

## 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

## PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP PROCESS

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.

**1<sup>ST</sup> 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).

**2<sup>ND</sup> 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.***

**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

**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:**

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

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Attach additional sheets as needed.

**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

**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                    Petition No. \_\_\_\_\_  
**Conditional Zoning:**                    \$ 800.00                    Date Submitted: \_\_\_\_\_  
**2025 Land Use Plan Amendment:** \$ 200.00 (If applicable)    Page One of Seven

**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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

Town of Apex (Rezoning Petition/Application)

Petition No. \_\_\_\_\_  
Page Two of Seven

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

Town of Apex (Rezoning Petition/Application)

Petition No. \_\_\_\_\_  
Page Three of Seven

The owners of the property sought to be rezoned are:

|           |                           |   |       |
|-----------|---------------------------|---|-------|
| <b>1.</b> | _____                     | _____   | _____ |
|           | Print owner name(s) above | Print address of property to be rezoned above | PIN # |
|           | _____                     |   |       |
|           | Signature of owner(s)     | Date  |       |
| <b>2.</b> | _____                     | _____   | _____ |
|           | Print owner name(s)       | Print address of property to be rezoned       | PIN # |
|           | _____                     |   |       |
|           | Signature of owner(s)     | Date  |       |
| <b>3.</b> | _____                     | _____   | _____ |
|           | Print owner name(s)       | Print address of property to be rezoned       | PIN # |
|           | _____                     |   |       |
|           | Signature of owner(s)     | Date  |       |
| <b>4.</b> | _____                     | _____   | _____ |
|           | Print owner name(s)       | Print address of property to be rezoned       | PIN # |
|           | _____                     |   |       |
|           | Signature of owner(s)     | Date  |       |
| <b>5.</b> | _____                     | _____   | _____ |
|           | Print owner name(s)       | Print address of property to be rezoned       | PIN # |
|           | _____                     |   |       |
|           | Signature of owner(s)     | Date  |       |
| <b>6.</b> | _____                     | _____   | _____ |
|           | Print owner name(s)       | Print address of property to be rezoned       | PIN # |
|           | _____                     |   |       |
|           | Signature of owner(s)     | Date  |       |





**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

Town of Apex (Rezoning Petition/Application)

Petition No. \_\_\_\_\_  
Page Six of Seven

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).

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

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

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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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**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

Town of Apex (Rezoning Petition/Application)

Petition No. \_\_\_\_\_  
Page Seven of Seven

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

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

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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

**PETITION TO AMEND THE OFFICIAL ZONING DISTRICT MAP**

**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.**

# 2010 CONVENTIONAL REZONING AND CONDITIONAL ZONING REVIEW SCHEDULE

| (1)<br>Pre-application meeting<br><i>encouraged</i><br>with Planner | (2)<br>Initial Submittal Date<br><i>No later than 5 p.m.</i> | (3)<br>Staff Reviews Application<br>Staff report prepared for Planning Board | (4)<br>Published notice posted to Town's Website<br><br>Planning Board & Town Council Meetings | (5)<br>Written Notifications Mailed<br><br>Planning Board & Town Council Meetings | (6)<br>Staff Report sent to applicant<br>(Planning Board agendas delivered) | (7)<br>Town Council to set Public Hearing | (8)<br>Planning Board Meeting<br>1 <sup>st</sup> Public Hearing | (9)<br>Staff report prepared for Town Council | (10)<br>Protest Petition due to Town Clerk by 5:00 p.m. | (11)<br>Final Signed Conditions due to Planning Department<br><i>No later than 5 p.m.</i> | (12)<br>Town Council Meeting<br>2 <sup>nd</sup> Public Hearing |
|---|--|--|--|---|---|---|---|---|---|---|--|
| See #1 below  | Jan 4  | Jan 4 - Feb 1  | Jan 25 – Feb 16  | Jan 25  | Feb 1   | Feb 2                                     | Feb 8   | Feb 9   | Feb 11  | Feb 11  | Feb 16   |
| See #1 below  | Feb 1  | Feb 1 - Mar 1  | Feb 22 – Mar 16  | Feb 22  | Mar 1   | Mar 2                                     | Mar 8   | Mar 9   | Mar 11  | Mar 11  | Mar 16   |
| See #1 below  | Mar 1  | Mar 1 - Apr 5  | Mar 29 – Apr 20  | Mar 29  | Apr 5   | Apr 6                                     | Apr 12  | Apr 13  | Apr 15  | Apr 15  | Apr 20   |
| See #1 below  | Apr 5  | Apr 5 - May 3  | Apr 26 – May 18  | Apr 26  | May 3   | May 4                                     | May 10  | May 11  | May 13  | May 13  | May 18   |
| See #1 below  | May 3  | May 3 - Jun 7  | May 28* – Jun 15*  | May 28  | Jun 7   | Jun 1                                     | Jun 14  | Jun 8   | Jun 10  | Jun 10  | Jun 15   |
| See #1 below  | Jun 7  | Jun 7 - Jul 6*   | Jun 28 – Jul 20  | Jun 28  | Jul 6*  | Jul 6                                     | Jul 12  | Jul 13  | Jul 16  | Jul 16  | Jul 20   |
| See #1 below  | Jul 6*   | Jul 6* - Aug 2   | Jul 26 – Aug 17 *  | Jul 26  | Aug 2   | Aug 3                                     | Aug 9   | Aug 10  | Aug 12  | Aug 12  | Aug 17   |
| See #1 below  | Aug 2  | Aug 2 - Sep 7*   | Aug 30 – Sep 21  | Aug 30  | Sep 7*  | Sep 7                                     | Sep 13  | Sep 14  | Sep 16  | Sep 16  | Sep 21   |
| See #1 below  | Sep 7*   | Sep 7* - Oct 4   | Sep 27 – Oct 19  | Sep 27  | Oct 4   | Oct 5                                     | Oct 11  | Oct 12  | Oct 14  | Oct 14  | Oct 19   |
| See #1 below  | Oct 4  | Oct 4 – Nov 1  | Oct 25 – Nov 16*   | Oct 25  | Nov 1   | Nov 2                                     | Nov 8   | Nov 9   | Nov 10*   | Nov 10*   | Nov 16   |
| See #1 below  | Nov 1  | Nov 1 - Dec 6  | Nov 29 – Dec 21  | Nov 29  | Dec 6   | Dec 7                                     | Dec 13  | Dec 14  | Dec 16  | Dec 16  | Dec 21   |
| See #1 below  | Dec 1*   | Dec 1* - Jan 3   | Dec 28* – Jan 18   | Dec 28  | Jan 3   | Jan 4                                     | Jan 10  | Jan 11  | Jan 13  | Jan 13  | Jan 18   |

*\* 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 1<sup>st</sup> 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) Staff prepares staff report for Town Council meeting with the Planning Board's recommendation.
- (10) Protest Petition due to Town Clerk by 5:00 p.m. on the dated indicated above.
- (11) Final signed conditions due to Planning Department. This is the last day staff can accept revised conditions associated with a conditional zoning case.
- (12) Town Council will consider recommendations from the Planning Board and Planning Department Staff to make a final decision.