

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP PROCESS

PRE-APPLICATION MEETING: Prior to submitting an application for a rezoning or conditional zoning, applicants are ***encouraged*** to meet with a Planner to discuss the rezoning proposal.

NEIGHBORHOOD MEETING: Neighborhood meetings are **required** for rezoning and conditional use proposals. The applicant is required to notify landowners a minimum of ten (10) days in advance of the meeting via mail to all landowners within 300 feet of the land subject to the application. **The applicant must use their return address on the envelopes addressed to the landowners - not the Town of Apex return address for Neighborhood Meeting Notices.** At the time of the initial submittal of the rezoning application, the applicant must submit to the Planning Department, a written report of at least one (1) neighborhood meeting held by the applicant. The written report shall contain a listing of the persons contacted about the meeting, the date, time and location of the meeting, a roster of those in attendance, summary of issues discussed and a description of any changes made by the applicant as a result of the meeting. (Form attached to this application)

COMPLETE APPLICATION: The applicant must submit the following items by **5:00 P.M.** on the submittal date listed on the Rezoning Schedule (attached).

NOTE: PLEASE DO NOT INSERT ANY OTHER FORMS, INDEX SHEETS, SHEETS WITH TABS, ETC. WITHIN THE APPLICATION!!!

1. Two (2) copies (one with original signatures) of the PETITION TO AMEND THE OFFICIAL ZONE DISTRICT MAP. All items on this petition must be addressed completely and correctly for the petition to be sufficient. Attach additional sheets if necessary. If the applicant is not the owner of the property, a letter from the owner authorizing the applicant to apply for rezoning is required.
2. ***1 Set*** of envelopes addressed to each of the property owners of the land subject to the application, and all property owners within 300 feet of the land/parcel subject to the application. Each set of envelopes are for the public hearing notifications before the Planning Board and Town Council respectively. Each envelope must be affixed with a ***first class stamp*** (metered postage ***will not*** be accepted) and contain the following return address:
The Town of Apex – Planning Department
P.O. Box 250
Apex, North Carolina 27502
3. A signed affidavit with a certified list of owners of land subject to the application, and owners of land within 300 feet of the land subject to the application. The addresses for property owners may be obtained from the current Wake County Tax Office, One Bank of America Plaza, 421 Fayetteville St. Suite 200, Raleigh, NC. A blank affidavit is included with the Rezoning Application.
4. Two (2) copies of the Wake County Tax Map(s) that show the property sought to be rezoned and all adjacent properties. The area sought to be rezoned should be outlined in **RED**. If more than one tax map is required and the maps are not to the same scale, please provide copies at the same scale (1"=100' or 1" = 200' as appropriate for the size property). Tax maps may be obtained at Geographic Information Systems, Wake County Office Building (enter from Salisbury Street).
5. A written metes and bounds (legal description) of the property sought to be rezoned.
6. A written report of the required neighborhood meeting – report format included with this application.
7. The applicable petition submittal fees.

REVIEW FOR SUFFICIENCY: Planning staff checks application for sufficiency. Incomplete plans will be returned to the applicant (typically within the week the application is submitted). Sufficiently complete applications are forwarded to the planning staff for review.

REVIEW BY STAFF: The planning staff reviews the rezoning application to determine compliance with the Unified Development Ordinance (UDO). If the application is determined not to be

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compliant with the UDO, comments will be sent to the applicant. The applicant must address all staff comments before any public hearings are scheduled. Applications in compliance with the UDO will be forwarded to the Planning Board for a public hearing. A Staff Report will then be prepared with recommendations to the Planning Board/Town Council.

PUBLIC HEARING NOTIFICATION: Notification of the public hearing will take place by three different methods. A written notice will be sent to nearby property owners not more than 25 days nor less than 14 days prior to the public hearings, as required by the UDO. The Planning Department will prepare written notifications for all property owners of the land subject to the application and all property owners within 300 feet of the land subject to the application. Two notices will be published in the newspaper published in the newspaper once a week for two successive weeks no less than 10 days, but not more than 25 days prior to the public hearings, and a notice will be posted at the land subject to the application at least 14 days prior to the public hearings.

