

Town of Dallas
Agenda
July 13, 2021
6:00 PM
BOARD OF ALDERMEN
Rick Coleman, Mayor

Allen Huggins

Frank Milton

Darlene Morrow

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

ITEM	SUBJECT	Page
1.	Invocation and Pledge of Allegiance to the Flag	
2.	Approval of Agenda with Additions Or Deletions	
3.	Approval of Minutes	
	A. June 8 th Regular Meeting, June 29 th Special Meeting, and June 29 th Work Session	2
4.	Recognition of Citizens: Time set by Mayor	
	A. Roy Jones, Electricities	
5.	Consent Agenda (to be acted on collectively, unless removed for further discussion)	
	A. Resolution Accepting American Rescue Plan Act Funds	10
6.	Public Hearings	
	A. Text Amendment – 160D Ordinance	12
7.	Old Business	
	A.	
8.	New Business	
	A. Planning Board/Board of Adjustment Vacancy	46
	B. Special Event Request – Rusty Rabbit Concert	47
	C. Special Event Request – Rusty Rabbit Oktoberfest	54
	D. Back to School Event	61
	E. Rosewood Drive Annexation Petition	68
	F. Rhyne Annexation Petition	78
	G. Finger Irrevocable Trust Annexation Petition	85
	H. Robinson Clemmer Road Annexation Petition	94
	I. Budget Amendment – 9/11 Memorial Service	104
9.	Manager’s Report	

MINUTES FOR BOARD OF ALDERMEN MEETING

JUNE 8, 2021

6:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Morrow, Alderman Milton, Alderman Withers, and Alderman Huggins.

The following staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Earl Withers, III, Fire Chief; Shannon Whittle, Town Clerk; Jonathan Newton, Finance Director; Rob Walls, Police Chief; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Brand Whitener, Recreation Director; and Tom Hunn, Town Attorney.

Mayor Coleman called the meeting to order at 6:00pm.

Mayor Coleman opened with the Invocation and the Pledge of Allegiance to the Flag.

Approval of Agenda:

Prior to setting the agenda, Mayor Coleman announced that all annexation and rezoning requests that were on previous agendas have been withdrawn by the property owners. Please see Exhibit 2A. He went on to request two further additions to the night's agenda, to be addressed as Items 8C and 8D. Alderwoman Morrow motioned to set the agenda with the additions, seconded by Alderman Withers, and carried unanimously.

Approval of Minutes:

Alderman Milton requested that the name "Starletta Harrison" be corrected to "Starletta Hairston" in the minutes from the May 11th Board of Aldermen Meeting. Alderman Milton motioned to approve the minutes from the May 11th Regular Board of Aldermen Meeting with this correction, as well as the minutes from the May 25th Work Session. Alderwoman Morrow seconded this motion and it was carried unanimously.

Recognition of Citizens:

At 6:04pm, the Mayor opened the floor to the Recognition of Citizens.

Starletta Hairston recognized the number of issues the Town has faced in the past year, as well as voiced her approval of the decisions to support the LYNX extension in Gaston County. She added that she is still opposed to the credit card surcharge enacted to alleviate fees charged to the town and is, otherwise, looking forward to all of the upcoming Town events.

Mike Fields also reminded everyone of the upcoming Town events and congratulated Chief Walls on receiving the Heart of a Leader Award.

Curtis Wilson requested to pray over the meeting.

Consent Agenda:

Item 5A Support for LYNX Silver Line in Gaston County Resolution

The key to supporting economic growth in the Charlotte MSA region is a rapid transit system. The Charlotte MSA region’s population is over 2.6 million people and is expected to reach over 3 million by 2030. The US Census Bureau (2018) and other entities have projected that 36,364 Gaston County residents are traveling into Mecklenburg County each weekday for work. More transportation options are needed to provide greater mobility to the existing residents, as well as the future residents, of Gaston County. Gaston County will need to work directly with the City of Charlotte, CATS, and the Metropolitan Transit Commission to secure sufficient funds to complete the extension of the LYNX Silver Line in to Gaston County. Attached is a resolution (Exhibit 5A) supporting the LYNX Silver Line in Gaston County and encouraging Gaston County to seek federal, state, and local funding options for the Silver Line extension project.

Item 5B Uncollectable Accounts in the Amount of \$23,496.09 to be Submitted to NC Debt Setoff

For authorization are uncollectable accounts from the months of December 2020 – February 2021. These accounts have been notified of their outstanding status in writing that if not paid within the notified timeframe that they would be forwarded to the NC Debt Setoff Program and that this debt would be taken from any State Income Tax Refund they are due, until the debt is satisfied. The individual account listing that generates the total uncollectable amount due are considered by State statute to be confidential to be confidential information, and therefore are not public record.

Item 5C Interlocal Agreement for Collection of Taxes

Attached is an updated Interlocal Agreement for Collection of Taxes by Gaston County (Exhibit 5C) for taxes due to the Town of Dallas. The agreement outlines the collection duties, payment schedule, and fees charged by the County in the performance of this function on behalf of the Town.

Alderswoman Morrow motioned to collectively approve all items under the consent agenda, seconded by Alderman Cearley, and carried unanimously.

Public Hearings:

6A Proposed FY 2021-22 Budget Ordinance

At 6:10pm, Alderman Withers motioned to enter into a public hearing, seconded by Alderman Huggins, and carried unanimously.

Town Manager, Maria Stroupe, provided a presentation addressing the key points of this budget. Enclosed (Exhibit 6A) is the proposed Budget Ordinance for Fiscal Year 2021-2022, including the proposed fee schedules. Preparation for this Budget Ordinance included a Strategic Planning meeting that was held on March 1, 2021, and the first Budget Work Session that was held on March 23, 2021. An original draft proposal was submitted to the Board on May 21, 2021 for review at the second Budget Work Session held on May 25, 2021. No changes were proposed to

the draft budget by the Board at the May 25th Work Session. As proposed, the FY 2021-2022 budget for the Town of Dallas would total \$17,944,427 (an increase of 3.70% from the pre-COVID FY2019-2020 budget), and includes the fund breakdown shown below. * Note: the FY2019-2020 budget did not include the Economic Development Fund, which makes up 1.70% of FY2021-2022m budget.

General Fund:	\$4,484,154
Water & Sewer Fund:	\$4,000,202
Electric Fund:	\$8,948,206
Economic Development Fund:	\$307,964
Storm Water Fund:	\$203,901

This budget is based upon an Ad Valorem (property) tax rate of \$0.42 (which reflects a \$0.02 change/\$100 valuation). This budget also includes a \$1.00 per month increase in the Garbage Collection fee and 6.0% increase in Water/Sewer rates. NC G.S. §159-12 requires that the Board hold a public hearing before adopting the budget ordinance so that any persons who wish to be heard on the budget may voice their comments. Once Ms. Stroupe finished her presentation, the floor was open to public comment.

Starletta Hairston congratulated the Town Manager and Staff on the presented budget and commended the Town on raising the entry pay level to \$15. She also inquired if there were plans to add electric vehicle charging stations.

Mike Fields asked if the Town had access to the office space located in the Court House instead of renovating a building and was informed that the Town does not have access to that building for full-time use.

At 6:48pm, Alderman Huggins motioned to exit the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously.

At this time, Alderman Huggins motion to approve the proposed FY2021-22 Budget and Fee Schedule as proposed, seconded by Alderman Withers, and carried by Alderman Milton. Alderman Cearley and Alderwoman Morrow were opposed and the Ordinance was passed with a 3-2 vote.

Old Business:

There was no Old Business to conduct.

New Business:

Item 8A American Rescue Plan Budget Amendment

On March 11, 2021, Congress approved the American Rescue Plan (ARP) in response to the COVID-19 global pandemic. The plan included funds to be appropriated to local governments. Dallas is estimated to receive a total of \$1.4M, with half received by June 15, 2021, and the other

half received 12 months later. Attached is a budget amendment for the Town to receive the first of two allotments of ARP funds. Guidance on use of these funds is being distributed and there are still points that need to be clarified, as uses are limited. Funds cannot be co-mingled with regular revenues, so Staff has set up a separate fund within the accounting system to clearly track the receipt and use of ARP monies. All funds must be obligated by December 31, 2024 and expended by December 31, 2026. Allowable uses include: revenue replacement of losses due to pandemic, investments in drinking water and sewer infrastructure, and broadband infrastructure. Please see Exhibit 8A. Alderman Milton motioned to approve the budget amendment as presented, seconded by Alderman Cearley, and carried unanimously.

Item 8B Electric True-Up and Refunds Budget Amendment

As part of the contract with Duke Energy, Dallas operates peak shaving generators. Each year based on a pre-determined formula, there is a true-up component that is also part of the Duke Energy contract. This true-up component can result in the Town of Dallas paying additional funds to Duke Energy, or Duke Energy paying the Town of Dallas a refund of prior payments based upon criteria in the contract. There have also been several audit reviews that we anticipate receiving refunds for in conjunction with the true-up. While we are still waiting for a final number, attached is a budget amendment reflecting anticipated revenues and budgeting it to purposes that will return value to the Town of Dallas. There are future needs to upgrade the Warehouse facility and Staff recommends placing the entire amount in a Capital Reserve Fund for these future needs in order to reduce dependence on debt. See Exhibit 8B. Alderman Withers motioned to approve the budget amendment as presented, seconded by Alderman Cearley, and carried unanimously.

Item 8C Juneteenth Recognition

Alderman Milton spoke on the importance of June 19th, also known as Juneteenth, the day the Emancipation Proclamation finally freed all of the remaining slaves in the South. Alderman Milton also spoke not only on the day's historical significance, but also about its importance to the African American community. It is important to recognize this day for the holiday that it is. Alderman Milton motioned to approve a resolution declaring June 19, 2021 as Juneteenth in Dallas, North Carolina and encouraging all citizens to join in celebration. Please see Exhibit 8C. This motion was seconded by Alderman Withers and carried unanimously.

Item 8D Rescheduling the June Work Session

Due to several items needing to be presented to the Planning Board before coming to the Board of Aldermen, Mayor Coleman has requested that the June 22nd Work Session be moved to June 29th. This will give Staff the opportunity to move things through the proper channels. Alderman Cearley motioned to move the June Work session from June 22nd to June 29th. This motion was seconded by Alderwoman Morrow and carried unanimously.

Manager's Report:

At this time, Ms. Stroupe informed the Board that work has begun on the parking lot on 102 E. Trade St. and reminded them that the second Concert and Cruise-In will be held this Saturday.

She also announced that Town facilities will begin accepting rental requests again beginning on June 15th. She closed by informing the Board that the requested park benches to be placed around the Square have been ordered, but do take 16 weeks for delivery.

Before closing the Meeting, Mayor Coleman asked Chief Walls to tell a bit about his recent training program he attended. Chief Walls was very enthusiastic in his recount and said it was a very positive experience. He was awarded the Heart of a Leader Award by his peers. Once the final leg of training hours is completed, he and Captain Fleming will both be certified by the State.

Chief Withers reminded everyone about the upcoming Carolina Brotherhood event on June 14th, which will be honoring Travis Wells.

Alderman Huggins motioned to adjourn, seconded by Alderman Milton, and carried unanimously. 7:15 pm.

Rick Coleman, Mayor

Shannon Whittle, Town Clerk

MINUTES FOR BOARD OF ALDERMEN SPECIAL MEETING

JUNE 29, 2021

4:00 pm

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Morrow, Alderman Milton, Alderman Withers, and Alderman Huggins.

The following Staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Shannon Whittle, Town Clerk; Robert Walls, Police Chief; Jonathan Newton, Finance Director; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Earl Withers, III, Fire Chief; and Brandon Whitener, Recreation Director.

Mayor Coleman called the meeting to order at 4:00 pm.

The Mayor then opened with the Pledge of Allegiance to the Flag.

New Business:

Item 3A Budget Amendments

As Fiscal Year 2020/2021 comes to a close, it is necessary to approve several budget amendments for unforeseen items occurring within the year. Exhibit 3A consists of the budget amendments to receive and allocate funding from the CARES Act, as well as an amendment to document the lease of the Recreation Department vehicle. Alderwoman Morrow motioned to approve the budget amendments as presented, seconded by Alderman Huggins, and carried unanimously.

Alderman Huggins motioned to adjourn, seconded by Alderman Milton, and carried unanimously. 4:05 pm.

Rick Coleman, Mayor

Shannon Whittle, Town Clerk

MINUTES FOR BOARD OF ALDERMEN WORK SESSION
JUNE 29, 2021
5:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Morrow, Alderman Milton, Alderman Withers, and Alderman Huggins.

The following Staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Shannon Whittle, Town Clerk; Robert Walls, Police Chief; Jonathan Newton, Finance Director; Bill Trudnak, Public Works Director; Doug Huffman, Electric Director; Earl Withers, III, Fire Chief; and Brandon Whitener, Recreation Director.

Mayor Coleman called the meeting to order at 4:05 pm, directly following the close of the Special Meeting.

The Mayor chose to forgo the Pledge of Allegiance to the Flag, as that had also been completed earlier at the Special Meeting.

The Mayor then requested to add to additions to the agenda, to be addressed under New Business as Items 3C and 3D, respectively. Alderman Milton motioned to approve the agenda with both additions, seconded by Alderwoman Morrow, and carried unanimously.

New Business:

Item 3A Zoning Text Amendment: Side Yard Setback

At the May 28th Board of Aldermen Work Session, Staff was directed to begin updating the side yard depth in the R-5 and R-6 districts. After discussion, the consensus settled at an 8' minimum. This represented a 2' additional side yard setback in both the R-5 and R-6 zoning districts. This updated not only affects all future development (that does not qualify for permit choice or has vested rights), but also affects existing R-5 and R-6 properties. Also impacted are I-2, B-1, B-2, B-3, and B-3P zoned properties with buildings that are used, wholly or in part, for residential purposes. These properties shall comply with the requirements for the R-6 zone. Additional side yard setbacks will make numerous properties non-conforming and minimize the buildable area. The current R-6 setbacks were adopted in 2016 and R-5 setbacks were adopted in 2019. The Planning Board unanimously recommended that the text amendment not be approved. Attached is the proposed change to Appendix A, sample requirements from neighboring communities, the current zoning map, and the Planning Board recommendation. Please see Exhibit 3A. After a lengthy discussion, the Board took a break at 5:02 pm and resumed at 5:26 pm. The Board decided to leave the zoning as is and will continue on a case-by-case basis. This issue will not be brought back for voting as a text amendment.

Item 3B Zoning Text Amendment: 160D Updates

North Carolina General Statute 160D consolidates current city and county enabling statutes for development regulations, currently Chapters 153A and 160A, into a single, unified chapter.

Local governments have until July 1, 2021 for the development, consideration, and adoption of necessary amendments to conform local ordinance to the new law. Town Staff has worked with Centralina Regional Council to update the existing ordinance to comply with the Chapter 160D. An overview of updates has been provided in the agenda packet. The full ordinance can be displayed digitally during the meeting at Board request. Please see Exhibit 3B for accompanying information. This text amendment will be adopted at the July Board Meeting.

Item 3C Parking at 910 Park Rd.

The mayor wished to address the dangerous parking situation taking place at 910 Park Rd. Chief Walls will give the residents the opportunity to rectify the situation before the Town takes further steps. If they do not comply, that section of Park Rd. will be added to the No Parking Schedule.

Item 3D Use of Courthouse by the Museum

The Mayor informed the Board that the Gaston County Museum wishes to use the courthouse on Friday nights this summer as a contingency plan for their outdoor concerts in case of rain. These should be once a month for the next 3-4 months. There was some concern over whether or not this would render the space unavailable for rental at these times. A letter or email will be sent addressing these concerns.

Alderman Huggins informed everyone that the Dallas High School Alumni Group will hold a memorial service on July 13th on the Court Square from 1pm -2pm. This will be to honor those who have passed away from COVID-19 complications.

Alderman Cearley informed the Board that he and the 9/11 Committee are compiling a list of names and would love any information on anyone who was directly affected by the tragic events of 9/11. A brief memorial service will be held before the concert on that day.

Ms. Stroupe reminded everyone that there will be a concert and fireworks in Town on July the 4th, as well as that there is a new food truck at the Court Square.

Alderman Cearley motioned to adjourn, seconded by Alderwoman Morrow, and carried unanimously. 5:55 pm.

Rick Coleman, Mayor

Shannon Whittle, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Resolution Accepting American Rescue Plan Act Funds

AGENDA ITEM NO. 5A

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

Based on the most recent guidance and recommendations pertaining to receipt of funds from the American Rescue Plan Act (ARPA), attached is a resolution formally accepting these funds in the Town of Dallas. The resolution outlines acceptance and procedures related to receiving and using the funds. Also included in the resolution is designation of authority to receive the funds.

MANAGER RECOMMENDATION: Approve the resolution Accepting American Rescue Plan Act funds, as presented.

BOARD ACTION TAKEN:

Accepting American Rescue Plan Act Funds

WHEREAS, the Town of Dallas is eligible for funding from the Coronavirus State and Local Fiscal Recovery Fund of H.R. 1319 American Rescue Plan Act of 2021 (CSLFR); and

WHEREAS, the North Carolina General Assembly will provide for the distribution of funds to eligible North Carolina municipalities; and

WHEREAS, before receiving a payment, the Board of Aldermen is required to formally accept the CSLFR funds; and

WHEREAS, revenue received under the CSLFR must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law; and

WHEREAS, revenue received under the CSLFR must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the Town of Dallas must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLFR funds.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Dallas that we do hereby accept and request CSLFR funding to be distributed by the State of North Carolina; and

BE IT FURTHER RESOLVED, that the Town of Dallas affirms that the CSLFR revenue will only be used for the purposes prescribed in the CSLFR, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

BE IT FURTHER RESOLVED, that the Town of Dallas will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

BE IT FURTHER RESOLVED, that the Town of Dallas will account for CSLFR in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLFR funds; and

BE IT FURTHER RESOLVED, that the Town of Dallas Board of Aldermen designates and directs the Mayor and Town Manager to take all actions necessary on behalf of the Board of Aldermen to receive the CSLFR funds.

Adopted this the 13th day of July, 2021.

Rick Coleman, Mayor

Attested by:

Sarah Hamrick, Acting Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Zoning Text Amendment: 160D Updates

AGENDA ITEM NO. 6A

MEETING DATE: 7/13/2021

BACKGROUND INFORMATION:

North Carolina General Statute 160D consolidates current city- and county-enabling statutes for development regulations, currently Chapters 153A and 160A, into a single, unified chapter.

Local governments were mandated to adopt these updates to be effective July 1, 2021 to conform local ordinances to the new law.

Town Staff has worked with Centralina Regional Council to update the existing ordinance to comply with Chapter 160D.

An overview of updates has been provided in the agenda packet. Once approved, the ordinance will have an effective date of 07/01/2021. The full ordinance can be displayed digitally during the meeting at Board request.

MANAGER RECOMMENDATION: Approve the 160D Updates as a Zoning Text Amendment to conform to state law, as presented.

BOARD ACTION TAKEN:

Consistency Statement

The proposed text amendment updates to Chapter 152 Subdivision Regulations and Chapter 153 Zoning Code are consistent with the 2003 Land Use Plan of the Town of Dallas, in order to maintain and enhance the Town’s aesthetic qualities and physical character. The updates are therefore deemed reasonable and in the public’s best interest as North Carolina General Statute 160D consolidates current city- and county- enabling statutes for development regulations which must be followed across the state.

Curtis Wilson, Chairman

Date

North Carolina General Statutes Chapter 160D

Dallas Zoning Code Update

The Dallas Zoning Code has been reviewed and amended for compliance with the North Carolina General Statutes Chapter 160D. The purpose of this update is to provide for more clarity and uniformity within the code. The following updates are required by law to be adopted by July 1st 2021.

