



REZONING APPLICATION- CARY, NC

Submit complete application via the [electronic plan review](#) portal. Planning staff will notify applicant when application is deemed complete and accepted for payment.

(Staff Use)

This application is deemed sufficiently complete for purposes of submittal.

Planning Staff Signature: _____ Date: _____

Rezoning Case Number: _____ Payment Confirmation: _____

Associated Annexation Petition Yes No

(Concurrent submittal required when property is not in ETJ; if property is not in ETJ annexation may be submitted at time of development plan.)

Traffic Impact Study Yes No TAR Number: _____
Staff confirmation: Initials _____ Date _____

REZONING FEE:

- Fees will not be accepted until the application is deemed complete by Planning staff.
- **Do not mail or drop off checks with initial application submittal.**
- An additional fee of \$150 will be charged for each additional public hearing or neighborhood meeting required due to changes in the request made during the rezoning process.

\$1,500.00 – General rezoning, or initial zoning associated with owner-initiated annexation petition, 5 acres or greater

\$300.00 – Initial zoning associated with citizen-initiated annexation petition, less than 5 acres

\$2,500.00 – Conditional use rezoning (per change of zoning classification requested)

\$3,000.00 – Mixed Use District Rezoning (New MXD, or major amendment to existing PDP- (See PDP Submittal Checklist)

\$500.00 – Mixed Use District Rezoning (Minor amendment to existing PDP)

\$3,000.00 – New application or major amendments to approved Major PDD

\$1,500.00 – Minor PDD or Minor Amendment to existing PDD

Part 1: Applicant Information	
Project or PDD Name	
Property Address(es)	
Jurisdiction <i>(Check all that apply)</i>	Cary Corporate Limits Cary ETJ Wake Co.* Chatham Co.* Durham Co.* *Submittal of an annexation petition is required if rezoning is requested

Applicant's Contact/ Representative	
<i>(If self-represented, please include your contact information below.)</i>	
Name	_____
Firm	_____
Address	_____
City, State, Zip	_____
Phone	_____
Email	_____

Part 2: Parcel & Owner Information				
Property Owner(s) <i>Provide property owner name and address as it appears in the Wake, Chatham or Durham County Tax Records</i>	County Parcel Number(s) (10 digit)	Real Estate ID(s)	Property Address <i>as it appears in the Wake, Chatham or Durham County Tax Records</i>	Acres ¹
Total Acres	Deeded Surveyed			
¹ A property survey showing zoning district boundaries and acreages is required if multiple zoning districts are proposed or if the proposed rezoning applies to only a portion of a parcel. If only a portion of a parcel is included in the request, include the total parcel acreage as well as the acreage included in the request. If a survey was completed in association with annexation petition, use surveyed acreage.				

Part 3A: Rezoning Request

Pre-Application Conference: Yes Date: _____ No

Traffic Impact Study: Yes TAR: _____ No

Existing Zoning	Base Zoning District(s) <i>Spell out and provide abbreviation</i>	
	Zoning Overlay District(s) <i>Check any that apply</i>	<p>Mixed Use Overlay District</p> <p>Conservation Residential Overlay District</p> <p>Airport Overlay District</p> <p>Watershed Protection Overlay District Jordan Lake Jordan Lake Critical Area Swift Creek</p> <p>Historic Preservation Overlay District</p>
	Zoning Conditions <i>if any</i>	
Proposed Zoning	Proposed Base Zoning District(s)	
	Proposed Zoning Conditions	<input type="checkbox"/> No zoning conditions are proposed <input type="checkbox"/> Zoning conditions are proposed and included in - an attachment *Executed affidavit not required with initial application. Draft conditions may be submitted for review as an attachment. Executed affidavit authorizing conditions reviewed and accepted by Cary must be submitted prior to public hearing.
	Proposed Changes to Overlay Districts	
	Summary of Proposed Development or Purpose of Request	

Part 3B: Applicant's Rezoning Justification Statement(s) *Check those included*

- Statement #1** *Required for all rezoning requests (LDO Conformance)*
- Statement #2** *Required for all rezoning requests (ICCP Conformance)*
- Statement #3** *Required when rezoning to a PDD or amending a PDD*
- Statement #4** *Required only when rezoning to or amending the PDP component of MXD*

Rezoning Justification Statement #1 *Required for all rezoning requests*

Describe how the proposed rezoning meets the considerations listed below.

Section 3.4.1(E) of the Land Development Ordinance states that Council should consider the following considerations when reviewing all proposed rezonings:

- (1) The proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;
Applicant's Comments:

- (2) The proposed rezoning is consistent with the Comprehensive Plan and the purposes set forth in Section 1.3 of this Ordinance;
Applicant's Comments:

- (3) The Town and other service providers will be able to provide sufficient public safety, educational, recreational, transportation, and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;
Applicant's Comments:

- (4) The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;
Applicant's Comments:

- (5) The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and
Applicant's Comments:

- (6) The proposed zoning classification is suitable for the subject property.
Applicant's Comments:

Rezoning Justification Statement #2 *Required for all rezoning requests*

Describe how the proposed rezoning is consistent with or supported by the visions and policies of the [Cary Community Plan](#).

Growth Framework Map

_____ Chapter, Policy _____

_____ Chapter, Policy _____

_____ Chapter, Policy _____

_____ Chapter, Policy _____

_____ Chapter, Policy _____

Rezoning Justification Statement #3 *Required only when rezoning to a Planned Development District or amending an existing Planned Development District*
Describe how the proposed rezoning meets the considerations listed below.

Section 3.4.3(E) of the Land Development Ordinance states that Council should consider the following considerations when reviewing proposed rezonings to a Planned Development District. *These considerations are in addition to those stated in Section 3.4.1(E),*

- (1) The PDD designation is necessary to address a unique situation or represents a substantial benefit to the Town, compared to what could have been accomplished through strict application of otherwise applicable zoning district standards; and

Applicant's Comments:

- (2) The request complies with the PDD standards of Section 4.2.3.

Applicant's Comments:

Rezoning Justification Statement #4 *Required only when rezoning to or amending the Preliminary Development Plan component of a Mixed Use District*
Describe how the proposed rezoning meets the considerations listed below.

In addition to the considerations for a general rezoning specified in Section 3.4.1(E), rezoning requests to a MXD district shall be reviewed for compliance with the following considerations contained in LDO Section 4.5.2(E), as applicable [i.e., it may not be reasonable or practical to expect that some existing or partially built mixed use districts (formerly activity center concept plans or mixed use sketch plans) to achieve certain design standards]:

(1) Intensity, Type, and Mix of Uses

The preliminary development plan includes an appropriate intensity, type, and mix of land uses, as outlined by the guidelines contained in the Comprehensive Plan. This shall be assessed in relation to the scale of the Mixed Use Overlay District and the mix and relationship of existing and planned uses, including residential, commercial, office, and institutional uses;

Applicant's Comments:

(2) Site Design

The preliminary development plan shows how the proposed development will meet or exceed Town site design guidelines and other established Town standards, including connections and linkages to immediately adjacent properties;

Applicant's Comments:

(3) Expected Land Uses

The extent to which the proposed development provides the expected land uses, including medium- and higher-density housing, outlined by the numerical and other guidelines contained in the Comprehensive Plan;

Applicant's Comments:

(4) Public Spaces

The preliminary development plan includes some formal outdoor space(s) for public use, such as a park, village green, or plaza; and

Applicant's Comments:

(5) Scale and Context

The preliminary development plan demonstrates that the proposed development is appropriate for the context and location, responds to the unique conditions of the area, and provides reasonable transitions within and adjacent to the district.

Applicant's Comments:

Part 4: Owner's Signature(s) *Completion of the applicable sub-section(s) is required for all rezoning requests. Submit original signatures.*

Check applicable sub-section(s)

- (1) – Required where property owner is an Individual
- (2) – Required where property owner is a Limited Liability Company (LLC)
- (3) – Required where property owner is General Partnership (GP),
Limited Partnership (LP) or Limited Liability Partnership (LLP)
- (4) – Required where property owner is a Corporation
- (5) – Required where property is owned by a Trust

(Attach additional sheets if necessary)

Owner's Signature (1) Individual

- All owners listed on the deed must sign
- Notary not required

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Property Owner Printed Name _____

Property Owner Signature _____ Date _____

Owner's Signature (2): LIMITED LIABILITY COMPANY

- The area to be rezoned is owned by a limited liability company properly registered with the State of North Carolina owned by a Limited Liability Company.
- Provide documentation that: 1) the entity is licensed to do business in North Carolina and 2) the below signatory has been appropriately authorized to sign on its behalf.

Certification Statement: The individuals signing below certify they have the necessary authority to sign on behalf of the Limited Liability Company.

Manager-Managed Manager(s) is/are:

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Member-Managed Manager(s) is/are:

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Owner's Signature (3): GENERAL PARTNERSHIP, LIMITED PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP

- The area to be rezoned is owned by a partnership.
- Provide documentation that: 1) the entity is licensed to do business in North Carolina and 2) the below signatory has been appropriately authorized to sign on its behalf.

Certification Statement: The individuals signing below certify they have the necessary authority to sign on behalf of the General Partnership, Limited Partnership or Limited Liability Partnership.

The General Partner(s) is/are:

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Printed Name _____

Signature _____ Date _____

Owner's Signature (4): CORPORATION

- The area to be rezoned is owned by a corporation properly registered with the State of North Carolina.
- Provide documentation that: 1) the entity is licensed to do business in North Carolina and 2) the below signatory has been appropriately authorized to sign on its behalf.

Certification Statement: The individuals signing below certify they have the necessary authority to sign on behalf of the Corporation.

The President/Vice President is _____ of _____
(Typed or Printed Name) (Typed or Printed Corporation Name)

Signature _____ Date _____

Owner's Signature (5): TRUSTEE

- The area to be rezoned is owned by a trust. **All trustees must sign below.**
- In addition to this form, a copy of the trust document or a notarized certification of trust stating the trustee's authority to sell or encumber real property held by the trust must be provided.

Certification Statement: The individuals signing below certify they have the necessary authority to sign on behalf of the trust.

Trust Name: _____

(Typed or Printed Trust Name)

Name: _____

(Typed or Printed Name)

Signature: _____

Date _____

Name: _____

(Typed or Printed Name)

Signature: _____

Date _____

Name: _____

(Typed or Printed Name)

Signature: _____

Date _____

Name: _____

(Typed or Printed Name)

Signature: _____

Date _____

Name: _____

(Typed or Printed Name)

Signature: _____

Date _____

Name: _____

(Typed or Printed Name)

Signature: _____

Date _____