



## 2025 Public Hearing Application

### ATTENTION ALL PUBLIC HEARING APPLICANTS

Before filling out a public hearing application, please contact the Planning Department to schedule a pre-application meeting. This meeting is necessary to review the city's long range plans in the area and to discuss the appropriate zoning classification for the development.

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- Please note that the deadlines listed in the 2025 Public Hearing Schedule are not negotiable. If you bring in an application past the submittal deadline, it will be placed on the following month's public hearing schedule.
- If you wait until the last day to bring in your application, and it is incomplete, your application will be postponed until the next submittal schedule.
- City of Gastonia staff will review your application, site plan, and other submitted materials and notify you of any necessary revisions that should be made. The 2025 Public Hearing Schedule is a general guideline for projects going through the rezoning and annexation process. Items will only be placed on a Planning Commission agenda once all reviews and required submittals are deemed complete by staff.

Thank you for your cooperation!

*Planning Department Staff*

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## Application Instructions

1. Please read all instructions carefully. Failure to do so may result in an application being returned due to incorrect or insufficient information.
2. Fill out the "City of Gastonia Application for Public Hearing ". The information for item #2 is on the tax sheet for the property in question. A copy of the deed will supply the information needed for item #4. The map for item #9 should be a tax map, which is acquired from the Gaston County tax office located at 100 East Garrison Avenue or via the Gaston County web site (<http://gis.gastongov.com/>). If you intend to file a Conditional District application, please talk with the staff for additional information. If you are applying for an ordinance amendment, do not fill out the rezoning application; rather, fill out the "Application for Ordinance Amendment".
3. Using the tax map, identify and label the subject property.
4. Using the tax map, identify all adjoining properties. This will include any properties within one hundred (100) feet of the subject property and those across streets unless otherwise noted.
5. The parcel identification number (PID) is located on the tax sheet for each property. This number is unique to every parcel of land in the county. Identify the adjoining property owners with a list of the tax identification numbers and print a tax sheet for each property and for the subject property. N.C. State Law requires that all adjoining property owners, based on the latest tax records, be notified of any proposed zoning changes. The property cards are to be submitted to the City as a permanent record of the adjoining property ownership.
6. The City will mail notices to property owners within 100 feet of the subject property.
7. The following must be received by the Planning Department on or before the deadlines as noted below:

Completed Application – **By Submittal deadline as noted on the public hearing schedule**

Tax Map(s) – **By Submittal Deadline**

Tax Sheets for all properties including subject property – **By Submittal Deadline**

Copy of Deed(s) for subject property(ies) – **By Submittal Deadline**

Application Fee (see attached fee schedule) – **Fees are applied electronically after application has been submitted. Fees will need to be paid before staff will start the review.**

Survey or Site Plan (if applicable) – **By Submittal Deadline**

Architectural Elevations (for CD Requests) – **Prior to Staff Review Comments Deadline**

Neighborhood Meeting report (for CD requests) – **No later than 15 days prior to Public Hearing Date**

8. Please note that when a General or Conditional Rezoning also includes a petition **for Annexation**, the process will follow the **Annexation** timeline, and both Public Hearings will be decided by City Council.
9. In addition to the above requirements for Conditional District Zoning Requests, all applicants' must install sign(s) on the property notifying the public about the development application. The sign shall be 4' by 4' and utilize a template approved by the City (Contact staff for examples). This sign shall be installed at least 10 days prior to the proposed neighborhood meeting or 20 days prior to the date of the Planning Commission Meeting.

**Please call and make an appointment with the Planning Department Staff to determine if your application is complete. All applications must be complete by 5:00 p.m. on the deadline date and submitted electronically at: <https://devsvcs.gastonanc.gov/> or they will be held over until the next month's deadline.**



## CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): \_\_\_\_\_

\_\_\_\_\_

*Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.*

2. Gaston County Tax Identification Number(s): \_\_\_\_\_

\_\_\_\_\_

3. Subject property addresses: \_\_\_\_\_

\_\_\_\_\_

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'x' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? \_\_\_\_\_

7. The real property to be rezoned is owned in fee simple by \_\_\_\_\_ as evidenced in deed from (date) \_\_\_\_\_ recorded in DB: \_\_\_\_\_ PG: \_\_\_\_\_ in the Gaston County Registry

8. The real property for which the above request is sought is located on the \_\_\_\_\_ side of \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_ having a frontage of \_\_\_\_\_ feet and depth of \_\_\_\_\_ feet and acreage of \_\_\_\_\_.

