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**Requester:** Council member Mayfield  
**Staff Resource:** Taiwo Jaiyeoba

**Statement/Questions:**  
- Be more intentional with community and citizen engagement by knowing your audience and socioeconomic status.  
- Describe the process for mailing invitations for community events and meetings.  
- Does it cover everyone by zip code?  
- Do we use demographic data to reach out to citizens?

**Responses:**  
**Community Event Invitations for Rezoning**  
- **Property Owner Meetings**  
  o Initial property owner open house meetings were held in May and June. Postcards were mailed on two separate occasions to 2,308 separate addresses based on the owner of record for parcels proposed to be rezoned.  
  o These meetings were held to explain the TOD Alignment Rezoning effort to property owners before additional meetings were scheduled for the public.  
- **Public Meetings**  
  o The first public open house meeting was held on July 18 at the Pritchard Memorial Baptist Church on South Boulevard and was publicized by postcards mailed to all property owners of affected properties.  
  o Additionally, 194 mailings were sent to individuals affiliated with neighborhood organizations within one mile of any parcel proposed for TOD rezoning.  
  o This meeting was also publicized on the Planning, Design and Development Department’s social media pages (Facebook and Instagram).  
  o The second public open house meeting was held on September 10 at the Camino Community Center and was publicized through a rezoning courtesy letter, that is mailed for all potential rezonings.  
  - A total of 6,435 courtesy notices were mailed for the September 10 public meeting  
  - 1,680 property owner addresses (duplicate addresses removed)  
  - 4,208 property owners with parcels within 300 feet of a parcel proposed for TOD rezoning  
  - 547 individuals affiliated with neighborhood organizations within two miles of any parcel proposed for TOD rezoning  
- Approximately 100 yellow rezoning signs were installed in August throughout the station areas along the Blue Line corridor. The signs were posted in prominent locations so as to be visible to people travelling on primary streets in these areas.  
- More than 6,400 letters were sent to over 600 individual zip codes, representing the addresses of all affected property owners in addition to the owners of property within 300 feet of a parcel to be rezoned and neighborhood organization contacts within two miles of a parcel to be rezoned.  
- Notification letters were mailed to addresses in 57 Charlotte zip codes, but not to all mailing addresses in each of these zip codes.
The Planning, Design and Development Department will begin to work with the city’s community outreach staff to explore ways to reach out to the community using demographic data to ensure the city is engaging the community of all socioeconomic statuses.
Tree Ordinance Amendment

Requester: Mayor Lyles and Council members Mayfield, Ajmera, Winston, Bokhari, and Driggs

Staff Resource: Taiwo Jaiyeoba

Statement/Questions:
- Requested a visual to better understand the current urban zoning compared to future tree ordinance.
- Breakdown of districts reflecting the current canopy.
- Is there anything that addresses contradictions between tree and sidewalk ordinance and how we handle that today? Need a defined approach of how we prioritize rather than using a case by case basis that might not reflect the will of the Council.
- How do we capture canopy (100 ft canopy vs new tree with five ft canopy)?
- Is there a continuing obligation for tree maintenance (plants but then plants die)?
- Are we asking for innovation or implementation?

Responses:

Map overlaying current urban zoning compared to future tree ordinance
- The City Arborist group and Urban Forestry do not have mapping that forecasts future tree canopy conditions as only recent tree canopy conditions are mapped.
- The proposed text amendment will only apply to urban zoning districts. These are defined as UMUD, MUDD, TOD, TS, PED, UR and NS zoning districts.
- Attachment A shows the current location of these zoning districts, which account for less than 4 percent of our jurisdiction.

A map or visual with the breakdown of districts reflecting their current canopy and any impact of the new amendment.
- Attachment B provides a visual of recent tree canopy conditions.
- The city does not have mapping that forecasts future tree canopy conditions.
- The impact of the proposed amendment on tree canopy is expected to be neutral in comparison to current Tree Ordinance regulations. The text amendment focuses on allowing alternative locations for required trees.

Outline that addresses contradictions between tree and sidewalk ordinance and how we handle that today. Describe defined approach of prioritizing in lieu of case by case.
- The Tree Ordinance regulations and sidewalk standards are designed to complement each other and work together.
- In a small number of cases, there may be circumstances where space is constrained, and perimeter tree (street tree) planting and sidewalk construction are not both feasible. In these cases, Urban Forestry and Charlotte Department of Transportation work together to assess and develop a common approach to address the conflict.
- The full Unified Development Ordinance process will define an approach for dealing with conflicts when space for street trees and sidewalks is constrained.

