

For office use only:

Method of Payment: CASH \_\_\_\_ CHECK \_\_\_\_ CREDIT CARD \_\_\_\_ Amount: \$ \_\_\_\_\_ P&Z HTE# \_\_\_\_\_

**5 p.m. Submittal Deadline/Last Thursday of each Month**

**APPLICATION FOR:**

**REZONINGS • LAND USE PLAN AMENDMENTS**

Check all that apply:

**REZONING FEES:**

**Rezoning:**

- \$700.00 – General rezoning, or initial zoning associated with citizen-initiated annexation petition, 5 acres or greater
- \$100.00 – Initial zoning associated with citizen-initiated annexation petition, less than 5 acres
- \$1,000.00 – Conditional use rezoning (per change of zoning classification requested)

**Mixed Use District Rezoning (Preliminary Development Plan - PDP)**

- \$1,800.00 – PDP with 40,000 square feet or more gross floor area or 40 residential units
- \$1,000.00 – PDP with less than 40,000 square feet gross floor area or 40 residential units
- \$500.00 – PDP amendment to less than 50% of total size (gross floor area, number of units, etc.)

**Planned Development District (PDD)**

- \$1,500.00 – New application or major amendments to approved Major PDD
- \$700.00 – Minor amendment to an approved PDD (change conditions, etc.)
- \$700.00 – Minor PDD

**LAND USE PLAN AMENDMENT FEE:**

- \$700.00 – Land Use Plan Amendment, or land use element of an area plan

|  |  |
|--|--|
| <b>Name of Project:</b>  |  |
| <b>Name of New/Amended PDD (if applicable):</b>                    |  |
| <b>Date of Pre-Application Meeting:</b><br>(Rezoning/CPA optional) | <b>Date of Community Meeting:</b><br>(CPA optional)<br><i>Please attach Documentation – LDO 3.4.5(B)</i> |

| <b>Part 1 - Applicant Information:</b>                 |                                   |
|--|-----------------------------------|
| <b>Applicant</b> (see part 7, note to property owners) | <b>Applicant's Contact Person</b> |
| Name   | Name                              |
| Firm   | Firm                              |
| Address  | Address                           |
| City, State, Zip                                       | City, State, Zip                  |
| Phone (area code)                                      | Phone (area code)                 |
| E-mail   | E-mail                            |

| <b>Part 2 - Parcel &amp; Owner Information:</b> |                                       |                   |                      |
|---|---------------------------------------|-------------------|----------------------|
| Property Owner(s)                               | County Parcel Number(s)<br>(10 digit) | Real Estate ID(s) | Area Calculate Acres |
| Name<br>Address<br>City, State, Zip             |                                       |                   |                      |
| Name<br>Address<br>City, State, Zip             |                                       |                   |                      |
| Name<br>Address<br>City, State, Zip             |                                       |                   |                      |
| Name<br>Address<br>City, State, Zip             |                                       |                   |                      |
| <b>Total Acres</b>                              |                                       |                   |                      |

| <b>Part 3 – Location:</b>                                      |  |
|--|--|
| <b>General Location/Address Of Property:</b>                   |  |
| <b>Extra-Territorial Jurisdiction (ETJ):</b>                   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>Associated Annexation: If yes, note submittal checklist</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| <b>Part 4 – Zoning:</b>                           |   |
|---|---|
| <b>Base Zoning District(s)</b>                    |   |
| <b>Current Zoning:</b>                            | <b>Proposed Zoning:</b>                           |
| <b>Overlay Zoning District(s) if applicable:</b>  |   |
| <b>Zoning Condition(s)</b>                        |   |
| <b>Existing zoning conditions (If applicable)</b> | <b>Proposed zoning conditions (If applicable)</b> |

| <b>Part 5 – Land Use Plan Designation and Land Use Plan Amendment Request:</b>  |
|---|
| Is the proposal consistent with the adopted land use plan? <i>If no specific conditions, please provide summary of request.</i> |
| <input type="checkbox"/> Yes <input type="checkbox"/> No (if <b>no</b> , complete part 6, section B)                            |
| Adopted Land Use Plan Designation:  |
| Proposed Land Use Plan Designation:   |

