

# VOLUNTARY ANNEXATION

## APPLICATION & PROCESS GUIDES

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REVISED SEPTEMBER 2022

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(INSERT ANNEXATION AREA  
NAME)

Completed applications to be sent to:

**Kimberly Byrd, Assistant City Clerk**

600 E 4th Street, Room 700A

Charlotte, NC 28202

Kimberly.Byrd@charlottenc.gov

704.336.2658

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Questions to be directed to:

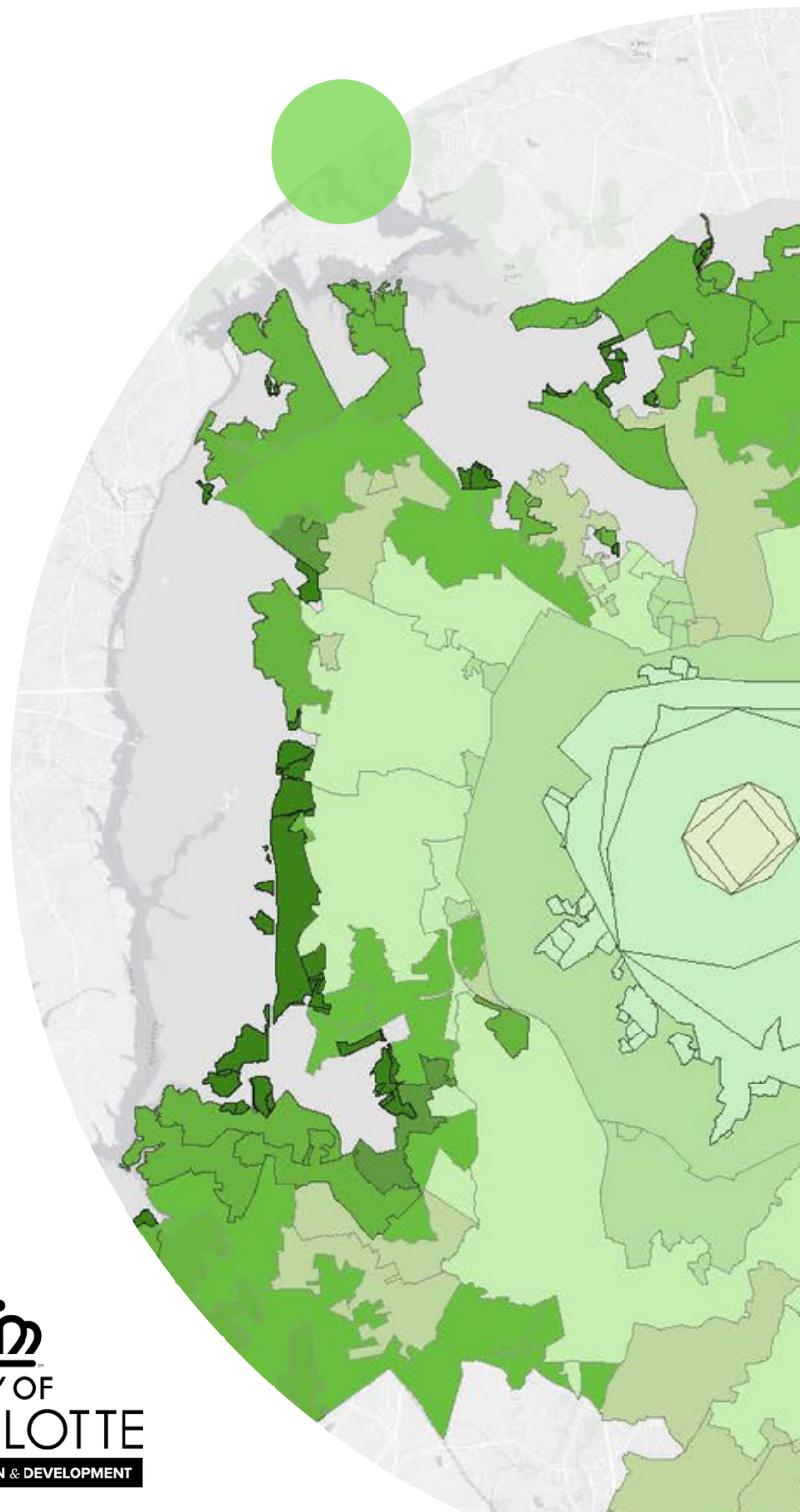
**Holly Cramer, Planner**

600 E 4th Street, 8th Floor

Charlotte, NC 28202

Holly.Cramer@charlottenc.gov

704.353.1902



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# VOLUNTARY ANNEXATION PROCESS OVERVIEW: 4 - 6 MONTHS IN TOTAL

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1. **Pre-Submittal Meeting with Planning Staff**
2. **Submit Completed Application and Fee to the Clerk's Office**
3. **Voluntary Annexation Group Reviews**
  - a. **Planning Review**
  - b. **General Services, Engineering & Project Management Review**
4. **Voluntary Annexation Group Requests Edits**
5. **Petitioner Submits Revised Documents**
6. **Internal and External Notification**
  - a. **60-Day Notices are Sent to Surrounding Municipalities**
  - b. **Departmental Polling Period**
7. **Final Document Review**
  - a. **Fiscal Analysis from Polling is Finalized**
  - b. **Planning Conducts Final Review of Application Documents**
8. **Certificate of Sufficiency is Requested from the Clerk's Office**
9. **City Council Considers Request to Set the Public Hearing**
10. **Public Hearing is Advertised**
11. **City Council Holds a Public Hearing and Considers the Annexation Petition**
12. **The Clerk's Office Files the Annexation Ordinance with the Register of Deeds and Secretary of State**
13. **Planning Sends out Notification of Annexation Approval**

# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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## 1) Pre-Submittal Meeting with Planning Staff

a. Prior to submitting an application, petitioners are required to hold a pre-submittal meeting with planning staff to discuss the context of the site, the applicability of state and city policies to the annexation area, and the general annexation process and timeline. To schedule a pre-submittal meeting please contact Holly Cramer or Emma Knauerhase.

## 2) Submit Completed Application and Fee to Clerk's Office

a. Completed applications must be sent to the Office of the City Clerk at the attention of Kim Byrd via email at [Kimberly.Byrd@charlottenc.gov](mailto:Kimberly.Byrd@charlottenc.gov). In addition to electronic copies of all application documents, a hardcopy of the map with a wet stamp signed and sealed by the surveyor, letter to the mayor, and petition with the original signatures of the property owners must also be submitted to the Clerk's Office at the following address:

**Kimberly Byrd  
Assistant City Clerk  
Office of the City Clerk  
600 E 4th Street Room 700A  
Charlotte, NC 28210**

