

Zoning Text Amendment: ZTA 18-02 – Applicant: Gaston County Planning Board – To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO), Chapter 2 (Definitions) Table 2.7-1; Chapter 6 (Zoning Districts) Section 6.2.1(G); Chapter 7 (Uses and Building Lot Standards) Table 7.1-1; Chapter 8 (Supplemental Regulations) Sections 8.1.17(J) and 8.4.29; Chapter 10 (Parking Regulations) Section 10.12(B)2-3; Chapter 13 (Subdivision Regulations) Sections 13.11(D)3(w) and 13.28.1; Chapter 15 (Water Supply Watershed Regulations) Section 15.9.1(A)

Page 2

NOW, THEREFORE, BE IT RESOLVED that after consideration of the proposed amendments, public hearing comment and Planning Board recommendation, the County Commissioners approves the amendments to amend UDO Chapter 2 (Definitions) Table 2.7-1; Chapter 6 (Zoning Districts) Section 6.2.1(G); Chapter 7 (Uses and Building Lot Standards) Table 7.1-1; Chapter 8 (Supplemental Regulations) Sections 8.1.17(J) and 8.4.29; Chapter 10 (Parking Regulations) Section 10.12(B) 2-3; Chapter 13 (Subdivision Regulations) Sections 13.11(D)3(w) and 13.28.1; Chapter 15 (Water Supply Watershed Regulations) Section 15.9.1(A).

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and accurate copy of the Zoning Text Amendment: ZTA18-02 - Applicant: Gaston County Planning Board – To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO) Chapters 2, 6, 7, 8, 10, 13, and 15 (*Attached*), as adopted by the Board of Commissioners on October 23, 2018.




Donna S. Buff, Clerk

Chapter 2 ----

The list of terms defined in this Ordinance and shown in Table 2.7-1 is as follows:

(Note: an * means it is also on the Use Table in Chapter 7)

TABLE 2.7-1		
DEFINED TERMS		
Term	Use Table Subcategory*	Definition
Junkyard and Salvage Yard	Industrial / General Manufacturing	An establishment, location or place of business which is maintained, operated or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard or salvage yard. The term "junkyard" shall include, any salvage yard, scrap yard, or related use, including any use involving the storage or disassembly of wrecked or non-functioning automobiles, trucks, or other vehicles; storage, baling or otherwise dealing in scrap metal, commercial/residential appliances, used plumbing fixtures and used brick, wood, or other building materials. Materials enclosed in closed buildings, solid waste containers or rolling stock are excluded.
Conference / Retreat / Event Center	Civic / Community Organizations	A facility used for conferences, seminars, and events which may or may not offer accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities, and meeting room for those in attendance of an event at the facility.

Chapter 6 ----

6.2.1

G. RMF RESIDENTIAL MULTI FAMILY

The purpose of this district is intended primarily as a residential district for the location of single family, two family and multifamily dwellings along with their customary accessory uses so as to establish areas where development patterns are somewhat denser than surrounding areas. In order to ensure that developments are well planned and compatible with adjoining residential uses, density levels of development in excess of eight (8) units per acre are allowed subject to the issuance of a Conditional Use District (CD). This district should have access to public or community water and sewer utilities.

ALPHABETICAL LISTING OF USES ON THE USE TABLE 7.1-1

X = Commercial use by right; C = Conditional use by right; Cs = Conditional use by special permit; Xs = Special use by special permit; S = Subject to future regulation; N/A = Not applicable																									
USE CATEGORY	RECREATION / OUTDOOR RECREATION								CIVIL ENGINEERING								INDUSTRIAL / MANUFACTURING								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
		C	C	C						X	C		X				C	X	X						1.41
										Cs			Cs	Cs			Cs	Xs	Xs	Xs	Xs	Cs	Xs	8.4.18	1.47
	Cs	Cs	Cs	Cs						X	X						X	X	X					8.4.29	1.4

