

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 ten (10) 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. 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. 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.

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.