

P. O. Box 2511, Winston-Salem, NC 27102
(Bryce Stuart Municipal Building, 100 East First Street, Suite 225)

Phone: 336-747-7069 Fax: 336-748-3163
Website: www.cityofws.org/planning

Forms, Checklists, Handouts, and other documents can be found on our website at the following link:
<http://www.cityofws.org/departments/planning/zoning-and-subdivision>

Overview

Rezoning in Winston-Salem and unincorporated Forsyth County 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 on our website. Petitioners may request a general use, special use limited, or special use district rezoning. The petition is filed at the public counter of the Land Use Administration section of the City-County Planning Board, located on the second floor (Suite 225) of the Bryce Stuart Municipal Building, 100 East First Street, Winston-Salem, NC. Alternatively, petitions and fees can now be filed online at our online submission portal here: winston-salem.idtplans.com The petitioner(s) must typically be owners or have the owner's permission to rezone the property.

General Use District Rezoning- A General Use District rezoning petition requests that a parcel be changed from one zoning district (e.g., RS9, or Residential Single-Family with 9,000 sf minimum lot size requirement) to another district (e.g. GB or General Business) without specifying the particular use or manner in which the property will be utilized. Those who file General Use District rezoning petitions are not allowed to speak to any specific use for the property at the public hearing, as boards must consider every use and development scenario permitted in the proposed zoning district.

Special Use Limited District Rezoning- A Special Use Limited District rezoning petition is more restrictive than a General Use District rezoning, but less restrictive than a Special Use District rezoning. A Special Use Limited District rezoning allows the petitioner to volunteer conditions that address concerns of Planning staff or surrounding property owners. Examples of volunteered conditions include limiting the use(s) of the property, increased bufferyard/landscaping, etc. Unlike a Special Use District rezoning, a site plan is not required with a Special Use Limited rezoning request; however, if the zoning request is approved, a site plan may be required in order to demonstrate compliance with minimum UDO requirements (parking, bufferyard etc.) prior to obtaining any permits. For more information, please refer to the *Special Use Limited District Rezoning Disclaimer* handout.

Special Use District Rezoning- A Special Use District rezoning petition requests that a parcel be changed from one zoning district (e.g., RS9) to another district (e.g., GB-S, or General Business, special use) which will be limited to a specific use(s) identified and graphically illustrated on a site plan that accompanies the application. A site plan checklist is available at the Land Use Administration counter or from our website located at the link provided above. Conditions are typically attached to the Special Use site plans.

How does the rezoning process work?

1. The process should begin with a call, an email, or visit with the Land Use Administration (LUA) Team to discuss your preliminary plans, to ask the staff's advice on submission procedures, and to pick up the necessary materials (the rezoning applications, site plan checklists, and requirement materials are on our website link provided above). For Special Use District petitions, site plans should include information

required on the appropriate checklist and must be reviewed by staff at the pre-submittal application stage. In addition, applicants may also desire to have an informal interdepartmental review of their proposed project prior to submitting their rezoning application. Applicants may receive a 30-minute sketch plan review period every Friday beginning at 8:30 a.m. Additional information regarding sketch plan review can be found on our *Sketch Plan Meetings* handout located on the zoning and subdivision website (see link above).

2. Petitioners are required to complete the neighborhood outreach requirement when any rezoning petition or site plan amendment includes property that is located within 500 feet of any residentially zoned property. For details, please refer to the *Neighborhood Outreach Disclaimer* handout on our website.
3. Bring the application and all applicable information (including fee) to the Bryce Stuart Municipal Building, Suite 225, for submission. Here the petition will be assigned a case number, and you will be advised of the later steps and timetables. If you are requesting a special use rezoning that includes a portion of a lot, the legal description for that lot will need to be submitted at the **pre-submittal deadline**. Alternatively, you may now submit your rezoning petition online at winston-salem.idtplans.com
4. Staff prepares a zoning report for the Planning Board with a recommendation for either approval or denial. Staff begins the review process by visiting the site and consulting with other City-County departments to obtain their comments and input. Next, a report is prepared containing a review of the relevant points involved in the case including: compliance with the *Legacy 2030* comprehensive plan, recommendation of the relevant adopted area plan; a discussion of any planning issues that impact the case; and a staff recommendation. In addition, site plans prepared for special use district petitions receive comments along with any conditions that may be placed on the site plan or zoning. This report is available for review on the Friday prior to the scheduled Planning Board meeting on the zoning and subdivision portion of our website.
5. The Planning Board meets to hold a public hearing and review the petition. The staff presents its report and recommendation. If the recommendation is for approval, and no opposition is present at the hearing, the item may be placed on the consent agenda. In this instance, the public hearing process may be expedited. If the staff's recommendation is for denial, or if there is opposition present and wishing to speak about the request, a staff presentation is made and a full public hearing is held. A maximum of twelve (12) minutes is allotted to each side (supporting and opposing) to present the respective views. There is no rebuttal period. The Planning Board will then make a recommendation to the elected body for approval or denial of the petition. The applicant or representative is strongly encouraged to attend the public hearings for the Planning Board and/or the Elected Body.
6. Following the Planning Board meeting, the case is then sent on to the City Council for City cases, or to the Board of Commissioners for County cases for final decision. This review occurs regardless of the recommendation 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. The entire process typically takes between two to three months.
7. For rezoning cases within the City of Winston-Salem, petitioners are advised to contact their Council Member to discuss City rezoning cases prior to the elected body public hearing.

Additional information which may be helpful to persons submitting petitions, including permitted use tables, setback requirements, and descriptions of zoning categories are available via our website or at the Planning Department office. For more information contact Gary Roberts at (336)-747-7069.