

**Planning Board Item V – GENERAL PUBLIC HEARING INFORMATION (Z20-05)**

**General Rezoning Application Z20-05**

Request: To rezone property parcel 170401 (part of) from the (R-1) Single Family Limited Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays to the (I-2) General Industrial Zoning District with (CH) Corridor Highway and (US) Urban Standards Overlays

Applicant(s): NC Department of Transportation

Property Owner(s): NC State Highway Dept.

Mailing Address of Applicant: 1702 East Marion Street, Shelby, NC 28150

**Site Information and Description of Area**

General Location: Dallas Cherryville Hwy. (Dallas)

Parcel ID(s): 170401 (part of)

Total Property Acreage: 1.16 ac

Acreage for Map Change: 0.12 ac

Current Zoning District(s): (R-1) Single Family Limited, (I-2) General Industrial, (CH) Corridor Highway Overlay, (US) Urban Standards Overlay

General Area Zoning District(s): (R-1) Single Family Limited, (I-2) General Industrial, (C-1) Light Commercial, (C-3) General Commercial, (CH) Corridor Highway Overlay, (US) Urban Standards Overlay

**Zoning District Information**

**Current Zoning District:**

**(R-1) Single Family Limited** – The purpose of this district is to accommodate single family site built and modular construction. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

**(CH) Corridor Highway Overlay District** – The purpose of the CH District is to preserve and enhance the streetscape along designated corridor highways in Gaston County. A CH District may exist along the entire length of a roadway or along any identifiable segment of a roadway. Any CH District initially established shall contain a minimum length of at least one thousand (1,000) linear feet as measured along one side of a designated corridor highway. The CH District shall consist of all lots fronting on the corridor highway for a depth of two hundred-fifty (250) feet as measured from the centerline of the corridor highway (for a total width of five hundred (500) feet), unless otherwise indicated on the Zoning Map. Although such corridor highways may vary in character, particular aspects of development along those roads raise common concerns and should be managed in a consistent way in order to preserve and enhance the streetscape.

**(USO) Urban Standards Overlay District** – Areas of the County which are located outside their corporate limits and/or municipal Extra Territorial Jurisdiction (ETJ) but where the provision of public water and sewer services can reasonably be expected to occur over the next 10-15 years, have been designated as the “Urban Standards Overlay District”.

Accordingly, standards for development, more akin to those that traditionally are found in urban areas, as opposed to rural areas, are called for. Standards addressed, but not limited to: building design, off-street parking, road, lot and subdivision standards.

**Note:** If any portion of the subject property is within the USO, then the entire property shall be developed in

accordance with USO standards.

**Proposed Zoning District:**

**(I-2) General Industrial** – The I-2 district is established to provide for areas of heavier manufacturing and industrial uses that are properly sited, based on such factors as: adjacent land uses, access to the transportation network, and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. I-2 zoned districts shall be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. The I-2 district is established in order to provide sites for activities that involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the I-1 district. I-2 districts shall generally not be located adjacent to any property that is zoned for residential use, except when mitigating factors (i.e. terrain, buffering, and transportation access) are in place to substantively mitigate any potential negative impacts upon such residential areas caused by uses in the I-2 district. Any areas that are rezoned to an I-2 district subsequent to the adoption of this Ordinance shall be located so as to have direct access to or lie in close proximity of a principal or minor arterial.

**(CH) Corridor Highway Overlay District** – (as described above)

**(USO) Urban Standards Overlay District** – (as described above)

**Comprehensive Land Use Plan (Small Area District)**

**Area 2: North 321 Gaston/North Central Gaston**

Key issues for citizens in this area include preservation of open space; road improvements and better connectivity to other areas of the County and throughout the region; more transportation alternatives; preservation of agriculture and maintaining the rural “feel” of the community; and, steer development towards existing infrastructure and areas immediately surrounding towns and cities.

Comprehensive Plan Future Land Use: Rural

It is staff’s opinion that the request *is consistent* with the Comprehensive Land Use Plan.

**Technical Review Committee (TRC)**

The request was reviewed by the TRC for comment and general compliance with applicable regulations and provisions. The TRC is made up of various technical land use reviewing agencies such as North Carolina Department of Transportation (NCDOT), Environmental Health, Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO), County Fire Marshall, et cetera, which review all land use proposals and site plans requiring Planning Board approval and/or public hearing process.