8.1.17 PRIVATE RESIDENTIAL QUARTERS

Private residential quarters shall be permitted as an accessory use to any single-family detached dwelling unit (excluding manufactured homes) in accordance with the following requirements:

- A. The same person shall own the private residential quarters and principal dwelling units. The owner of the principal dwelling unit shall live on-site.
 - B. A disabled person, family member, an occasional guest or live-in servant shall occupy the private residential quarters.
 - C. The private residential quarters shall not serve as a rental unit for gain (except in a Traditional Neighborhood Development).
 - D. The private residential quarters may be attached to or separate from the principal dwelling unit. Except in a TND, the private residential quarters may be located in a separate accessory structure if the area of the lot is at least one-hundred fifty (150) percent that of the smallest approved lot size for the TND.
- Example: The smallest lot is five thousand (5,000) square feet. The minimum lot size for the lot containing the PRQ to be in an accessory structure shall be a minimum of seven thousand five hundred (7,500) square feet.
- E. If the private residential quarter is in a detached structure, it shall be served by the same driveway accessing the principal structure.
 - F. The ground floor area of the private residential quarters shall be no greater than fifty (50) percent of the ground floor area of the principal dwelling unit, or seven-hundred fifty (750) square feet, whichever is less.



- G. If the private residential quarter is located in an accessory structure, said structure shall be located in the rear or side yard. No such structure shall be located closer than fifteen (15) feet from any side or rear lot line (except in a TND). The accessory structure housing the private residential quarters shall not exceed the height of the principal dwelling.



- H. No more than one (1) private residential quarter per lot shall be allowed.
- I. A private residential quarter shall have at least two (2) off-street parking spaces.
- J. A manufactured home is not allowed to be used as a private residential quarter.

8.4.29 CONFERENCE / RETREAT / EVENT CENTER

- A. The facility may only be used by organized groups for educational or recreational purposes.
- B. All activities of the facility including the parking lot must meet the zoning district setbacks.
- C. In the residential districts a minimum screening buffer of Type B is required.

SECTION 10.12 PARKING AND STORAGE OF BOATS AND OF RECREATIONAL VEHICLES

- A. A recreational vehicle shall not be deemed a dwelling unit. A recreational vehicle, except in a camping and recreational vehicle park or on an approved space within a Manufactured Home Park shall not be used for living, sleeping or housekeeping purposes.
- B. The following provisions apply to all lots in a residential zoning district, except for lots over five (5) acres in size located in a R-1, R-2 and R-3 zoning district:
 - 1. No more than one (1) recreational vehicle (i.e., RV motor home, travel trailer) over eight (8) feet in height and no more than one (1) boat or trailer combination over eight (8) feet in height may be parked on a lot containing a principal single-family dwelling.
 - 2. Such recreational vehicle shall be parked behind the front building line of the principal building and shall be located no closer than fifteen (15) feet from the property line in the side yard or five (5) feet from any property line in the rear yard and on a gravel or hard surface parking area. Recreational vehicles that do not belong to the property owner but to visiting guests may be parked beyond the front building line of the principal structure for a period not to exceed fourteen (14) consecutive days. No greater than three (3) such parking events may be allowed per calendar year on any lot. In no case shall the vehicle be parked in a manner that impairs motorists' vision. Otherwise, such vehicles shall be parked in an enclosed garage.
 - 3. Such boat or trailer combination shall be parked behind the rear building line of the principal building and shall be located no closer than five (5) feet from any property line.
- C. For multifamily developments that have designated areas for the parking of boats or recreational vehicles, such areas shall be located outside of any required setback, buffer, or landscaped area.