9. Are sewer and water available on the property? \_\_\_\_\_

10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary). \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

12. Name and address of applicant: \_\_\_\_\_  
Telephone #: \_\_\_\_\_ E-mail address: \_\_\_\_\_

13. Interest in subject realty: \_\_\_\_\_

14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. \_\_\_\_\_ True \_\_\_\_\_ False

15. Has this property previously been subject to any of the following (please add case # and date)?
- Conditional Use Permit \_\_\_\_\_
  - planned unit development \_\_\_\_\_
  - subdivision ordinance \_\_\_\_\_
  - Planned Residential Development \_\_\_\_\_
  - Other Conditional District \_\_\_\_\_

If yes, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Name and address of person to present item at public hearing: \_\_\_\_\_  
\_\_\_\_\_  
Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

\*\*\*\*\*

I, \_\_\_\_\_, certify that I have read the information provided in the public hearing information package on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**SIGNATURES: All property owners must sign when a CD is requested.**

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

## PLANNING COMMISSION AND CITY COUNCIL MEETINGS

### The Planning Commission

The Planning Commission usually holds its regularly scheduled monthly meeting on the first Thursday *after* the first Tuesday of each month at 5:30 PM. in the Council Chambers of City Hall (current year schedule attached).

Anyone wishing to speak on a public hearing item is required to sign up at the meeting. Meeting Format:

- The Planning Commission Chair will read a brief description of each public hearing item.
- The Chair will then call on the planning staff to present the item.
- The Chair will call on the applicant or the applicant's representative to present the application. At this time, applicant(s) should explain to the Commission the reasons for the request and give detailed information. The Commissioners will then have the opportunity to ask questions.
- The Chair will then call on others from the public to speak both for and against the request based on the sign-in sheet provided.
- The Chair will give each side a chance for rebuttal.
- After all testimony has been presented, the Commission may ask question of staff, the applicant or others.
- The Commission will close the public hearing. Once this is done no one may speak to the Commission unless the Commission directly asks a question or re-opens the public hearing.
- The Commission will then discuss the application and make a decision to approve in whole or in part, deny, or continue. The Commission's decision may be rendered within 45 days of the hearing, however, it is most often made at the same meeting.
- The decision of the Commission is only a recommendation for those items that automatically go to City Council, such as an Annexation petition.
- The decision of the Commission on items that do not automatically go to City Council is **FINAL, UNLESS:**
  1. It fails to achieve a three-fourths majority vote of the members present whom vote to grant or deny the request; or
  2. If the decision is appealed within 15 days of the Planning Commissions' decision.
- **Appeal forms** may be obtained from the Planning Department staff.

### Time Limitation for Public Hearings (PLANNING COMMISSION)

In order to promote more discussion of topics throughout the Planning Commission agenda the Commission has adopted the following time limitation policy for all zoning hearings:

- The Planning Department Staff will initiate the zoning hearing with a brief description and the recommendation, 10 minutes;
- The Proponents will present their case. Individuals limited to five (5) minutes per person, spokesperson may use all twenty (20) minutes.
- The Opponents will present their case. Individuals limited to five (5) minutes per person, spokesperson may use all twenty (20) minutes.
- A total of five (5) minutes will be allowed to both proponents and opponents for rebuttal.

(Please note that as the Commission asks questions of the speaker, the time clock will be temporarily stopped until the question is answered and the speaker continues his presentation.)

The Planning Commission, following a majority vote, and if it believes that a particular situation warrants it, may extend the time; provided that the extension affords equal time to both sides, or it may waive the rules on time limitations. Prior to the hearing, Planning Department Staff will set up a table for people to make use of a sign-up sheet if they plan to speak on a zoning item. This will give the Chairman an idea of the anticipated number of speakers. Thus, total time and individual times may be adjusted in advance as needed. Failure to sign the sign-up sheet would not preclude someone the right to speak.

### **The City Council**

- If the case proceeds to the City Council, it will be heard at 6:00 P.M. on the third Tuesday of the month **following** the month of the Planning Commission hearing (see attached timetable), at the Public Forum room in the Gaston County Courthouse.
- Persons wanting special notice of the City Council hearing in the event the matter goes to City Council must sign up for notification on a list made available at the Planning Commission meeting.
- The City Council meeting will follow the same format as the Planning Commission meeting. This meeting is televised.
- The decision of the City Council is final.

### **Time Limitation for Public Hearings (CITY COUNCIL)**

In order to promote more opportunity for citizen input of topics throughout the City Council Agenda, the Gastonia City Council has adopted the following time limitation policy for all public hearings:

- The Planning Department Staff will initiate the public hearing, give a brief description of the request, and provide recommendations of both staff and the Planning Commission (Approximately 10 minutes).
- The Applicant(s) will present their case. (Generally, a total of 12 minutes will be allotted. This time may be allotted to a single spokesperson or may be divided in any manner between multiple speakers. The Applicant(s) should plan ahead as to how the speaking time is to be divided.)
- Proponents or Opponents, if any, will present their case. (Generally, a total of 12 minutes will be allotted. This time may be allotted to a single spokesperson or may be divided in any manner between multiple speakers. The Opponents should plan ahead as to how the speaking time is to be divided.)
- A total of five (5) minutes will be allowed to proponents for rebuttal.
- A total of five (5) minutes will be allowed to opponents for rebuttal.
- The staff will have 3 minutes clarify matters or respond to issues raised in the debate.
- Total potential time - 45 minutes.

At each City Council meeting the Planning Department Staff will have a table at which individuals wishing to speak should sign up. This will give the Mayor an idea of the anticipated number of speakers.

