



CHARLOTTESM

**CHARLOTTE PLANNING, DESIGN &
DEVELOPMENT**

Rezoning 101

**Charlotte-Mecklenburg Planning Commission
July 2, 2018**

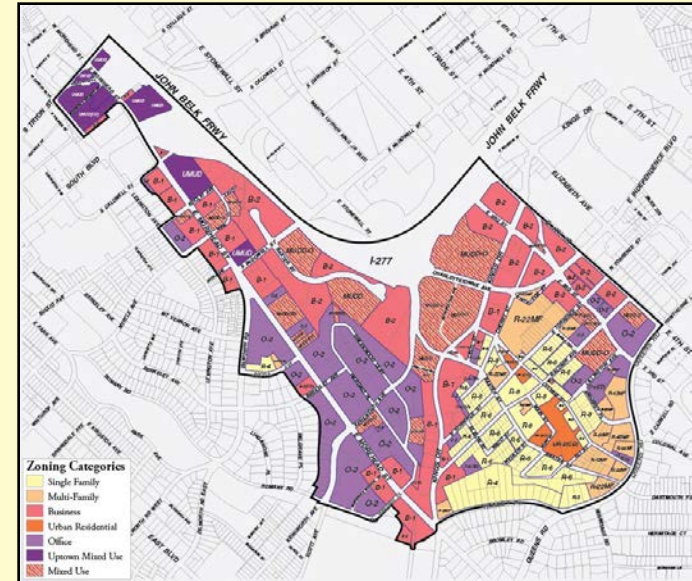
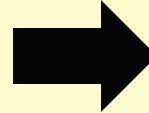


Goals:

- Provide an overview of the rezoning process
- Respond to your questions

Zoning Overview

Relationship Between Plans and Zoning



A plan provides vision and policy guidance and is not legally binding.

Zoning is a regulatory tool that is legally binding.



Zoning determines how parcels of land can be used and the standards related to their use.

- Official Zoning Map
- Zoning Ordinance Text
- Approved Conditional Plans

Rezoning: a means for amending the zoning classification of one or more parcels of land.

- Conventional
- Conditional (includes optional and site plan amendments)

Typically submitted by an owner that wants to use their land in a way that does not conform to the current zoning.

Conventional vs. Conditional Rezoning

Conventional	Conditional
Property owner signature not required	Property owner signature required by State Law
No site plan submittal	Site plan submittal required
No community meeting required	Community meeting and report required
Not tied to specific uses/proposal	Commitment to specific uses and proposal

Who

Who is involved in the rezoning process?

- City Council
- Zoning Committee of the Planning Commission
- Citizens
- Property owners, petitioners, and agents
- Designers/engineers
- Multiple departments and agencies within state and local government
- Planning Department Staff

What

Steps in the Process

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- 1) Presubmittal
- 2) Application Assessment
- 3) Citizen Notification
- 4) Citizen Involvement
- 5) Petitioner Support
- 6) Site Plan Review
- 7) Staff Analysis
- 8) Zoning Committee
- 9) City Council
- 10) Post Council Decision Activities

Presubmittal

- Phone calls and meetings
- Presubmittal meeting with Planning staff (ordinance requirement)

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Application Assessment

- Application review and correction
- Mapping
- Internal distribution of rezoning applications and maps

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Citizen Notification

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- Signs (State law)
- Courtesy mail notices (Council policy)*
- Community meeting notices – (State law)
- Legal mail notices (State law)*
- Legal ads (State law)

*Council Policy on mail notice exceed State law requirements.

Sample Mail Notification



REZONING PUBLIC HEARING NOTICE

April 3, 2018

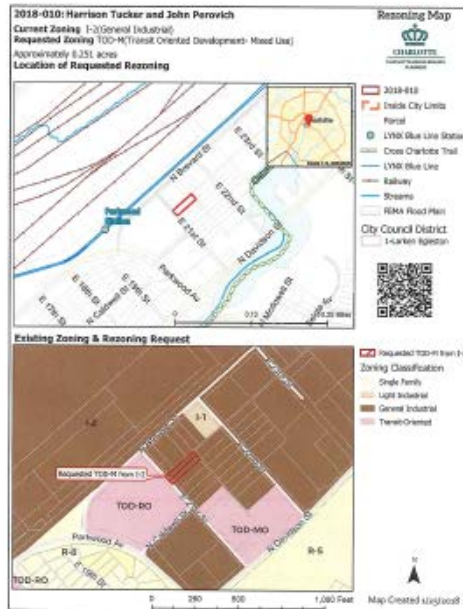
This letter serves as notification of a pending rezoning request for the property illustrated and described below.

A public hearing with the Charlotte City Council has been scheduled for **Monday, April 16, 2018**. We recommend that you attend the public meetings and hearings referred to in this notice - see the reverse side of this notice for definitions, dates, locations, times and procedures. Please note that the petitioner has the right to request a deferral of this petition at any time during the rezoning process.

Access www.rezoning.org for up to date case information or contact me at 704-336-8327.

