

Topic:	Pre-Application & Consensus Building
Resource Type:	Regulations
State:	North Carolina
Jurisdiction Type:	Municipal
Municipality:	City of Charlotte
Year (adopted, written, etc.):	2007
Community Type - applicable to:	Urban; Suburban
Title:	City of Charlotte Development Approval Ordinance
Document Last Updated in Database:	April 13, 2017

Abstract

A public notification process is formalized in the development process for certain land uses to engage the public in a heightened fashion and consider their suggestions before the process is finalized.

Resource

Charlotte, NC Code
CHAPTER 4:
DEVELOPMENT APPROVAL

Section 4.106. Public notification process for certain land uses.

(1) Purpose

There are certain land uses which, because of their nature or scale, may have particular impacts on both the immediate area and the community as a whole. While these uses may be permitted under prescribed conditions, the neighboring property owners as well as the general public should have the opportunity to learn about these uses, present relative information that may affect the extent or design of the project, to rebut information supplied by the permit applicant, to ask questions, and to present any pertinent evidence regarding the petition and the requirements of this ordinance. Part of this process will be accomplished through the means of a public forum.

(2) Notification process

In order to facilitate the exchange of information and dialogue, the following process is established for certain land uses so specified:

(Petition No. 2006-116 §4.106(2)(a, b, c, d), 01/16/07)

(a) The Zoning Administrator, individually, or by and through his or her authorized designees in Engineering and Property Management, Neighborhood Development, and Charlotte-Mecklenburg Planning Commission, will cause the subject site to be posted with a notice stating that the proposed use has been requested, where additional information may be obtained, and establishing a date, time and place for a public forum. The Zoning Administrator, or his or her authorized designees will also mail a notice to affected property owners, as shown on the current City tax abstracts, within 100 feet of the proposed site including those across a street as well as those neighborhood leaders, as listed by the Planning department, within one mile of the proposed site. Such notice will be posted and mailed within 10 working days from the time that the Engineering and Property Management or Neighborhood Development staff determines that the application is complete. The public forum should be held within 30-calendar days of the posting of the sign(s) and the mailing of the notices.

(b) Applicants shall be responsible for supplying the Zoning Administrator, or his or her authorized designees with postage paid envelopes addressed to adjacent property owners and neighborhood leaders as noted above. Any error in an owner's or neighborhood leaders' list or any other procedural error or omission shall not invalidate the issuance of an otherwise properly issued permit.

(c) The designated agency shall not render a decision on the proposed use until a minimum of 21 calendar days has elapsed following the date of the forum. The 21-day period may be used by all parties to submit written statements of rebuttal to the designated agency. The designated agency will consider only those rebuttal statements that relate to the compliance of the proposed use with the provisions of this ordinance.

(d) Within five (5) business days after making a decision on the proposed use, the Zoning Administrator, or his or her authorized designees, will mail a notice of the decision to the affected property owners and any other persons who commented on the proposed issuance of the permit whose addresses are known.