1ST PUBLIC HEARING/PLANNING BOARD MEETING: The Planning Board will consider the application, relevant support materials, the Staff Report and public testimony given at the public hearing. After the public hearing the Planning Board will make a recommendation to the Town Council. The Planning Board may recommend approval, approval with conditions or disapproval. The application is then forwarded to the Town Council. The Planning Board meets at 4:30 P.M. in the Town Hall Board Room on the date indicated on the Rezoning Schedule (typically the second Monday of each month).

2ND PUBLIC HEARING/TOWN COUNCIL MEETING: The Town Council will consider the application, relevant support materials, the Staff Report, the Planning Board recommendation and public testimony given at the public hearing. After the public hearing the Town Council will vote to approve, approve with conditions or disapprove the rezoning. The Town Council meets at 7:00 P.M. in the Town Hall Board Room on the date indicated on the Rezoning Schedule (typically the first or third Tuesday of each month).

IF THE PROPOSED REZONING REQUEST IS NOT CONSISTENT WITH THE CURRENT 2025 LAND USE PLAN, A REQUEST TO AMEND THE 2025 LAND USE PLAN MUST BE MADE AND MAY BE INCLUDED WITH THIS APPLICATION.

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NEIGHBORHOOD MEETING REPORT

Property owners subject to this application and all property owners within 300' of the land subject to this application contacted:

(See Certified List of Property Owners from the Conditional Zoning Application)

Method of contact: _____ **Date of contact/ mailing:** _____

Date of Meeting: _____ **Time of Meeting:** _____

Location of Meeting: _____

Summary of issues:

Description of changes made by applicant as a result of the neighborhood meeting:

Attach additional sheets as needed.

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APEX NEIGHBORHOOD MEETING ROSTER

(ATTENDEES TO SIGN)

DATE: _____

	NAME	ADDRESS
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____
19.	_____	_____
20.	_____	_____

I, _____ certify that this is the original roster of attendees for the Neighborhood meeting subject to this application.

Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, this the _____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Conventional Rezoning: \$ 600.00
Conditional Zoning: \$ 800.00
2025 Land Use Plan Amendment: \$ 600.00 (If applicable)

Petition No. _____
Date Submitted: _____
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**BEFORE THE TOWN COUNCIL, APEX, NORTH CAROLINA
PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

Applicant: _____
Address: _____

Telephone No. _____ Fax No. _____
E-mail: _____

Interest in property (if any):

Owner, part owner, interested citizen, etc.

2025 LAND USE PLAN AMENDMENT (if applicable)

The applicant does hereby respectfully request the Town Council to amend the 2025 Land Use Plan of the Town of Apex as hereinafter and in support of this request, the following facts are shown (If applicable):

The area sought to be amended on the 2025 Land Use Plan is located _____

_____.

Current 2025 Land Use Classification _____

Proposed 2025 Land Use Classification _____

What condition(s) justifies the passage of the amendment to the 2025 Land Use Plan? (Discuss the existing use classifications of the subject area in addition to the adjacent land use classifications).

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Town of Apex (Rezoning Petition/Application)

Petition No. _____
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The applicant does hereby respectfully make application and does petition the Town Council to amend the Unified Development Ordinance and to change the Official Zone District Map of the Town of Apex as hereinafter requested and in support of this application, the following facts are shown:

The property sought to be rezoned is located on/at _____
between _____ (street/road) and _____
_____ (street/road) and is known by Parcel Identification No.
(PIN) _____ according to Wake County Tax Maps. It has frontage of
_____ feet and depth of _____ feet.

(Attach a written metes and bounds (legal description of the property sought to be rezoned.)