## **Part 6**

### **A. Applicant's Justification Statement for Rezoning or Mixed Use Preliminary Development Plan:**

How is the proposed request reasonable? In explaining how it is reasonable, please address the first four questions; #5 is for a PDD request:

1. Any issues with the tract, in relation to physical characteristics of site (e.g., size, shape, resource areas, topography)? Describe.
2. How is the request compatible with the comprehensive plan (i.e. Land Use, Transportation, Open Space and Historic Resources)?
3. What are the benefits and detriments of the proposed rezoning or PDP to the owner, neighbors and the community?
4. How are all the allowable uses with the proposed rezoning or PDP compatible with, or how do they relate to, the uses currently present on adjacent tracts?
5. PDD/new or amended: What reductions/amendments and/or modifications to the development standards of the LDO are being requested and how are they justified? Applicants must list these items and/or clearly highlight them within the Planned Development document. Justification for each request must also be included.

## **Part 6 – (Fill out only if CPA is required)**

### **B. Applicant's Justification Statement for Land Use Plan Amendment:**

How is the proposed request reasonable? In explaining how it is reasonable, please address the following, if applicable:

1. Describe how the requested amendment is warranted due to changes in conditions, forecasts, or assumptions since the original Land Use Plan recommendations were developed?
2. Describe how the requested amendment is warranted due to new issues, needs, or opportunities that have arisen in this geographic area since the original Land Use Plan recommendations were developed?
3. Describe how the requested amendment is warranted due to changes in Town policies, objectives, or standards since the original Land Use Plan recommendations were developed?
4. Describe how the requested amendment is warranted due to errors or omissions in the current Land Use Plan?

**Part 7 – SIGNATURE SHEET**

| Property Owner(s)                          | County Parcel Number(s)<br>(10 digit) | Real Estate ID(s) |
|--|---------------------------------------|-------------------|
| Name<br>Street Address<br>City, State, Zip |                                       |                   |
| Name<br>Street Address<br>City, State, Zip |                                       |                   |
| Name<br>Street Address<br>City, State, Zip |                                       |                   |

**Note to Property Owners - - Disclosure Statement**

When the owner of land is not an individual, then the application shall include a disclosure statement that indicates the type of entity involved, and the name and address of each [person](#) who holds 10% or more of the business entity. When the owner of land is a publicly-owned business entity, then the rezoning application shall include a disclosure statement that indicates the name and address of each [person](#) who holds 25% or more of the business entity.

Does this application require this disclosure statement? \_\_\_\_\_ Yes \_\_\_\_\_ No

The undersigned states the information submitted to the Town of Cary Planning Department is true and correct. If this is a conditional use request, the undersigned states that the conditions offered are voluntarily offered by all owners of said property.

**Signature(s) Of Applicant/Owner(s)**

**Print Name(s)**

**Date**

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

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

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

\_\_\_\_\_ COUNTY, NORTH CAROLINA

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

(Official Seal)

\_\_\_\_\_  
Signature of Notary Public

My Commission Expires: \_\_\_\_\_

**Authorized Agent Documentation:**

When an authorized agent files an application on behalf of a property owner, the **agent** shall provide the Town with **notarized** documentation that the owner of the property has authorized the filing of the application and that the agent has permission to represent them through the public hearing process.

An authorized agent is defined as:

- The property owner of record; or
- An agent of said property owner (power of attorney to represent and bind the property owner submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I/We, \_\_\_\_\_, the fee simple owner(s) of the following described property:  
Property Owner Name(s)

\_\_\_\_\_  
PIN, Real ID

\_\_\_\_\_  
Number or Legal Description

hereby petition the Town of Cary to amend the (circle one or more) Land Use, Zoning Map, Mixed Use, Conditional Use, or other from \_\_\_\_\_ to \_\_\_\_\_ and affirm that  
Zoning/Use Zoning/Use

\_\_\_\_\_ is hereby designated to act as my/our agent  
Authorized Agent

and to file the attached application for the stated amendment(s) and make binding statements and commitments regarding the amendment request(s).

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the Town of Cary, North Carolina and are not returnable.