A) Statute References:

- Updated any reference to G.S. Chapter 160A to indicate relevant provisions in Chapter 160D (Example; 160A-376 now 160D-802)

B) 160D - 102:

- Aligned ordinance terminology with Chapter 160D terminology for *conditional zoning* and *special use permits*; deleted use of the terms conditional use permit, special exception, conditional use district zoning, and special use district zoning.
- Aligned ordinance terminology with Chapter 160D terminology, including for the following terms: administrative decision, administrative hearing, determination, developer, development, development approval, development regulation, dwelling, evidentiary hearing, legislative decision, legislative hearing, planning and development regulation jurisdiction, and quasi-judicial decision

C) 160D – 108:

- Vested rights procedures added to zoning code

D) 160D – 109:

- Clarity on what constitutes a conflict-of-interest for governing and advisory boards incorporated into zoning code.

E) 160D – 403:

- Clarity on zoning enforcement procedures for inspecting premises and notice of violations.

F) 160D- 405:

- Clarity on who may conduct evidentiary hearings for quasi-judicial decisions.

G) 160D – 601:

- Clarity on third-party down-zonings being prohibited; may only process down-zonings initiated by the local government or landowner

H) 160D – 602:

- Clarity on zoning-map amendments; must provide notice not only to immediate neighbors but also to properties separated from the subject property by street, railroad, or other transportation corridor

I) 160D – 947:

- Clarity on appeals from quasi-judicial decisions; must be filed within thirty days after the decision is effective or written notice is provided

General Provisions																																				
153.002 Definitions, 6	The following table will label the current zoning districts of the Town of Dallas and illustrate the allowed uses accordingly. However, due to the plethora of zoning districts within the town, commercial shall connote all business districts, which include office use, neighborhood business use, central business use, etc. Institutional shall mean schools, churches, etc. Industrial shall imply the I-1 and I-2 districts that allow manufacturing. Residential shall signify R-12, R-10, R-8, and R-6 districts. The letters (P) shall represent permitted use, (SC) shall represent conditional special use, and (H) shall represent home occupation.																																			
153.002 Definitions, 6	<table border="1"> <thead> <tr> <th colspan="5">TABLE OF USES</th> </tr> <tr> <th></th> <th>Residential</th> <th>Commercial</th> <th>Industrial</th> <th>Institutional</th> </tr> </thead> <tbody> <tr> <td>Child day care center</td> <td></td> <td>P</td> <td></td> <td></td> </tr> <tr> <td>Child day care center accessory</td> <td></td> <td>P</td> <td>ES</td> <td></td> </tr> <tr> <td>Child day care center A</td> <td></td> <td></td> <td></td> <td>P</td> </tr> <tr> <td>Child day care center B</td> <td>H</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Child day care center C</td> <td>ES</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	TABLE OF USES						Residential	Commercial	Industrial	Institutional	Child day care center		P			Child day care center accessory		P	ES		Child day care center A				P	Child day care center B	H				Child day care center C	ES			
TABLE OF USES																																				
	Residential	Commercial	Industrial	Institutional																																
Child day care center		P																																		
Child day care center accessory		P	ES																																	
Child day care center A				P																																
Child day care center B	H																																			
Child day care center C	ES																																			
153.002 Definitions, 6	<p><u>Conditional Zoning. A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment</u></p> <p>(No Existing Text in Ordinance)</p>																																			
153.002 Definitions, 6	DWELLING, MULTIPLE. A building or portion thereof used or designed for two or more dwelling units.																																			
153.002 Definitions, 7	DWELLING UNIT. A house or other structure or a portion of any building or structure designed, arranged or used for living quarters for one or more persons living as a single housekeeping unit, with cooking facilities, but not including units in hotels, trailers, or other structures designed for transient residence.																																			

153.002 Definitions, 13	<p><u>Special Use Permit. A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions.</u></p> <p>(No Existing Text in Ordinance)</p>
153.009 Accessory Structures, 29	<p>(3) <i>Oversized structures.</i> Any single structure on a lot, other than the primary structure, that is greater than 1,000 square feet shall require a conditional-<u>special</u> use permit, including but not limited to, garages, barns, horse corrals, or agricultural buildings.</p>
153.015 Adaptive Reuse of Historic Buildings, 44	<p>C) Adaptive reuse of historic buildings shall not be subject to the town's off-street parking requirements in § <u>153.042</u> and may be waived or modified by the Board of Aldermen in approving the special conditional-use permit for the adaptive reuse. Notwithstanding, any plans for off-street parking shall be submitted as part of the special conditional-use permit for the proposed adaptive reuse.</p> <p>(D) Lot area, width, and yard requirements of <u>Appendix A: Yard and Height Requirements for Residential Districts</u> and <u>Appendix B: Yard and Height Requirements for Business Districts</u> may be waived or modified by the Board of Alderman as part of the approved special conditional-use permit for the proposed adaptive reuse.</p> <p>(E) Uses allowed in an adaptive reuse building are limited to one or a combination of those uses allowed in the zoning district in which the adaptive reuse building is located.</p> <p>(F) Maximum residential densities in the underlying zoning district in which the proposed adaptive reuse building is located may be waived or modified by the Board of Alderman as part of the approval of the conditional special use permit. Notwithstanding, each residential unit must comply with minimum square footage requirements of North Carolina Housing Finance Agency Design Guidelines</p>
153.018 Manufactured/Mobile Homes, 47	<p>(A) Mobile home parks/subdivisions shall be located within a R-6 zone, and all new proposed locations shall be treated as a planned subdivision per G.S. § 160A-376<u>160D-802</u> and comply with the town's subdivision development standards.</p>

Zones Established; Regulations	
153.025 Cluster Development Overlay Districts, 55	(A) Cluster developments are by conditional <u>special use</u> use-permit only.
153.027 R-5 Single Family Residential, 57	<p>—(4) If the project contains multiple phases, the town may request a development agreement to be in place prior to approval of any subdivisions within this zone.</p> <p>(Section Relocated)</p>
153.045 Non-Conforming Uses, Buildings and Structures, 70	<p>153.045 NON-CONFORMING USES, BUILDINGS AND STRUCTURES.</p> <p>(A) Non-conforming uses.</p> <p>—(1) A non-conforming use shall not be extended; except, however, a non-conforming use of any building may be extended to any portion or portions of said building which were at the time such use became non-conforming manifestly arranged or designed for such use.</p> <p>—(2) No structural alterations shall be made in a building housing a non-conforming use, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building.</p> <p>—(3) (a) The non-conforming use of any building or structure which is damaged to an extent exceeding 50% of its then reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riots or Act of God, shall be discontinued, and such building or structure shall thereafter be used only in conformance with the provisions of the zone in which located.</p> <p>—(b) Any non-conforming use in existence five years prior to October 8, 2019 that is located within the B-3 Central Business District may continue to operate as its current non-conforming use in the event that the building or structure housing the non-conforming use is damaged, regardless of the extent, as long as a zoning and building permit as required for rehabilitation to resume operations is obtained within nine months of the damage occurrence.</p> <p>—(4) A non-conforming use shall not be changed to any but a conforming use. When a non-conforming use has been changed to a conforming use it shall not be changed again to any non-conforming use.</p> <p>—(5) No changes shall be made in the landscaping, grading of the lot, or external appearances of a non-conforming use without the grant by the Board of Adjustment of a special exception variance authorizing such change. The Board shall grant such an only upon an affirmative finding that the proposed change will have no adverse effect upon neighboring properties or upon the public and safeguards upon any such special exception it grants for the further protection of neighboring properties in the public welfare.</p> <p>—(B) Non-conforming buildings or structures. Non-conforming buildings or structures shall be allowed to remain subject to the following provisions:</p>

	<p>—(1) A non-conforming building or structure shall not be extended unless such extension shall comply with all the requirements of this chapter for the zone in which it is located.</p> <p>—(2) A non-conforming building or structure which is damaged to an extent exceeding 75% of its then reproduction value, exclusive of foundation by fire, flood, explosion, earthquake, war, riot or Act of God, shall not be reconstructed except in conformance with the provisions of this chapter.</p> <p>—(3) Non-conforming signs or billboards shall be eliminated or changed to conform with the provisions of this chapter within 18 months of the date such signs or billboards become non-conforming.</p> <p>(Ord. passed 11-3-1970; Am. Ord. passed 7-3-1972; Am. Ord. passed ---)</p> <p>(Section Relocated)</p>
153.0456 Density Credits, 71	N/A
153.047046 Planned Residential Developments, 78	<p>3) In keeping with the stated purpose of this section, PRD's are only allowed <u>as conditional zoning districts</u>on a conditional-use basis.</p> <p>Furthermore, planned developments are reviewed in terms of the overall density, quality of development, and building separation to ensure public safety. Therefore, the lot and setback requirements for single-family residential development and non-residential development are waived for individual lots within the PRD. In addition, the minimum street frontage requirement in section 18-34(a), Lot Layout, in the City of Gastonia Subdivision Ordinance, may be reduced in PRD's. Minimum distances between multi-family, townhouse, and atrium developments are set forth in division (B)(19) below.</p>

<p>153.047046 Planned Residential Developments, 86</p>	<p>(20) <i>Multi-phased projects.</i> Each phase of a multi-phased project shall be able to stand as an independent project. As used in this section, the term PHASE shall refer to that portion of the project for which the applicant requests special a conditional use permit. Only as part of a multi-phased project shall the density of residential development in a completed phase of the project area exceed the maximum density approved for the project. Two examples of this are as follows:</p> <p>(C) <i>Density bonus.</i> A density bonus of up to 31% over the basic density normally allowed may be approved by the Planning Commission or City Council when granting the conditional use permits <u>special use permit or conditional rezoning</u>. Such density bonus must be based upon the amount of common open space greater than that required by this section. The common open space calculation is derived from the gross project acreage and the acreage of common open space provided which meets the requirements of this section. For each one percent increase in the amount of common open space and improved common open space provided, the number of dwelling units allowed increases by .15. The table below indicates the density bonus allowed in an R-1/PRD.</p>
<p>153.048047 Planned Unit Developments, 88</p>	<p>(3) <i>Uses allowed within a PUD.</i> Uses allowed within a PUD shall be limited to those permitted or <u>conditional special</u> uses listed in the PUD district.</p>
<p>153.049048 Traditional Neighborhood Developments, 92</p>	<p>A traditional neighborhood development (TND) is a type of planned unit development (PUD); provided however, if it contains only residential land uses (and other nonresidential uses typically allowed by right in the applicable residential district) it may be deemed a type of planned residential development (PRD). Most TND's will require a rezoning to the PUD-CUD-CZ district. A TND that can meet the requirements for PRD within the applicable zoning district may be approved as a PRD by the conditional special use permit hearing-process (no rezoning required). All other TND's will require rezoning to the PUD-CUD-CZ district and the granting of a conditional use special use permit.</p>
<p>153.049048 Traditional Neighborhood Developments, 100</p>	<p>(D) Traditional neighborhood developments shall follow the same procedures for approval through the conditional special use permit process or through rezoning to the PUD-CUD-CZ District as set forth in § <u>153.050</u> with the following exceptions.</p>

Formatted: Not Strikethrough

153.050 049
Application
Requirements and
Review Procedures,
100

Planned residential developments (PRD's) and planned unit developments may be allowed as a conditional usespecial use in certain zones. ~~Planned unit developments also may take place in the PUD zoning district.~~ Rezoning property to a PUD district shall occur only under the ~~parallel conditional (CUD) zoning processconditional zoning process~~. ~~The process for reviewing conditional uses is found in article IX. The process for reviewing rezoning to the CUD-PUD district (i.e., under parallel conditional zoning) is found in article X.~~

(A) ~~Site plan required when applying for a conditional special use permit (CUP) (SUP) for a planned residential development (PRD) or a planned unit development (PUD) conditional use district (CUDconditional rezoning)~~. When a conditional usespecial use permit permit (SGUP) is needed for a PRD or a rezoning is needed for a PUD ~~zoning district~~, the applicant must first submit an application ~~for a CUP~~ in accordance with the ~~procedures in article IX (for a PRD in a district allowing PRD's), or an application for rezoning to a PUD-CUD district in accordance with the procedures found in article X.~~ applicable procedures for that which the applicant is seeking approval. For either of said applications, a site plan shall be submitted which includes ~~from subsection 17-262(a) of article IX, items (1), (2), (3), (6), (7), (8), (9) plus the following additional items: items listed in § 153.072 and §153.073 in addition to items listed here below:~~

- (1) The existing and proposed uses of land within the planned development including the number of residential dwelling units and approximate square footage of nonresidential structures, and the existing uses of land adjoining the development;
- (2) General locations of existing natural features of the site such as wooded areas, water features, and significant topographic features;
- (3) The proposed street layout with approximate pavement and right-of-way width. This also shall include proposed traffic circulation plans and proposed ingress and egress on to adjacent streets;
- (4) Existing property lines and approximate (sketch) locations of proposed property lines within the development showing all proposed lots or other divisions of land;
- (5) Sketch conceptual building locations;
- (6) The name, if any, of the proposed development; and
- (7) Streets and lots of adjacent developed or platted properties.

The above site plan is submitted in lieu of the site plan required under subsections 17-262(a) or 17-293(a); provided however, in reviewing the application the Zoning Administrator, Planning Commission, or City Council may request additional information from the applicant in accordance with subsections 17-262(a) or 17-293(a). The site plan shall be prepared by an engineer, architect, landscape architect, or land surveyor currently licensed and/or registered by the appropriate state board or by a land planner. All other review procedures prior to the issuance of the CUP-SUP or approval of the PUD-CUD shall be in accordance with ~~either article IX or article X, as applicable~~this ordinance.

	C) <i>Formal plan submission.</i> Following approval of the CUP-SUP or the PUD- CUD the applicant may submit his development plan to the City Engineer and the Zoning Administrator.
153.054 050 Supplemental Use Regulations, 103	N/A
Screening	
153.063 Screening and Landscaping, 106	<p>(4) Other situations as specifically listed in the zoning district regulations or in the conditional-special use regulations.</p> <p>(5) All manufactured home parks shall be screened along the rear and side property lines. They shall also be screened from all other lots which lie in a Residential (R) District.</p> <p>(B) <i>Location of screening.</i> Any screening required by divisions (A)(1), (2) and (4) above shall be located along side and/or rear property lines of the lot(s) in question except that screening shall not be required along any street or railroad-right-of-way unless otherwise stipulated in this chapter or required as a condition for a conditional-permitspecial permit.</p>
Parallel-Conditional Use Districts and Conditional-Use Permit Conditional Districts and Special Use Permits	
153.070 Intent, 109	<p>(A) The establishment of conditional districts-rezoning districts (CZD) and issuance of appropriate conditional use permits (CSUP) provide important flexibility to this chapter. It is recognized that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions.</p> <p>(B) The Conditional Zoning (CZD) District process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. The development of these uses cannot be predetermined or controlled by general district standards. In order to accommodate these uses, this Section establishes the conditional zoning process. The process for approval of a CD-Conditional Zoning District is explained in § <u>153.072</u>.</p> <p>(C) The rezoning of any parcel of land to a CDZ-districtCZ district shall be a voluntary process initiated by the property owner or his authorized agent. Any area rezoned to a conditional district shall be in strict compliance with the goals, objectives and implementation strategies of the Town of Dallas' most current Future Land Use Plan and all other plans and regulations officially adopted by the Town of Dallas Board of Alderman. The review process established in this Section provides for the accommodation of such uses by a reclassification of property into a CD-Conditional Zoning District,</p>

Formatted: Font color: Auto, Not Strikethrough

Formatted: Not Strikethrough

	<p>subject to specific conditions (which may exceed those that would otherwise be required for the use in question), which ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the town. A conditional zoning district is not intended for securing early zoning for a proposal.</p>
<p>153.072 Conditional Zoning Districts; Application, Permitted Uses and Development Requirements, 110</p>	<p>(A) <i>Purpose.</i> The "parallel-conditionalconditional zoning" district (CZD) approval process is established to address those situations when a particular use may be acceptable but the general zoning districts which would allow that use would not be acceptable. Such zones may be approved or changed only by the Planning Board or Board of Alderman in accordance with the regulations contained herein. The review process established herein provides for the accommodation of such uses by a reclassification of property into a "parallel-conditional" district.</p> <p>(1) Rezoning of property to any parallel-conditionalconditional district is a voluntary procedure on the part of the property owner.</p> <p>(2) Any use permitted under this process also must conform to the development regulations for the corresponding general zoning district.</p> <p>(3) Unlike requests for rezoning to a general zoning district, an applications for a CD-zoningconditional zoning may be filed only by the owner of the property in question or the owner's authorized agent.</p> <p>(4) Provisions for seeking conditional use approval without an associated request for CD zoning are contained in § 153.073 of this chapter.</p> <p>(B) <i>Application process.</i></p> <p>(1) Petitioning for a CD-zoningconditional zoning district is a voluntary procedure and can be initiated only by the owner(s) of the property(ies) in question or by his/her authorized agent. No CD-zoningconditional zoning district may be established until an application has been submitted and the Board of Alderman has approved such application. The Administrator shall schedule a meeting with the applicant, prior to any public information meeting (PIM) being advertised and/or held to review the rezoningconditional rezoning application.</p> <p>(2) Furthermore, no application shall be considered complete unless it is accompanied by all items required by this section and a fee, in accordance with a fee schedule approved by the governing board for the submittal of an application for rezoning to a CD-districtconditional district. Said fee shall be waived for any application submitted by any official or agency acting on behalf of the Town of Dallas, Gaston County or the State of North Carolina.</p> <p>(3) The Administrator may require the petitioner to submit more than one copy of the conditional rezoning application in order to have enough copies available to circulate to other government agencies for review and comment. When dealing with the conditional zoning district process, it may</p>

be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board or Board of Alderman may request additional information as they deem necessary.

(C) *Public involvement meeting.*

(1) Before a public-legislative hearing may be held on a petition for a ~~parallel~~-conditional zoning district, the petitioner must file with the planning department a written report of at least one community meeting held by the petitioner. ~~The community meeting shall be held prior to the public hearing before the Planning Board.~~

(2) Written notice of such a meeting shall be given to the property owners and organizations entitled to notice as provided by § 153.124.

(3) The report shall include among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time and location of the meeting, and a description of any changes to the rezoning-conditional rezoning petition made by petitioner as a result of the meeting. In the event the petitioner has not held at least one 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. The adequacy of a meeting held or report filed pursuant to this section shall be considered by the Planning Board and/or the Board of Alderman but shall not be subject to judicial review.

(D) *Submittal to Zoning Administrator.* Before any property is rezoned to a ~~(CDCZ)~~ conditional district, the application must be reviewed by the Planning Board, and a public-legislative hearing first must be held by the Board of Alderman. Upon submission of a completed application, the applicant will be informed of the dates of the meetings and public-legislative hearing. The Planning Board review shall be held first and shall take place no sooner than five weeks after the complete application has been submitted to the zoning administrator. Notification of the public-legislative hearings shall be made as provided by § 153.124.

(E) *Planning Board review.* Once the Planning Board public-hearing review has been concluded, the Planning Board shall have up to 45 days to render a recommendation on the ~~parallel~~-conditional rezoning. Any recommendation ~~on a parallel-conditional district rezoning~~ shall be accompanied by a statement describing whether the action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explaining why the Planning Board considers the action taken to be reasonable and in the public interest. Once a recommendation is received by the Planning Board, the Administrator will coordinate with the applicant to set a date for the public-legislative hearing to be held at a Board of Alderman meeting, to be followed by a decision.