**Notification**

Notice of public hearing was advertised in the Gaston Gazette in accordance with County policy.

**Zoning Sign Placement**

January 14, 2020

**Information Attached**

Rezoning application; zoning district uses (current and proposed); vicinity map, aerial map, zoning/subject area maps, and adjacent property map with property owner list.

**Transportation Planning Information**

Provided by Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO)

**Staff Contact**

Sarah Carpenter Penley, Development Services Planner, (704)866-3530 or [sarah.penley@gastongov.com](mailto:sarah.penley@gastongov.com)



# GASTON COUNTY

Department of Planning & Development Services

Street Address: 128 W. Main Avenue, Gastonia, North Carolina 28052  
Mailing Address: P.O. Box 1578, Gastonia, N.C. 28053-1578

Phone: (704) 866-3195  
Fax: (704) 866-3966

## GENERAL REZONING APPLICATION

Application Number: **Z** Z20-05

Applicant ☒ Planning Board (Administrative) ☐ Board of Commission (Administrative) ☐ ETJ ☐

### A. \*APPLICANT INFORMATION

Name of Applicant: NC Department of Transportation

(Print Full Name)

Mailing Address: 1702 East Marion Street, Shelby, NC 28150

(Include City, State and Zip Code)

Telephone Numbers: (980)552-4100

(Area Code) **Business**

(Area Code) **Home**

Email: cbguffey@ncdot.gov

*\* If the applicant and property owner(s) are not the same Individual or group, the Gaston County Zoning Ordinance requires written consent form from the property owner(s) or legal representative authorizing the Rezoning Application. Please complete the Authorization/Consent Section on the reverse side of the application.*

### B. OWNER INFORMATION

Name of Owner: NC State Highway Dept.

(Print Full Name)

Mailing Address: 128 W. Main Ave., Gastonia, NC 28052

(Include City, State and Zip Code)

Telephone Numbers: \_\_\_\_\_

(Area Code) **Business**

(Area Code) **Home**

Email: cbguffey@ncdot.gov

### C. PROPERTY INFORMATION

Physical Address or General Street Location of Property: Dallas Cherryville Hwy. (Dallas)

Parcel Identification (PID): 170401

Acreage of Parcel: 1.16 +/- Acreage to be Rezoned: .12 +/- Current Zoning: (R-1)(CH)(US)

Current Use: Vacant Proposed Zoning: (I-2)(CH)(US)

### D. PROPERTY INFORMATION ABOUT MULTIPLE OWNERS

Name of Property Owner: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

(Include City, State and Zip Code)

(Include City, State and Zip Code)

Telephone: \_\_\_\_\_

(Area Code)

Telephone: \_\_\_\_\_

(Area Code)

Parcel: \_\_\_\_\_

(If Applicable)

Parcel: \_\_\_\_\_

(If Applicable)

(Signature)

(Signature)



## E. AUTHORIZATION AND CONSENT SECTION

(I/We), being the property owner(s) or heir(s) of the subject property referenced on the **Gaston County Rezoning Application** and having authorization/interest of property parcel(s) 17040 hereby give NCDOT (Name of Applicant) consent to execute this proposed action.

Mark E. Stafford  
(Signature)

1-13-20  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I, Lisa F. Travis, a Notary Public of the County of Cleveland State of North Carolina, hereby certify that Mark E. Stafford personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 13<sup>th</sup> day of January, 20 20.

Lisa F. Travis  
Notary Public Signature

6/20/2024  
Commission Expiration

(I/We), also agree to grant permission to allow employees of Gaston County to enter the subject property during reasonable hours for the purpose of making **Zoning Review**.

Please be advised that an approved general rezoning does not guarantee that the property will support an on site wastewater disposal system (septic tank). Though a soil analysis is not required prior to a general rezoning submittal and/or approval, the applicant understands a chance exists that the soils may not accommodate an on site wastewater disposal system thus adversely limiting development choices/uses unless public utilities are accessible.

If the application is not fully completed, this will cause rejection or delayed review of the application. In addition, please return the completed application to the Planning and Development Services Department within the County Administrative Building located at 128 West Main Avenue, Gastonia, NC 28052.

## APPLICATION CERTIFICATION

(I/We), the undersigned being the property owner/authorized representative, hereby certify that the information submitted on the subject application and any applicable documents is true and accurate.