\_\_\_\_\_  
Owners' Signature

\_\_\_\_\_  
Date

\_\_\_\_\_ COUNTY, NORTH CAROLINA

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

(Official Seal)

\_\_\_\_\_  
Signature of Notary Public

My Commission Expires: \_\_\_\_\_

**Rezoning/PDP/PDD/CPA Application Submittal Checklist  
(Must be completed)**

- Pre-submittal meeting held (optional for CPA and Rezoning)
- Community meeting (LDO 3.4.5(B)(3) for Mixed Use Preliminary Development Plan and Rezoning is required prior to application submittal - please include a document indicating the following:
  - Date, time and location of meeting
  - Attach list of neighbors invited (include name and address)
  - Summary of resident concerns
  - Attach list of attendees (Sign-in Sheet)
- Mixed Use Preliminary Development Plan additional checklist (see below)
- Traffic Impact Analysis (TIA) - If required, an application can be obtained from the Engineering Department (919) 469-4030.
- Comprehensive Plan Amendment (complete CPA portion of application)
- Application Form—1 paper copy with digital file. (If the application is for a new/amended PDD submit **4** copies of the associated document/maps). Refer to page 8-9 for digital file requirements.
- Justification Statement(s) (page 3)
- Phasing Maps (page 9-13)
- Property Survey (If any parcels are split)
- Open Space/Historic Resource Determination (if applicable)
- Associated Annexation Application (Proof of ownership must be provided; if a portion of a parcel, then a certified survey of the entire parcel outlining the annexation portion is required)

| Town of Cary Mixed Use Preliminary Development Plan Requirements Checklist |   |
|--|---|
| Format   | <b>Submit 11 sets</b> - Plan sheet size must be 24" X 36"   |
|  | The numerical scale can be no larger than 1" = 50'  |
|  | Provide a graphical bar scale as well as numerical scale  |
|  | Provide a north arrow   |
|  | The Preliminary Development Plan must be prepared by a professional engineer, land surveyor, architect or landscape architect registered in the State of North Carolina |
|  | Plan sets containing sheets must be collated and stapled. Match lines must be clearly indicated   |
|  | Provide a readable and accurate vicinity map designating the location of the site and surrounding area  |
| General Layout Plan  | Include a Site Data Summary Table showing what is required and proposed for all of the following (where appropriate)  |
|  | Project name  |
|  | Street address (if known)   |
|  | Total area in site  |
|  | Current zoning  |
|  | Parcel Number   |
|  | Real ID Number  |
|  | Acreage in common area(s)   |
|  | Acreage in recreation area(s)   |
|  | Proposed gross building square footage  |
|  | Total number of lots proposed   |
|  | Minimum lot size proposed   |
|  | Density of residential areas  |
|  | Total square feet of proposed impervious area   |
| Indicate the proposed linear footage of roads                              |   |

|  |   |   |   |
|--|---|---|---|
|  | Residential   | Front setback   |   |
|  |   | Side setback aggregate (total of two side yards)  |   |
|  |   | Side setback minimum  |   |
|  |   | Rear setback  |   |
|  |   | Corner yard setback   |   |
|  |   | Buffer setback  |   |
|  |   | Provide a plan of the property with metes and bounds labeled along all existing property lines. <b>Tax maps or deed references may be used if they provide bearings and distances.</b>  |   |
|  |   | Show subdivision lot layout if applicable includes total lots   |   |
|  |   | List owner(s) of project/property   |   |
|  |   | Label adjacent property owners  |   |
|  |   | Show the location of all proposed and existing buildings/structures on the site and their proposed use(s). Show approximate plan view building dimensions, distance to lot lines and number of proposed stories; (If proposed building heights exceed current Land Development Ordinance standards, a maximum height must be specified and is subject to approval as part of the Mixed Use Preliminary Development Plan.) |   |
|  |   | Show square footage of all non-residential buildings and building locations   |   |
|  |   | Show service area and loading dock location (if required)   |   |
|  |   | Label the zoning and existing use of the property and adjacent properties   |   |
|  |   | If the property is zoned Conditional Use, list all approved conditions  |   |
|  |   | Indicate amount and location of common open space provided  |   |
|  |   | Show all existing utility easements   |   |
|  | Access, Utilities, Drainage and Landscaping   |   | Label all proposed streets including width, right(s) of way, radii, driveways, roadway islands, etc |
|  |   |   | Show and dimension all parking areas, travel aisle widths, angles and directional flows             |
|  |   |   | Show existing streets adjacent to the site, including right of way and driveway access points       |
|  |   | Show sidewalks and pedestrian routes as required by the Town Design Guidelines  |   |
|  |   | Show the location of any proposed or existing greenway and park land  |   |
|  |   | Show existing topography  |   |
|  |   | Plan view of proposed water lines   |   |
|  |   | Plan view of proposed sanitary sewer lines  |   |
|  |   | Show and label all existing utilities located on and adjacent to the property   |   |
|  |   | Provide the location of proposed storm drainage facilities  |   |
|  |   | Designate the location of all riparian buffer areas   |   |
|  |   | Designate approximate location of all existing and proposed stormwater BMP's, indicate existing topography and include any areas where significant grading (cut or fill) is proposed  |   |
|  |   | Label all 100 year flood plain boundaries on the plan   |   |
|  |   | Note on plan indicating how the proposed project is complying with the Reservoir Watershed Protection Overlay District (if applicable)  |   |
|  | Show and label all buffer and streetscape-widths and types, including any proposed fences or walls and existing vegetation that will be retained or integrated into required buffers and streetscapes |   |   |
|  | Label all required sight triangles  |   |   |