Chapter 13 ----

SECTION 13.11 SUBMITTAL REQUIREMENTS FOR PRELIMINARY AND FINAL PLAT

- D. The following procedures and requirements must be followed to get preliminary plat approval:
- 3.w. Reserve

SECTION 13.28 MONUMENTS REQUIRED

13.28.1 RESERVED

Chapter 15 ----

SECTION 15.9.1 HIGH DENSITY DEVELOPMENT

- A. When new development exceeds the density / build-upon area, outlined in Section 15.5.2 for each respective watershed, the Watershed Review Board may approve high density development proposals (increase in density and/or built upon area), only when engineered storm water controls are used. Each engineered storm water control devise shall be designed and constructed to control runoff from the first inch of rainfall with development shall not to exceed limits for the below listed watershed designations:

Long Creek WS-II-BW (LCWSII-BW): 30% built-upon area

Long Creek WS-II-CA (LCWSII-CA): 24% built-upon area

Indian Creek WS-II-BW (ICWSII-BW): 30% built-upon area

Buffalo Creek WS-III-BW (BCWSII-BW): 50% built-upon area

Mountain Island Lake WS-IV-CA (MILWSIV-CA): 50% built-upon area

Mountain Island Lake WS-IV-PA (MILWSIV-PA): 70% built-upon area

Catawba River WS-IV-CA (CRWSIV-CA): 50% built-upon area

Catawba River WS-IV-PA (CRWSIV-PA): 70% built-upon area

South Fork River WS-IV-CA (SFRWSIV-CA): 50% built-upon area

South Fork River WS-IV-PA (SFRWSIV-PA): 70% built-upon area.



Gaston County

Gaston County
Board of Commissioners
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Planning Board Action

File #: 18-384

Commissioner Chad Brown - Planning/Development Services - Zoning Text Amendment: ZTA18-02 - Applicant: Gaston County Planning Board - To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO), Chapter 2 (Definitions) Table 2.7-1; Chapter 6 (Zoning Districts) Section 6.2.1(G); Chapter 7 (Uses and Building Lot Standards) Table 7.1-1; Chapter 8 (Supplemental Regulations) Sections 8.1.17(J) and 8.4.29; Chapter 10 (Parking Regulations) Section 10.12(B)2-3; Chapter 13 (Subdivision Regulations) Sections 13.11(D)3(w) and 13.28.1; Chapter 15 (Water Supply Watershed Regulations) Section 15.9.1(A)

STAFF CONTACT

David L. Williams - Director of Planning - 704-866-3473

BACKGROUND

The Unified Development Ordinance (approved April 24, 2008), sets forth procedures for amendment procedures in Chapter 5, requiring a joint public hearing by the Planning Board and Commission. A recommendation on the amendments is provided by the Planning Board, with final action on said amendments by the County Commission, to consider text amendments to Application Number ZTA18-02, Applicant: Gaston County Planning Board, request the Board of Commission to consider approval of the proposed text amendments to the UDO, Chapter 2 (Definitions) Table 2.7-1; Chapter 6 (Zoning Districts) Section 6.2.1(G); Chapter 7 (Uses and Building Lot Standards) Table 7.1-1; Chapter 8 (Supplemental Regulations) Sections 8.1.17(J) and 8.4.29; Chapter 10 (Parking Regulations) Section 10.12(B)2-3; Chapter 13 (Subdivision Regulations) Sections 13.11(D)3(w) and 13.28.1; Chapter 15 (Water Supply Watershed Regulations) Section 15.9.1(A). A joint public hearing was advertised and held on October 23, 2018 to take public comment (said comments are on file in the Commission Clerk's Office), with Planning Board recommendation provided on the same date. The Board of Commission is requested to consider the public hearing comment, Planning Board recommendation and other pertinent information, then either (approve), (disapprove) or (modify) the zoning text amendments. The proposed amendments reflect minor clarification of existing definitions, minor clarification of existing uses, change in state statutes for plat submittal and inclusion of watershed. The Planning Board reviewed the amendments at its last regular Planning Board meeting (09/25/2018) and unanimously recommended to move them to the public hearing process.

ATTACHMENTS

Resolution - ZTA18-02; Zoning Text Amendments - ZTA18-02

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFraley	BHovis	TKelgher	TPhillbeck	RWorley	Vote
2018-256	10/23/2018	RW	TK	A	A	AB	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS