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hat is rezoning?

The Town of Wake Forest's official zoning map designates all properties within the town's jurisdiction with a specific zoning district. For example, a single-family home may be zoned *residential* and a shopping center may be zoned *highway business*. A rezoning (a.k.a. a zoning map amendment in ordinance-speak) is simply the process to change the zoning designation of a property from one zoning district to another.

What initiates the rezoning process for a property?

Usually, a property owner or an agent of the property owner initiates the rezoning process by submitting an application or "petition" to the town. Most often, the property owner or agent is seeking a change in zoning to accommodate a new development proposal. Other instances include changes initiated by the Wake Forest Board of Commissioners, the Wake Forest Planning Board or town staff.

Are there different types of rezoning requests?

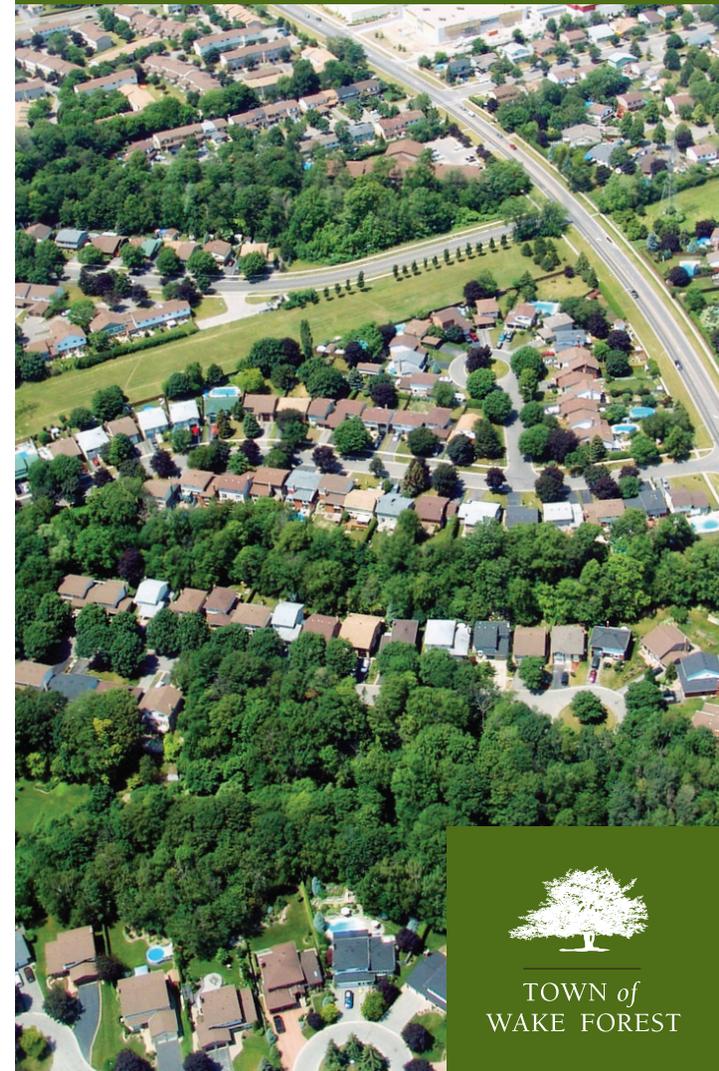
In Wake Forest, there are two categories of zoning. One is for *general use* zoning districts, the other is for *conditional* districts. If the applicant seeks a *general use* zoning change, if approved, the property can be put to any use allowable within the desired zoning district. Should the applicant decide a more limited zoning is appropriate, the application can be for a *conditional* district. The applicant still seeks a change to a new zoning district, but voluntarily limits the property's uses.



TOWN of
WAKE FOREST

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A Citizen's Guide to the Rezoning Process



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What are the steps in a rezoning process?

There are generally five steps involved in a rezoning process:

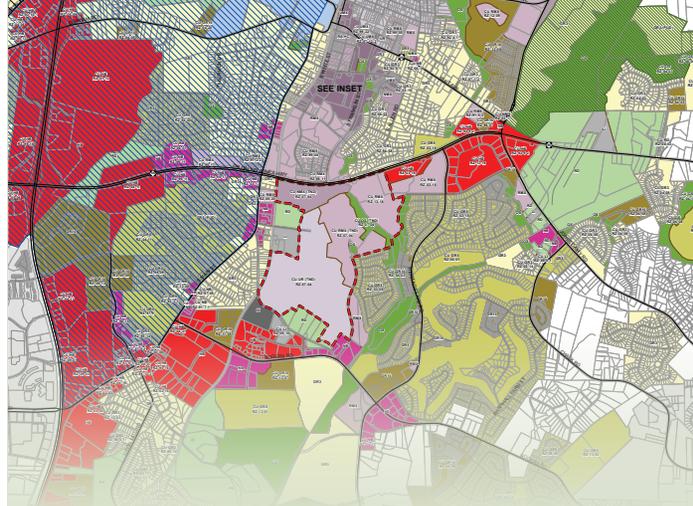
1. **Application submitted:** An application is submitted and reviewed by the planning department staff.
2. **Notifications:** Notices are mailed to adjoining property owners (all property owners within 100 feet of the subject property) and legal ads are published for two weeks. The property is also posted with a sign.
3. **Joint Public Hearing:** Typically held the first Tuesday of the month with the planning board and board of commissioners.
4. **Planning board recommendation:** The planning board meets directly after the public hearing and makes a recommendation to the board of commissioners.
5. **Board of commissioners decision:** The board of commissioners usually meets on the third Tuesday of the month and makes the final decision on the rezoning request.

Who can speak at the public hearing for a rezoning?

The public hearing is considered a formal legislative process which offers a chance for citizens to make their views known to the planning board and the board of commissioners. Citizens are free to offer personal opinions and views on the request and to lobby board members before and after the public hearing.

What can I expect to happen during the public hearing?

Once the public hearing is opened, town staff will review their report of the proposed request. Next, the applicant will address the boards and answer questions. Once the applicant is finished, citizens are able to speak in support of, or against, the application.



Can I file a petition if I am against the request?

In order to file a valid protest petition (which causes a three-fourths majority vote by the board of commissioners), it must meet certain criteria as outlined in North Carolina General Statute 160A-385(a)(2). A valid protest petition is one that is signed by the owners of either (a) twenty percent or more of the area included in the proposed change, or (b) five percent (5%) of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. Protest petitions can be obtained from the town clerk's office and must be submitted before 12 p.m. noon not less than two working days prior to the date of the hearing (for example, petitions must be received by Friday at noon to be accepted for a meeting on the following Tuesday evening). Protest petitions may not be submitted for initial zoning of properties.

When will the boards vote on the application?

Once the public hearing is closed, the planning board will vote to recommend approval or denial of the application. Once the planning board takes action, the recommendation and application is then forwarded to the board of commissioners for consideration at their next scheduled meeting (usually the third Tuesday of the month).

What can I do to prepare for a rezoning hearing if I wish to speak?

- **Be prepared for the meeting:** Please contact the planning staff prior to the meeting to discuss details of the request. Many times a discussion with a staff member will answer questions or address concerns prior the public hearing. The best way to express your ideas is with testimony that is clear and informed.
- **Address the board clearly and speak to the point:** Be direct and clear with your comments to the board of commissioners and planning board members. Public officials have heard testimony from hundreds of people. They are grateful when testimony is pertinent, well organized and directly addresses the matter at hand.
- **Appoint a spokesperson:** Many groups organize their testimony by having a few people speak on behalf of the group. The leader should ask the Chair permission to have those in the audience supporting the testimony to be acknowledged by raising their hands or standing. This conveys the extent of public concern with the issue without each person repeating the concern.
- **Be reasonable:** Public officials must balance the views, interests and proposals of all parties involved, and find the best course for serving the overall general public good. While it is your obligation to present your own interests, remember that there may be legitimate competing interests. Be open to hearing various facts and opinions.

How long can I speak at the public hearing?

In Wake Forest, the time limit is typically five minutes per speaker. There is no limit on the number of speakers, but the boards may request that all speakers present new information rather than repeat information given by others.

For further questions, contact the Wake Forest Planning Department at 919-435-9510 or visit www.wakeforestnc.gov.