



Zoning Committee

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**REQUEST**

Text amendment to the Charlotte Zoning Ordinance, Sections 1.102, 1.105, 1.110, 1.111, 2.102, 2.202, 3.202, 3.203, 3.204, 3.301, 3.302, 3.303, 3.304, 3.401, 3.402, 3.403, 3.404, 3.501, 3.602, 3.605, 3.606, 4.102, 4.103, 5.101, 5.103, 5.107, 5.110, 5.113, 6.105, 6.108, 6.109, 6.110, 6.111, 6.113, 6.201, 6.204, 6.205, 6.206, 6.207, 6.209, 7.103, 8.102, 8.107, 9.104, 9.407, 9.805, 9.906, 9.1006, 9.1007, 10.203, 10.208, 10.209, 10.210, 10.213, 10.216, 10.509, 10.510, 10.609, 10.610, 10.710, 10.711, 12.103, 12.509, 13.4, 13.10, 13.11, 13.12, 13.15, 15.8.4, Table of Contents Chapter 13, Table of Contents

**PETITIONER**

Charlotte Planning, Design & Development

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with 2019 and 2020 North Carolina General Assembly legislation based on the information from the staff analysis and the public hearing and because:

- The text amendment updates the Charlotte Zoning Ordinance to align with new N.C.G.S. Chapter 160D legislation;
- The text amendment updates the processes for filing applications, and the public notice requirements for legislative and evidentiary public hearings;
- The text amendment updates the evidentiary hearing provisions and quasi-judicial procedures; and
- The text amendment updates the processes for all development approvals, including written notices of decisions to both the applicant and the property owner.

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:

- The text amendment adds new conflict of interest standards for boards and administrative staff; and
- The text amendment updates the vested rights and permit choice provisions to include multi-phase developments.

Motion/Second: Barbee / Blumenthal  
Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike,  
and Welton  
Nays: None  
Absent: Samuel  
Recused: None

## **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the 2019 and 2020 North Carolina General Assembly legislation for G.S. Chapter 160D.

Staff addressed the changes since the public hearing, including minor modifications to the text such as underling not shown for new text, and the proper notification of references to include "G.S." for section references to the General Statutes for Chapter 160D notations.

Another recent proposed change to the definition for "dwelling unit" was sent to Commissioners on the afternoon of the meeting. A Commissioner asked staff to verify the definition change for this text amendment, as an inconsistency in the definition was noted between two text amendments. Staff thanked the Commissioner for asking about the discrepancy and responded that the definition for "dwelling unit" is proposed to read as follows: "A single unit providing complete, independent living facilities for a family, including permanent provisions for living, sleeping, eating, cooking and sanitation."

A question was asked of staff how "for no more than one family" and "a family" was different. Staff responded that the change was proposed to address issues that may arise from Fair Housing legislation.

There was no further discussion of this petition, and the Commission voted on the amendment with the noted changes.

## **PLANNER**

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