\_\_\_\_\_  
Signature of Property Owner or Authorized Representative

\_\_\_\_\_  
Date

Note: Approval of this request does not constitute a zoning permit. All requirements must be met within the UDO

### OFFICE USE ONLY

### OFFICE USE ONLY

### OFFICE USE ONLY

Date Received: 01/03/2020 Application Number: Z20-05 Fee: N/A

Received by Member of Staff: SCP Date of Payment: N/A Receipt Number: N/A  
(Initials)

☒ COPY OF PLOT PLAN OR AREA MAP  
☐ NOTARIZED AUTHORIZATION

☒ COPY OF DEED  
☐ PAYMENT OF FEE

Date of Staff Review: \_\_\_\_\_ Date of Public Hearing: 01/28/2020

Planning Board Review: \_\_\_\_\_ Recommendation: \_\_\_\_\_ Date: \_\_\_\_\_

Commissioner's Decision: \_\_\_\_\_ Date: \_\_\_\_\_



## Gaston County North Carolina

### Vicinity Map

Z20-05

#### Legend

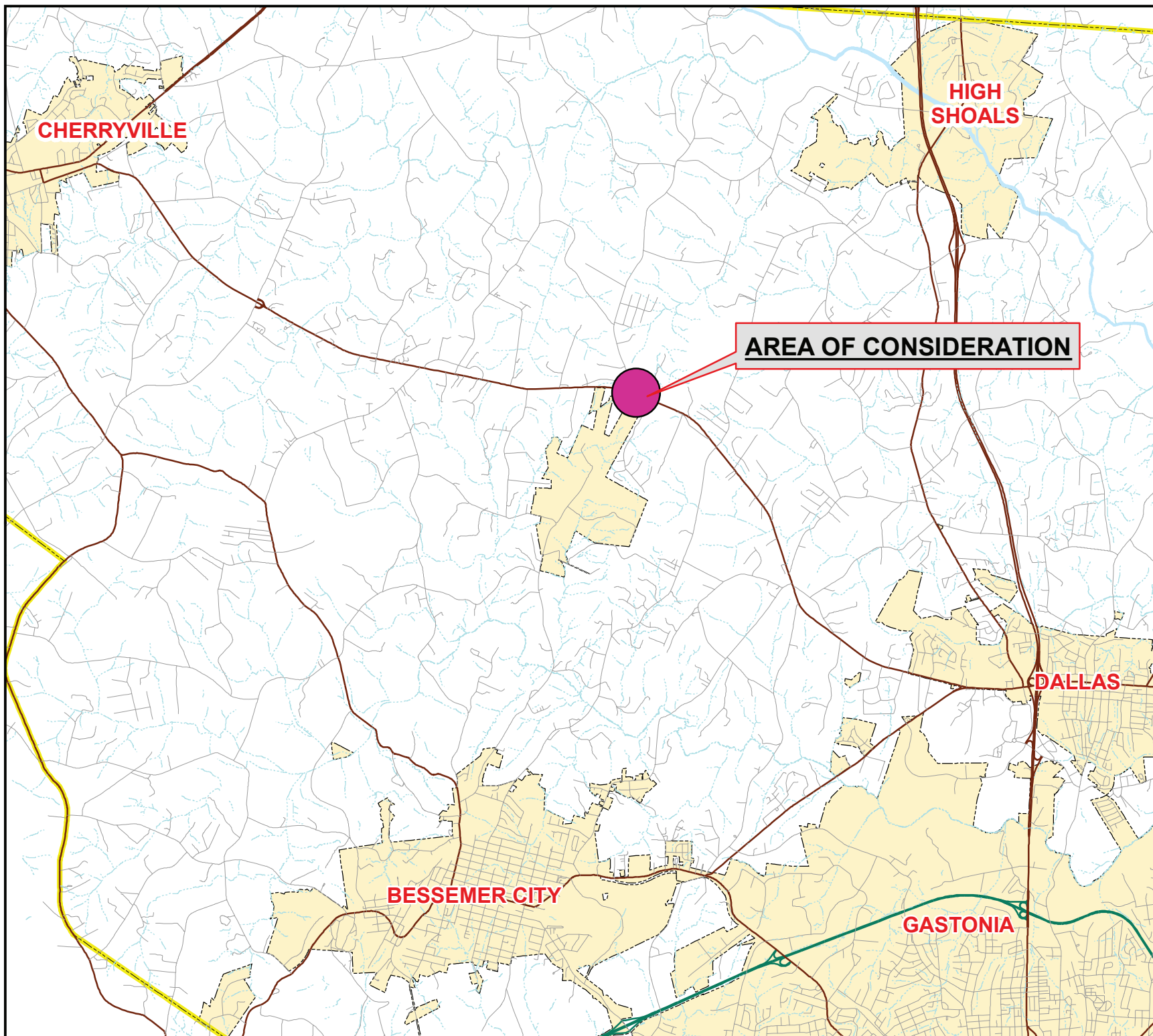
- Minor Roadways
- Major Roadways
- Area of Consideration
- Municipalities