(F) *Board of Alderman action.* Any public-legislative hearing held by the Board of Alderman pertaining to the ~~zoning of a property to a CD district~~ Conditional Zoning must be ~~conducted~~ set within 60 days of the date of recommendation. The Board of Alderman may open and continue this hearing and take action at a later date. The Board of Alderman will be

apprised of the Planning Board's previous actions on the matter at hand. Any decision on a ~~parallel conditional district rezoning~~ Conditional Zoning shall be accompanied by a statement describing whether the action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explaining why the Board of Alderman considers the action taken to be reasonable and in the public interest.

(G) *Conditions to approval of petition.* ~~The decision to rezone property to a CD district~~ Conditional Zoning shall be legislative in nature. In approving a petition for the reclassification of a piece of property to a ~~(CD)conditional~~ district, the Board of Alderman may ~~require that agree to~~ reasonable and appropriate conditions ~~be~~ attached to approval of the petition. Such conditions shall be limited to those that address the conformance of the development and use of the site to Town Ordinances and an officially adopted comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the governing board. In no instance shall any of these conditions be less restrictive than any requirements that would otherwise pertain to that particular development if it were located in a general ~~or parallel conditional use~~ zoning district. ~~The applicant must provide written consent to the mutually agreed upon conditions.~~ Such conditions may exceed any performance criteria or minimum requirements listed elsewhere in this chapter that pertain to that development. Statements that:

(3) Why it considers the action taken to be reasonable and in the public interest shall be prepared and accompany each final decision relative to the ~~CD rezoning~~ conditional rezoning request.

(I) *Effect of approval; zoning map designation.* If a petition for a conditional district is approved, the district that is established and all conditions which may have been attached to the approval are binding on the property as an amendment to the zoning map. Subsequent development on the property in question shall be in accordance to the standards for the approved conditional district, the site plan, and any conditions attached to the approval. The applicant shall be responsible for all expenses involved in the dedication of rights-of-way when such dedication is a condition of the rezoning. Following the approval of the petition ~~for a CD district for a conditional zoning district~~, the subject property shall be identified on the Zoning Map by the appropriate district designation. ~~The future land use map shall be deemed amended when an inconsistent rezoning is approved by the Board of Aldermen. If a use requiring a conditional use permit is included in the approval of the conditional district, and said conditional use was clearly indicated within the conditions and/or on the approved site plan, and meets all other applicable standards of this chapter, no additional hearing is required for the conditional use permit.~~

(K) *Change in CD-Zoning Conditional Zoning.* Once a petition for rezoning to a ~~CD-conditional~~ district has been approved by the Board of Alderman, any request to materially change (i.e., any change other than a "minor change" as defined in Section 153.072(I)) the parallel conditional district shall be considered a new zoning change request. All procedures pertinent

to new CD-conditional rezoning requests as outlined in this chapter shall be followed.

(1) If a request for CD conditional zoning is denied, a similar application for the same property or any portion thereof shall not be filed until the expiration of a 12-month period from the date of denial. This waiting period shall not be applicable where the application for a conditional zoning use permit is determined by the Administrator to be substantially different from (i.e., not similar to) the original application.

(2) Notwithstanding, the Administrator may allow resubmission of a similar application within said 12-month period if it determines that since the date of action on the prior petition:

(a) There has been a significant change in the zoning district classification of an adjacent piece of property; or

(b) The governing board has adopted a plan that changes public policy regarding how the property affected by the proposed conditional-use conditional rezoning should be developed; or

(c) Construction or expansion of a road, water line, sewer line, or other such facilities has occurred to serve the property and can accommodate comfortably the intensity of development allowed under the proposed classification; or

(4) There has been some other extraordinary change in conditions or circumstances, outside the control of the petitioner, which justifies waiver of the 12-month restriction on a new petition; this, however, shall not include a change in the ownership of the subject property.

(L) *Petition withdrawal.* An applicant who has submitted a complete application for a CD-conditional rezoning may withdraw the application prior to a final decision being rendered.

(1) If a petition is withdrawn once a public-legislative hearing has been advertised (via paper, mail, or on-premises sign), a similar petition submitted by that property owner (or his agent) shall not be accepted by the Administrator within 180 days of the date of withdrawal. (Note: The purpose of this is to allow petitions to be withdrawn without penalty prior to the posting of any public-legislative hearing notices or submittal of such notice to the newspaper of general circulation.)

(2) If said petition is otherwise withdrawn within two business days of a public hearing where a final decision may have been otherwise rendered, a similar petition submitted by that property owner/or his agent shall not be accepted by the Administrator within one year of the date of withdrawal.

(M) *Appeals.* An appeal to the decision of the Board of Alderman shall be filed with the Clerk of Superior Court in the nature of certiorari in accordance with G.S. 460A-388(e)-160D-1402 within 30 days after the Board of Alderman's decision. (Ord. passed 12-8-1985; Am. Ord. passed - -)

153.073 Development Agreements, 116	<p>Pursuant to Chapter 160D, Article 10 of the North Carolina General Statutes development agreement may, by ordinance, be incorporated, in whole or in part, into any development regulation adopted by the local government. A development agreement may be considered concurrently with a zoning map or text amendment affecting the property and development subject to the development agreement. A development agreement may be concurrently considered with and incorporated by reference with a sketch plan or preliminary plat required under a subdivision regulation or a site plan or other development approval required under a zoning regulation. If incorporated into a conditional district, the provisions of the development agreement shall be treated as a development regulation in the event of the developer's bankruptcy.</p>
<p>Parallel Conditional Use Districts and Conditional-Use Permit Conditional Districts</p>	
<p>153.073 074 Conditional-Special Use Permits; Application, Procedures, Findings and Conditions, 116</p>	<p>The following procedures pertain to conditional-special use permits that are and are not associated with a Conditional Use Districts (CD) Conditional Rezoning. Refer to § 153.072 for procedures to be followed in association with Conditional District Conditional Rezoning requests.</p> <p>(A) <i>Purpose.</i> There are many uses identified in Appendix C that are “uses by right” and that are allowed “by right” in each general zoning district subject to the use meeting certain area, height, yard and off-street parking and loading requirements. In addition to these uses, there are some uses in these districts that are “conditional-special uses” are and subject to the issuance of a conditional-special use permit. The purpose of having conditional-special uses is to ensure that these uses are compatible with surrounding development and are in keeping with the purposes of the general zoning district in which they are located. There may be some uses that prior to adoption of this subchapter were allowed as “uses by right” but now are allowed subject to a conditional-special use permit (CUP) SUP. For these uses, any expansion or modification to the uses would be subject to the issuance of a conditional-special-special use permit.</p> <p>(B) <i>Process.</i></p> <p>(1) A pre-application meeting between the applicant and the Administrator shall be required in order to familiarize the applicant of the procedure for securing approval of a conditional-special use permit. The Administrator shall accept no conditional-special use permit application for review without such meeting having first occurred unless the Administrator determines that such meeting would not serve any meaningful purpose and waives the meeting requirement.</p> <p>(2) Procedures for application submittal are as follows:</p>

Formatted: Not Strikethrough

Formatted: Not Strikethrough

Formatted: Not Strikethrough

(a) A complete ~~conditional-special~~ special use permit application that is signed by the applicant and which is accompanied by a submittal fee shall be filed with the Administrator.

(B) *Process.*

(1) A pre-application meeting between the applicant and the Administrator shall be required in order to familiarize the applicant of the procedure for securing approval of a ~~conditional-special~~ use permit. The Administrator shall accept no ~~conditional-special~~ use permit application for review without such meeting having first occurred unless the Administrator determines that such meeting would not serve any meaningful purpose and waives the meeting requirement.

(2) Procedures for application submittal are as follows:

(a) A complete ~~conditional-special~~ special use permit application that is signed by the applicant and which is accompanied by a submittal fee shall be filed with the Administrator.

(b) The application shall be accompanied by a drawing or plan, drawn to scale, that includes or is accompanied by the following:

1. Name, address and phone number of the property owner (or his agent) and the property identification number of the property;

2. 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. The 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 area in question may be submitted. Any required drawing or depiction of the proposed development or use shall not appear on the tax maps but rather shall appear on the drawing or plan).

3. All existing easements, reservations and rights-of-way.

4. The name and addresses of all owners, tax parcel numbers and existing land use(s) of all contiguous properties.

5. Proposed use of all land and structures including the number of residential units proposed, if any, and total square footage of nonresidential development.

6. Number and location of all proposed structures, their approximate area and exterior dimensions, height, and proposed number of structures.

7. A description of all screening and landscaping required 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.

8. Proposed phasing, if any, and approximate completion time for the project.

9. Delineation of areas within the regulatory floodplain as shown on the official Federal Emergency Management Agency (FEMA) flood hazard boundary maps for Gaston County.

10. Traffic, parking and circulation plans, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets.

11. A list of any additional development conditions or standards that differ from those that would normally apply to that use. Only conditions that exceed the Town of Dallas' minimum standards can be considered and listed by the applicant.

12. The Administrator reserves the right to waive the depiction of some or all of the information contained above when, in his opinion, such information is not a requirement of this subchapter for the particular ~~conditional uses~~ *special use* being requested. Notwithstanding, if either the Planning Board or Board of Alderman determines that such additional information is needed to render a recommendation or decision on the application, they may require the applicant to submit it prior to rendering a decision.

13. In lieu of showing all of the information in paragraphs above, the applicant may submit a general development plan which shows on the proposed site, by land use type, the areas to be developed for buildings and parking and shall show all points of ingress and egress onto thoroughfares and collector streets.

(c) *Additional information.* In the course of evaluating the proposed ~~conditional uses~~ *special use*, the Administrator, Board of Adjustment, or Board of Alderman may request additional information from the applicant in order to assist in the review process. A request for such additional information shall stay any further consideration of the application by such agency. Such additional requested information may include (but shall not be limited to) the following:

1. Stormwater drainage plan.
2. Existing and proposed topography at five-foot contour intervals or less.
3. The existing and proposed location of all water and sewer lines and fire hydrants intended to serve the proposed development.
4. Proposed number, type, and location of signs.
5. A traffic impact study of the proposed development prepared by a qualified transportation or traffic engineer or planner. Information requested to be a part of the impact study may include:
 - A. Existing traffic conditions within the study area boundary.
 - B. Traffic volumes generated by the existing and proposed development on the parcel, including the morning peak, afternoon or evening peak, and average annual daily traffic levels.

C. The distribution of existing and proposed trips through the street network.

D. Analyses of the capacities of intersections located within the study area boundary.

E. Recommendations for improvements designed to mitigate traffic impacts and to enhance pedestrian access to the development from the public right-of-way; and

F. Other pertinent information, including but not limited to accidents, noise, and impacts of air quality and other natural resources.

6. Drawings of proposed building elevations.

7. An environmental impact statement that includes some or all of the following:

A. A cover sheet that provides, in summary form, a description of the proposed project;

B. A statement of purpose and need of the project;

C. For projects proposed by public entities, a list of alternatives of the proposed project;

D. A succinct description of the environment affected by the project;

E. A discussion of short and long term consequences of the project on the environment including any adverse environmental impacts which cannot be avoided; and

F. A list of means that could be employed to mitigate any negative effects on the environment caused by this project.

(d) Except as herein provided, no application shall be deemed complete unless it contains or is accompanied by all items listed in Section 5.11.2(B) and as may otherwise be required per Section 5.11.2(C) and a fee, in accordance with a fee schedule approved by the governing board for the submittal of ~~conditional-special~~ use permit applications. Said fee shall be waived for any application submitted by any official or agency acting on behalf of the Town of Dallas or the State of North Carolina.

(D) ~~Public-evidentiary~~ hearing and decision.

(1) Once an application is deemed complete, public notice must be given per § 153.024 and an ~~public-evidentiary~~ hearing shall be scheduled at the next Board of Adjustment meeting.

(2) Once the ~~public-evidentiary~~ hearing has been conducted, the Board of Adjustment shall have up to 45 days to render a decision on the ~~conditional-special~~ use permit application from the date their public hearing was concluded. Any such decision shall require the approval of at least three-fourths (¾) of the members of the Board of Adjustment present and not excluded from voting at the meeting at which the decision is made. ~~If a decision on the application is made by a vote of less than three-fourths of such Board of Adjustment membership, or if any person appeals the action~~

~~of the Board of Adjustment through written notice to the City Manager within 15 days of the Board of Adjustment's decision, the application shall be forwarded to the Board of Alderman for a new public hearing and a final decision. Any public hearing held by the Board of Alderman pertaining to a conditional special use permit application must be conducted within 60 days of the date of the appeal. The Board of Alderman may open and continue this hearing and take action at a later date. The Board of Alderman will be apprised of the Board of Adjustment's previous vote on the matter at hand.~~

(3) Any Board of Adjustment ~~and Board of Alderman public evidentiary~~ hearing relating to a ~~conditional special~~ use permit shall be held in a quasi-judicial manner. ~~Should the Town determine any board other than the Board of Adjustment be assigned decision-making authority for any quasi-judicial matter, that board shall comply with all of the procedures and the process applicable to a board of adjustment in making quasi-judicial decisions.~~

(4) In approving an application for a ~~conditional special~~ use permit, the Board of Adjustment ~~or Board of Alderman~~ may attach fair and reasonable conditions to the approval. ~~The applicant must provide written consent to the mutually agreed upon conditions.~~ Such conditions shall be limited to those that address the conformity of the development and use of the site to Town Ordinances and any officially adopted plan and those that address the impacts reasonably expected to be generated by the development or use of the site.

(5) All such conditions shall be entered in the minutes of the meeting at which the permit is granted and also on the approved plans. These may include any subject area regulated in some form within this chapter. These specific conditions may address but shall not be limited to any or all of the following subject areas:

- (a) Permitted uses;
- (b) Building location and orientation;
- (c) Yard dimensions;
- (d) Buffer areas;
- (e) Signs;
- (f) Parking driveways and vehicle circulation patterns;
- (g) Designated areas of common open space and for recreation;
- (h) Pedestrian circulation;
- (i) Loading areas;
- (j) Off-street parking;
- (k) Number of dwelling units;
- (l) Size of commercial structures;
- (m) Building height;
- (n) Size of dwelling units within multi-family residential developments;

Formatted: Not Strikethrough

- (o) Proposed contours of land following final grading;
- (p) Proposed first floor elevations for buildings;
- (q) Plans for storm water control;
- (r) Location and intensity of lighting;
- (s) Timing of development;
- (t) Location and extent of rights-of-way and other areas to be dedicated for public use.

(6) The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Board of Adjustment and Board of Alderman. In no instance shall any of these conditions be less restrictive than any requirements that would pertain to that particular development found in the zoning district in which the property is located. Such conditions may exceed any performance criteria or minimum requirements listed elsewhere in this subchapter that pertain to that development. Such conditions shall be mutually agreeable by the town and the petitioner.

(E) *Burden of proof.*

(1) The applicant has the burden of producing competent, material and substantial evidence tending to establish the facts and conditions that the items outlined in subsection b require. If any person submits competent, material, and substantial evidence allegedly contrary to any of the facts or conditions listed below, the burden of proof for overcoming such evidence shall rest with the applicant.

(2) Before a permit is granted, the applicant shall demonstrate and the Board of Adjustment shall find:

- (a) That the use will not materially endanger public health, or safety or general welfare if located where proposed and developed according to the plan submitted;
- (b) That the use will not create traffic hazards, excessive congestion or hazards to pedestrians within the development and upon the public streets at the points of ingress and egress to such development;
- (c) That public facility systems are sufficient to serve the development;
- (d) That surrounding properties will be adequately protected from potential adverse effects of the development;
- (e) That the development complies with the standards and specifications for the corresponding general zoning districts; and
- (f) That the use is consistent with the general plan of development for the area.

(F) *Approvals and appeals.*

(1) If an application for a ~~conditional-special~~ use permit is approved, the owner of the property shall have the ability to:

(a) Develop the use in accordance with the stipulations contained in the ~~conditional, special~~ use permit; or

(b) Develop any other use listed as a "permitted use" for the general zoning district in which it is located. ~~Any uses that would otherwise require the issuance of a use permit under this subchapter, may be approved as part of the establishment of a parallel conditional district, without the issuance of a conditional use permit, so long as the use(s) meets all other applicable standards of this subchapter. In these instances, the property may be used only for the development as approved for the conditional zoning district. Such approval, however, does not immediately authorize development activity, as the property owner will need to file for and secure a zoning permit, in accordance with § 153.072 in order to proceed with development. The Administrator shall ensure that any development plans submitted with such zoning permit request are consistent with the terms and conditions of the conditional special use permit approved for such property or for any other use by right allowed in the underlying zoning district.~~

(2) An appeal to a decision made by the Board of Adjustment regarding the issuance of a ~~conditional-special~~ use permit may be made to through written notice to the City Manager within 30 days of the Board of Adjustment's decision, the application shall be forwarded for review by the Superior Court Division of the General Courts of Justice of the State of North Carolina by proceedings in the nature of certiorari. ~~superior court the Board of Alderman if written notice is given to the Town Manager within 15 days of the Board of Adjustment's decision. The Board of Alderman shall then conduct a new public hearing and render a final decision on the matter.~~

(3) If the Board of Adjustment does not approve the ~~conditional-special~~ use permit, ~~and/or if the Board of Aldermen denies the permit, each~~ the body Board shall enter the reason for its action in the minutes of the meeting at which the action is taken.

(4) An appeal to the decision of the Board of Alderman shall be filed with the Clerk of Superior Court in the nature of certiorari in accordance with G.S. ~~160A-388(e)-160D-402~~ within 30 days after the Board of Alderman's decision.

(G) *Petition withdrawal.* An applicant who has submitted a complete application for a ~~conditional-special~~ use permit may withdraw the application prior to a final decision being rendered.

(1) If a petition is withdrawn once an public-evidentiary hearing has been advertised (via paper, mail, or on-premises sign), a similar petition submitted by that property owner (or his agent) shall not be accepted by the Administrator within 180 days of the date of withdrawal (Note: The purpose of this is to allow petitions to be withdrawn without penalty prior to the posting of any public-evidentiary hearing notices or submittal of such notice to the newspaper of general circulation).

(2) If said petition is otherwise withdrawn within two business days of an public-evidentiary hearing where a final decision may have been otherwise

Formatted: Font color: Auto

Formatted: Font color: Auto, Not Strikethrough

Formatted: Font color: Auto

rendered, a similar petition submitted by that property owner/or his agent shall not be accepted by the Administrator within one year of the date of withdrawal.

(H) *Binding effect.* Any ~~conditional~~ special use permit herein authorized shall be perpetually binding to the property included in such permit unless subsequently changed or amended by the Board of Adjustment ~~or Board of Alderman~~. All conditions contained in the ~~conditional~~ special use permit shall run with the land and shall be binding on the original applicants, their heirs, successors, and assigns, unless subsequently changed or amended as provided for herein. However, the Administrator may approve minor changes in the detail of the approved application. A "minor change" to the approved special conditional use permit shall be deemed to be a change which:

(1) Will not alter the basic relationship of the proposed development to adjacent property;

(2) Will not increase the gross floor area of any nonresidential use by the smaller of 10% or 10,000 square feet (Note: Such limitations shall be cumulative and shall be based on the gross floor area of the special conditional use permit as originally approved);

(3) Will not decrease the off-street parking ratio below the minimum number of parking spaces required by this subchapter or reduce the yards provided at the periphery of the site, by the lesser of ten feet or 10% of the current existing yard measurement;

(4) Will not increase the height of any structure to the extent that additional usable floor space could be added;

(5) Will not result in an increase in the number of dwelling units constructed; or

(6) Will not alter the uses permitted.

(I) No proposal to amend or change any ~~special conditional~~ use permit shall be considered within 12 months of the date of the original authorization of such permit or within 12 months of the hearing of any previous proposal to amend or change any such permit.

(1) Further changes to the development may be made only by the Board of Adjustment ~~or Board of Alderman~~ in accordance with this subchapter.

(2) No certificate of occupancy for a use listed as a special conditional use shall be issued for any building or land use on a piece of property which has received a ~~special conditional~~ use permit for such particular use unless the building is constructed or used, or the land is developed or used, in conformity with the special conditional use permit. In the event that only a segment of a proposed development has been approved, the certificate of occupancy shall be issued only for that portion of the development constructed or used as approved.

(J) *Period of validity of special conditional use permit.* Unless the Board of Adjustment ~~or Board of Alderman~~ issues a ~~conditional~~ special use permit

Formatted: Font color: Auto

	<p>which either is specifically exempt from any time constraints or has some other specified time period for implementation, the applicant must secure a valid building permit (or certificate of occupancy) within 24 months from date of issuance of the special-special use permit (Note: The special conditional use permit shall also become null and void unless filed by the applicant with the Register of Deeds within 180 days of permit approval.) If a building permit or certificate of occupancy is not issued at the end of said time period, the special conditional use permit shall automatically expire and shall be deemed rescinded. Such rescission shall not occur if the applicant has secured the vesting of a site development plan for a period of greater than 24 months.</p> <p>(K) <i>Violations.</i> Any violation of a term or condition of a special conditional use permit shall be treated in the same as a violation of this chapter and shall be subject to the same remedies and penalties as any such violation. Where the Building Inspector determines-determined that any term or condition of any special conditional use permit is not being adhered to, he staff shall notify the property owner of his findings either by certified mail or in persons. In any case where any violation is not corrected or abated within 15 days of the date of such notice, the permit shall thereupon immediately become void and of no effect, and no building permits for further construction or certificates of occupancy under the special conditional use permit shall be issued and all completed structures shall be regarded as non-conforming uses, see § 153.045</p>
<p>Planning Agency</p>	
<p>153.103 Powers and Duties, 137</p>	<p>The Planning Board shall elect a chairman from its members and create and fill such other offices as it may determine. It shall have the power to fix the time and place for its meetings, to adopt necessary rules of procedure and to adopt all other rules and regulations not inconsistent herewith which may be necessary for the proper discharge of its duties; and it shall keep an accurate record of all its proceedings.</p> <p><u>Members of the Planning Board shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Planning Board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.</u></p> <p><u>All staff to the Planning Board are prohibited from being financially interested in any development decision or other person subject to that decision having close familial, business, or other associational relationship with the staff</u></p>

	<p><u>person. All staff to the planning board are prohibited from conducting work inconsistent with his or her duties pursuant to G.S. 160D-109(c).</u></p>
Board of Adjustment	
153.110 Creation; Term of Office, 138	<p>A Board of Adjustment to consist of five members is hereby established. <u>One member shall reside in the extraterritorial area and shall be appointed by the Gaston County Board of Commissioners and shall have equal rights, privileges, and duties with the other members of said Board, regardless of whether the matters at issue arise within the town or with its extraterritorial area.</u> The original appointments to said Board shall be made as follows: one member shall be appointed for a term of one year; two members shall be appointed for a term of two years; and two members shall be appointed for a term of three years,. At the termination of the terms of the members, first selected, their successors except in the case of a vacancy, shall be appointed for a term of three years.</p>
153.112 Powers and Duties, 138	<p>The Board of Adjustment shall elect a chairman from its members and create and full such other offices as it may determine. It shall have the power to fix the time and places for its meetings, to adopt necessary rules of procedure, and to adopt all other rules and regulations not inconsistent herewith which may be necessary for the proper discharge of its duties; and it shall keep an accurate record of all its proceedings.</p> <p><u>Members of the Board of Adjustment or any other board assigned decision making authority for a quasi-judicial matter shall not vote on any decision regarding where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Board of Adjustment member or any other board assigned decision making authority for a quasi-judicial matter shall not vote on any matter if the landowner of the property subject to the quasi-judicial matter is a person with whom the member has a close familial, business, or other associational relationship.</u></p> <p><u>All staff to the Board of Adjustment or any other board assigned decision making authority for a quasi-judicial matter are prohibited from being financially interested in any matter or other person subject to that matter having close familial, business, or other associational relationship with the staff person. All staff to the Board of Adjustment or any other board assigned decision making authority for a quasi-judicial matter are prohibited from</u></p>

	<p><u>conducting work inconsistent with his or her duties pursuant to G.S. 160D-109(c).</u></p>
<p>153.113 Variance and Special Exceptions Special Use Permits for Non-Conforming Uses, 139</p>	<p><u>(A) Variance When practical difficulties, special conditions, or unnecessary hardships would result from carrying out the strict letter of this Ordinance, the Board of Adjustment shall have the power to vary or modify any of the regulations or provisions of this Ordinance relating to the construction or alteration of buildings or structures or the use of land upon a showing of all the following.</u></p> <p><u>(1) Unnecessary hardship would result from the strict application of the zoning regulations. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.</u></p> <p><u>(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.</u></p> <p><u>(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.</u></p> <p><u>(4) The requested variance is consistent with the spirit, purpose, and intent of the zoning ordinance, such that public safety is secured and substantial justice is achieved.</u></p> <p><u>(B) Condition and Violation The Board of Adjustment, in granting a variance, may prescribe appropriate conditions and safeguards in conformity with this Ordinance provided the conditions are reasonably related to the variance. Violation of such conditions and safeguards, when made a part of the terms under which a variance is granted, shall be deemed a violation of this Ordinance and shall be punishable as prescribed in Section §153.999 of this Ordinance.</u></p> <p><u>C) Non-conforming uses.</u></p> <p><u>(1) A non-conforming use shall not be extended; except, however, a non-conforming use of any building may be extended to any portion or portions of said building which were at the time such use became non-conforming manifestly arranged or designed for such use.</u></p>

(2) No structural alterations shall be made in a building housing a non-conforming use, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building.

(3) (a) The non-conforming use of any building or structure which is damaged to an extent exceeding 50% of its then reproduction value, exclusive of foundations, by fire, flood, explosion, earthquake, war, riots or Act of God, shall be discontinued, and such building or structure shall thereafter be used only in conformance with the provisions of the zone in which located.

(b) Any non-conforming use in existence five years prior to October 8, 2019 that is located within the B-3 Central Business District may continue to operate as its current non-conforming use in the event that the building or structure housing the non-conforming use is damaged, regardless of the extent, as long as a zoning and building permit as required for rehabilitation to resume operations is obtained within nine months of the damage occurrence.

(4) A non-conforming use shall not be changed to any but a conforming use. When a non-conforming use has been changed to a conforming use it shall not be changed again to any non-conforming use.

(5) No changes shall be made in the landscaping, grading of the lot, or external appearances of a non-conforming use without the grant by the Board of Adjustment of a special use permit for non-conforming use authorizing such change. The Board shall grant such a special use only upon an affirmative finding that the proposed change will have no adverse effect upon neighboring properties or upon the public and safeguards upon any such special use which it grants for the further protection of neighboring properties in the public welfare.

(B) Non-conforming buildings or structures. Non-conforming buildings or structures shall be allowed to remain subject to the following provisions:

(1) A non-conforming building or structure shall not be extended unless such extension shall comply with all the requirements of this chapter for the zone in which it is located.

(2) A non-conforming building or structure which is damaged to an extent exceeding 75% of its then reproduction value, exclusive of foundation by fire, flood, explosion, earthquake, war, riot or Act of God, shall not be reconstructed except in conformance with the provisions of this chapter.

(3) Non-conforming signs or billboards shall be eliminated or changed to conform with the provisions of this chapter within 18 months of the date such signs or billboards become non-conforming.

(relocated from prior section)

The Board shall conduct public-evidentiary hearings to pass upon any applications for special exceptions and variances and special use permits for non-conforming uses in the zoning ordinance of the town. It shall have the power to fix a reasonable time for the evidentiary hearings and shall cause

	<p>notice of such <u>public-evidentiary</u> hearing to be published in a newspaper of general circulation in the town once a week for two successive calendar weeks, said to the date fixed for said hearing. <u>Said notice for evidentiary hearings shall also be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; all contiguous property owners affected including those separated by a street, railroad, or other transportation corridor, and owners within five hundred (500) feet; and to any other persons entitled to receive notice as provided by the local development regulation. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Notice of the hearing shall be placed on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.</u> Any party may appear in person or by agent or attorney, and the Board may make such decision and order as in its opinion ought to be made in the matter. The Board shall have power, in passing upon such application in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this chapter, to adapt the application of this chapter to the necessities of the case to the end that the spirit of this chapter shall be observed and public safety and welfare secured and substantial justice done.</p>
<p>153.123 Amendments and Changes, 142</p>	<p>A) The Board of Aldermen may from time to time on its own motion or on petition after <u>public-legislative</u> notice and hearing as provided by law, amend, supplement change, modify, or repeal the boundaries or regulations herein or subsequently established after submitting the same to the Town Planning Board for its recommendations and report.</p> <p>(B) In addition to the public notice required by law, the Town Planning Board shall cause to be erected on the property, with regard to which any petition is filed to have the provisions of this chapter amended, supplemented, changed or modified, a sign of at least one foot by two feet in size giving notice that it is attached a copy of the notice required by law to be posted or advertised, which sign shall be so maintained on said property for at least 15 days prior to the date of the required public hearing.</p> <p>(C) Every petition to have the provisions of this chapter amended, supplemented changed, or modified as to any property shall be submitted on forms prepared by the town and shall be accompanied by a payment in the amount as set forth in the current fee schedule, to be used by the city toward defraying the advertising costs and other expenses in connection with such petition.</p> <p>(D) (1) In any case where a petition for a change in zoning classification has been denied by the Board of Aldermen after a public hearing, no new petition for the same change of the same property or any part thereof shall be filed within a period of 12 months from the date of such decision by the Board of Aldermen; further, no new petition for any other change in the zoning classification of the same property or any part thereof shall be filed within a period of six months form the date of such decision by the Board of Aldermen.</p>

	<p>(2) In any case where a petition for a change in zoning classification receives an unfavorable recommendation from the Town Planning Board after a public hearing and the petition either withdraws his application or fails to prosecute it before the Board of Aldermen within a period of 60 days thereafter no new petition for any change in zoning classification of the same property or any part thereof shall be filed within a period of 90 days immediately following the withdrawal of the petition or the expiration of the time limit for prosecuting such petition before the Board of Aldermen.</p> <p><u>(E) Zoning Map amendments that would result in a third-party down-zoning are not permitted in accordance with G.S. Chapter 160D-601. However, down-zonings initiated by the Town or landowner are permissible.</u></p>
<p>153.124 Notification of <u>Public Legislative</u> Hearings, 143</p>	<p>Notification of required <u>public-legislative</u> hearing(s) shall be as follows:</p> <p>(A) A notice shall be published in a newspaper having general circulation in the Town of Dallas once a week, for two successive weeks, the first notice to be published not less than ten days nor more than 25 days prior to the date established for the public hearing.</p> <p>(B) A notice of the proposed zoning map change shall be sent by first class mail by the Administrator to the applicant and owners of all contiguous properties <u>affected including those separated by a street, railroad, or other transportation corridor, and owners within five hundred (500) feet as herein defined</u> as indicated on the most up-to-date records of the Gaston County Tax Department at least ten but not greater than 25 days prior to the public hearing. <u>To expand extraterritorial jurisdiction notice shall be mailed at least 30 days prior to the date of hearing. A single notice may be mailed at least (30) days prior for extraterritorial jurisdiction expansion in conjunction with zoning map amendment.</u></p> <p>(C) The Administrator shall post at least one notice on the site proposed for rezoning or an adjacent public street or highway right-of-way, <u>including those separated by a street, railroad, or other transportation corridor</u>, at least ten days prior to the scheduled <u>public-legislative</u> hearing. Where multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the town shall post sufficient notices to provide reasonable notice to interested persons. Such notice shall state the nature of the public hearing and its date, time, and location at which it is to be held. The notice shall be removed only after final action has been taken on the matter. In lieu of any or all of this information to be contained on this posted notice, the notice may give a phone number where interested parties may call during normal business hours to get further information on the proposed amendment (the zoning administrator may relocate the placement of the sign(s) where the literal application of this provision would serve no meaningful purpose).</p> <p>(D) Additional first class mail notice of any appeal made to the Board of Alderman from a decision by the Planning Board or Board of Adjustment shall be provided by the Administrator to any person who makes a written request for such notice during the Planning Board or Board of Adjustment hearing.</p>

(E) Any public hearing notice published or mailed shall state the nature of the public hearing, the date, time, and place at which the hearing is to occur, and who to call and/or see for more information.

(F) The first class mail notice required may be waived if the zoning map amendment directly affects more than 50 properties, owned by a total of at least 50 different property owners. Under such circumstances, the town may elect to mail such first class notices or publish the notice of the hearing as required by G.S. ~~160A-364~~160D-601 . Such advertisement shall not be less than one-half (½) of a newspaper page in size. The newspaper advertisement shall be effective only for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners who reside outside of the newspaper's circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by first class mail pursuant to this section. In addition to the newspaper notice, the Town shall post one or more prominent signs on or immediately adjacent to the subject area reasonably calculated to give public notice of the proposed rezoning.

[153.999 Vested Rights Procedures](#)

§ 153.999 VESTED RIGHTS PROCEDURES.

(A) Purpose Pursuant to G.S. 160D-108 and notwithstanding any other provision of this Ordinance or amendment thereto, a landowner may establish vested rights which shall entitle said landowner to develop property in accordance with the permit for which he/she is seeking approval. To apply for vested right, a landowner shall first submit to the Zoning Administrator an application for a development approval. Once the Zoning Administrator deems the application to be complete, it shall follow the Town approval process applicable for said permit.

(B) Permit Choice If an application is submitted for development review and a development regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulation will apply to the application. If the applicant chooses the version of this ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the said map or text amendment prior to acting on the development permit.

(C) Completeness and Determination Applicants shall submit applications to the Zoning Administrator in accordance with the applicable published schedule of submittal dates. Until an application is determined to be complete in accordance with the provisions of this Ordinance, an application has not been submitted. On receiving a development application, the Zoning Administrator shall, within a reasonable time, determine whether the application is complete or incomplete. A complete application is one that:

(1) Contains all information and materials required by Zoning Administrator for submittal of the applicable type of application, and in sufficient detail, format, and readability for Dallas staff to evaluate the application for compliance with applicable review standards; and
Is accompanied by the fee established for the applicable type of application

(D) Application Incomplete On determining that the application is incomplete, the Zoning Administrator shall, as appropriate, provide the applicant written notice of the submittal deficiencies. The applicant may correct the deficiencies and resubmit the application for a completeness review.

(1) If the applicant fails to resubmit an application within 15 calendar days after being first notified of submittal deficiencies, the application submittal shall be considered abandoned. If an applicant submits a request in writing to the Town Clerk within 15 calendar days of the application abandonment date, the application fee paid for the withdrawn application shall be refunded.

(E) Application Complete On determining that the application is complete, the Zoning Administrator shall:

(1) Accept the application as submitted in accordance with the procedures and standards of this Ordinance in effect at the time of the submittal; and

(2) Provide the applicant written notice of application submittal acceptance.

(F) Development Approval The effect of a development approval shall be to vest such site plan for a period of two (2) years from the date of approval. If the landowner requests, however, the Town Council may approve a vesting period not to exceed five (5) years from the date of approval. The vesting of any development approval beyond a two (2) year period may only be authorized by the Town Council where it is found that due to:

(1) sizing and phasing of the development; or

(2) level of investment; or

(3) need for the development; or

(4) economic cycles; or

(5) market conditions, building permits for all phases of the development cannot be secured within two years

(G) Multiphase Developments For multi-phase developments of at least 25 acres, vesting can be up to seven years for the entire development at the time a site plan approval is granted for the initial phase of the long-term development.

(H) Substantially Commencing Development A valid development approval shall not expire if work on the project

	<p><u>has substantially commenced within the initial validity period. Substantial commencement of work shall be determined by the Zoning Administrator based on any of the following:</u></p> <p>(1) The development has received and maintained a valid erosion and sedimentation control permit and conducted grading activity on a continuous basis and not discontinued it for more than thirty (30) days;</p> <p><u>(2) The development has installed substantial on-site infrastructure; or</u></p> <p><u>(3) The development has received and maintained a valid building permit for the construction and approval of a building foundation</u></p> <p><u>(I) Even if work has substantially commenced, a development approval still expires if development work is intentionally and voluntarily discontinued for a period of not less than 24 consecutive months, as calculated and tolled pursuant to G.S. 160D-108.</u></p>
<p>153.999 <u>154.000</u> Penalty, 147</p>	<p>(A) This chapter may be enforced by any means or any remedy provided for in G.S. 160A-175 and 160A-389 <u>G.S. 160D-404(c)</u> otherwise expressly prohibited in this section. In addition, the Town may seek a mandatory or prohibitory injunction and an order of abatement commanding the responsible person(s) to correct the unlawful condition or cease the unlawful use of the subject premises. Penalties are cumulative, and the Town may pursue any or all of the same either individually or simultaneously at its discretion.</p>
<p>153.999 <u>154.000</u> Penalty, 150</p>	<p>(F) <i>Enforcement.</i></p> <p>(1) Whenever the Administrator has reason to believe that a person is violating any of the provisions of this chapter or any plan, order, or condition that has been approved, issued, or imposed pursuant to this chapter, the Administrator shall <u>provide a written notice by hand, email, or first-class mail to the person responsible for the violation.</u> notify that person of this violation.</p>

<p>153.999-154.000 Penalty, 150</p>	<p>(5) The Administrator may deny or withhold all permits, certificates, or other form of authorization to use or develop any land, structure, or improvement until an alleged violation and, where applicable, associated civil penalty associated with that violation are properly corrected and/or addressed. <u>A permit shall be revoked using the same development review and approval process that was required for issuance of the development approval.</u> This provision shall apply whether or not the current owner applicant for the permit or other approval is responsible for the violation.</p>
<p>Appendix C: Permitted Use Chart</p>	<p>All references to Conditional Use Permit “C” changed to Special Use Permit “S”</p>
<p>Subdivision Ordinance Amendments</p>	
<p>152.003 Authority, 1</p>	<p>This chapter is hereby adopted under the authority and provisions of G.S. Chapter 160A160D, Article 198, Part 2. (Ord. passed 1-16-2001)</p>
<p>152.004 Jurisdiction, 1</p>	<p>The regulations contained herein, as provided in G.S. Chapter 160A160D, Article 198, Part 2 shall govern each and every subdivision of land within the town and its extraterritorial jurisdiction as shown on the town’s official zoning map. (Ord. passed 1-16-2001)</p>
<p>152.050 Plat Shall be Required on Any Subdivision of Land, 11</p>	<p>Pursuant to G.S. § 160A160D-372804, a final plat shall be prepared, approved and recorded pursuant to the provisions of this chapter whenever any subdivision of land takes place, except as herein provided. (Ord. passed 1-16-2001)</p>
<p>152.051 Approval Prerequisite to Plat Recordation, 11</p>	<p>Pursuant to G.S. § 160A160D-373803, no final plat of a subdivision within the jurisdiction of the town as established in § 152.004 shall be recorded by the County Deeds office until it has been approved as provided herein. (Ord. passed 1-16-2001)</p>
<p>152.999 Penalty, 34</p>	<p>(A) (1) After the effective date of this chapter, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this chapter, thereafter subdivides his or her land in violation of this chapter or transfers or sells land by reference to, exhibition of or any other use of a plat showing a subdivision of land before the plat has been properly approved under the terms of this chapter and recorded in the County Deeds office, shall be found in violation of this chapter. (2) The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from violation of this chapter. The town, through its attorney or other</p>

	official designated by the Board of Alderman, may enjoin an illegal subdivision, or transfer or sale of land by action for injunction. Building permits required by G.S. 160A-417 <u>160D-403</u> may be denied for any lot that has been illegally subdivided.
--	--

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Planning Board/Board of Adjustment Vacancy

AGENDA ITEM NO. 8A

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

Planning Board/Board of Adjustment positions are appointed by the Board of Aldermen for three-year terms. Following the June 2021 meeting, the terms of Tim Farris and Gene Brown expired.

Mr. Brown has expressed interest to the Development Services Director in being re-appointed and continuing to serve on both the Planning Board and the Board of Adjustment. He has been an engaged member of the Planning Board/Board of Adjustment.

Mr. Farris informed the Development Services Director that he would not seek re-appointment for another term. Mr. Farris' seat is now vacant. This position will be advertised to solicit applications. Once applications are received, they will be reviewed and brought to the Board of Aldermen for appointment.

There is also currently another vacant seat on those boards, the ETJ position. This position is also being advertised. Once applications are received, they will be reviewed and brought to the Board of Aldermen for recommendation to the Gaston County Commissioners, who will appoint the ETJ member.

At this time, Nolan Groce, Development Services Director, is recommending reappointment of Mr. Gene Brown to another three-year term on the Planning Board/Board of Adjustment.

MANAGER RECOMMENDATION: Appoint Mr. Gene Brown to another three- year term on the Planning Board/Board of Adjustment as presented.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Special Event Application-Rusty Rabbit Concert

AGENDA ITEM NO. 8B

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

Mr. Tim Ratchford has submitted a Special Event Application for “*Dreamer in Concert*” on Saturday, July 31, 2021. The event features an outdoor concert

He is requesting that the 100 block of E. Main Street be closed between 2:00 pm and 12:00 am. The event would be held from 7:00 pm until 10:00 pm. He is requesting 10 trash cans. Security would be provided by the Dallas Police Department. There is no mention of any additional vendors.

Attached is the application for review.

MANAGER RECOMMENDATION: Approve the Special Event Request based on the submitted application.

BOARD ACTION TAKEN:



Special Events/ Activities Application

Town of Dallas
 210 North Holland Street
 Dallas, NC 28034-1625
 (704) 922-3176
 Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. **A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceeding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.**

APPLICATION INFORMATION

Name of Event:	Dinner IN Concert		
Facility Requested:			
Applicant Name:	Tim Radford		
Organization:	Rusty Rabbit		
Mailing Address:	104 E Main St		
City / State / Zip:	Dallas	NC	28034
Daytime Phone:		Cell:	9048306702
		E-Mail:	timradford74@yahoo.com
Description of the Event:	Concert		
Does the event have a Facebook, Twitter, or other social networking page: <input type="checkbox"/>			
If yes, please list URL(s): <input type="text"/>			
Date (s) Requested for Event:	July 31st 2021		
Event Start Time:	7pm	Event End Time:	10pm
Road Closure Time Begins (if applicable):	2pm	Road Closure Time Ends:	12pm
Set Up Begins:	3pm	Set Up Ends:	6pm
Preferred Date & Time of Inspection (if required): <input type="text"/>			
Estimated Attendance:	1,000		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event: <input type="text"/>			
<input type="text"/>			

Applicant's Signature: Tim Radford

Date: 6/23/21

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

TENTS / CANOPIES / MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used for events? (proceed to next section.)		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (If no)
# of Canopies	<input type="checkbox"/>	(fabric structure that is open without sidewalls on 75% or more of perimeter)	
# of Tents	2	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)	
# of Membrane structures	<input type="checkbox"/>	(air supported or air inflated structure)	
Other type of structure (provide description)			

Notes

VOICE / MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? (proceed to next section.)		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (If no)
If yes, state the number of stages, number of bands and type of music:			
Number of stages:	1	Number of Bands:	1
Type(s) of music:	ROCK, EASY LISTENING		
Will your event use amplified sound:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, please indicate times:	Start Time: 9PM	Finish Time: 10PM	
Will sound checks be conducted prior to the event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, please indicate times:	Start Time: 3PM	Finish Time: 6PM	

* Must comply with Town of Dallas general entertainment ordinance.

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.		
Will there be any portable heaters?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will there be any deep fat fryers?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will there be any fireworks, lasers, torches, candles or pyrotechnics?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will generators or electrical power be used?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, provide electrical load data and location of connection. In the case of extraordinary use or hookups, fees may apply.

RIDES / ATTRACTIONS

Does the event include mechanical rides, or other similar attractions?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, company name?	<input type="text"/>	
Company address:	<input type="text"/>	
List details, if any:	<input type="text"/>	
Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas (if applicable) as additional insured on general liability.		
ALL rides must be inspected and approved by The Department of Labor.		

VENDORS

A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:
 Served Sold Catered Prepared Outdoors

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

Vendor	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department. Event organizers are responsible for arranging health inspections for their event.

List all other commercial vendors who will be present during the event (serving, selling, sampling, or displaying).

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed.

(Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
7/31/21	3pm	Sound check	
7/31/21	6pm	Sound check ends	
7/31/21	7pm	show starts	
7/31/21	10pm	show ends	

SERVICES

The Town of Dallas does not provide amenities such as portable washrooms/toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as event clean up, traffic control, etc.

TRASH CONTAINERS

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages? Yes No

If yes, in what containers will they come packaged in?

aluminum cans glass bottles/jars plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

How many recycle carts are you requesting?

Delivery Location?

Date and Time for rollout carts to be emptied?

Date and Time for rollout carts to be picked up?

Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Clean-up fees may be incurred because of an applicant's failure to clean and/or restore the site following the event. If you reasonably believe that no litter will be generated during your event, please state this in your plan.

PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

Stage Security Event Area Security Road Closure Security

Other

Overnight Security From : To :

Dates & Times security will be on site:

Security provided by: Number of Security Personnel:

Applicant may be required to hire sworn off-duty Town of Dallas police officers or Sheriff's Department personnel to provide security to insure public safety. The Town of Dallas will determine the number of security personnel required on site.

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

ROUTE AND TRAFFIC PLAN

<input type="checkbox"/> PARADE (Includes floats, vehicles, and persons)	<input type="checkbox"/> BICYCLES
<input type="checkbox"/> MARCH OR WALK (persons only)	<input type="checkbox"/> FOOT RACE
<input type="checkbox"/> VEHICLES ONLY (Includes motorcycles)	
<input type="checkbox"/> OTHER (Description: <input style="width: 80%;" type="text"/>	
Number of Persons: <input style="width: 50px;" type="text"/>	% Children: <input style="width: 50px;" type="text"/>
Number of Vehicles: <input style="width: 50px;" type="text"/>	Vehicle Types: <input style="width: 150px;" type="text"/>
Number of Animals: <input style="width: 50px;" type="text"/>	Kinds: <input style="width: 150px;" type="text"/>
DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5k, a 10k, and a Fun Run).	
<div style="border: 1px solid black; padding: 5px;"> <p style="font-size: 1.2em; margin: 0;">Shut down East Main Street between North Gaston and North College Street</p> </div>	

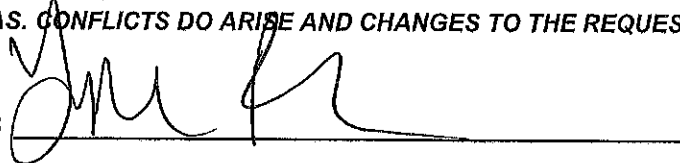
ROAD CLOSURES

~~If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.~~

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

Please Note: All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

Applicant's Signature: 

Date: 10/23/21



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Special Event Application-Rusty Rabbit Oktoberfest

AGENDA ITEM NO. 8C

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

Mr. Tim Ratchford has submitted a Special Event Application for "Oktoberfest" on Saturday, October 2, 2021. The event description lists the event as a Block Party with vendors and live music.

He is requesting that the 100 block of E. Main Street be closed between 8:00 am and 12:00 am. The event would be held from 12:00 pm until 11:00 pm, with live music between 5:00 pm and 11:00 pm. He is requesting 10 trash cans. Security would be provided by the Dallas Police Department. We currently have no information on anticipated vendors.

Attached is the application for review.

MANAGER RECOMMENDATION: Approve the Special Event Request based on the submitted application.

BOARD ACTION TAKEN:



Special Events/ Activities Application

Town of Dallas
210 North Holland Street
Dallas, NC 28034-1625
(704) 922-3176
Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application, The applicant is responsible for notifying the Town of Dallas of any changes. A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceeding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.

APPLICATION INFORMATION

Name of Event:	OKTODER FEST		
Facility Requested:			
Applicant Name:	TIM RADFORD		
Organization:	RUSTY RABBIT		
Mailing Address:	104 E MAIN ST		
City / State / Zip:	DALLAS NC 28034		
Daytime Phone:		Cell: 1049301702	E-Mail: Timradford14@yahoo.com
Description of the Event:	Block party with vendors and live music.		
Does the event have a Facebook, Twitter, or other social networking page:	<input type="checkbox"/>		
If yes, please list URL(s):			
Date (s) Requested for Event:	OCTOBER 2nd 2021		
Event Start Time:	12pm	Event End Time:	11pm
Road Closure Time Begins (if applicable):	8AM	Road Closure Time Ends:	12PM
Set Up Begins:		Set Up Ends:	
Preferred Date & Time of Inspection (if required):			
Estimated Attendance:	1,000		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
Block party with vendors and live music			

Applicant's Signature: _____

Date: _____

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

TENTS / CANOPIES / MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used for events? (proceed to next section.)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (if no)
# of Canopies	<input type="checkbox"/>	(fabric structure that is open without sidewalls on 75% or more of perimeter)
# of Tents	<input type="checkbox"/> 10	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)
# of Membrane structures	<input type="checkbox"/>	(air supported or air inflated structure)
Other type of structure (provide description)	<input type="checkbox"/>	

Notes

VOICE / MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? (proceed to next section.)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (if no)
If yes, state the number of stages, number of bands and type of music:		
Number of stages:	<input type="checkbox"/> 1	Number of Bands: <input type="checkbox"/> 2
Type(s) of music:	ROCK & CASUAL LISTENING	
Will your event use amplified sound:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please indicate times:	Start Time: <input type="checkbox"/> 5 PM	Finish Time: <input type="checkbox"/> 11 PM
Will sound checks be conducted prior to the event?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please indicate times:	Start Time: <input type="checkbox"/> 3 PM	Finish Time: <input type="checkbox"/> 3 PM

* Must comply with Town of Dallas general entertainment ordinance.

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? Yes No

If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters? Yes No

Will there be any deep fat fryers? Yes No

Will there be any fireworks, lasers, torches, candles or pyrotechnics? Yes No

Will generators or electrical power be used? Yes No

If yes, provide electrical load data and location of connection. In the case of extraordinary use or hookups, fees may apply.

RIDES / ATTRACTIONS

Does the event include mechanical rides, or other similar attractions? Yes No

If yes, company name?

Company address:

List details, if any:

Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas (if applicable) as additional insured on general liability.

ALL rides must be inspected and approved by The Department of Labor.

VENDORS

A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:

Served Sold Catered Prepared Outdoors

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)

(Use additional sheet if necessary)

Vendor	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department. Event organizers are responsible for arranging health inspections for their event.

List all other commercial vendors who will be present during the event (serving, selling, sampling, or displaying).

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed.

(Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
10/2	12PM	Block Party Starts	
10/2	2PM	Sound Check Starts	
10/2	4PM	Sound Check Ends	
10/2	5PM	Live Music Starts	
10/2	11PM	Music Ends	

SERVICES

The Town of Dallas does not provide amenities such as portable washrooms/toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as event clean up, traffic control, etc.

TRASH CONTAINERS

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages? Yes No

If yes, in what containers will they come packaged in?

aluminum cans glass bottles/jars plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

How many recycle carts are you requesting?

Delivery Location?

Date and Time for rollout carts to be emptied?

Date and Time for rollout carts to be picked up?

Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Clean-up fees may be incurred because of an applicant's failure to clean and/or restore the site following the event. If you reasonably believe that no litter will be generated during your event, please state this in your plan.

PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

Stage Security Event Area Security Road Closure Security

Other

Overnight Security From : To :

Dates & Times security will be on site:

Security provided by: Number of Security Personnel:

Applicant may be required to hire sworn off-duty Town of Dallas police officers or Sheriff's Department personnel to provide security to insure public safety. The Town of Dallas will determine the number of security personnel required on site.

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

ROUTE AND TRAFFIC PLAN

<input type="checkbox"/> PARADE (Includes floats, vehicles, and persons) <input type="checkbox"/> MARCH OR WALK (persons only) <input type="checkbox"/> VEHICLES ONLY (Includes motorcycles) <input type="checkbox"/> OTHER (Description: _____)	<input type="checkbox"/> BICYCLES <input type="checkbox"/> FOOT RACE
Number of Persons: <input type="text"/>	% Children: <input type="text"/>
Number of Vehicles: <input type="text"/>	Vehicle Types: <input type="text"/>
Number of Animals: <input type="text"/>	Kinds: <input type="text"/>
<p>DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5k, a 10k, and a Fun Run).</p>	
<p style="font-size: 1.2em; font-family: cursive;">Shut down East Main Street between W. Gaston and W. College Street</p>	

ROAD CLOSURES

If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

Please Note: All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

Applicant's Signature: _____

Gru R

Date: _____

6/23/21

Print



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Special Event Application-Back to School Event

AGENDA ITEM NO. 8D

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

Since 2016, the Police Department has hosted an event for area school children, where the children can pick up a book bag and fill it with school supplies. Unfortunately, due to COVID-19, the event had to be cancelled. The event has been very successful in the past and was budgeted for again this year. The requested date is August 17th from 5:00 – 7:00 pm in the Dennis Franklin Gym. Donations will be accepted from businesses and residents, as well as purchased with the budgeted funds from the Town.

MANAGER RECOMMENDATION: Approve the Special Event Request based on the submitted application.

BOARD ACTION TAKEN:



Special Events/ Activities Application

Town of Dallas
 210 North Holland Street
 Dallas, NC 28034-1625
 (704) 922-3176
 Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. **A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.**

APPLICATION INFORMATION

Name of Event:	"Tools for School" Back to School Event		
Facility Requested:	Dallas Gym		
Applicant Name:	Robert Walls		
Organization:	Town of Dallas / Dallas Police Department		
Mailing Address:	207 W Church St		
City / State / Zip:	Dallas / NC / 28034		
Daytime Phone:	704-922-3116	Cell:	704-913-2891
		E-Mail:	rwalls@dallasnc.net
Description of the Event:	Event to Distribute school supplies to Dallas Children		
Does the event have a Facebook, Twitter, or other social networking page:	Yes / Town of Dallas Facebook Pg		
If yes, please list URL(s):			
Date (s) Requested for Event:	Tuesday August 17th 2021		
Event Start Time:	5:30pm	Event End Time:	7:00pm
Road Closure Time Begins (if applicable):	NA	Road Closure Time Ends:	NA
Set Up Begins:	4:00pm	Set Up Ends:	7:30pm
Preferred Date & Time of Inspection (if required):	Tuesday Aug 17th 2021		
Estimated Attendance:	100-150		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
No vendors / everything will be provided at no cost to the participants			

Applicant's Signature: Date: 7-6-21

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

TENTS/ CANOPIES/ MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used for events? (proceed to next section.)		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No (if no)
# of Canopies	<input type="checkbox"/> NA	(fabric structure that is open without sidewalls on 75% or more of perimeter)			
# of Tents	<input type="checkbox"/> NA	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)			
# of Membrane structures		(air supported or air inflated structure)			
Other type of structure (provide description)					

Notes

VOICE/ MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? (proceed to next section.)		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No (if no)
If yes, state the number of stages, number of bands and type of music:					
Number of stages:	<input type="checkbox"/> NA	Number of Bands:	<input type="checkbox"/> NA		
Type(s) of music:	<input type="checkbox"/> NA				
Will your event use amplified sound:		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
If yes, please indicate times:		Start Time:	<input type="checkbox"/> NA	Finish Time:	<input type="checkbox"/> NA
Will sound checks be conducted prior to the event?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
If yes, please indicate times:		Start Time:	<input type="checkbox"/> NA	Finish Time:	<input type="checkbox"/> NA

* Must comply with Town of Dallas general entertainment ordinance.

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.					
Will there be any portable heaters?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
Will there be any deep fat fryers?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
Will there be any fireworks, lasers, torches, candles or pyrotechnics?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
Will generators or electrical power be used?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
If yes, provide electrical load data and location of connection. In the case of extraordinary use or hookups, fees may apply.					

RIDES/ ATTRACTIONS

Does the event include mechanical rides, or other similar attractions?		<input type="checkbox"/> NA	<input type="checkbox"/> Yes	<input type="checkbox"/> NA	<input type="checkbox"/> No
If yes, company name?		<input type="checkbox"/> NA			
Company address:		<input type="checkbox"/> NA			
List details, if any:		<input type="checkbox"/> NA			
Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas (if applicable) as additional insured on general liability.					
ALL rides must be inspected and approved by The Department of Labor.					

VENDORS

A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services

Does the event include food vendors? NA Yes NA No

If the event will have food vendors, please check the following that apply:

NA Served NA Sold NA Catered NA Prepared Outdoors

Does the event include food concession and/or cooking areas? NA Yes NA No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

Vendor	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department. Event organizers are responsible for arranging health inspections for their event.

List all other commercial vendors who will be present during the event (serving, selling, sampling, or displaying).

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed.

(Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES

SERVICES

The Town of Dallas does not provide amenities such as portable washrooms/toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as event clean up, traffic control, etc.

TRASH CONTAINERS

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages? NA Yes NA No

If yes, in what containers will they come packaged in?

NA aluminum cans NA glass bottles/jars NA plastic bottles/jugs/jars

How many trash cans are you requesting for trash? NA

How many recycle carts are you requesting? NA

Delivery Location? NA

Date and Time for rollout carts to be emptied? NA

Date and Time for rollout carts to be picked up? NA

Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Clean-up fees may be incurred because of an applicant's failure to clean and/or restore the site following the event. If you reasonably believe that no litter will be generated during your event, please state this in your plan.

PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

NA Stage Security NA Event Area Security NA Road Closure Security

Yes Other Dallas PD Officers

NA Overnight Security From NA To NA

Dates & Times security will be on site: Aug 17th 2021 4 till 7:30 pm

Security provided by: Dallas PD Number of Security Personnel: 4

Applicant may be required to hire sworn off-duty Town of Dallas police officers or Sheriff's Department personnel to provide security to insure public safety. The Town of Dallas will determine the number of security personnel required on site.

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

ROUTE AND TRAFFIC PLAN

<input type="checkbox"/> PARADE (Includes floats, vehicles, and persons)	<input type="checkbox"/> BICYCLES
<input type="checkbox"/> MARCH OR WALK (persons only)	<input type="checkbox"/> FOOT RACE
<input type="checkbox"/> VEHICLES ONLY (Includes motorcycles)	
<input type="checkbox"/> OTHER (Description: _____)	
Number of Persons: <input type="text" value="NA"/>	% Children: <input type="text" value="NA"/>
Number of Vehicles: <input type="text" value="NA"/>	Vehicle Types: <input type="text" value="NA"/>
Number of Animals: <input type="text" value="NA"/>	Kinds: <input type="text" value="NA"/>
<p>DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5k, a 10k, and a Fun Run).</p> <p style="text-align: center;">-NA-</p> <p> </p> <p> </p> <p> </p> <p> </p>	

ROAD CLOSURES

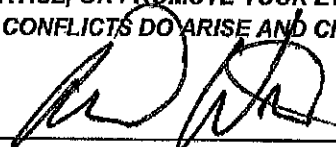
If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

Please Note: All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

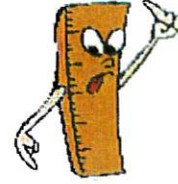
DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

Applicant's Signature: _____

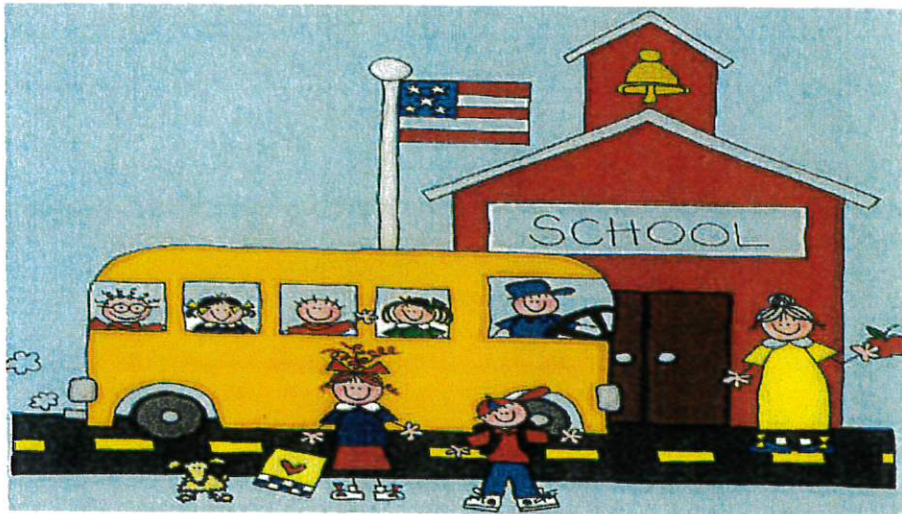


Date: _____

7-6-21



Town of Dallas



Tools for School Event

Please join us at the Dallas Gym

Tuesday August 17th, 2021

5:30pm-7:00pm

For FREE school supplies to school aged children!

****Children must be present to receive supplies****

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Rosewood Drive Annexation Petition

AGENDA ITEM NO. 8E

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

An Annexation Petition was submitted on June 10, 2021 by William M. Moore of Moore and Seagle Holdings LLC on behalf of property owners, Jerry and Lynn Campbell. The property located at 1028 Rosewood Dr., further identified as Gaston County Parcel #71850, is considered contiguous to Town limits.

The petitioners are requesting annexation as Conditional Zoning, CD R-6 residential, for the development of a single-family subdivision.

A Public Information meeting is being Friday, July 9th as part of the Conditional Rezoning of the property.

In order to proceed with the next step, the sufficiency of the annexation petition must be investigated upon direction by the Board of Aldermen.

MANAGER RECOMMENDATION: Direct Staff to investigate the sufficiency of the annexation petition.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: 2021-03

Contiguous

Non-Contiguous

DATE: 6/10/21

FEE: \$500.00

Current Property Use: Residential

Requested Zoning: COND R-6

Planned Property Use: Single Family Subdivision

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as

1028 Rosewood Drive, DALLAS, NC 28034, further identified as

parcel ID # 171850, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Jerry & Lynn Campbell Phone _____

Address 1028 Rosewood Drive

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Jerry W. Campbell Date: 6/10/21

Owner's Signature: Lynn Campbell Date: 6/10/21

Owner's Signature: _____ Date: _____

Received By: Walter Groll Date: 6/10/2021



June 10, 2021

Town of Dallas
Board of Aldermen
210 N Holland Street
Dallas, NC 28034

RE: *Annexation Outline Letter*

Dear Board of Aldermen,

We like to annex parcel # 171850 (see zoning map attached for reference) into the Town of Dallas to achieve the town's Conditional R-6 Zoning and also tie into the town's public utilities to supply the proposed development (see development map attached for reference also).

We greatly appreciate your consideration in this matter and look forward to your response.

Sincerely,

William M Moore
Moore & Seagle Holdings, LLC

BK 2708 PG 809

GASTON COUNTY NC 09/30/97 \$195.00
STATE OF NORTH CAROLINA Real Estate Excise Tax

TIME 2:02
BOOK 2708
PAGE 89
FILED 9-30-97

NET D 14.00
REVENUE 195.00
TOTAL 209.00
CHECK 225.00
CHANGE 26.00

Excise Tax 195.00 Recording Time, Book and Page
Tax Lot No. Parcel Identifier No. 09/30/97 15
Verified by County on the day of 14:02:00E 0137
by

Mall after recording to Grantee
This instrument was prepared by Richard D. Laws
Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 25th day of September 1997, by and between
GRANTOR GRANTEE

Mary Sue S. Cooke and husband,
Steve Cooke; and Mary S. Cooke,
Executrix of the estate of Edna
Lineberry

Jerry W. Campbell and
wife, Lynn Y. Campbell
1020 Rosewood Drive
Dallas, NC 28034

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Dallas, Texas, Dallas Township,

Gaston County, North Carolina and more particularly described as follows:

TRACT 1:

BEGINNING at an iron in the western margin of Rosewood Drive (SR 2271), northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, said point of Beginning being approximately 180 feet in a northerly direction from the intersection of the center lines of SR 2271 and 2272, and running thence with Farrar's line, South 61-35-19 West 324.72 feet to an iron; thence North 41-41-32 West 660.71 feet to a new iron in the southern line of the property of Jack C. Ettar; thence with Ettar's line South 88-17-55 East 538.40 feet to an iron, corner with Ronnie D. Smith (Book 1987 at Page 361); thence with Smith's western line South 19-50-00 East 134.24 feet to an iron; thence with Smith's southern line, North 76-01-24 East 94.91 feet to an iron in the western margin of Rosewood Drive (SR 2271); thence with the western margin of Rosewood Drive, South 12-38-51 East 225.00 feet to the point and place of Beginning, and containing 4.50 acres, more or less. The foregoing description is shown as Tract 1 on plat of survey made by Larry R. Ritter, Inc., dated May 25, 1990, revised September 3, 1997.

RECORDING FEE 14.00
REVENUE 195.00

9600M
Form No. JA 4-1977 - June 1977 Edition
Printed by Department of State, Raleigh, N.C. 27605

The foregoing property is subject to an easement and access right of way, 20' in width, running along the southern line of said property, the southern line of which is described as follows: BEGINNING at an iron in the western margin of Rosewood Drive, northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, and running thence with Farrar's line South 61-35-19 West 324.72 feet to an iron.

TRACT 2:

BEGINNING at an iron, common corner of the Grantor, Jack C. Etter (Book 1760 at Pages 702 and 704), Douglas Lepka (Book 2397 at Page 694), and Grover E. Lays (Book 1334 at Page 150), said point of Beginning being situated North 88-17-55 West 741.04 feet from an iron at the northwestern corner of the property of Ronnie D. Smith (Book 1987 at Page 361), and running thence with Etters' Southern line, South 88-17-55 East 202.64 feet to a new iron; thence South 41-41-32 East 660.71 feet to an iron, corner with Beverly W. Farrar (Book 1010 at Page 259); thence with Farrar's line, South 29-35-19 West 308.00 feet to an iron; thence with the center line of a branch, the following fourteen courses and distances: (1) South 69-51-58 West 46.76 feet; (2) South 11-25-10 West 13.81 feet; (3) South 62-05-06 West 39.21 feet; (4) South 26-03-05 West 48.16 feet; (5) South 51-55-08 West 50.73 feet; (6) South 38-53-23 West 66.50 feet; (7) South 35-46-50 West 61.97 feet; (8) South 41-04-58 West 84.62 feet; (9) South 66-02-28 West 44.60 feet; (10) South 51-47-38 West 93.11 feet; (11) South 85-23-32 West 31.91 feet; (12) South 59-37-03 West 79.29 feet; (13) North 62-17-47 West 33.44 feet; (14) South 81-32-00 West 90.00 feet; thence with the center line of another branch the following five courses and distances: (1) North 07-03-05 East 45.98 feet; (2) North 11-44-09 East 73.29 feet; (3) North 00-32-06 East 55.42 feet; (4) North 10-56-52 East 132.71 feet; (5) North 10-27-04 East 135.03 feet; thence North 74-16-40 West 11.14 feet to an iron; thence North 84-55-34 West 48.00 feet to an iron; thence North 08-19-27 East 736.23 feet to the point and place of Beginning, and containing 12.543 acres. The foregoing property is shown as Tract 2 on plat of survey made by Larry R. Ritter, Inc., dated May 25, 1990, revised September 3, 1997.

Together with an easement, 20' in width, for ingress, egress and regress to Rosewood Drive (SR 2271), the southern line of said easement being described as follows: BEGINNING at an iron in the western margin of Rosewood Drive, northeast corner of the property of Beverly W. Farrar as described in Book 1010 at Page 259, and running thence with Farrar's line, South 61-35-19 West 324.72 feet to an iron.

Being a portion of the property conveyed to the Grantor by deeds recorded in Book 542 at Page 146 and Book 1878 at Page 27, Gaston County Registry. Mary Sue Cooke is also the executrix and sole devisee of the estate of Edna Smith Lineberry (see Estate File No. 97 E 996 in the Office of the Clerk of Superior Court of Gaston County). Mary Sue Cooke and Sue S. Cooke and Sue Smith Cooke and Sue S. Cooke (SIC Deed Book 542, Page 146) are one and the same person.

BK2708PC810

UNOFFICIAL

BK2708PG811

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following assertions:

UNOFFICIAL

IN WITNESS WHEREOF, the Grantee has hereunto set its hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

.....
(Corporate Name)

By:
..... President

ATTEND:
.....
..... Secretary (Corporate Seal)

.....
(Corporate Name)

By:
..... President

ATTEND:
.....
..... Secretary (Corporate Seal)

USE BLACK INK ONLY

Mary S. Cooke
Mary S. Cooke (SEAL)

Steve Cooke
Steve Cooke (SEAL)

Mary S. Cooke
Mary S. Cooke, EXECUTOR OF THE
Estate of Edna Lineberry (SEAL)

USE BLACK INK ONLY

..... (SEAL)

..... (SEAL)

..... (SEAL)

..... (SEAL)

BK2708P6812



SEAL - STAMP

NORTH CAROLINA,Gaston.....County.

I, a Notary Public of the County and State aforesaid, certify that Mary-Sue S. Cooke and Mary Steve Cooke and Mary S. Cooke, Executrix of the Estate of Edna Inghery Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 25th day of September, 1997.

My commission expires 2/2/98 W. J. Cody Notary Public

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

SEAL - STAMP

NORTH CAROLINA,County.

I, a Notary Public of the County and State aforesaid, certify that Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of 19.....

My commission expires: Notary Public

The foregoing certificate of W. J. Cody

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

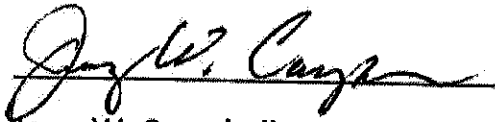
James H. Brown REGISTER OF DEEDS FOR Gaston COUNTY
Deputy/Assistant-Register of Deeds.

Abutting Property Owners List		Parcel ID#
--------------------------------------	--	-------------------

1	<i>Jaime A & Norma M Aristizabal</i>	171852
2	<i>Cloninger Family Properties LLC</i>	171872
3	<i>Robert O & Gail S Breest</i>	171874
4	<i>Town of Dallas</i>	132813
5	<i>Catherine Valentin-Andaluz & Edwin Andaluz</i>	300098
6	<i>Amanda P Spargo</i>	171843
7	<i>Jack C Etter</i>	203226
8	<i>Lowrance McKenny Prop LLC</i>	203227
9	<i>Robert C Smith</i>	171851

Authorized Agent

Let this letter serve as formal notice that we, Jerry W. & Lynn Y. Campbell, owner of parcel #171850, further known as 1028 Rosewood Drive, give consent for Moore & Seagle Holdings, LLC to act as the authorized agent(s) on our behalf for the Conditional Zoning request in the Town of Dallas

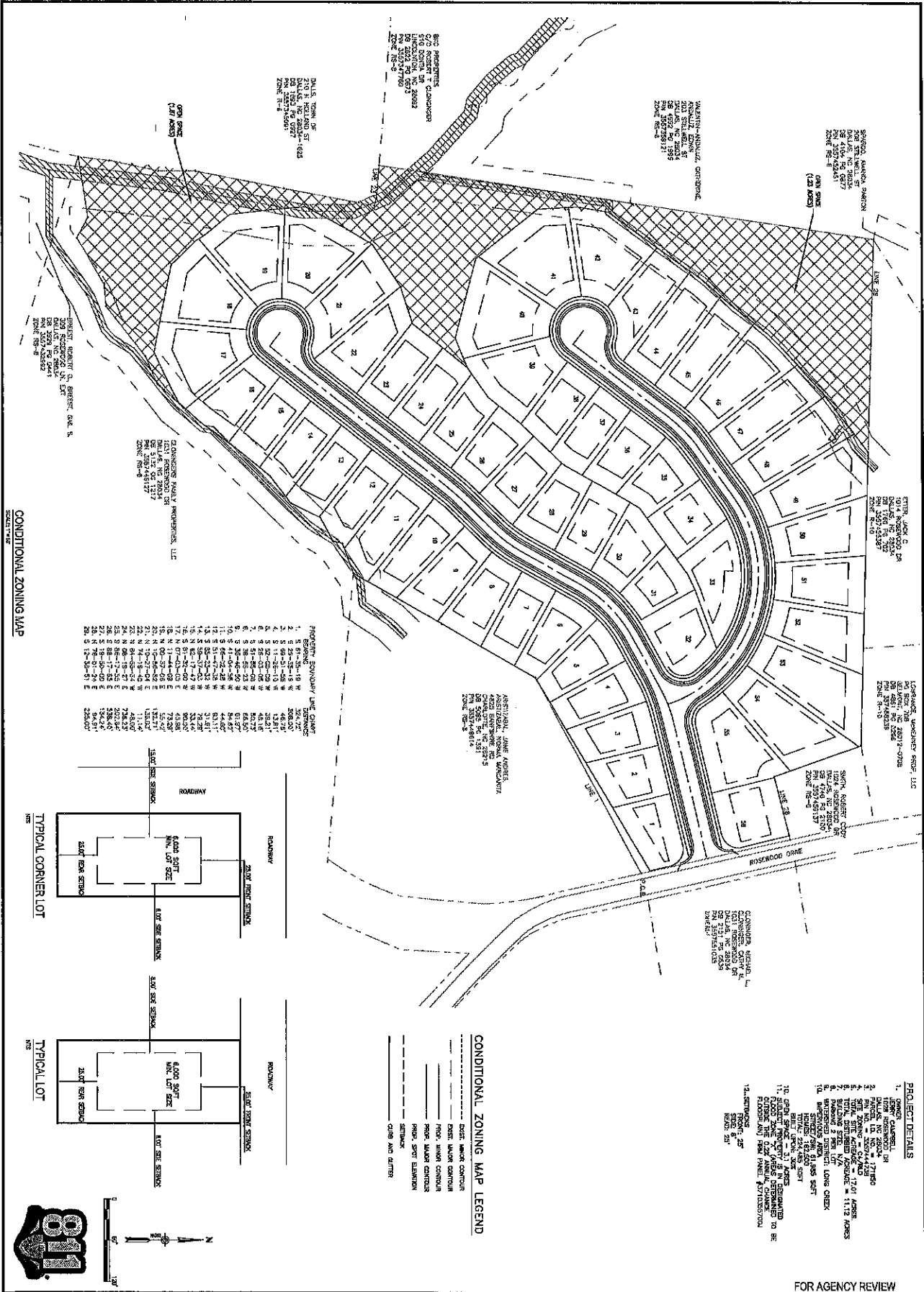


Jerry W. Campbell



Lynn Y. Campbell

Date Signed: JUNE / 10th /2021

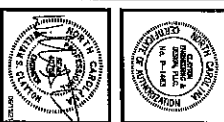


CONDITIONAL ZONING MAP

NO.	DATE	REVISION
1	10/19/2012	ISSUED FOR PERMIT
2	10/19/2012	REVISED
3	10/19/2012	REVISED
4	10/19/2012	REVISED
5	10/19/2012	REVISED
6	10/19/2012	REVISED
7	10/19/2012	REVISED
8	10/19/2012	REVISED
9	10/19/2012	REVISED
10	10/19/2012	REVISED
11	10/19/2012	REVISED
12	10/19/2012	REVISED
13	10/19/2012	REVISED
14	10/19/2012	REVISED
15	10/19/2012	REVISED
16	10/19/2012	REVISED
17	10/19/2012	REVISED
18	10/19/2012	REVISED
19	10/19/2012	REVISED
20	10/19/2012	REVISED
21	10/19/2012	REVISED
22	10/19/2012	REVISED
23	10/19/2012	REVISED
24	10/19/2012	REVISED
25	10/19/2012	REVISED
26	10/19/2012	REVISED
27	10/19/2012	REVISED
28	10/19/2012	REVISED
29	10/19/2012	REVISED
30	10/19/2012	REVISED
31	10/19/2012	REVISED
32	10/19/2012	REVISED
33	10/19/2012	REVISED
34	10/19/2012	REVISED
35	10/19/2012	REVISED
36	10/19/2012	REVISED
37	10/19/2012	REVISED
38	10/19/2012	REVISED
39	10/19/2012	REVISED
40	10/19/2012	REVISED
41	10/19/2012	REVISED
42	10/19/2012	REVISED
43	10/19/2012	REVISED
44	10/19/2012	REVISED
45	10/19/2012	REVISED
46	10/19/2012	REVISED
47	10/19/2012	REVISED
48	10/19/2012	REVISED
49	10/19/2012	REVISED
50	10/19/2012	REVISED
51	10/19/2012	REVISED
52	10/19/2012	REVISED
53	10/19/2012	REVISED
54	10/19/2012	REVISED

JERRY CAMPBELL
 BAYLOR TOWNSHIP, GASTON CO., NORTH CAROLINA
 ROSEWOOD VILLAGE

CLAYTON
 ENGINEERING & DESIGN
 1209 9TH AVE NE, PO BOX 2351 HICKORY, NC 28601



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Rhyne Annexation Petition

AGENDA ITEM NO. 8F

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

An Annexation Petition was submitted on June 16, 2021 by Helen Rhyne, property owner of Gaston County Parcel #169184, no address assigned, located off of Dallas High Shoals Hwy. The property is considered non-contiguous.

The petitioner is requesting annexation as Conditional Zoning, CD R-5 residential, for a potential single-family detached subdivision.

In order to proceed with the next step, the sufficiency of the annexation petition must be investigated upon direction by the Board of Aldermen.

MANAGER RECOMMENDATION: Direct Staff to investigate the sufficiency of the annexation petition.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: 2021-05

Contiguous

Non-Contiguous

DATE: 6-15-2021

FEE: \$500.00

Current Property Use: Vacant Requested Zoning: Conditional Zoning R-5

Planned Property Use: Single Family Detached Subdivision

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as

No address assigned, DALLAS, NC 28034, further identified as

parcel ID # 169184, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Helen Rhyne Phone 704-922-3625

Address 3633 Dallas Cherryville Hwy. Dallas NC 28034

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Helen Rhyne Date: 6-16-21

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

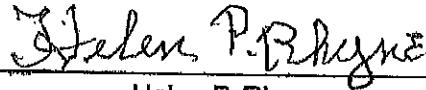
Received By: Nolan Grobe Date: 6-16-2021

Helen P. Rhyne - Petition for Annexation
Parcel # 169184

Letter outlining reason for annexation request:

We want this piece of property (Parcel # 169184) on Dallas High Shoals Hwy. annexed into the town of Dallas for possible residential development.

