

Unified Development Ordinance (UDO) Text Amendments ZTA22-01

Request: To consider text amendments to Chapter 2 (Definitions): Table 2.7-1; Chapter 7 (Uses and Building Lot Standards): Table 7.1-1; Chapter 8 (Supplemental Regulations): Section 8.1.19
Applicant: Gaston County Planning Board; Chapter 9 (General Provisions): Section 9.6

Background:

The Unified Development Ordinance (approved April 24, 2008) sets forth procedures for amendment procedures in Chapter 5, requiring a recommendation from the Planning Board, with final action on said amendments to commence at the conclusion of a public hearing by the County Commission. The proposed amendments include language to allow for Small Home Communities as a Special Use in all residential zoning districts as well as the (TMU), (UMU), and (C-1) Zoning Districts.

Planning Board Recommendation:

The Planning Board met on Monday, February 14, and unanimously recommended approval of the proposed text amendments.



GASTON COUNTY

Department of Planning & Development Services

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GASTON COUNTY TEXT AMENDMENT APPLICATION

Complete by either typing or printing legibly in black or blue ink

Applicant ☐

Planning Board (Administrative) ☒

Board of Commission (Administrative) ☐

ETJ ☐

A. *APPLICATION INFORMATION

Application Number: TA 22-01

Name of Applicant: Gaston County Planning Board

(Print Full Name)

Mailing Address: 128 W. Main Ave. Gastonia, NC 28053

(Include City, State and Zip Code)

Telephone Numbers: 704-866-3195

(Area Code) Business

(Area Code) Home

** If the applicant and property owner are not the same individual or group, the Gaston County Zoning Ordinance requires written consent from the property owner or legal representative authorizing the proposed Text Amendment Application. In addition, the authorization shall be notarized. The following two (2) sections pertain to property information, and specifics of the proposal as either a text change or a new use.*

B. PROPERTY INFORMATION (if applicable)

Physical Address or General Street Location of Property:

Tax Map Identification: Parcel (s)

Parcel (s)

Parcel (s)

Acreage of Parcel(s): +/- Acreage to be Rezoned: +/- Current Zoning:

Proposed use(s) to be added to text:

Proposed Zoning District:

C. PROPOSED TEXT CHANGE (specify section of Ordinance)

Chapter 2 (Definitions): Table 2.7-1; Chapter 7 (Uses and Building Lot Standards): Table 7.1-1; Chapter 8

(Supplemental Regulations): 8.1.19 Small House Community

Describe proposed new use (provide an attachment if necessary).

The proposed amendments include language to allow for Small Home Communities in all residential zoning districts and several Office and Commercial districts through the issuance of a Special Use Permit.

APPLICATION CERTIFICATION

(Circle)

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

Carl A. Harris

Signature of property owner or authorized representative

2/14/22

Date

OFFICE USE ONLY

OFFICE USE ONLY

OFFICE USE ONLY

Date Received: Application Number: TA: Fee: \$

Received by Member of Staff: (Initial) Date of Payment: Receipt Number:

☐ Copy of Plot Plan or Area Map

☐ Copy of Deed



☐ Notarized Authorization

☐ Payment of Fee

Public Hearing Date: Planning Board Recommendation: Commissioner's Decision:



(Chapter 2 – Definitions)

Table 2.7-1 Defined Terms		
Term	Use Table Subcategory*	Definition
Dwelling, Small House		<p>A “Dwelling, Single-family Detached”, also known as a “tiny homes” or “tiny houses”, <i>is no greater than eight hundred (800) square feet</i>, per these definitions and is constructed or assembled onsite, <i>and</i> meeting applicable NC State Building Code requirements.</p> <div>   </div>
<i>Residence Hall</i>	<i>Residential</i>	<i>Dependent or independent living facility with common areas for residents.</i>
<i>Small House Community</i>		<i>A development that allows for multiple small house dwelling units on one lot. Small House Communities may have shared spaces, community utilities, and one residence hall.</i>



(Chapter 8 – Supplemental Regulations)

SECTION 8.1.19 SMALL HOUSE COMMUNITY

A. Small House Community Guidelines:

1. *Small House Communities are allowed in all residential zoning districts and in the TMU, UMU, and C-1 zoning districts by issuance of a Special Use Permit.*
2. *Small House Communities must have a Special Use Permit and follow procedures outlined in Section 5.11.2.*
3. *A site plan must be submitted for all Small House Communities. Requirements for site plans can be found in Section 5.23. Additional requirements to be included in initial site plan for review:*
 - *Paved walkways (or any hard surface) throughout development, specifically between all structures and open space areas.*
 - *Trash truck access to proposed solid waste dumpster or access to individual carts*
4. *All Small House Communities shall not exceed ten (10) dwelling units per acre. Water and sewer allowance and requirements will affect overall density of the project. Applicant should coordinate with the Gaston County Health Department and local utility providers for availability and capacity of utilities.*
5. *Community water and sewer are allowed. All NC Building Code and Health Department standards must be met.*
6. *One (1) off-street parking space is required per bedroom on the property as whole. Community parking areas are allowed.*

Example:

*12 small homes (2 bedrooms each) = 24 required parking spaces
+ Common Area / Residence Hall (4 bedrooms) = 4 required spaces*

Minimum of 28 parking spaces required

Additional parking spaces may be required based on overall site plan. For example, proposed on-site staff will require additional parking spaces of one (1) space per staff person during shift of greatest staff. Accessible parking spaces may be required as well by NC Building Code.



7. *Limited landscape screening will be required. Site plan must show at least half (1/2) of what is required in the type A Buffer, Option 1 found in Section 11.3.3.*
8. *Lighting requirements shall be the same as provided in Section 9.13 with the exception that walkway lights may be shorter than three (3) feet in height.*
9. *Noise requirements shall be the same as provided in Section 9.23 of this Ordinance.*
10. *Odor control requirements shall be the same as provided in Section 9.22 of this Ordinance.*
11. *Solid waste dumpsters are allowed per Section 9.25 or individual carts will be allowed if accessible.*
12. *Accessory structures are permitted but shall be limited to one (1) per small house and shall be no greater than 50% of the square footage of the principal dwelling unit.*
13. *Setback requirements shall be the same as the requirements for the underlying zoning jurisdiction. All dwelling units must have twenty (20) feet separation. Accessory structures must be more than five (5) feet away from their principal structure, twenty (20) feet from all other principal dwelling units and meet standard lot setbacks.*
14. *Parcels with Small House Communities may not be subdivided. The following note shall be added to the final plat:*

“At no point shall this parcel be subdivided.”
15. *Mailboxes shall be provided in accordance with United States Postal Service Standards.*
16. *Each dwelling unit shall have individual electric and telephone services and all utility lines shall be placed underground.*

(Chapter 9 – General Provisions)

SECTION 9.6 ONE PRINCIPAL BUILDING OR USE PER LOT

- A. No more than one (1) principal building devoted to a residential use shall be located on a lot, except as:
- (i) part of a multifamily development
 - (ii) planned residential development
 - (iii) as *part of* private residential quarters per Section 8.1.17;



Gaston County, North Carolina

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Highlighted italics = additions; strikeouts = deletions

(iv) as *part of* a temporary manufactured home as provided in Section 5.8.4(H);

(v) part of a planned unit development, ~~or~~

(vi) on any lot having an area of ten (10) acres or greater, a second residential structure may be developed, with each structure having sufficient land area accompanying the structure so that in the event it is sold, the structure and land could be divided into a lot which would meet the guidelines listed in this ordinance.

(vii) part of a Small House Community