b. Once the Clerk's Office has received a completed application and filing fee, the City Clerk will determine the sufficiency of the petition and distribute the petition to the voluntary annexation group if the application is determined to be complete. **Each application document and check must have the annexation area name listed.** A completed application consists of the following:

c. **Letter addressed to the Mayor and City Council**, stating the annexation area name, the petitioner, the parcel identification numbers in the annexation area, and the acreage of the annexation area.



# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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**d. Petition**, containing the original signatures and printed names of all property owners and the corresponding parcel identification number. Instructions for various signatures:

- **Married Couples:** For property owned jointly by a married couple, each spouse must sign the petition.
- **Tenants in Common:** For property owned by tenants in common, each tenant in common must sign the petition.
- **Corporation:** For property owned by a corporation, the 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, the 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 association, the 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, the petition must be signed by a duly authorized trustee, officer, or agent. Indicate representative capacity when signing.

**e. Fiscal Analysis Data Sheet**, to provide summary-level information on the petitioner's planned land development for the subject property.

- If an annexation area contains existing structures with no plans for removal during or after future land development, then details on these existing structures must also be included in the listed development.

# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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- Fiscal analysis details listed in this sheet must be strictly limited to proposed or existing development within the annexation area, even if the larger development area spans beyond the annexation area boundaries.
- The proposed development must be feasible under the area's assigned zoning district(s). If a rezoning petition has been filed for the annexation area, the annexation process will not be able to continue beyond the initial evaluation phase until the rezoning petition has been decided on by City Council.

**f. Boundary description of the subject property, that shall:**

- Be accurate and prepared in conformance with applicable law and surveying standards.
- Be consistent with the map of the annexation area.
- Be written in a clockwise direction.
- Describe the perimeter of the subject property and list the total acreage of the annexation area.
- Note expressly those segments where the description is following and contiguous to the existing City limits when applicable.
- If applicable, note expressly where the description of the boundary of the subject property is contiguous with property that the City has agreed not to annex in accordance with annexation agreements (Planning staff can advise as to the applicability of this provision).