Although strict accuracy standards have been employed in the compilation of this map, Gaston County does not make or imply any warranties or assume any responsibility for the information presented on this map or its use.

This map may not be used or otherwise used for trade or commercial purposes without the expressed written consent of Gaston County, in accordance with North Carolina General Statute 152-10.



0 1  
Miles








## Gaston County Overview Map

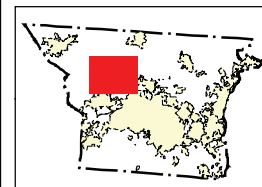
2019 Orthophoto

Z20-05

### Legend

 Subject Area

 Property Parcels



This map is intended for use by the Gaston County Board of Commissioners, in the review of mhp expansion requests.

Property parcels, zoning, transportation and other map information were compiled from one or more data layers. The data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

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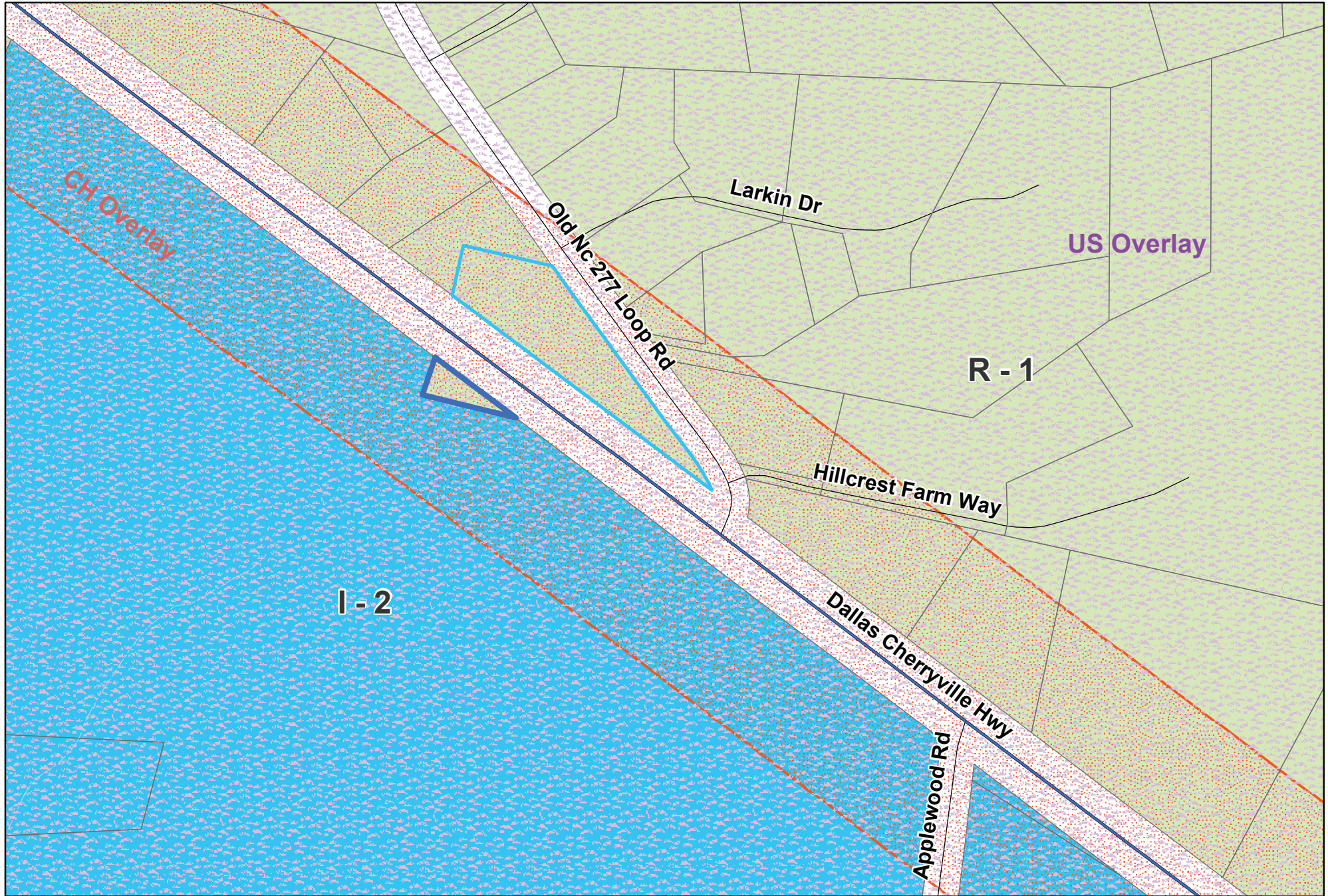
This map is for zoning purposes only - Not to be used for conveyance.

