

The Rezoning Process

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Rezoning in Clemmons involves submitting a petition, or application, to change a zoning district from one designation to another. There is a monthly deadline by which all petitions must be filed; copies of the schedule are available. Petitioners may request a *general use* rezoning or a *special use district* rezoning. The petition is filed with the Planning Department at Village Hall, 3715 Clemmons Road, Clemmons, NC 27012. The process is described below, and generally takes 45-90 days. Petitioner(s) must generally be owners, have the property under contract, or have the owners permission to rezone the property. There are, however, special provisions for rezoning property without the owner's permission.

A *general use* petition requests that a parcel be changed from one zoning district (e.g. RS-9, or Residential, Single Family with a 9,000 sf minimum lot requirement) to another district (e.g. HB, or Highway Business), without specifying the particular use for which the property will be utilized. Those who file general use petitions are not allowed to speak to any specific use for the property at the public hearing because boards must consider every use permitted in the proposed zoning district.

A *special use district* petition requests that a parcel be changed from one zoning district (e.g. RS-9) to another district (e.g. HB-S, or Highway Business, special use) which will have specific use(s) identified and graphically illustrated on a site plan that accompanies the application. A site plan checklist is available at the Clemmons Planning Department. This type of zoning is approved with development conditions that must be accepted by the petitioner.

The Process

1. **The process should begin with a visit to the Planning Department** to discuss your preliminary plans, to ask the staff's advice on submission procedures, and to pick up the necessary application forms and materials. For special use district petitions, site plans should include information required by the appropriate checklist and should be reviewed and checked by staff at least once before their submittal.
2. **Bring the application and the attachments** (a tax map and a list of adjoining property owners - from the Tax Office in the Old Court House; and a legal description of the parcel to be rezoned - from the deed (s) or prepared by a surveyor or attorney) to Village Hall, 3715 Clemmons Road, Clemmons, NC 27012 for submittal. Here the petition will be assigned a case number, and you will be advised of the later steps and timetables. The application fee will be determined at the time of submission, and will be required at that time. Checks should be made out to the *Village of Clemmons*. An approximate fee may be determined earlier in the process.

3. **Staff prepares a zoning report** for the Planning Board. This report includes a review of the relevant points involved in the case including compliance with the Clemmons Area Development Guide, *Legacy*, a discussion of any planning issues that bear on the case, and a recommendation of the entire staff as to whether the petition should be approved or denied. In addition, site plans prepared for special use district petitions receive comments in addition to any conditions that may be placed on the site plan or zoning. This report is available for review on the Monday before the scheduled Planning Board meeting.
4. **The Planning Board meets to review the petition.** The staff presents its report and recommendation. The planning board chairman will open the public hearing. A maximum of fifteen (15) minutes is allotted to each of the supporting and opposing sides to present the respective views. Both supporting and opposing sides will each be given an additional six (6) minutes of rebuttal time.
5. **Following the Planning Board meeting, the case is then sent on to the Village Council** for review and final decision. This review occurs regardless of the action taken by the Planning Board, and the decision of the elected body is final. The staff presents its report and recommendation. The Village Mayor will open the public hearing. A maximum of fifteen (15) minutes is allotted to each of the supporting and opposing sides to present the respective views. Both supporting and opposing sides will each be given an additional six (6) minutes of rebuttal time. Any persons who speak at the Planning Board meeting will be notified by mail of the meeting date and time of the elected body meeting.

Additional information which may be helpful to persons submitting petitions, including permitted use tables, setback requirements, and descriptions of zoning categories also available from the Clemmons Planning Department. The phone number for the Clemmons Planning Department is 336-766-7511.