot buffer if the width of the right-of-way is 100 feet or less. If less than an entire parcel is being rezoned, the 100-foot buffer shall be measured from the property line of the parcel.
2. **Signatures:**
  - **Own signature:** Each person signing a protest petition must sign his or her own name.
  - **Wife and husband:** For property owned jointly by a wife and husband, each spouse must sign the protest petition.
  - **Tenants in common:** For property owned by tenants in common, each tenant in common must sign the protest petition.
  - **Corporation:** For property owned by a corporation, a protest petition must be signed by the president, vice-president, or other duly authorized agent. Indicate representative capacity when signing.
  - **Partnership:** For property owned by a partnership, a protest petition must be signed by a partner or, in the case of a limited partnership, a general partner. Indicate representative capacity when signing.
  - **Unincorporated Association:** For property owned by an unincorporated organization or association, a protest petition must be signed by a duly authorized officer or agent of the association. Indicate representative capacity when signing.
  - **Religious Body:** For property owned by a religious society, congregation, or other body, a protest petition must be signed by a duly authorized trustee, officer, or agent. Indicate representative capacity when signing.
  - **Condominiums and Home or Property Owners Association:** For condominium and common area property, a protest petition must be signed by a duly authorized officer or agent of the condominium or owners association. Indicate representative capacity when signing.
3. **Tax Parcel Number:** The tax parcel number of the property owned by each property owner must be indicated on the protest petition. The tax parcel number may be found at: <http://polaris.mecklenburgcountync.gov/> Using the search option, the tax parcel number can be found by the parcel owner(s) name or by the parcel address. The tax parcel number can also be found on the tax bill at: <http://taxbill.co.mecklenburg.nc.us/publicwebaccess/> by searching property owner name or street. Assistance in determining tax parcel numbers may also be obtained from the Office of the Tax Collector at (704) 336-7600.
4. **Protest Petition Completeness:** Protest petitions must include all the required information to be considered complete.
5. **Filing deadline:** Pursuant to G.S. 160A-386 and Charlotte Zoning Ordinance Sec. 6.113, protest petitions must be filed with the City Clerk's Office in sufficient time to allow at least two normal work days (excluding Saturdays, Sundays and City legal holidays) before the date of the public hearing on the proposed change or amendment. For example, if the public hearing is scheduled for a Monday, the protest petition must be filed in the City Clerk's Office by 5:00 p.m. on the preceding Wednesday.
6. **Withdrawal of Protest Petitions:** At any time prior to the Council's vote on a rezoning petition for which a protest petition has been submitted, any protestor may withdraw a signature by submitting a signed document to the City Clerk's Office identifying the rezoning petition and stating that the submitted signatures have the purpose of deleting the signers from the protest petition. In the event that a sufficient number of previously protested properties are withdrawn so as to reduce the percentage of area of protested lots to 1) below 20% of the rezoning petition area, or (2) below 5% of the 100-foot-wide buffer, the three-quarter rule will not apply. A withdrawn protest may not be reinstated after the deadline for filing the protest petition set forth in paragraph no. 5 above.