Note: For purposes of clarity, County Zoning is not shown at road right of ways and other selected features. Where different zoning is shown on opposite sides of the road and other features, the zoning areas are understood to meet at the center of the feature. In the event that a road right of way is underlaid and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.

0 135 270  
Feet



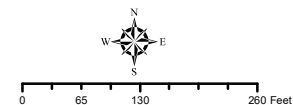
FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



# GASTON COUNTY Zoning Map

Applicant: Z20-05

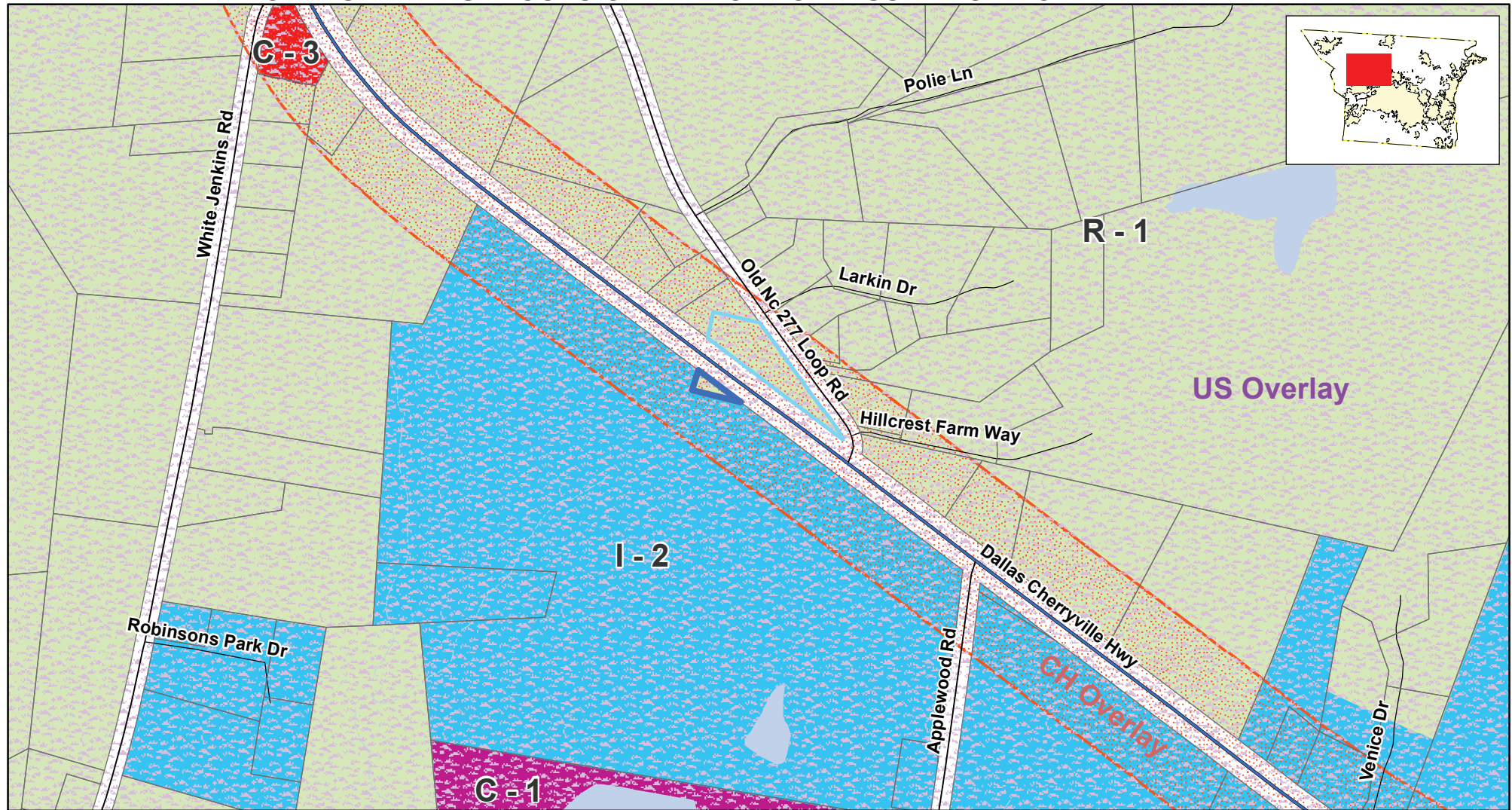
 Subject Area



(R-1) Single Family Limited  
(I-2) General Industrial  
(CH) Corridor Highway Overlay  
(US) Urban Standards Overlay



# FOR DISPLAY PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE



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Property parcels, zoning, transportation and other map information were compiled from one or more data layers. The data is periodically updated, however all data layers may not be displayed. Street names are subject to change.

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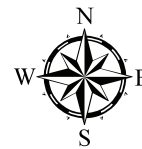
Note: For purposes of clarity, County Zoning is not shown at road right of ways and other selected features. Where different zoning is shown on opposite sides of the road and other features, the zoning areas are understood to meet at the center of the feature. In the event that a road right of way is undedicated and removed, areas with different zoning types will meet in the center of the area. Please see the Zoning Administrator for additional information.