Applicant Signature:

A handwritten signature in cursive script that reads "Helen P. Rhyne". The signature is written in dark ink and is positioned above a horizontal line.

Helen P. Rhyne

Mail To: Davis A. Rhyne, Route 1, Box 286, Dallas, N.C. 28034

This instrument was prepared by: William G. Holland, Attorney at Law

BOOK 1831 PAGE 531

WARRANTY DEED - Form WD-602

Printed and for sale by James Williams & Co., Inc., Yadkinville, N.C. 27055

STATE OF NORTH CAROLINA, Gaston County.

THIS DEED, made this 29th day of January, 1987, by and between EUGENE F. RHYNE and wife, EVELYN SUE RHYNE; and BOBBY H. RHYNE and wife, FRANCES S. RHYNE; and DAVIS A. RHYNE

of Gaston County and State of North Carolina, hereinafter called GRANTOR, and DAVIS A. RHYNE and wife, HELEN P. RHYNE, as tenants by the entirety

of Gaston County and State of North Carolina, hereinafter called GRANTEE.

WITNESSETH: That the Grantor, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to him in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell, convey and confirm unto the Grantee, his heirs and assigns forever, the entirety in Dallas Township Gaston County, North Carolina, described as follows:

BEGINNING at a railroad spike in the paved portion of old U.S. Highway No. 321, said railroad spike being located South 28 degrees 17 minutes 28 seconds East 291.13 feet from the northernmost corner of that certain tract of land which was conveyed to Henry F. Rhyne and wife, Gertrude F. Rhyne, by E. Fritz Blankenship and wife, Evelyn Blankenship, by deed dated November, 1942 and recorded in the office of the Register of Deeds for Gaston County, North Carolina in Deed Book 434, at Page 560 and runs thence South 28 degrees 17 minutes 28 seconds East 291.14 feet to a railroad spike located in the right-of-way of old U.S. Highway No. 321; thence with the northwesterly boundary line of the property of Rauben Jerrell Stroup and wife, Blois Evans Stroup, as described in deed recorded in the abovementioned registry in Deed Book 1496, at Page 600, South 15 degrees 53 minutes 57 seconds West 306.50 feet to an existing iron pin; thence with Stroups' westerly boundary line, South 29 degrees 54 minutes 18 seconds East 68.14 feet to an existing iron pin; thence with the westerly boundary lines of the property of Thomas Ewell Poston and wife, Charlotte Lea Poston, and Phyllis R. Long Millis as described in deeds recorded in the abovementioned registry in Deed Book 1254, at Page 82 and Deed Book 1334, at Page 524, respectively, South 29 degrees 45 minutes 20 seconds East 224.30 feet to an existing iron pin; thence with the westerly boundary line of the property of Lewis B. Clemmer and wife, Nollie Morton Clemmer, as described in deed recorded in the abovementioned registry in Deed Book 1042, at Page 143, South 29 degrees 44 minutes 08 seconds East 75.03 feet to an existing iron pin; thence with the westerly boundary line of the property of E.M. Sartin and wife, Edna M. Sartin, as described in deed recorded in the abovementioned registry in Deed Book 1092, at Page 322, South 29 degrees 49 minutes 00 seconds East 143.84 feet to an existing iron pin; thence with the northerly boundary lines of the property of Jimmy D. Norman, Joseph P. Moffitt and wife, Billie L. Moffitt, Harold M. White and wife, Iris C. White, Larry K. Foster and wife, Mildred B. Foster, Mitchell B. McClure and wife, Nancy Frye McClure, and Douglas B. McClure and wife, Kimberly W. McClure, as described in deeds recorded in the abovementioned registry in Deed Book 1176, at Page 73, Deed Book 1110, at Page 388, Deed Book 1098, at Page 540, Deed Book 1030, at Page 167, Deed Book 1066, at Page 21, Deed Book 974, at Page 132, Deed Book 870, at Page 545 and Deed Book 1450, at Page 140, respectively, South 75 degrees 08 minutes 01 seconds West 1,265.39 feet to an existing iron pin located in the easterly boundary line of the property of Pearl J. Summey as described in deed recorded in the abovementioned registry in Deed Book 546, at Page 59; thence with Pearl J. Summey's easterly boundary line, North 18 degrees 08 minutes 14 seconds West 106.82 feet to an existing iron pin; thence with Pearl J. Summey's northerly boundary line, North 80 degrees 04 minutes 28 seconds West 165 feet to an iron pin set; thence with a new line, North 60 degrees 37 minutes 23 seconds East 1,101.88 feet to an iron pin set; thence with another new line, North 13 degrees 01 minutes 33 seconds East 666.72 feet to the point of beginning and containing 12.429 acres.

The above description by courses and distances is taken from a plat entitled "Survey Made at the Request of Gertrude F. Rhyne Est." made by John W. Lineberger, Registered Surveyor, dated July 26, 1946, on which subject property is identified as Tract No. 2, a copy of which said

Abutting Properties

PID # 170287 & 169122
Marilyn S Finger Irrevocable Trust
2701 Jackson Square,
Anderson, SC 29625

PID #169115
Jerry & Pamela Buller
110 Hull Dr.
Dallas, NC 28034

PID# 169183
Wilson Family Rentals LLC
PO Box 1422
Gastonia, NC 28053

PID #169177 & 217241
Gastonia Flea Market LLC
C/O Barnyard Flea Market-Dallas
PO Drawer 12187
Columbia, SC 29211

PID# 169187
Thomas Goodson
175 Terry Lane Dr.
Dallas, NC 28034

PID# 169188 & 169189
Jams Kidd
3723 Dallas High Shoals HWY.
Dallas, NC 28034

PID#169191
Jeffrey & Patricia Scronce
3715 Dallas High Shoals HWY.
Dallas, NC 28034

Parcel #169190
Brittany Peeler
3713 Dallas High Shoals HWY.
Dallas, NC 28034

Parcel#169218
Gita & Binita Patel
2011 Fairways Dr.
Cherryville, NC 28021

Parcel #169219
Joe & Billie Moffit
220 Keener Dr.
Dallas, NC 28034

Parcel #169221
Joseph & Skylar Garrett
226 Keener Dr.
Dallas, NC 28034

Parcel #169222
Phillip D Ammons
230 Keener Dr.
Dallas, NC 28034

Parcel #169223
Laura Quezada
322 Keener Dr.
Dallas, NC 28034

Parcel # 226034 & 169186
Mitchell & Nancy McClure
226 Keener Dr.
Dallas, NC 28034

NC GRID NORTH IS NAD 83 2011
ALL DISTANCES GAUSSIAN
COMBINED FACTOR: 0.999997971

NORTH CAROLINA, GASTON COUNTY

I, _____ REVIEW OFFICER OF GASTON COUNTY CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Ordinance of Dallas, North Carolina and that this plat has been approved by _____ on _____ for recordation in the County Deeds Office.

Subdivision Administrator _____ Date _____

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of Gaston County and that I hereby adopt this plan of subdivision with my true content and establish minimum lot size and building setback lines as noted.

Owners or Agent _____ Date _____
HELEN RHYNE

NOTES:

- SURVEY BASED ON PHYSICAL EVIDENCE
- NO FEATURES LOCATED OTHER THAN AS SHOWN
- PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS NOT OBSERVED
- NO TITLE SEARCH PERFORMED BY THIS FIRM
- PROPERTY MAY OR MAY NOT BE IN A FLOOD ZONE, UNLESS SPECIFIED ON SURVEY, UPON REQUEST.
- ANY UNDERGROUND UTILITIES SHOWN CANNOT BE FULLY VERIFIED BY THIS FIRM UNLESS UNCOVERED FOR VISUAL INSPECTION.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE ABSTRACT. THE SURVEYED PROPERTY IS SUBJECT TO ANY EXISTING EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, SETBACK LINES, BURIED UTILITIES, PIPES, YANKS, MINERAL RIGHTS AND LANDS WITH OR WITHOUT RECORDS.
- R/W SHOWN SUBJECT TO NC DOT VERIFICATION

- LEGEND**
- IRON PIN FOUND
 - IRON PIN SET
 - UNMARKED POINT

I, D. JASON WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION THIS PLAT WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS A MINIMUM OF 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY ORIGINAL SEAL, SIGNATURE AND REGISTRATION NUMBER THIS

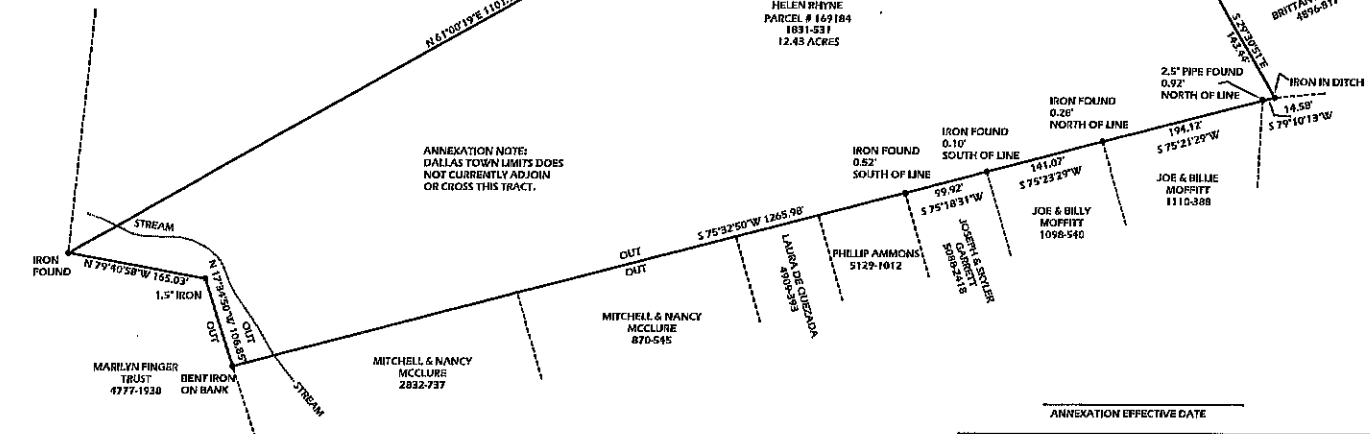
14 DAY OF _____ JANUARY _____ 2021

D. Jason West NCPLS 1-4992



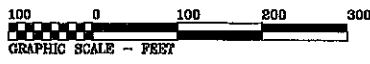
I, D. JASON WEST, PROFESSIONAL LAND SURVEYOR CERTIFY TO ONE OF THE FOLLOWING AS INDICATED:

- A. THAT THIS PLAT IS OF A SURVEY THAT CREATED A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- B. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED IN AN AREA OF A COUNTY OR MUNICIPALITY THAT HAS NO ORDINANCE THAT REGULATES PARCELS OF LAND.
- C. THAT THIS PLAT IS OF AN EXISTING PARCEL OR PARCELS OF LAND.
- D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COUNTY-ORDERED SURVEY OR OTHER CATEGORY TO THE BEST OF MY KNOWLEDGE.
- E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL JUDGMENT AS TO THE PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.



ANNEXATION NOTE:
DALLAS TOWN LIMITS DOES NOT CURRENTLY ADJOIN OR CROSS THIS TRACT.

ANNEXATION EFFECTIVE DATE _____



RETURN TO:
HELEN RHYNE
3633 DALLAS CHERRYVILLE HWY
DALLAS NC 28034

ABBREVIATION FOR		GAIL SUMMEY	
LOCATION:	DALLAS TWP, GASTON COUNTY, NC	DATE:	JANUARY 14, 2021
PARCEL NO:	169184	SCALE:	1"=100'
DATE:	JANUARY 14, 2021	DRAWN BY:	DJW
SCALE:	1"=100'	FILE:	DALLAS2020.DWG
		LEDFORD & WEST LAND SURVEYING & MAPPING, PLLC 230 E. DOUBLE SHOALS ROAD LAWRENDALE, NC 28080 704.612.0039 JWSURVEYOR@GMAIL.COM	

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Finger Irrevocable Trust Annexation Petition

AGENDA ITEM NO. 8G

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

An Annexation Petition was submitted on June 15, 2021 by Rosemary Finger Routszong, Trustee of property owner Marilyn S. Finger Irrevocable Trust. The petition includes three parcels, #303651, #170287, #169122, no addresses assigned, located near Shepherds Way Dr.

The petitioner is requesting annexation as Conditional Zoning, CD R-5 residential, for the development of a potential single-family detached subdivision.

In order to proceed with the next step, the sufficiency of the annexation petition must be investigated upon direction by the Board of Aldermen.

MANAGER RECOMMENDATION: Direct Staff to investigate the sufficiency of the annexation petition.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: 2021-011

Contiguous

Non-Contiguous

DATE: June 14, 2021

FEE: \$500.00

Current Property Use: Vacant Requested Zoning: Conditional Zoning - R-5

Planned Property Use: Single Family Detached Subdivision

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as

No address assigned, DALLAS, NC 28034, further identified as
parcel ID # 303651, 170287, 169122, be annexed to the Town of Dallas.

Print owner name(s) and information:

Name Rosemary Finger Routszong Phone 704-674-2170

Address 2701 Jackson Square, Anderson, SC 29625

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Attachments Included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: Rosemary Finger Routszong, Trustee Date: June 14, 2021
Marilyn S. Finger & Lawrence Trust

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

Received By: Robert Dool Date: 6/15/2021

June 1st 2021

I, Rosemary Fuger Routsong,
trustee for the Marilyn S. Fuger
Irrevocable Trust, would to annex
my property in to the Town of Dallas,
to be a part of the new conditional
rezoning of the Town of Dallas.

Sincerely,

Rosemary Fuger Routsong

**LEGAL DESCRIPTION
PROPERTY ANNEXED INTO THE TOWN OF DALLAS
51.5552 ACRES**

That certain tract or parcel of land situated, lying, and being in the Dallas Township, Gaston County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing #5 rebar lying on the existing Dallas town limits and marking the southeast corner of the Ryon Dearing & wife, Christina Dearing property as described in Deed Book 4882, Page 2145 and runs thence with the Dearing property and the new Dallas town limits four (4) courses and distances as follows: (1) North 15-19-51 East 343.44 feet to an existing #5 rebar in the center of Meadow Way Drive, a 20' perpetual nonexclusive right-of-way; (2) North 73-02-02 West 281.90 feet to a point in the center of Meadow Way Drive; (3) North 85-14-22 West 92.90 feet to a point in the center of Meadow Way Drive; (4) South 70-25-09 West 41.38 feet to an existing #5 rebar in the center of Meadow Way Drive and lying on the eastern property line of the Jodie Depascale property as described in Deed Book 5157, Page 1988; thence with the Depascale property and the new Dallas town limits two (2) courses and distances as follows: (1) North 22-16-15 West 154.52 feet; (2) North 75-35-10 West 392.16 feet to an existing #4 rebar lying on the existing Dallas town limits and laying on the eastern property line of the William J. Summey & wife, Carole Rogers Summey property as described in Deed Book 1946, Page 708; thence with the Summey property and the existing Dallas town limits three (3) courses and distances as follows: (1) North 14-25-00 East 211.92 feet to a point; (2) North 13-07-44 East 1200.35 feet to a point; (3) North 13-32-55 East passing an existing 1" iron pipe at 269.84 feet a total distance of 282.75 feet to a point on the southern property line of the Rosemary F. Routzong, trustee of the Marilyn S. Finger Irrevocable Trust property as described in Deed Book 4777, Page 1938; thence with the Rosemary F. Routzong, trustee of the Marilyn S. Finger Irrevocable Trust property and the new Dallas town limits South 79-35-41 East 156.05 feet to an existing #4 rebar marking the southwest corner of the Jerry Wayne Buller and wife, Pamela A. Buller property as described in Deed Book 4825, Page 444; thence with the Buller property and the new Dallas town limits South

79-52-18 East 251.55 feet to an existing #5 rebar marking the southern corner of the Wilson Family Rentals, LLC property as described in Deed Book 5022, Page 858 and the southwestern corner of the Helen P. Rhyne property as described in Deed Book 1831, Page 531; thence with the Rhyne property and the new Dallas town limits two (2) courses and distances as follows: (1) South 79-36-46 East 164.80 feet to an existing #10 rebar; (2) South 17-43-25 East 106.77 feet to an existing 3/4" iron pipe marking the western corner of the Mitchell McClure and wife, Nancy McClure property as described in Deed Book 2832, Page 737; thence with the McClure property and the new Dallas town limits South 18-43-56 East 99.95 feet to an existing #4 rebar marking the western corner of the Steven David Morris property as described in Deed Book 4989, Page 1318; thence with the Morris property and the new Dallas town limits South 18-42-50 East 105.72 feet to an existing #5 rebar marking the western corner of the Steven David Morris property as described in Deed Book 4988, Page 707; thence with the Morris property and the new Dallas town limits South 19-45-47 East 100.06 feet to an existing #5 rebar marking the western corner of the Stephen Webber and wife, Anthea Webber property as described in Deed Book 2857, Page 292; thence with the Webber property and the new Dallas town limits South 19-43-06 East 200.20 feet to an existing #5 rebar marking the western corner of the Leslie Fay Ferguson property as described in Deed Book 4691, Page 1567; thence with the Ferguson property, the Andrew Gibbon and wife, Lesly Gibbon property as described in Deed Book 4414, Page 473, the Laura Quezada property as described in Deed Book 4718, Page 970 and the new Dallas town limits two (2) courses and distances as follows: (1) South 20-02-01 East 299.97 feet to an existing 2.5" axle; (2) South 20-26-49 East 39.95 feet to an existing 1/2" iron rod marking the western corner of the Charles Michael Brooks, et.al. property as described in Estate File 12E-1343; thence with the Brooks, et.al. property and the new Dallas town limits two (2) courses and distances as follows: (1) South 20-07-12 East 4.46 feet to an existing 2.5" axle; (2) South 36-45-37 East 197.19 feet to an existing 2.5" axle lying on the existing Dallas town limits and marking the northwest corner of the Frances Kirby and Samuel Summey property as described in Estate File 2018-872; thence with the Kirby and Summey property and the existing Dallas town limits four (4) courses and distances as follows: (1) South 09-26-57 East 379.52 feet to an existing 3/4" iron pipe; (2) South

09-30-47 East 300.59 feet to an existing 1" pinched top iron pipe; (3) South 09-26-54 East 199.23 feet to an existing 3/4" axle; (4) South 09-11-54 East 34.45 feet to an existing 2.5" iron pipe marking the northwest corner of the Gaston Area Lutheran Foundation, Inc. property as described in Deed Book 4218, Page 2058; thence with the Gaston Area Lutheran Foundation, Inc. property and the new Dallas town limits South 09-30-31 East 365.74 feet to a point in a 36" poplar tree lying on the existing Dallas town limits and marking a corner on the northern line of the Gaston Area Lutheran Foundation, Inc. property as described in Deed Book 4633, Page 377; thence with the Gaston Area Lutheran Foundation, Inc. property and the existing Dallas town limits two (2) courses and distances as follows: (1) North 68-04-26 West 531.53 feet to an existing 4" iron pipe with a square top; (2) South 78-52-31 West 366.70 feet to the Point or Place of **BEGINNING**; containing **51.5552** acres of land.