## **Digital Requirements for PDD/Rezoning/ PDP Submittals**

Please adhere to the following digital submittal requirements for PDD/MUSP/Rezoning submittals.  
Failure to comply with these requirements may result in your case being delayed.

1. **All maps in the PDD Document must be submitted in JPEG formats. Maps should not be embedded within the PDD document text (except for the small vicinity map).**
  - **There should be a separate PDF file for each map submitted. For example, an application that contains a Land Use map, Circulation map, and Utilities map would require the submittal of a PDF file containing only the Land Use map, a second PDF file containing the Circulation map, and a third PDF file containing the Utilities map. The maps should be compressed before being converted to PDF, in order to limit file sizes for citizens with slower internet connections.**
  - **There should also be one JPEG for each map submitted. JPEGs should have the following specifications: resolution = 72 pixels/inch; maximum width = 800 pixels; files should be compressed as much as possible without affecting clarity. The wording on the jpeg needs to be legible. We make slides from the jpegs for the PowerPoint presentation to Town Council and Planning & Zoning Board. Make sure any words or numbers on the jpeg are large enough to be visible on a slide projected onto a computer screen. (Do not make the jpeg page layout any bigger than 11X17.)**
2. **The PDD document text (including the small vicinity map) should be submitted in Word and PDF formats. (The application and PDD document need to be in separate files, since the PDD document is put on the Web for public viewing.)**
3. **Filenames for the PDF and JPEG versions of the maps, as well as the PDF and Word versions of the PDD document text, should be in lower-case letters and contain no spaces. Hyphens and underscores may be used in filenames, but no other special characters should be used.**
4. **All mapping should have a north arrow for orientation.**
5. **The following digital maps MUST be submitted with the initial application submittal. Subsequent revisions to the digital maps should be resubmitted with the name and revision date.**
  - **Project Boundary Map**
    - **A digital file of the project boundary must be submitted at the time of application submittal. The boundary can be delivered in a choice of 4 different formats:**
      - **MapInfo Table (Preferred)**
      - **AutoCAD Civil Design/ Land Development. MIF export or DXF of the PDD land uses (pods)**
      - **AutoCAD R12/LT2 DXF (boundary tied to North Carolina State Plane coordinates NAD 83)**
      - **AutoCAD R13/LT95 DXF or (boundary tied to North Carolina State Plane coordinates NAD 83)**
      - **ESRI shape file**
  - **Land Use Map**
  - **Circulation Map**
  - **Utilities Map**
  - **Open Space Map (if applicable)**
  - **Storm water Map (if applicable)**
  - **Phasing Map**