Summarize how canopy is captured.
- Urban forest tree canopy is generally defined as all the tree parts that provide cover for the ground as viewed from above.
- This aerial perspective definition does not distinguish height nor size of individual trees.
## Tree Ordinance Amendment

### Describe obligation for tree maintenance.
- Tree maintenance on private property is the responsibility of the property owner
- Tree maintenance on city property is the responsibility of the city.
- Urban Forestry performs periodic compliance site visits to ensure code required trees are present, alive and healthy.

### Confirm ask – innovation or implementation.
- The text amendment is both. Innovation and implementation are both necessary to test these changes in the “real-life” built environment.
- The text changes were created through innovative stakeholder process to develop new ways of implementing trees within urban sites that gives thought to both good site design and good tree installation.
- We will use a continuous learning process as we implement changes.

### Next Steps:
- A public hearing for the Tree Ordinance was held on September 16.
- Based on feedback at the public hearing, staff is scheduling an additional community meeting to hear feedback on tree preservation throughout the community, as well as the proposed text amendment for urban districts. The tentative date for the meeting is Thursday, October 10.
- The community meeting will be held prior to the scheduled October 21 City Council vote on the text amendment.
Attachment A
Attachment B
<table>
<thead>
<tr>
<th>Questions &amp; Responses:</th>
<th>What are the rules for owner occupied, single-family renter, and multi-family? The Housing Code process and standards of fitness are identical for owner-occupied dwellings and rental units, both single-family and multi-family. Owner occupants are not subject to civil penalties and may be granted up to a year in extensions. Rental properties are subject to civil penalties and may be granted up to six months in extensions.</th>
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<td>How do we connect individuals to resources during inspection periods? Code Enforcement inspectors routinely connect residents to available city and community resources. These include the city’s Safe Home Program, Habitat for Humanity, Crisis Assistance, Legal Aid, Community Link, etc.</td>
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<td>What happens before the 65 percent trigger kicks in? All minimum housing code cases follow the same enforcement process allowed by state statute and city ordinance. In all cases, property owners have the opportunity to appeal to the Housing Appeals Board and Superior Court. Code Enforcement staff make every effort to work with property owners to allow a reasonable time for violations to be fixed. When the cost to repair is less than 65 percent of the structure value, a property is issued a repair order (versus a demolition order for repair costs that exceed 65 percent). For these properties where the repairs are less than 65 percent, a notice of civil penalty is issued (currently $100 for the first day and $10 each additional day) if the repair is not fixed in the required timeframe. Additionally, we can cite the property owner to Environmental Court. Environmental Court is an option when there is a local owner who can be served a uniform citation by the Charlotte Mecklenburg Police Department. Prior to Council receiving an in rem demolition request (cost to repair is more than 65 percent), the owner has already been non-compliant for several months and sometimes it can be up to a year or more, and often the property has impacted the quality of life of the community in which it is located for far longer.</td>
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<td>Is there a correlation between new development and our demolitions / clearing of the land? Of the 108 in rem demolitions that occurred in FY 2016 – FY 2018, only six (5.5 percent) have new construction building permits that have been completed since the demolition occurred.</td>
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<td>What would it look like if we had stronger language for holding property owners accountable on the front end vs. back end? The city must follow the due process requirements set forth in the state statute. The current process allows for a notice of civil penalty to be issued, cite a property owner to Environmental Court, or request an in rem remedy from City Council for non-compliance. Any enforcement on the front end would require new legislative authority.</td>
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<thead>
<tr>
<th>Requester:</th>
<th>Council members Mayfield, Egleston, Harlow, Newton, Winston, Ajmera</th>
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<tr>
<td>Staff Resource:</td>
<td>Sabrina Joy-Hogg</td>
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In Rem Remedy

- Can we explore a process for us to use our authority to institute / initiate foreclosures for in rem and to be the bidder on the property?
  A process for initiating foreclosures can be explored; however, there are a number of challenges that exist:
  - The community could perceive the city is unfairly using code enforcement to target owners and property for acquisition.
  - There is no guaranty the city would be the prevailing bidder in a foreclosure sale.
  - If the city were the successful bidder in a foreclosure, there is no guaranty the property could be subsequently sold or redeveloped.
  - Many times, property taxes are in arrears by multiple years. If the city were the successful bidder, we would be required to pay all delinquent property taxes, thereby increasing the cost of the foreclosure.
  - Additional funding would be needed to maintain foreclosed property in the city’s portfolio.
  - The city may not be interested in foreclosing on certain parcels due to variables such as site contamination etc.