Sincerely,

Sonja Sanders
Sonja Sanders
Planning Coordinator



MEETING SCHEDULE

Meeting and Purpose	Date, Time, and Location
City Council PUBLIC HEARING Proponents and opponents of proposed rezoning petition present comments before the Charlotte City Council and Zoning Committee of the Charlotte-Mecklenburg Planning Commission. To sign up to speak at the hearing, please call the City Clerk prior to 3:00 p.m. the day of the hearing, if possible, at 704-336-2248.	Date: April 16, 2018 Time: 5:30 p.m. * Location: Charlotte-Mecklenburg Government Center, 600 East Fourth St. - Meeting Chambers
Zoning Committee Work Session Following the public hearing, the Zoning Committee of the Planning Commission renders their recommendation. This is a public meeting open to any interested parties but is not a hearing.	Date: May 1, 2018 Time: 5:30 p.m. Location: Charlotte-Mecklenburg Government Center, 600 East Fourth St. - Second Floor
City Council Decision Please note, the petition may be deferred at any time and this date may change.	Date: May 21, 2018 Time: 5:30 p.m. Location: Charlotte-Mecklenburg Government Center, 600 East Fourth St. - Meeting Chambers

*Note: Due to the number of public hearings, the meeting may be recessed at 10:00 pm and reconvened at a later date if needed.

On a conditional zoning district request, the petitioner is required to hold at least one community meeting before a public hearing may be held. A written report of at least one such community meeting held by the petitioner must be filed in the Office of the City Clerk at least ten days prior to the date of the public hearing. If these requirements are not met, the petitioner's case will be deferred. The petitioner will contact you concerning this meeting.

Citizen Involvement

Staff support includes:

- Explaining the rezoning process
- Providing case information
- Providing guidance on how and when to contact Council members and Zoning Committee members

Petitioner's Community
Meeting/Follow-Up Negotiation

Public Hearing

Zoning Committee Work Session

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Petitioner Support by Staff

- Process guidance
- Site plan review discussions
- Mailing list for community meeting notification (if conditional)
- Process reminders

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Site Plan Review

- Involves significant coordination and negotiation with applicant/agents
- Original site plan review
- Public hearing site plan review (2nd site plan submittal)
- Zoning Committee site plan review (3rd site plan submittal)

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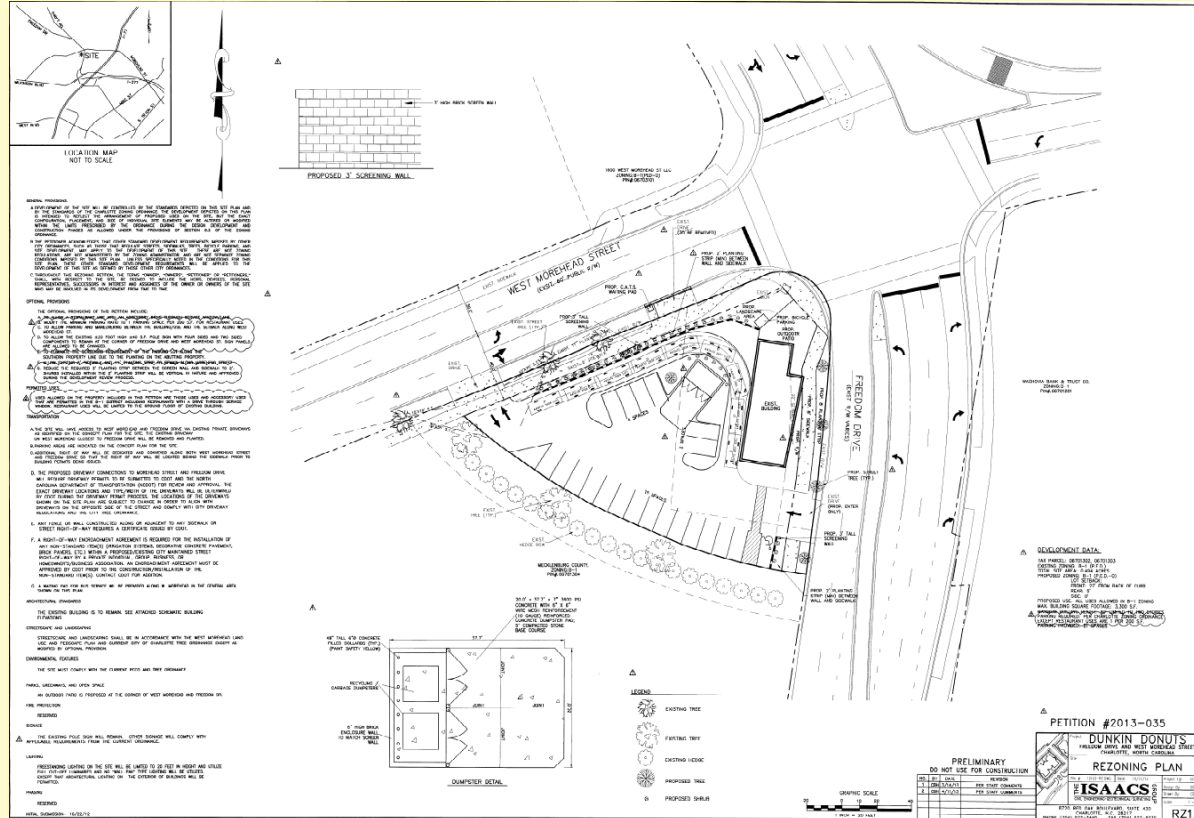
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Sample Site Plan