Area of subject property _____ square feet or _____ acres and is in
_____ Subdivision (if applicable).

Present Zone District _____ Proposed Zone District _____

Township _____

Name and/or number of public thoroughfare(s) the property fronts upon or has access to:

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Town of Apex (Rezoning Petition/Application)

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The owners of the property sought to be rezoned are:

1.	_____	_____	_____
	Print owner name(s) above	Print address of property to be rezoned above	PIN #

	Signature of owner(s)	Date	
2.	_____	_____	_____
	Print owner name(s)	Print address of property to be rezoned	PIN #

	Signature of owner(s)	Date	
3.	_____	_____	_____
	Print owner name(s)	Print address of property to be rezoned	PIN #

	Signature of owner(s)	Date	
4.	_____	_____	_____
	Print owner name(s)	Print address of property to be rezoned	PIN #

	Signature of owner(s)	Date	
5.	_____	_____	_____
	Print owner name(s)	Print address of property to be rezoned	PIN #

	Signature of owner(s)	Date	
6.	_____	_____	_____
	Print owner name(s)	Print address of property to be rezoned	PIN #

	Signature of owner(s)	Date	

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Town of Apex (Rezoning Petition/Application)

Petition No. _____
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Certified list of property owners subject to this application and all property owners within 300' of the land subject to this application.

Owners Names	PIN#
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____
16. _____	_____
17. _____	_____
18. _____	_____
19. _____	_____
20. _____	_____

I, _____ certify that this is an accurate listing of all property owners and owners within 300' of the land subject to this application.

_____ Date By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above

State and County, this the _____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

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Town of Apex (Rezoning Petition/Application)

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What changed or changing condition(s) justifies the passage of the amendment? (Discuss how circumstances have so changed since the property was last zoned and how its current zoning classification could not properly be applied to it now were it being zoned for the first time).

Describe briefly whether all the uses permitted by the proposed amendment would be appropriate in the area sought to be rezoned.

Explain briefly the expected effect on the neighborhood of all of the uses allowed in the proposed amendment.

Describe whether other areas designated for similar development in the vicinity of the subject property are likely to be so developed if the proposed amendment is adopted.

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Other circumstances which tend to justify the amendment in the public interest.

What is your current proposed time schedule for development, if any?

I, the undersigned, certify that all statements furnished in this application are true to the best of my knowledge.

Name

Address

City State Zip

Phone

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**TOWN OF APEX
AGENT AUTHORIZATION FORM**

_____ is the owner of the property for which the attached application is being submitted:

- _____ Land Use Amendment
- _____ Rezone/Conditional Zoning
- _____ Site Plan
- _____ Subdivision Map
- _____ Variance
- _____ Other: _____

The property is located at: _____
The agent for this project is:

Name: _____

Address: _____

Telephone Number: _____

Fax Number: _____

E-Mail Address: _____

Signature(s) of Owner(s)