- Within the confines of the law is there a way to do something faster in one area over the other, (multifamily vs single family or in civil penalties)?
  Current North Carolina law does not distinguish or provide for procedural requirements based on type of occupancy.

- Is there a way to use the in rem process to further advance our priorities of retaining Naturally Occurring Affordable Housing (NOAHs)?
  The city could explore maximizing the use of in rem repairs to preserve NOAH properties.

- How do we compare to other cities in regard to the 65 percent in rem threshold?
  State statute allows municipalities to issue demolition orders if the cost to repair exceeds 50 percent of the structure value. Charlotte’s ordinance is less aggressive in that, in an effort to preserve housing units, a 65 percent threshold is used. A comparison with other North Carolina cities is below.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Threshold</th>
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<tr>
<td>State</td>
<td>50%</td>
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<tr>
<td>Charlotte</td>
<td>65%</td>
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<tr>
<td>Durham</td>
<td>50%</td>
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<tr>
<td>Greensboro</td>
<td>50%</td>
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<tr>
<td>Raleigh</td>
<td>50%</td>
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<tr>
<td>Winston-Salem</td>
<td>65%</td>
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- Where is the line between what we should preserve and demolish? Is there more data to understand timing and making sure we are not being too aggressive?
  Per the ordinance, the line between when we should repair or demolish is when the cost of repair exceeds 65 percent of the value of the structure. While state statute allows municipalities to issue an order to demolish if the costs to repair exceeds 50 percent of the structure value, we are less aggressive than the statute allows.
It is important to note that even if a demolition order is issued, the owner always has the option to repair, as long as they establish their intent to repair in writing and then proceed with the repairs in a reasonable manner. The city makes every effort to work with the owner to enable housing units to be preserved by bringing them into compliance with minimum standards. If the owner fails to make the repairs, a demolition is pursued.

When a request for an in rem demolition is requested of Council, the owner has already been non-compliant for several months, and often the property has impacted the quality of life of the community.

- **What guides us is not clearly spelled out/look past the 65 percent threshold. Would development of new and predefined courses of action make the choices we have more objective?**
  The housing code ordinance, as authorized by state statute, provides specific guidelines and courses of action for enforcement. The housing code also provides specific standards of fitness that must be met for a structure to meet minimum standards.

- **Provide information on the demolition liens and percent collected over a 3-year period.**
  Since 2016, the city has billed $1,174,954 in demolition liens. During that period, $1,012,191 (86 percent) has been collected.

- **When a structure is rehabbed, does the county reassess its value?**
  Per Mecklenburg County, a property that had a rehab or demolition permit completed during the year is reassessed the same year. The reassessed value will be applicable on January 1 of the following year.
### Opportunity Zones

<table>
<thead>
<tr>
<th>Requester:</th>
<th>Mayor Lyles and Council members Mitchell</th>
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<tr>
<td>Staff Resource:</td>
<td>Tracy Dodson</td>
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| Statements/Questions: | • Concerns around the forming of the Think Tank group.  
   • What are they charged with doing? |
| Responses:        | • In November 2018, the Economic Development Committee requested to receive information on Opportunity Zones at their January 2019 meeting.  
   • The committee received updates and information during the following meetings:  
     o January 2019 – Opportunity Zones overview  
     o February 2019 – Opportunity Zones update  
     o March 2019 – Opportunity Zones update  
     o May – Think Tank group discussion  
     o August – Think Tank group discussion and representation  
   • Meeting summaries, presentations and handouts can be found here: ED Committee - Committee Documents.  
   • Think Tank Purpose: A group of experts with local and national perspective to offer insights and recommendations to staff. This group includes city staff from Planning, Design and Development and Housing and Neighborhood Services, as well as Mecklenburg County staff.  
   • The Think Tank will evolve to include other experts.  
   • Moving forward the Think Tank will participate in a facilitated discussion to classify current gaps in Opportunity Zone programs and identify strategic actions to ensure activity on Opportunity Zones in Charlotte has maximum positive social impact. |