**g. Map of the subject property, must meet the following standards:**

- Must be finalized and in a form suitable for recordation at the Mecklenburg County Register of Deeds
- The electronic version of the map must be submitted at a size that is easily legible and include a  $\frac{3}{4}$ " border around all four sides

# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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- The map must be submitted in two differently sized formats- one smaller and one larger. The smaller map size must be 8.5" x 11" or 8.5" x 14". And the larger map size that must also be submitted should be 18" x 24" or 24" x 36". Though the larger map size may not ultimately be needed for annexations with fewer than 20 acres, submitting the map in two different size formats ensures that the annexation area can be properly recorded at the Register of Deeds and Secretary of State.
  - The font size may be no less than 9 pt.
  - The hardcopy of the map can be whichever size is required to ensure that all details are easily legible. The hardcopy of the map is kept in the Clerk's Office in perpetuity and is not recorded.
  - Must be signed and sealed by the surveyor with a wet signature.
  - All boundaries of the property need to be labelled, with a clear annexation area boundary shown.
  - City limits as they relate to the subject property must be accurately labelled.
  - The map must contain calls and distances for each portion of the boundary of the subject property.
  - The map cannot contain coloring.
  - Parcel information should be displayed for all parcels within the annexation area.
  - Maps should include parcel information for the properties surrounding the annexation area.
  - The annexation area name must be clearly displayed on the map.
- h. Filing fee of \$400**, by check only, made payable to the City of Charlotte must be included with the hard copies of the application materials and must list the annexation area name.

# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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## 3) Voluntary Annexation Group Reviews of Application Documents

a. Planning Review: Planning staff will review application materials and send back any comments and requested edits to the petitioner within two weeks after the application is distributed by the Clerk's Office.

b. Engineering Review: Staff from the Engineering & Project Management team with the Department of General Services will review the annexation map and boundary description and send back any comments and requested edits to the petitioner within two weeks after the application is distributed by the Clerk's Office.

## 4) Voluntary Annexation Group Requests Edits

a. The remaining contacts in the voluntary annexation group may also choose to send any comments on an annexation application within two weeks after the application is distributed by the Clerk's Office.

## 5) Petitioner Submits Revised Documents

a. Once a petitioner has received both Planning and Engineering comments, revised documents incorporating all edits requested must be sent electronically to Kim Byrd from the Clerk's Office and Holly Cramer. If revised documents include a new property owner signature sheet or map, hard copies must be mailed to the Clerk's Office.

b. If a petitioner disagrees with a requested edit or has any questions regarding comments received, please contact Holly Cramer.

**Holly Cramer, Planner**  
**Planning, Design & Development**  
**[Holly.Cramer@charlottenc.gov](mailto:Holly.Cramer@charlottenc.gov)**  
**704.353.1902**



# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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## 6) External Notification

**a. 60-Day Notices:** Pursuant to annexation agreements between the City of Charlotte and neighboring towns, no annexation ordinance may be adopted by Charlotte City Council without first giving a 60-day notice to each town which is a party to these agreements. The cities and towns that have active annexation agreements with the City of Charlotte include Concord, Davidson, Harrisburg, Huntersville, Marvin, Matthews, Midland, Mint Hill, Stallings, and Weddington. Planning staff will be responsible for drafting and sending out 60-day notices for each petition. No annexation ordinance may be adopted by the City Council if the 60-day notice requirement has not been satisfied.

**b. Departmental Polling:** Planning staff will distribute annexation application materials to several departments in accordance with City annexation policy to assess the impact of an annexation petition on City services and finances.

- In addition to the annexation application, departments that are polled will be sent a fiscal analysis data excel sheet from Planning which calculates the cost to serve the annexation area as compared to the revenue generated from annexing the area.
- Departments have four weeks to submit comments to Planning on annexation applications.

## 7) Final Review

### a. Fiscal Analysis from Polled Departments is Finalized

- After the four-week polling period is up, Planning will aggregate input from the polled departments into the fiscal analysis excel sheet to determine the cost to serve the potential annexation area as well as any other obstacles or comments on the area's potential impact to municipal services.
- If it is determined that the cost to serve a potential annexation area causes significant impacts to City services and finances, Planning may request that the annexation petition be withdrawn or otherwise revised to better meet City annexation policy.

# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

## **b. Planning Department's Final Review of Application Documents**

- Planning conducts a final review of all application documents to determine their sufficiency and compliance with State Statutes as well as adopted City policy. Further revisions from the petitioner may be requested at this time.

## **8) Certificate of Sufficiency Requested**

a. If Planning has determined that all application materials are accurate and in compliance with State Statutes and City policies and the potential annexation would be beneficial for the City, then a Certificate of Sufficiency is requested from the City Clerk's Office by Planning.

b. After a Certificate of Sufficiency has been received, no further changes can be accepted to the annexation application. If the context of an annexation area changes (such as subdividing parcels within an annexation area and sequentially creating new parcel identification numbers in the potential annexation) after a Certificate of Sufficiency has been received, then Planning will have to conduct another review of documents and a new Certificate of Sufficiency would have to be issued. Changes after this step can cause severe delays and petitioners are advised to refrain from any actions that would require new application documents to be submitted unless absolutely necessary.

c. A Certificate of Sufficiency for an annexation application is required for a petition to appear before City Council.

## **9) City Council Considers a Request to Set the Public Hearing**

a. Upon receipt of the Certificate of Sufficiency, Planning will submit an agenda item to appear before City Council that will request that a public hearing be set for the annexation area in approximately one month's time.

# VOLUNTARY ANNEXATION PROCESS OVERVIEW: THE STEPS EXPLAINED

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## 10) Public Hearing is Advertised

- a. The public hearing for an annexation petition must be properly advertised in the Mecklenburg Times no fewer than 10 days and no more than 25 days prior to the public hearing.
- b. Planning will submit a draft advertisement to the Clerk's Office for notice of the public hearing.
- c. The Clerk's Office coordinates the posting of the public hearing advertisement with the Mecklenburg Times.

## 11) City Council Holds a Public Hearing and Considers the Annexation Petition

- a. City Council will hold a public hearing on the annexation petition where the general public may voice their comments on the potential annexation for the Council's consideration.
- b. Though it is not required, annexation petitioners may also sign up to speak at the public hearing to give their support for the petition or be available to answer questions.
- c. Those wishing to speak during the public hearing must sign up through the Clerk's Office by 9:00 a.m. on the morning of the City Council meeting.
- d. Immediately following the public hearing, City Council may render a decision on the annexation petition. If approved, the annexation becomes effective immediately.

## 12) Clerk's Office Files Annexation Ordinance with ROD and SOS

- a. In the weeks following an annexation approval, the Clerk's Office will file the annexation ordinance and associated maps at the Register of Deeds and Secretary of State

## 13) Planning Department Sends Approval Notification

- a. Once the ordinance has been signed following the approval of an annexation petition, Planning will notify internal and external departments throughout the City, County, and State.

# TIPS FOR ANNEXATION APPLICANTS

## TIP 1

**The name of your annexation area should be unique and distinguishable** from other projects. A name such as “Providence Road Area Annexation” is too generic in its usage of the road name with no other project-specific words. A more distinct naming convention such as “The Grove on Providence Area Annexation” is specific and unique enough to be an appropriate annexation name. Regardless of what you decide on for your annexation area name, the name should appear on every application document and be written identically throughout the application.

## TIP 2

Petitioners are encouraged to **bring anyone to the pre-submittal meeting that may work on the annexation materials**. In particular, the surveyor that will be creating and certifying the annexation area map may benefit from attending the pre-submittal meeting to get a better understanding of what is required of the map and legal description.

## TIP 3

**The Clerk’s Office is a vital record keeper for the annexation process.** Copying Kim Byrd from the Clerk’s Office on all emails regarding an annexation is required.

## TIP 4

Due to staffing constraints, any preliminary application materials will not be reviewed for sufficiency prior to a complete application submission of documents that are suitable for recordation. If there are questions regarding application requirements, please reach out to Planning staff. **Annexation application materials will not be reviewed in-depth by the Clerk’s Office or Planning staff unless they are in a finalized format and suitable for recordation.**





# GENERAL NOTES

## ANNEXATION & REZONING

- When both an annexation and rezoning are being sought for a site, the rezoning process must be finished or very nearly wrapped-up prior to the petitioner submitting an application for annexation.
- Annexations are reviewed based on what the proposed or existing development would be as allowed under the assigned zoning district(s). If a rezoning is still pending by the time the annexation application is sent to departments for polling, the zoning shown will have to list the current zoning regardless of the rezoning request. Subsequently, the listed development would have to be congruent with what is allowed under the current zoning. For this reason, annexation applications will be stalled until rezoning cases are decided or withdrawn.
- Petitioners are encouraged to hold an annexation pre-submittal meeting and begin working on application materials when they are nearing the end of the rezoning process.