## GASTON COUNTY ZONING REVIEW MAP

- R-1 Single Family Limited
- I-2 General Industrial
- C-1 Light Commercial
- C-3 General Commercial
- CH Corridor Highway Overlay
- US Urban Standards Overlay

Area of Consideration



0 115 230 460 690 920 Feet

Applicant: Z20-05  
Tax ID(s): 170401 (part of)  
Request Re-Zoning From:  
(R-1) Single Family Limited  
w/ (CH) Corridor Highway &  
(US) Urban Standards Overlays  
To: (I-2) General Industrial  
w/ (CH) Corridor Highway &  
(US) Urban Standards Overlays

Map Date: 01/12/2020





**Z19-05 Subject and Adjacent Properties Map**

See reverse side for listing of property owners

-  Area of consideration
-  Subject parcel

**Z20-05 Owner and Adjacent Property Listing**

<u>NO:</u>	<u>PARCEL</u>	<u>OWNER NAME</u>	<u>OWNER NAME 2</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
*	170401	NC STATE HIGHWAY DEPT		128 W MAIN AVE	GASTONIA	NC	28052
1	301851	GASTON COUNTY		PO BOX 1578	GASTONIA	NC	28053
2	170404	NORTON GENA GAY	NORTON JAMES ROGER	205 OLD NC 277 LOOP RD	DALLAS	NC	28034
3	170257	CLONINGER ROGER D	CLONINGER SHERRY B	107 LARKIN DR	DALLAS	NC	28034
4	170254	CLONINGER SHERRY B		107 LARKIN DR	DALLAS	NC	28034
5	170264	BEST DARRELL RAY		112 OLD NC 277 LOOP RD	DALLAS	NC	28034
6	170263	BEST DARRELL R	BEST PAULA	112 OLD NC 277 LOOP RD	DALLAS	NC	28034
7	170267	BEST ANTHONY L		110 OLD NC 277 LOOP RD	DALLAS	NC	28034
8	170261	RKC DALLAS LLC		PO BOX 100	DALLAS	NC	28034
9	210572	HCF DALLAS LLC		PO BOC 100	DALLAS	NC	28034
10	220567	HCF DALLAS LLC		PO BOX 100	DALLAS	NC	28034