

Annexation Process

Step 1 Optional Pre-Application Meeting

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Prior to the submittal of the Annexation Petition to the Development Customer Service Center, applicants are encouraged to participate in a pre-application meeting with Planning staff. This meeting is intended to provide the applicant with a clear direction and understanding of the annexation process, schedule, fees and submittal requirements. This typically results in a more efficient petition process. It is at this meeting where the properties are reviewed in-depth to determine if the request meets NC General Statutes.

Step 2 Formal Petition Submittal

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The applicant shall submit the completed petition form, fees and any other supporting documents deemed necessary by staff. After staff receives the petition, a check for completeness begins. Annexation petitions not deemed "complete" will be returned to the applicant with a description of the missing items.

Step 3 Sufficiency Check

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After the petition is deemed complete, staff performs a sufficiency check to determine if the requested annexation petition meets all regulations outlined in the Land Development Ordinance and Chapter 160-A, NC General Statutes (annexation).

Step 4 Town Council Meeting for Sufficiency

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Consistent with NC General Statutes, the annexation petition is then placed on the Town Council's agenda for approval of sufficiency and orders by means of a Resolution to proceed to public hearing. Once the council approves the petition as sufficient, it can then be scheduled to proceed with a public hearing. The sufficiency meeting is not a public hearing.

Step 5 Public Hearing Notification

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Approximately 14 days prior to the hearing, staff posts notice of the public hearing on the requested annexation petition (and often associated rezoning notice) on the Town's website at www.townofcary.org/Departments/Town_Clerk_s_Office/publicnoticesportal.htm.

Step 6 Public Hearing

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Public hearings are generally held on either the second or fourth Thursday of each month at the Town Council meeting. At the public hearing, staff introduces the facts of the proposed Annexation Petition. Town Council then opens the public hearing and hears comments from the applicant and anyone in favor of or opposed to the request.

Step 7 Town Council Action

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If the annexation petition is not accompanied by a rezoning request, Town Council may act on the annexation petition on the same night as the public hearing. If the annexation petition is accompanied by a rezoning request, Town Council will act on the annexation request the same night as the rezoning action.

Notes

If the property is located outside the Town's Extra Territorial Jurisdiction (ETJ), the annexation petition must be accompanied by a request to establish an initial Town of Cary zoning. The initial zoning established on a property being annexed will be determined by staff and will include the most comparable Cary zoning district to the existing zoning or use of the site, unless the applicant applies for a rezoning to a different zoning district.



Annexation Petitions are not subject to Protest Petitions per NC General Statutes.



Properties desiring to develop utilizing Town utilities are required to annex or sign an annexation agreement when located outside the Town limits.



Depending on the location of the property, annexation may occur at the time of a rezoning request or the development plan stage.