Type or print name

Type or print name

***Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**

2011 CONVENTIONAL REZONING AND CONDITIONAL ZONING REVIEW SCHEDULE

(1) Pre-application meeting <i>encouraged</i> with Planner	(2) Initial Submittal Date <i>No later than 5 p.m.</i>	(3) Staff Reviews Application Application Staff report prepared for Planning Board	(4) Published notice posted to Town's Website Planning Board & Town Council Meetings	(5) Written Notifications Mailed Planning Board & Town Council Meetings	(6) Staff Report sent to applicant (Planning Board agendas delivered)	(7) Town Council to set Public Hearing	(8) Planning Board Meeting 1 st Public Hearing	(9) Final Signed Conditions due to Planning Department <i>No later than 5 p.m.</i>	(10) Protest Petition due to Town Clerk by 5:00 p.m.	(11) Staff report prepared for Town Council	(12) Town Council Meeting 2 nd Public Hearing
See #1 below	Jan 3	Jan 3 – Feb 7	Jan 31 – Feb 15	Jan 31	Feb 7	Feb 1	Feb 14	Feb 4	Feb 10	Feb 7	Feb 15
See #1 below	Feb 7	Feb 7 – Mar 7	Feb 28 – Mar 15	Feb 28	Mar 7	Mar 1	Mar 14	Mar 4	Mar 10	Mar 7	Mar 15
See #1 below	Mar 7	Mar 7 - Apr 4	Mar 28 – Apr 19	Mar 28	Apr 4	Apr 5	Apr 11	Apr 8	Apr 14	Apr 11	Apr 19
See #1 below	Apr 4	Apr 4 - May 2	Apr 25 – May 17	Apr 25	May 2	May 3	May 9	May 6	May 12	May 9	May 17
See #1 below	May 2	May 2 - Jun 6	May 31* – Jun 21	May 31*	Jun 6	Jun 7	Jun 13	Jun 10	Jun 16	Jun 13	Jun 21
See #1 below	Jun 6	Jun 6 - Jul 5*	Jun 27 – Jul 19	Jun 27	Jul 5*	Jul 5	Jul 11	Jul 8	Jul 14	Jul 11	Jul 19
See #1 below	Jul 5*	Jul 5* - Aug 1	Jul 25 – Aug 16	Jul 25	Aug 1	Aug 2	Aug 8	Aug 5	Aug 11	Aug 8	Aug 16
See #1 below	Aug 1	Aug 1 - Sep 6*	Aug 29 – Sep 20	Aug 29	Sep 6*	Sep 6	Sep 12	Sep 9	Sep 15	Sep 12	Sep 20
See #1 below	Sep 6*	Sep 6* - Oct 3	Sep 26 – Oct 18	Sep 26	Oct 3	Oct 4	Oct 10	Oct 7	Oct 13	Oct 10	Oct 18
See #1 below	Oct 3	Oct 3 – Nov 7	Oct 31 – Nov 15	Oct 31	Nov 7	Nov 1	Nov 14	Nov 4	Nov 10	Nov 7	Nov 15
See #1 below	Nov 1*	Nov 1 - Dec 5	Nov 28 – Dec 20	Nov 28	Dec 5	Dec 6	Dec 12	Dec 9	Dec 15	Dec 12	Dec 20
See #1 below	Dec 5	Dec 5 - Jan 3*	Dec 23* - Jan 9 PB & Jan 3-17 TC	Dec 23*PB Jan 3 TC	Jan 3*	Jan 3	Jan 9	Jan 6	Jan 12	Jan 9	Jan 17

** Dates changed due to holidays/scheduling.*

NOTE: If this rezoning petition is for a TND, PUD, or MEC, please refer to the PD Plan Schedule.

- (1) Applicant is **encouraged** to meet with a Planner (pre-application meeting) to discuss rezoning or conditional zoning petition.
- (2) Applicant submits petition as indicated in the attached instructions by 5:00 p.m. on the date indicated above.
- (3) Staff reviews petition for completeness, writes staff report. Incomplete applications are returned to applicant.
- (4) Staff prepares and posts legal advertisement to the Town's website for the Planning Board and Town Council public hearings.
- (5) Planning staff prepares and mails via 1st class mail, written notifications to all property owners within 300 feet of the subject site.
- (6) Staff report forwarded to applicant via e-mail or fax.
- (7) Town Council to set public hearing for the next meeting date.
- (8) The Planning Board reviews petition and makes a recommendation to the Town Council.
- (9) Final signed conditions due to Planning Department. This is the last day staff can accept revised conditions associated with a conditional zoning case.
- (10) Protest Petition due to Town Clerk by 5:00 p.m. on the dated indicated above.
- (11) Staff prepares staff report for Town Council meeting with the Planning Board's recommendation.
- (12) Town Council will consider recommendations from the Planning Board and Planning Department Staff to make a final decision.