Abutting Properties

PID # 212567 & 214259
Gaston Area Lutheran Foundation
916 S Marietta St.
Gastonia, NC 28054

PID #198469
Andrew B & Haley O Borchardt
1141 Meadow Way Dr.
Dallas, NC 28037

PID #303650
Jodie Depascale
1150 Meadow Way Dr.
Dallas, NC 28034

PID # 170286
William & Carole Summey
1506 Dallas Cherryville HWY
Dallas, NC 28034

PID #169115
Jerry & Pamela Buller
110 Hull Dr.
Dallas, NC 28034

PID #169183
Wilson Family Rentals LLC
PO Box 1422
Gastonia, NC 28053

PID #169186
Mitchell & Nancy McClure
240 Keener Dr.
Dallas, NC 28034

PID #226035 & 170151
Steven Morris
304 Keener Dr.
Dallas, NC 28034

PID #170150
Stephen & Anthea Webber
306 Keener Dr.
Dallas, NC 28034

PID #170150
Leslie Ferguson
114 Bogus Dr.
Dallas, NC 28034

PID #170148
Andrew & Lesly Gibbon
416 Poplar Springs Church Rd.
Shelby, NC 28152

PID #220344
Laura Quezada
322 Keener Dr.
Dallas, NC 28034

PID #170143
Charles Brooks & Others
PO Box 822
Dallas, NC 28034

PID #170057
Frances Kirby & Samuel Summey
212 Whiteoaks Circle
Bluffton, SC 29910

PID #169184
Helen P. Rhyne
3633 Dallas Cherryville HWY
Dallas, NC 28034

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Robinson Clemmer Road Annexation Petition

AGENDA ITEM NO. 8H

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

An Annexation Petition was submitted on May 6, 2021 by Michael Dickson of Moss Realty on behalf of property owner YFKO LLC. The property is located on Robinson Clemmer Road, no address assigned, across from Alder Ridge subdivision. Further identified as Gaston County Parcel #304617, this property is considered contiguous to Town limits.

The majority of the property is within Town limits, but approximately .25 acres remains in Gaston County. The petitioner is requesting annexation as Conventional R-6 residential, for the future subdivision of the property development of single-family homes.

In order to proceed with the next step, the sufficiency of the annexation petition must be investigated upon direction by the Board of Aldermen.

MANAGER RECOMMENDATION: Direct Staff to investigate the sufficiency of the annexation petition.

BOARD ACTION TAKEN:

2021-02

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____

Contiguous

Non-Contiguous

DATE: _____

FEE: \$500.00

Current Property Use: R-6 Requested Zoning: R-6

Planned Property Use: SINGLE FAMILY RESIDENTIAL

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as

Robinson Clemmer Rd, DALLAS, NC 28034, further identified as
parcel ID # 304617, be annexed to the Town of Dallas.

Print owner name(s) and information: YFKO L.L.C.

Name William Gillespie Jr. Phone 704-868-9703

Address PO BOX 550442 GASTONIA, NC 28055-0442

Name _____ Phone _____

Address _____

CONTACT: Name MICHAEL DICKSON Phone 704-678-5658

Address 548 DEERWOOD DR. GASTONIA, N.C. 28054

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. List of Abutting Property Owners
4. Survey or Plat suitable for recordation
5. \$500 Fee

Owner's Signature: [Signature] Manager Date: 3-30-2021

Owner's Signature: _____ Date: _____

Owner's Signature: _____ Date: _____

Received By: [Signature] Nolan Grace Date: 5-6-2021

Reasons for Request of Annexation of PID# 304617

To whom it may concern:

The subject parcel has been recombined and currently has approximately .25 (point two five) acres outside and approximately 2.5 (two point five) acres inside the town limits of Dallas. Our desire is to have the portion currently located outside of the towns jurisdiction to be annexed in so that zoning will run concurrent to the larger portion of the subject parcel. Our intention is to be able to work exclusively with Town of Dallas for future development of this parcel. Our overall goal at this time is to have the subject parcel annexed and zoned for single family detached dwellings.

Best Regards,

YFKO LLC

By:  _____

Title: Manager

Date: 3-30-2021

BK 5186 PG 1698 - 1700

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 140.00

Parcel Identifier No. 225234 & 225231 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Hance & Hance, 317 South Street, Gastonia, NC 28052 (704) 771-5711

Brief description for the Index: NO TITLE SEARCH REQUESTED OR PERFORMED

THIS DEED made this 29th day of December, 2020, by and between

GRANTOR

GRANTEE

Alders Ridge, LLC
a NC limited liability company
936 Dr. Martin Luther King Jr Way STE 1D
Gastonia, NC 28054

YFKO, LLC
a NC limited liability company
936 Dr. Martin Luther King Jr Way STE 1D
Gastonia, NC 28054

Enter in appropriate block for each Grantor and Grantee name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Dallas Township, Gaston County, North Carolina and more particularly described as follows:

See Exhibit "A" attached and incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____
All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 85 page 41

Page 1 of 2

EXHIBIT "A"

BEGINNING at an iron set in the southern margin of Robinson Clemmer Road, the same being the northwestern corner of Lot 1, Block D, of Briarwood Subdivision as the same is shown in Plat Book 25 at Page 45 in the Gaston County Public Registry; thence with the western lines of Lots 1-4 of said subdivision, the following eight (8) courses and distances: 1) S 30-38-18 W 33.84 feet; 2) S 34-20-10 W 43.51 feet; 3) S 36-57-36 W 53.72 feet; 4) S 40-29-29 W 52.94 feet; 5) S 43-26-59 W 53.52 feet; 6) S 46-29-59 W 53.52 feet; 7) S 49-51-30 W 52.68 feet; 8) S 53-26-56 W 56.68 feet to a point, a common corner with Sowell (Deed Book 4747 at Page 2104); thence with the line of Sowell, N 56-44-03 W 42.30 feet to a ½" rebar found; thence, N 56-44-03 W 96.76 feet to an iron set; thence N 71-04-57 W 267.34 feet to an iron set; thence N 13-21-55 W 96.48 feet to an iron set; thence N 29-45-36 E 74.56 feet to an iron set in the southern margin of Robinson Clemmer Road; thence with the margin of the road, with the arc of a curve to the left having a radius of 984.67 feet, an arc distance of 250.79 feet, a chord bearing of S 79-57-51 E 216.22 feet to a point in the margin of the road; thence N 89-18-25 E 193.18 feet to a point in the margin of the road; thence N 88-34-17 E 218.36 feet to the point and place of beginning and containing 2.75 acres, more or less, according to a survey for Alders Ridge, LLC by Ledford & West dated July 6, 2016, the same being recorded in Plat Book 85 at Page 41 in the Gaston County Public Registry.

The foregoing is a combination of that parcel conveyed to Alders Ridge, LLC by deed recorded in Book 4913 at Page 215 and the remainder of that tract conveyed to Alders Ridge, LLC by deed recorded in Book 4731 at Page 1706, all in the Gaston County Public Registry.

UNOFFICIAL

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Basements, Restrictions and Right of Way of Record. Ad Valorem Taxes for Current Year.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: Alders Ridge, LLC (Entity Name) (SEAL) Print/Type Name:

Print/Type Name & Title: William W. Gillespie, Jr. (SEAL) Print/Type Name: Manager

By: _____ (SEAL) Print/Type Name & Title: _____ Print/Type Name: _____

By: _____ (SEAL) Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____ I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

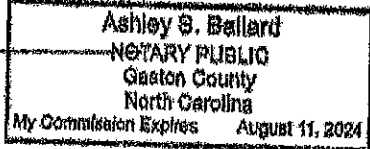
My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name

State of _____ - County or City of _____ I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name

State of North Carolina - County or City of Gaston I, the undersigned Notary Public of the County or City of Gaston and State aforesaid, certify that William W. Gillespie, Jr. personally came before me this day and acknowledged that he is the Manager of Alders Ridge, LLC, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 29 day of December, 2020.

My Commission Expires: _____ (Affix Seal) _____ Notary Public Notary's Printed or Typed Name



Ashley S. Ballard Notary Public Notary's Printed or Typed Name

The first legal description is of the new parcel PID 304617 which has been recombined as a single parcel.

I believe that the second description is of only the old, smaller parcel that was and is still located outside of the city limits even though it is now a portion of a parcel inside the city limits.

BEGINNING at an iron set in the southern margin of Robinson Clemmer Road, the same being the northwestern corner of Lot 1, Block D, of Briarwood Subdivision as the same is shown in Plat Book 25 at Page 45 in the Gaston County Public Registry; thence with the western lines of Lots 1-4 of said subdivision, the following eight (8) courses and distances: 1) S 30-38-18 W 33.84 feet; 2) S 34-20-10 W 43.51 feet; 3) S 36-57-36 W 53.72 feet; 4) S 40-29-29 W 52.94 feet; 5) S 43-26-59 W 53.52 feet; 6) S 46-29-59 W 53.52 feet; 7) S 49-51-30 W 52.68 feet; 8) S 53-26-56 W 56.68 feet to a point, a common corner with Sowell (Deed Book 4747 at Page 2104); thence with the line of Sowell, N 56-44-03 W 42.30 feet to a 1/2" rebar found; thence, N 56-44-03 W 96.76 feet to an iron set; thence N 71-04-57 W 267.34 feet to an iron set; thence N 13-21-55 W 96.48 feet to an iron set; thence N 29-45-36 E 74.56 feet to an iron set in the southern margin of Robinson Clemmer Road; thence with the margin of the road, with the arc of a curve to the left having a radius of 984.67 feet, an arc distance of 250.79 feet, a chord bearing of S 79-57-51 E 216.22 feet to a point in the margin of the road; thence N 89-18-25 E 193.18 feet to a point in the margin of the road; thence N 88-34-17 E 218.36 feet to the point and place of beginning and containing 2.75 acres, more or less, according to a survey for Alders Ridge, LLC by Ledford & West dated July 6, 2016, the same being recorded in Plat Book 85 at Page 41 in the Gaston County Public Registry.

Old Parcel:

Beginning at an iron pin set, located in the southern margin of the right of way of Robinson-Clemmer Road, said iron being located directly south +/- and across Robinson-Clemmer Road from the center line of Alder Ridge Way in Alder Ridge Subdivision, as it intersects with Robinson-Clemmer Road, as shown on PB 75 page 65 in the Gaston County Register of Deeds and thence from said iron S29-45-36W 74.56' to a new iron pin set, said iron pin being the beginning point of this description; thence S56-44-03E 329.15 to an iron pin set; thence N71-04-57W267.34 to an iron pin set; thence N13-21-55W 96.48' to the place of beginning, containing 0.25 acres.

Abutting Parcels

PID# 225233 & 225232
James R. Sowell & Theresa V. Howell
209 Robinson Clemmer Rd
Dallas, NC 28034

PID# 172404
Rhonda R. Hughes
303 Briarwood Circle
Dallas, NC 28034

PID# 172405
Jaclyn P. Zapf
1107 Larkspur Lane
Dallas, NC 28034

PID# 172406
Katie H. Peeler
1109 Larkspur Lane
Dallas, NC 28034

PID# 172407
Karen Van Pelt & Others
2818 Tryon Courthouse Rd.
Bessemer City, NC 28016

PID# 206754
Sean Simpkins & Simone Hutton
1115 Larkspur Lane
Dallas, NC 28034

PARCELS ACROSS ROBINSON CLEMMER

PID# 216068
Donna Baldwin
5000 Broadleaf Ct.
Dallas, NC 28034

PID# 216069
Progress Residential Borrower 11 llc
PO Box 4090
Scottsdale, AZ 85261

PID# 216070
Progress Residential Borrower 6 llc
PO Box 4090
Scottsdale, AZ 85261

PID# 216071
Progress Residential Borrower 6 llc
PO Box 4090
Scottsdale, AZ 85261

PID# 216072
2018-4 IH Borrower LP
C/O Invitation Homes
1717 Main St. STE 2000
Dallas, TX 75201

PID# 216073
David Scott Hannah II
5020 Broadleaf Ct.
Dallas, NC 28034

PID# 220505
James Hill
5044 Broadleaf Ct
Dallas, NC 28034

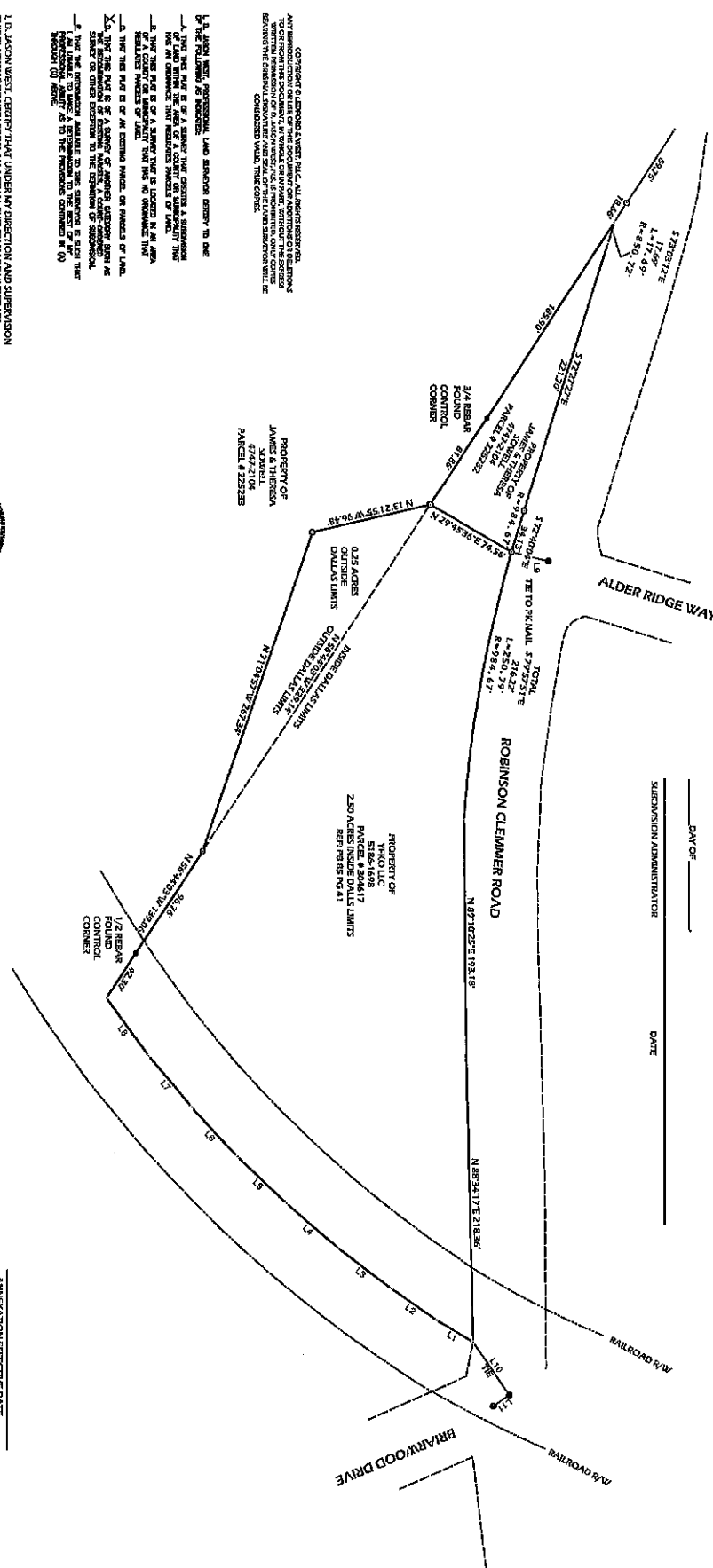
NOTES:
 SURVEY BASED ON PHYSICAL EVIDENCE
 - PROPERTY MAY BE SUBJECT TO RECORDED OR
 UNRECORDED EASEMENTS NOT OBSERVED
 AND TITLE SEARCH RECOMMENDED
 - THIS SURVEY IS BASED ON THE DATA
 FURNISHED BY THE APPLICANT AND IS NOT A
 GUARANTEE OF ACCURACY
 LEGEND:
 ● IRON NAIL
 ● IRON NAIL SET
 ● IRON NAIL SET
 ● UNMARKED POINT

COURSE	Bearing	Distance
L1	S 84° 20' 10" W	52.851
L2	S 84° 20' 10" W	52.851
L3	S 84° 20' 10" W	52.851
L4	S 84° 20' 10" W	52.851
L5	S 84° 20' 10" W	52.851
L6	S 84° 20' 10" W	52.851
L7	S 84° 20' 10" W	52.851
L8	S 84° 20' 10" W	52.851
L9	S 84° 20' 10" W	52.851
L10	S 84° 20' 10" W	52.851
L11	S 84° 20' 10" W	52.851

NORTH CAROLINA, GASTON COUNTY
 COUNTY CLERK THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION
 IS APPLIED MEETS ALL THE STATUTORY REQUIREMENTS FOR RECORDING.
 REVIEW OFFICER _____ DATE _____

I HEREBY CERTIFY THAT THE ANNEXATION PLAN SHOWN WAS APPROVED BY THE TOWN OF DALLAS
 BOARD OF ALDERMEN ON THE _____ DAY OF _____ DATE _____
 SUPERVISOR ADMINISTRATOR _____ DATE _____
 OWNER _____ DATE _____

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN
 AND DESCRIBED HEREBON, WHICH IS LOCATED IN THE JURISDICTION
 AND DISCRETION OF THE TOWN OF DALLAS, GASTON COUNTY, N.C. AND THAT I HEREBY
 ADOPT THIS PLAN OF ANNEXATION WITH ALL FREE CONSENTS, ESTABLISH
 PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

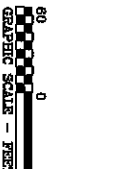


PROPERTY OF JAMES & TERESA SCYVIELA
 220 ACRES INSIDE DALLAS LIMITS
 PARCEL # 222223

PROPERTY OF
 0.25 ACRES
 OUTSIDE
 DALLAS LIMITS
 INSIDE DALLAS LIMITS
 PARCEL # 222223

PROPERTY OF
 2.50 ACRES INSIDE DALLAS LIMITS
 PARCEL # 222223

- 1. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 2. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 3. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 4. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 5. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 6. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 7. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 8. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 9. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...
- 10. I, JACOB WEST, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION...



RETURN TO:
 548 BIRCHWOOD DR
 GASTON, NC 28054

ANNEXATION EFFECTIVE DATE
 MICHAEL DICKSON
 DALLAS TOWNSHIP, GASTON COUNTY, NC
 APRIL 24, 2021

LEDFORD & WEST
 LAND SURVEYING & ENGINEERING, L.L.C.
 1000 W. STATE STREET, SUITE 100
 GASTON, NC 28054
 PHONE: 704.791.1111
 FAX: 704.791.1112
 WWW.LEDFORDANDWEST.COM

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Budget Amendment – Town Sponsored Events

AGENDA ITEM NO. 8I

MEETING DATE: 07/13/2021

BACKGROUND INFORMATION:

Due to the September Summer Concert and Cruise-In falling on September 11th, a 9/11 Memorial Service has been added to commemorate the 20th anniversary. This was not included in the original Town Events budget, so a budget amendment needs to be made to cover anticipated expenses.

Attached is a budget amendment to make provisions for any incurred expenses associated with the added 9/11 Memorial Service event for September 11, 2021.

MANAGER RECOMMENDATION: Approve the budget amendment as presented.

BOARD ACTION TAKEN:

Town of Dallas
Budget Amendment

Date: July 13, 2021

Action: Recreation-Town Events Amendment

Purpose: To Appropriate Funds for 9/11 Memorial Service

Number: REC-001

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	3999	0000	Fund Balance Appropriated	\$284,656	\$285,256	\$600
10	5700	4722	Town Sponsored Events	\$37,550	\$38,150	\$600

 Approval Signature
 (Town Manager)