Staff Analysis

Staff recommendation developed taking into account the following:

- Consistency with adopted plans and policies
- Context
- Community benefit
 - ✓ Revitalization
 - ✓ Growth catalyst
 - ✓ Set the standard/raising the bar
- Urban design
- Site plan notes
- Infrastructure
- Environment
- Compliance with ordinances

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Sample Staff Analysis

Petition 2018-017

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Pre-Hearing Staff Analysis

Properties to the west are developed with a mix of retail uses.



Properties to the south are developed with a mix of retail uses.



Properties to the east are developed with a mix of retail uses.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-020	The petition proposes to allow all transit supportive uses per TOD-M (transit oriented development - mixed-use) zoning for a 3.16 acre site that is within a 1/2-mile walk of the Arrowood Transit Station on the LYNX Blue line.	Pending

Petition 2018-017

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Pre-Hearing Staff Analysis

Public Plans and Policies



- The Arrowood Transit Station Area Plan (2009) recommends transit supportive mixed residential and non-residential uses for the subject property.
- TRANSPORTATION CONSIDERATIONS**
 - The site is located on a minor thoroughfare in close proximity to a light rail transit station. During permitting, CDOT will seek to preserve and enhance the pedestrian and bicycle infrastructure currently on and adjacent to the site to support non-motorized trips in the station area.
- Vehicle Trip Generation**
 - Current Zoning:
 - Existing Use: 3,490 trips per day (based on 7,040 square foot fast food restaurant with drive thru).
 - Entitlement: 5,990 trips per day (based on 7,040 square foot fast food restaurant with drive thru and 21,470 square foot of retail).
 - Proposed Zoning: Allows for a wide variety of uses.

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System:** No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- Charlotte Fire Department:** No on street parking if unable to maintain 20 feet unobstructed access at all times.
- Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Arrowood Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Arrowood Road and South Boulevard.
- Engineering and Property Management:**
 - Arborist:** No trees can be removed from the right of way of any existing City maintained street (West Tremont Avenue) without explicit permission of the City Arborist's office. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any trees located in a public street right of way. No trees can be

Zoning Committee

- Joint Zoning Committee/Council Public Hearing
- Council dinner meeting
- Zoning Committee review
- Post Zoning Committee recommendation activities

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Sample Recommendation

Charlotte-Mecklenburg Planning Commission		Zoning Committee Recommendation	
 ZC Zoning Committee		Rezoning Petition 2018-017	
		June 5, 2018	
REQUEST	Current Zoning: B-1SCD (business shopping center district) Proposed Zoning: TOD-M (transit oriented development, mixed-use)		
LOCATION	Approximately 2.09 acres located on the west side of South Boulevard, north of East Arrowood Road. (Council District 3 - Mayfield)		
PETITIONER	Underdogs, LLC		
ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:</p> <p>This petition is found to be consistent with the <i>Arrowood Transit Station Area Plan</i>, based on the information from the staff analysis and the public hearing and because:</p> <ul style="list-style-type: none"> The plan recommends transit oriented development. <p>Therefore, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:</p> <ul style="list-style-type: none"> The subject site is within ¼-mile walk of the Arrowood Road Station on the LYNX Blue Line; and The proposed transit oriented development zoning is more consistent with the vision for the area than the current shopping center district zoning; and Use of conventional TOD-M (transit oriented development – mixed-use) zoning applies standards and regulations consistent with the form and intensity of transit supportive development; and TOD (transit oriented development) standards include requirements for streetscape treatment, building setbacks, street-facing building walls, entrances, and screening. 		
	Motion/Second:	Majeed / Spencer	
	Yeas:	Fryday, Majeed, McClung, McMillan, Spencer, and Sullivan	
	Nays:	None	
	Absent:	Nelson	
	Recused:	None	
ZONING COMMITTEE DISCUSSION	<p>Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.</p> <p>There was no further discussion of this conventional petition.</p>		
Planner	Michael Russell (704) 353-0225		

City Council

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- Council dinner meeting
 - ✓ Dinner agenda
 - ✓ Presentations
 - ✓ Questions to Zoning Committee
 - ✓ Follow up report
 - ✓ Community meeting report
- Joint Zoning Committee/Council Public Hearing
 - ✓ Agenda for Council meeting
 - ✓ Presentations and questions
 - ✓ Zoning Notebook
 - ✓ Mayor's agenda and meeting
- Council Decisions
 - ✓ ZC recommendation
 - ✓ Requests for Council Action for cases going to business meetings
 - ✓ City Council decision

Post Council Decision Activities

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- Legal ordinance
- Scan and distribute approved site plan
- Update website information
- Update official zoning map
- Update rezoning databases
- Administrative Amendments to Conditional Plans

Questions and Discussion