2012 CONVENTIONAL REZONING & CONDITIONAL REZONING SCHEDULE

Town of Apex, North Carolina

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Pre-application meeting <u>encouraged</u> with Planner	Initial Submittal Date <i>No later than 5 p.m.</i>	Staff Reviews Application Staff report prepared for Planning Board	Published notice posted to Town's Website Planning Board & Town Council Meetings	Written Notifications Mailed Planning Board & Town Council Meetings	Staff Report sent to applicant (Planning Board agendas delivered)	Town Council to set Public Hearing	Planning Board Meeting 1 st Public Hearing	Final Signed Conditions due to Planning Department <i>No later than 5 p.m.</i>	Protest Petition due to Town Clerk by 5:00 p.m.	Staff report prepared for Town Council	Town Council Meeting 2 nd Public Hearing
See #1 below	Jan 3*	Jan 3 – Feb 6	Jan 30 – Feb 21	Jan 30	Feb 6	Feb 7	Feb 13	Feb 10	Feb 16	Feb 14	Feb 21
See #1 below	Feb 6	Feb 6 – Mar 5	Feb 27 – Mar 20	Feb 27	Mar 5	Mar 6	Mar 12	Mar 9	Mar 15	Mar 13	Mar 20
See #1 below	Mar 5	Mar 5 - Apr 2	Mar 26 – Apr 17	Mar 26	Apr 2	Apr 3	Apr 9	Apr 5*	Apr 12	Apr 10	Apr 17
See #1 below	Apr 2	Apr 2 - May 7	Apr 30 – May 15	Apr 30	May 7	May 1	May 14	May 4	May 10	May 8	May 15
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See #1 below	Jul 2	Jul 2 - Aug 6	Jul 30 – Aug 21	Jul 30	Aug 6	Aug 7	Aug 13	Aug 10	Aug 16	Aug 14	Aug 21
See #1 below	Aug 6	Aug 6 - Sep 4*	Aug 27 – Sep 18	Aug 27	Sep 4*	Sep 4	Sep 10	Sep 7	Sep 13	Sep 11	Sep 18
See #1 below	Sep 4*	Sep 4* - Oct 1	Sep 24 – Oct 16	Sep 24	Oct 1	Oct 2	Oct 8	Oct 5	Oct 11	Oct 9	Oct 16
See #1 below	Oct 1	Oct 1 – Nov 5	Oct 29 – Nov 20	Oct 29	Nov 5	Nov 6	Nov 13	Nov 9	Nov 15	Nov 13	Nov 20
See #1 below	Nov 1*	Nov 1* - Dec 3	Nov 26 – Dec 18	Nov 26	Dec 3	Dec 4	Dec 10	Dec 7	Dec 13	Dec 11	Dec 18
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* **Dates changed due to holidays/scheduling.**

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- (1) Applicant is **encouraged** to meet with a Planner (pre-application meeting) to discuss rezoning or conditional zoning petition.
- (2) Applicant submits petition as indicated in the attached instructions by 5:00 p.m. on the date indicated above.
- (3) Staff reviews petition for completeness, writes staff report. Incomplete applications are returned to applicant.
- (4) Staff prepares and posts legal advertisement to the Town's website for the Planning Board and Town Council public hearings.
- (5) Planning staff prepares and mails via 1st class mail, written notifications to all property owners within 300 feet of the subject site.
- (6) Staff report forwarded to applicant via e-mail or fax.
- (7) Town Council to set public hearing for the next meeting date.
- (8) The Planning Board reviews petition and makes a recommendation to the Town Council.
- (9) Final signed conditions due to Planning Department. This is the last day staff can accept revised conditions associated with a conditional zoning case.
- (10) Protest Petition due to Town Clerk by 5:00 p.m. on the dated indicated above.
- (11) Staff prepares staff report for Town Council meeting with the Planning Board's recommendation.
- (12) Town Council will consider recommendations from the Planning Board and Planning Department Staff to make a final decision.