## EXTENSION OF STREET MAINTENANCE INTO ANNEXED AREAS

- Unlike other municipal services such as trash collection, the extension of street maintenance as a municipal service into newly annexed areas is at the discretion of the Charlotte Department of Transportation (CDOT). Generally, if an annexation area is contiguous to existing City Limits and has or will have streets that connect to CDOT-maintained streets, then the extension of street maintenance into the newly annexed area to streets that are built to City-standard is viable.
- The established precedent regarding satellite annexations is that CDOT does not assume street maintenance within approved satellite annexation areas. This is primarily due to the cumbersome fiscal and logistical burden that would be required for the extension of service to noncontiguous streets.

## SATELLITE VERSUS CONTIGUOUS VOLUNTARY ANNEXATIONS

- The City is authorized to annex areas that are either contiguous to current City Limits or are satellite areas, not sharing any boundaries with current City Limits
- Satellite annexations are viable if they meet a number of requirements as specified in the general statutes including:
  - The area is within 3-miles of current City Limits
  - The area is within the “sphere of influence” of the annexing municipality and would not otherwise be able to be annexed by another municipality. Spheres of influence and their related extraterritorial jurisdiction boundaries are defined by municipalities within a County through annexation agreements.
  - The City would be able to provide municipal services to the area at a comparable level that it provides to areas within existing City Limits.

ANNEXATION AREA NAME:

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## **LETTER TO THE MAYOR AND CITY COUNCIL**

(Insert Letter Addressed to the Mayor Here)

ANNEXATION AREA NAME:

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**PETITION REQUESTING ANNEXATION**

Petitioner(s):

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Date:

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Property Owner Name (Printed)	Parcel Identification Number	Property Owner Mailing Address	Property Owner Signature	Printed Title / Name of Signature

# ANNEXATION AREA NAME:

Property Owner Name (Printed)	Parcel Identification Number	Property Owner Mailing Address	Property Owner Signature	Printed Title / Name of Signature



ANNEXATION AREA NAME:

\_\_\_\_\_

## **FISCAL ANALYSIS DATA SHEET**

**Annexation Area Name:** \_\_\_\_\_

**Petitioner(s):** \_\_\_\_\_

**Annexation Area Acreage:** \_\_\_\_\_

**Current Land Use(s):** \_\_\_\_\_

**Zoning District(s):** \_\_\_\_\_

**Describe the Proposed Land Use or Development:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**List Existing Development that Will Remain, if Applicable:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Residential (Single Family, attached or detached):

- Number of units: \_\_\_\_\_
- Anticipated build-out (years): \_\_\_\_\_
- Average price point per unit: \_\_\_\_\_

# ANNEXATION AREA NAME:

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## Residential (Multi-Family):

- Number of units: \_\_\_\_\_
- Anticipated build-out (years): \_\_\_\_\_
- Average price point per unit (to own): \_\_\_\_\_
- Average price point per unit (to rent): \_\_\_\_\_

## Retail:

- Square Footage: \_\_\_\_\_
- Anticipated build-out (years): \_\_\_\_\_
- Tenant Type: \_\_\_\_\_

## Commercial (non-retail such as office, medical, fitness, services, hotel or theater):

- Square Footage: \_\_\_\_\_
- Anticipated build-out (years): \_\_\_\_\_
- Tenant Type: \_\_\_\_\_

## ANNEXATION AREA NAME:

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Other (such as open space, school, daycare, church, governmental, etc.):

- Square Footage: \_\_\_\_\_
- Anticipated build-out (years): \_\_\_\_\_
- Tenant Type: \_\_\_\_\_

### Infrastructure:

- Centerline linear feet of publicly dedicated roadways  
proposed: \_\_\_\_\_
- Public sewer and water proposed: \_\_\_\_\_

### Development Scale:

- Maximum building height proposed: \_\_\_\_\_

ANNEXATION AREA NAME:

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## **BOUNDARY DESCRIPTION**

(Insert Boundary Description Here)



ANNEXATION AREA NAME:

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## **MAP OF THE ANNEXATION AREA**

(Insert Survey Here)