

The Rezoning Process

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Overview

Rezoning in Lewisville 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 at the town offices Town of Lewisville, 6510 Shallowford Road, Lewisville, NC. The process is described below, and generally takes 90-120 days. Petitioner(s) must generally be owners, have the property under contract, or have the owner's 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 9,000sq.ft. 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. 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 or call to Town Planning staff** 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 submitted for review by staff approximately one week before formal submittal.
2. **Bring the application and the attachments** (a tax map and a list of adjoining property owners - from the Forsyth County Tax Office; and a legal description of the parcel to be rezoned - from the deed (s) or prepared by a surveyor or attorney) to the Town Hall, 6510 Shallowford Road, Lewisville, NC for submission. 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 *Town of Lewisville*. 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 Town's 2015 Update to the Comprehensive Plan, other Town plans and policies, the County comprehensive plan, *Legacy*, a discussion of any planning issues that bear on the case, and a recommendation 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 should be available for review on the Monday before the scheduled Planning Board public meeting.
4. **The Planning Board meets to review the petition.** The staff presents its report and recommendation. A full hearing is held with proponents and opponents given time to speak.
5. **Following the Planning Board meeting, the case is then sent on to the Town Council for a second public hearing.** This review occurs regardless of the action taken by the Planning Board, and the decision of the elected body is final. 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 Town Planning staff at 336-945-1023.