A staff member will indicate to each speaker when they have one minute remaining with a yellow light and when their allotted time has expired with a red light. Each speaker is asked to carefully monitor the signals so as not to infringe on another speaker's time.

\* If a particular situation warrants more time, the City Council, following a majority vote, may extend equal time to both the proponents and opponents.

### **City of Gastonia Continuance Policy**

One continuance per application, which may be granted by the Planning Commission and/or the City Council for a period not to exceed two months unless it is determined that extenuating circumstances, beyond the control of the applicant, warrants the granting of additional time.

## CONDITIONAL DISTRICT REZONING – ADDITIONAL INFORMATION

If you are filing a request for a parallel Conditional District (CD), additional information will be required. The conditional rezoning process allows particular uses to be established, but only in accordance with a specific development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and/or on the entire community which cannot be predetermined and controlled by general district standards or the criteria governing planned developments. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property; though the use itself could, if properly planned, be appropriate for the property and consistent with the objectives of these regulations, the adopted land use plan, and other plans for the physical development of the city as adopted by the City Council. The review process provides for the accommodation of such uses by a reclassification of property into a "parallel conditional district".

The CD approval process is established to address those situations when a particular use may be acceptable but the general zoning districts allowing that use would not be acceptable. Such zones may be approved or changed only by the Planning Commission or City Council. A CD is issued only in the presence of strong intent to develop the property. Before a public hearing may be held on a petition for a parallel conditional zoning district, the petitioner must file with the Planning Division a written report of at least **one (1) community meeting** held by the petitioner. The community meeting shall be held **at least 15 days** prior to the public hearing before the Planning Commission. Written notice of such a meeting shall be given to the property owners and organizations surrounding the property proposed for rezoning to a CD. **This notification will need to take place no later than 10 days (postmarked) prior to the scheduled neighborhood meeting.** Additionally, all applicants' must install sign(s) on the property notifying the public about the development application.

A four foot by four foot (4' by 4') sign utilizing a template approved by the City (Contact staff for examples) must be placed on the property.

After the community meeting is held, the applicant(s) shall submit the report to staff with the following information/materials at a minimum:

- A listing of those persons and organizations contacted about the meeting (minimum requirement is adjoining properties within 100 feet [excluding rights-of-ways]).
- A copy of the notification letter mailed to neighborhood indicating the date, time and location of the meeting
- A description of the issues and concerns identified by those that attended the meeting along with any changes to the rezoning petition made by petitioner as a result of the meeting.
- Original neighborhood sign-up sheet from the meeting

In the event the petitioner has not held at least one (1) meeting pursuant to this subsection, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held.

In order to file for a CD, applicants must fill out the public hearing application and provide all necessary supporting information. If a CD is accompanied by a site plan, it must be drawn to scale and shall include the following:

1. A boundary survey and vicinity map, showing the property's total acreage, general location in relation to adjoining streets, railroads and/or waterways; date and north arrow. Zoning classification of the property in question and contiguous properties shall also be shown (in lieu of the boundary and survey maps, one or more up-to-date tax maps depicting the areas in question may be substituted. Any required drawing or depiction of the proposed development or use shall not appear on the tax maps but rather shall appear on the site plan).
2. The owner(s)' names and addresses, tax parcel numbers and existing land use(s) of all contiguous properties.
3. The proposed use of all land and structures including the number of residential units proposed, if any, and total square footage of nonresidential development.
4. The location of all proposed structures, their approximate area and exterior dimensions, height and proposed number of structures.
5. A description of all screening and landscaping required by these regulations and/or proposed by the applicant; the delineation of any wooded, landscaped or grassed areas existing prior to development and proposed to remain on the property once the development is completed.
6. All existing easements, reservations and rights-of-way.
7. Proposed phasing, if any, and approximate completion time for the project.
8. Delineation of areas within the regulatory floodplain as shown on the official Federal Emergency Management Agency (FEMA) Flood Hazard Boundary Maps for Gaston County.

9. Traffic, parking and circulation lanes, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets.
- It is important to note that approval of a Conditional District (CD) rezoning is always contingent upon the project meeting all other city ordinances, including but not limited to subdivision regulations, engineering standards, zoning standards, etc. Approval of a Conditional District is NOT the same thing as site plan approval or building permit issuance. The conditions established at the Planning Commission hearing are *in addition* to any other city regulations. It is your responsibility to work with staff to determine all other city requirements applicable to your project.



**ADOPTED FEE SCHEDULE (FY 2024)**

| <b><u>App Type</u></b>             | <b><u>Base Fee</u></b> | <b><u>Per Acre Fee</u></b> |
|------------------------------------|------------------------|----------------------------|
| General Rezoning                   | <b><i>\$800</i></b>    | <b><i>\$35</i></b>         |
| Conditional District Rezoning (CD) | <b><i>\$2,000</i></b>  | <b><i>\$50</i></b>         |
| CD Amendment (PH Required)         | <b><i>\$800</i></b>    |                            |
| CD Amendment (Staff Approved)      | <b><i>\$500</i></b>    |                            |
| Special Use Permit                 | <b><i>\$800</i></b>    | <b><i>\$40</i></b>         |