

## **Air Quality Permit Application** **Instructions For Obtaining A Zoning Determination**

The Mecklenburg County Air Pollution Control Ordinance (MCAPCO) requires that Air Quality Permit applications include a **Zoning Determination** to ensure that a proposed facility is consistent with applicable zoning requirements. The Zoning Determination must be obtained from the local government having land use jurisdiction over the land on which a proposed air pollution facility and its appurtenances are to be located and must be signed by the official(s) charged with administering the respective zoning and subdivision ordinances.

The Zoning Determination can be provided in one of two ways:

- Issuance of a letter from the appropriate zoning official(s) describing the facility as it is described in the Air Quality Permit application (to include facility address & intended use) and stating that the facility would be consistent with applicable zoning and subdivision ordinances; or
- Completion of the “Zoning Consistency Determination Form” (see below) by the appropriate zoning official(s).

Use the following procedures to obtain a Zoning Determination:

1. Contact the applicable city or town’s Planning / Zoning office based on the affected facility address. Request a “Zoning Determination for an Air Quality Permit application.” (Note: A fee may be charged by the local office for the determination.)

<b><u>Facility Address</u></b>	<b><u>Zoning Determination Office</u></b>	<b><u>Phone</u></b>
City of Charlotte.....	2145 Suttle Avenue.....	(704) 432-4392
Town of Cornelius.....	21445 Catawba Avenue.....	(704) 896-2461
Town of Davidson.....	216 S. Main Street.....	(704) 892-7592
Town of Huntersville...	105 Gilead Rd., Town Center, 3 <sup>rd</sup> Floor.....	(704) 875-7000
Town of Matthews.....	232 Matthews Station Street.....	(704) 847-4411
Town of Mint Hill.....	4430 Mint Hill Village Lane.....	(704) 545-9726
Town of Pineville.....	200 Dover Street.....	(704) 889-2291

2. Submit your request for a Zoning Determination in writing to the appropriate Planning / Zoning Department.  
Include the following information with the request:
  - A “Zoning Consistency Determination Form” (see below) and,
  - A copy of the completed “General Information” Air Quality Permit application form (ie. Form S1 for gasoline dispensing facilities, or Form A1 for all other facilities).

Note: If you choose to request your Zoning Determination via mail, you should also include the attached letter template.

3. Acquire the Zoning Determination and submit the original, signed copy to:
 

**Mecklenburg County Air Quality**  
**2145 Suttle Avenue**  
**Charlotte, NC 28208-5237**  
**Phone: (704) 336-5430**

Note: The Zoning Consistency Determination letter is part of the Air Quality Permit application package and must be received before the application can be processed. It is the applicant’s responsibility to ensure that Mecklenburg County Air Quality (MCAQ) has received the Zoning Consistency Determination letter.

## Zoning Consistency Determination Form

Per the Mecklenburg County Air Pollution Control Ordinance (MCAPCO), applications for Air Quality Permits for new or expanded facilities must include a Zoning Consistency Determination. The Air Quality Permit applicant should complete this form and submit to the applicable Zoning Administrator's office. Include a copy of the Air Quality Permit application "General Information" form: A1, A1-6H, or S1.

### Section 1 – To Be Completed By Air Quality Permit Applicant

<b>Facility Name</b>	_____
<b>Facility Street Address</b>	_____
<b>Facility City</b>	_____
<b>Description of Process</b>	_____ _____
<b>SIC/NAICS Code</b>	_____
<b>Facility Contact</b>	_____
<b>Telephone Number</b>	_____
<b>Mailing Address</b>	_____
<b>Mailing City, State, Zip</b>	_____

### Section 2 – To Be Completed By Local Zoning Official

Based on the information given above:	
<input type="checkbox"/>	I have received a copy of the Air Quality Permit application form A1, or S1, AND...
<input type="checkbox"/>	There are no applicable zoning ordinances for this facility at this time.
<input type="checkbox"/>	The proposed operation <u>IS</u> consistent with applicable zoning ordinances.
<input type="checkbox"/>	The proposed operation <u>IS NOT</u> consistent with applicable zoning ordinances. (please include a copy of the applicable zoning regulations in the package sent to the MCAQ office)
<input type="checkbox"/>	The determination is pending further information and cannot be made at this time.
<input type="checkbox"/>	Other: _____
<b>Completed By:</b>	
<b>Agency/Jurisdiction</b> (print)	_____
<b>Name of Designated Official</b> (print)	_____
<b>Title of Designated Official</b> (print)	_____
<b>Signature</b>	_____
<b>Date</b>	_____
<b>Attn: Local Zoning Official - Please return completed form to facility contact at mailing address listed above.</b>	

*Note to Air Quality Permit applicant: Use this template letter when requesting a Zoning Determination via mail*

<<Date>>

**VIA <<HAND DELIVERY/DOMESTIC MAIL DELIVERY SERVICE>>**

<<Mr./Ms./Mrs. >> << Last Name of Zoning Administrator>>, <<Title>>  
<<City/Town of?>>  
<<Department>>  
<<Mailing Address>>  
<<City, North Carolina <<Zip Code>>

Dear <<Mr./Ms./Mrs.>> <<Last Name>>

On behalf of <<Legal Name of Company>>, I am writing to inform you that we intend to construct and operate a <<Describe Type of Facility/Plant>> at <<Address>> in <<City/Town Name>> and Mecklenburg County. I hereby certify that to the best of my knowledge, <<the Town of ?/the City of ?>> is the only local government having jurisdiction over any part of the land on which the facility and its appurtenances are to be located. <<If applicable, also include: The other local government(s) which may have jurisdiction are: ?. Similar packages have been sent to those authorities as well.>>

In accordance with Mecklenburg County Air Pollution Control Ordinance Regulation 1.5212 – “Applications”, we hereby request that you issue a determination as to whether your municipality has in effect a zoning or subdivision ordinance that is applicable to the proposed facility. Additionally, please issue a determination as to whether the proposed use would be consistent with applicable zoning or subdivision ordinances. For your convenience, I have included a form with which you may send your determination and a copy of the Air Quality Permit application form<<A1, A1-6H, or S1 (Choose Appropriate Form)>>. As a means of demonstrating proof of transmittal, please sign, title, and date the enclosed form and return to the facility mailing address (see form for mailing address) at your earliest convenience.

Thank you for your prompt attention to this matter. If you have any questions regarding this request, please contact me at <<Telephone Number>>.

Sincerely,

<<Your Name>>  
<<Your Title>>

Enclosures:

Zoning Consistency Determination Form  
Mecklenburg County Air Quality Permit Application Form <<Choose: A1, or S1 >>