

Conditional District (CD) Rezoning Review Process



Contact Information

Town of Wingate Planning and Zoning:

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Conditional Districts are districts with conditions that have been voluntarily agreed upon between the applicant and Town of Wingate and approved in a legislative procedure by the Board of Commissioners in accordance with G.S. 160D-703. Because Conditional District projects are constructed in a comprehensive manner, they establish their own building, street, block, and lot pattern which may be unique from surrounding blocks, neighborhoods, or zoning districts.

Section 15.6.4 of the Wingate Land Use Ordinance details requirements for a Conditional District Rezoning.

(1) Pre-submittal Meeting

A pre-submittal meeting is required to discuss potential Conditional District Rezoning projects. There are no minimum requirements or plans required to schedule a meeting of this type. However, the more information submitted prior to a meeting allows staff to provide better feedback for the proposed development. Multiple project feasibility meetings may be held for a proposal. Common points of discussion include site layout, required transportation studies, existing long range plans, and small area plans.

For a Conditional District rezoning pre-submittal meeting, a sketch plan is recommended for but is not required.

(2) Traffic Impact Analysis Meeting

A TIA will be required for any proposed development that contains more than 100 residential lots or units, for any proposed development that generates 100 or more peak hour trips, or for any proposed development that generates 1,000 or more daily trips. A mandatory scoping meeting is required prior to beginning the TIA to discuss the requirements and strategies for a TIA specific to the site and the proposed development. The applicant's transportation engineering consultant will be required to attend said meeting along with representatives from the North Carolina Department of Transportation. Wingate staff will determine the deadline for TIA submittal and supporting documents.

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(3) Rezoning Submittal Requirements

The Town of Wingate staff and supporting consultants review plans and documents. Please send all electronic plans and documents to Land Use Consultant Matthew Gallman, mgallman@centralina.org.

Payment for a Conditional District Rezoning application is due at time of application submittal for review by Wingate Staff. Please reference the Wingate fee schedule to determine payment amount applicable for a proposal.

Every application for a conditional rezoning shall contain a site plan, drawn to scale, and any necessary supporting text, that locates the development site and graphically demonstrates existing and proposed natural, man-made, and legal features on and near the site in question. The Land Use Administrator is available for any site plan questions and may waive individual terms as deemed appropriate.

Conditional District Rezoning applications should be submitted no later than the second Friday of each month at 12 PM to be considered for recommendation at the next regularly scheduled Planning Board meeting. The Town of Wingate does not guarantee any applicant their placement on a regularly scheduled planning board meeting prior to written confirmation by the Land Use Administrator that an application is complete.

(5) Development Agreement

Depending on the size, scale and complexity of conditional district rezoning application, the Land Use Administrator may recommend that applicants enter into voluntary land development agreement with the Town of Wingate in accordance with North Carolina General Statutes Chapter 160D Article 10. The applicant will receive said recommendation to enter into voluntary land development agreement during the pre-submittal meeting phase of the project. Although the Town of Wingate does not require that applicants enter into development agreement, this voluntary procedure will be recommended if deemed necessary to support the vision of Town plans and ordinances.

If voluntary development agreement is recommended by the Land Use Administrator, the development agreement should be submitted with the Conditional District Rezoning application for recommendation to the Planning Board along with associated fees.

(6) Conditional Rezoning Application Redline Meeting

Once application is submitted and deemed complete by the Land Use Administrator, the Town will review said documents within 7 days and provide written comments to the applicant. At the discretion of the Land Use Administrator, the applicant may be asked to revise the submitted Conditional District Rezoning application prior to the next regularly scheduled Planning Board Meeting, or that substantial revisions require delay in staff recommendation to the Planning Board.

(7) Community/Neighborhood Meeting

The applicant must hold at least (1) one community meeting for impacted neighbors to ask the applicant questions about their Conditional District Rezoning request. The applicant must collect feedback from the community members that attend. The community/neighborhood meeting shall be held as specified per the Town of Wingate Land Use Ordinance section 15.4.5 Community Meeting. The community/neighborhood meeting may not be held on regularly scheduled Planning Board or Board of Commissioner meeting nights. The community/neighborhood meeting may take place at any time after submission of a complete Conditional Rezoning Application but must occur prior to request for the Wingate Board of Commissioners to decide on said development proposal.

The community/neighborhood meeting may be held near the project location at a venue of choice. Coordinate with the Land Use Administrator if facilities are needed for the community/neighborhood meeting. The applicant must file with the Land Use Administrator a written report of at least (1) one community/neighborhood meeting held by the applicant.

Per the Town of Wingate Land Use Ordinance section 15.4.5 Community Meeting, notice of the community/neighborhood meeting shall be sent to owners within five hundred (500) feet of the proposed rezoning, and all others determined to be directly affected. Such notice shall be mailed to said property owners not less than 10 business days prior to the date of the meeting and a certification of this mailing shall be submitted as part of the required report. The notice shall contain information regarding the time and location of the public input meeting as well as a description of the proposal.

(8) Planning Board Recommendation

Town Staff will present the Rezoning Plan to the Planning Board for their review and recommendation. Applicants and any representatives are encouraged to attend the Planning Board meeting to answer questions the Board may have about the project. If the applicant wishes to make a presentation to the Planning Board, materials are due to the Land Use Administrator by noon the day of the meeting.

(9) Legislative Approval by Wingate Board of Commissioners

In response to the Planning Board's recommendations, the applicant may modify the application prior to submission to the Town Board of Commissioners, and staff may likewise revise its recommendations. If the plan is revised, the applicant shall coordinate with Land Use Administrator about review processes and submission requirements for revised plan sets for final action. The Wingate Board of Commissioners renders a decision to approve or deny the Rezoning Plan if the proposed zoning is deemed consistent with all long-range plans, adjacent development, and the Wingate Unified Development Ordinance.

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Resources

Conditional Rezoning Application:

<https://www.townofwingatenc.gov/DocumentCenter/View/503/Conditional-Rezoning-Application-PDF>

Fee Schedule:

https://www.townofwingatenc.gov/DocumentCenter/View/664/FY_22_Fee_Schedule

Wingate Land Use Ordinance:

<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:1667a6e3-410f-49d7-9963-df10f7506e80#pageNum=1>

Union County GIS:

<https://gisweb1.unioncountync.gov/gomaps/>