

## **GENERAL GUIDELINES FOR THE SUBMITTAL OF APPLICATIONS TO THE TOWN OF WYTHEVILLE FOR REZONING OF PROPERTY IN THE TOWN OF WYTHEVILLE**

These guidelines are presented to assist the property owners and developers in understanding the procedures required for approval of zoning of property in the Town of Wytheville.

### **Background:**

In the matter concerning rezoning, the Planning Commission is advisory to the Town Council. The ultimate acceptance or denial of rezoning requests is a responsibility of the Town Council; however, the recommendation of the Planning Commission weighs heavily in the Town Council's decision.

Rezoning requests are first presented to Planning Commission with a notification to Town Council of the request. The Planning Commission then holds a public hearing on the matter and makes a recommendation to the Town Council. The Town Council then holds a public hearing and makes the ultimate decision on the rezoning matter. The time frame for this process is approximately 90 days and is determined by the schedule of the Town Council and Planning Commission meetings and the advertising requirements.

In order to assure that rezonings are in the best public interest, law requires that rezonings be appropriately advertised and that adjacent property owners be advised by certified mail of the proposed rezoning. Each public hearing must be advertised in two consecutive local newspaper publications seven (7) days apart, and the last publication must be seven (7) days prior to the hearing. Persons requesting rezoning of property should be aware that the process may be slightly shorter or slightly longer depending upon the sequence of meetings following the request. The Town Council meets on the second and fourth Monday of each month, and the Planning Commission meets on the second Thursday of each month.

The Town's Planning and Engineering staff are required to review all aspects of the rezoning request prior to the public hearing so that they may adequately research the request, its impact, and its legality. All applications for rezoning must be received by the Office of the Director of Administrative Services/Clerk of Council at least seven (7) work days prior to the Planning Commission meeting in which the request is to be heard. This is to allow the request to be incorporated into the Planning Commission's meeting agenda package.

The date of the public hearing will be set by the Planning Commission usually for the Planning Commission meeting the following month. Following the public hearing by the Planning Commission, the Planning Commission will make a recommendation to the Town Council which will be forwarded to the Town Council for the next regularly scheduled Town Council meeting. The Town Council will set a public hearing for the next regularly scheduled Town Council meeting which allows the advertising requirements for the public hearing to take place. Upon completion of Town Council's public hearing, Council will make a decision on the rezoning request by way of an ordinance. See accompanying chart for

sequence of events leading to a rezoning approval.

**Applicant's Responsibilities:**

All applications must be received by the Director of Administrative Services/Clerk of Council seven (7) work days prior to the Planning Commission meeting at which the regulations are to be heard. Applicants are asked to clearly delineate the location for which the rezoning request is made through the use of maps, plats, drawings, and other data, and to fully describe reasons for the rezoning request. The applicants should be prepared to provide multiple copies of the information (up to 15 copies for each meeting) when requested to do so. Applicant should attend all public hearings and meetings to answer questions relative to the rezoning request. There is a \$150 application fee plus expenses for advertising and certified notices.

**Town Staff Assistance:**

Town staff will endeavor to review any requests by the applicants which are received prior to the deadline and to suggest alternative means for achieving the same result when it appears feasible to do so.

**TIME TABLE FOR REZONING REQUEST**

**Rezoning Request Received**

(Referred to next regularly scheduled Planning Commission meeting.)

9

**Planning Commission Meeting**

(Planning Commission sets a public hearing, advertisements are issued for next regularly scheduled Planning Commission meeting.)

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**Planning Commission Public Hearing**

(Following the hearing, Planning Commission makes recommendation to Town Council. Referred to next regularly scheduled Council meeting.)

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**Town Council**

(Town Council sets public hearing. The date of the hearing must meet advertisement requirements.)

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**Town Council Public Hearing**

(Town Council decides the matter of the rezoning after public hearing by way of an ordinance. If decided in favor of the rezoning, the ordinance may be subject to second or third readings in the following meetings.)

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(First reading during the meeting following public hearing.)

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66 Ordinance can be passed on first final reading.

or

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(Second reading at next regularly scheduled meeting.)

or

9

(Third reading at subsequent scheduled meeting.)