- These maps are to break your project into its various phases, so that the Council and Board can clearly understand the proposed progression of your project. To ensure consistency throughout the review process, we ask that the following colors be used in your digital phasing maps. If your application includes a special use designation request, denote its color at the most intense use that is requested

| Common color name | Land Use category    | Hue | Saturation | Value | Red | Green | Blue |
|-------------------|----------------------|-----|------------|-------|-----|-------|------|
| Red               | Commercial           | 0   | 240        | 240   | 255 | 0     | 0    |
| Yellow            | Single family        | 40  | 44         | 240   | 255 | 255   | 208  |
| Blue              | Office               | 133 | 89         | 240   | 160 | 224   | 255  |
| Orange            | Attached residential | 20  | 119        | 240   | 255 | 192   | 128  |
| Green             | Open space           | 80  | 240        | 150   | 0   | 160   | 0    |

**Phasing Map Instructions:**

- All single-family pods
- All multi-family pods (attached residential) + single-family
- All office + single-family + multi-family (attached residential)
- All commercial + single-family + multi-family (attached residential) + office
- All open space, buffers, parks, recreation areas + single-family + multi-family (attached residential) + office + commercial
- All pods (Master Land Use Plan)

**Phasing Map Examples:**



**Single-family 1**



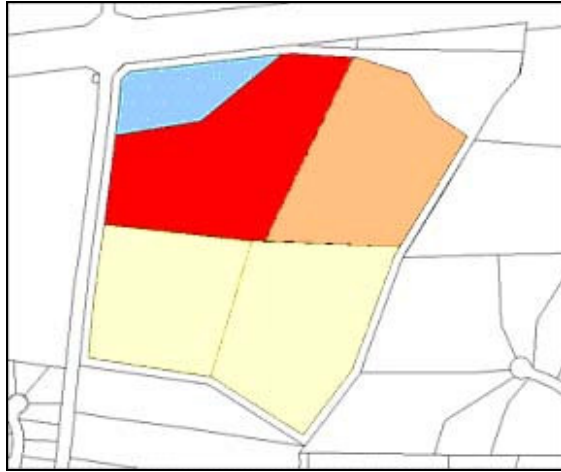
**Single-family 2**



**Attached Residential**



**Commercial**

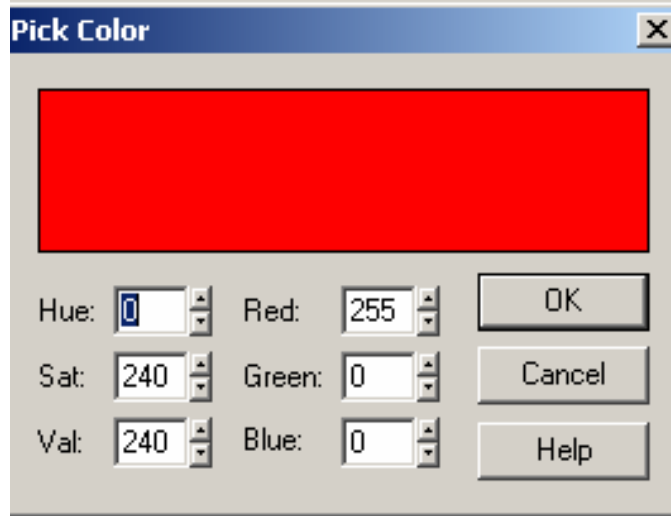


**Office**

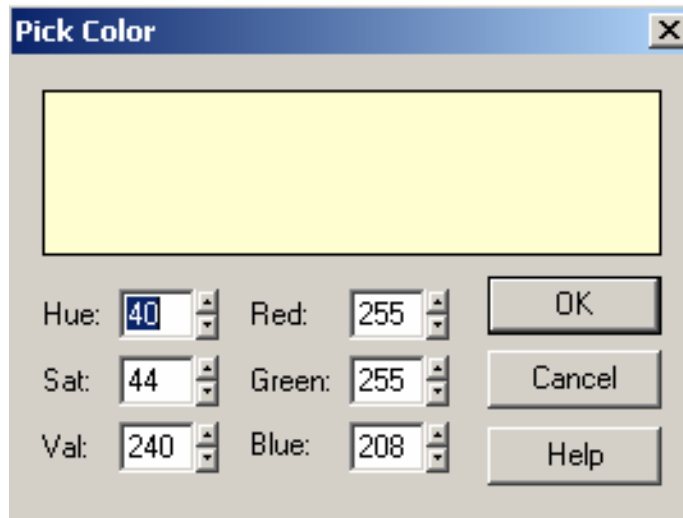


**Open Space, Buffers, Parks, and Rec Areas**

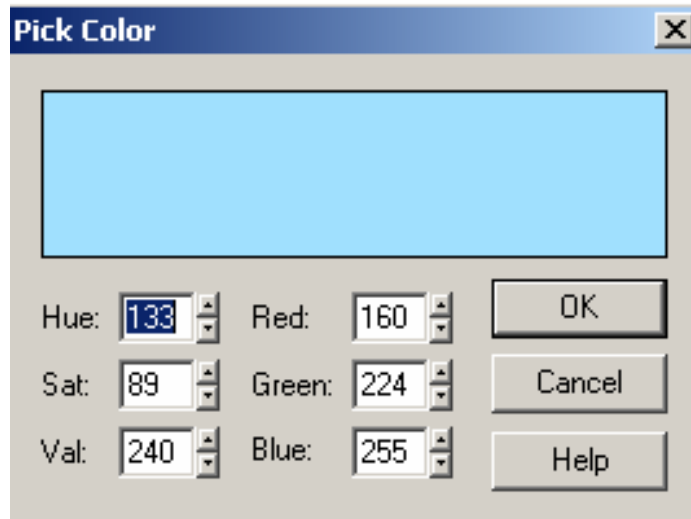
# Colors for Phasing Map



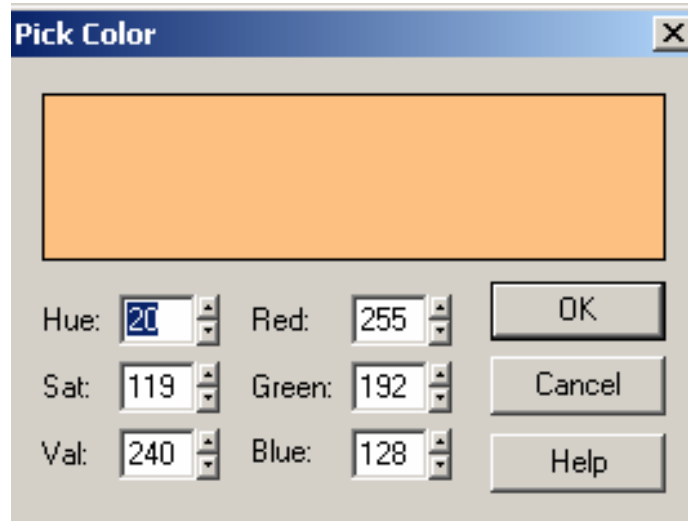
COMMERCIAL (RETAIL)



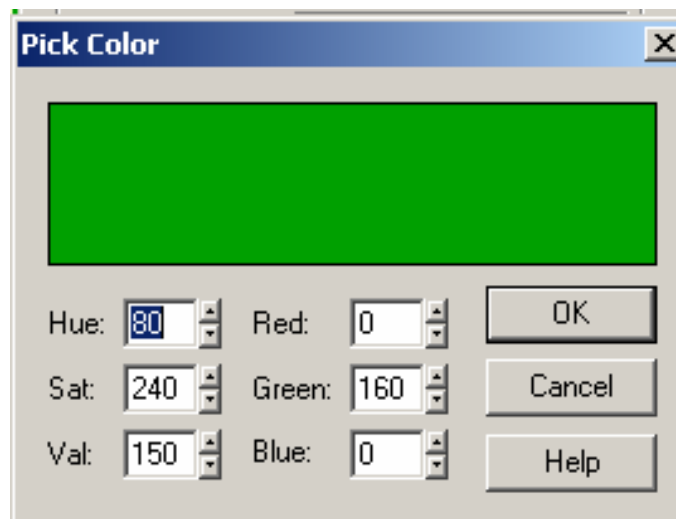
SINGLE-FAMILY



OFFICE



**ATTACHED RESIDENTIAL (MULTI-FAMILY)**



**OPEN SPACE, BUFFERS, PARKS & REC AREAS**