

GASTON COUNTY REZONING APPLICATION (REZ-25-01-28-00212)

STAFF REPORT

APPLICATION SUMMARY	
Request:	
To rezone the property from the (R-1) Single Family Limited Zoning District with (US) and (CH) overlays to the (CD/C-3) General Commercial Conditional District with (US) and (CH) overlays	
Applicant(s):	Property Owner(s):
Farrokh Ghassemi	Farrokh Ghassemi
Parcel Identification (PID):	Property Location:
175091	13460 Lucia Riverbend Hwy
Total Property Acreage:	Acreage for Map Change:
1.03	1.03
Current Zoning:	Proposed Zoning:
R-1 with US and CH Overlays	CD/C-3 with US and CH overlays
Existing Land Use:	Proposed Land Use:
Residential	Contractor's Office and Equipment Storage Yard

COMPREHENSIVE LAND USE PLAN
Area 3: Northeast Riverfront Gaston
Key issues for citizens in this area include: preservation of open space, road improvements and better connectivity to other areas of the County and throughout the region, increased job opportunities, maintaining the rural "feel" of the area, increased commercial opportunities.
Comprehensive Plan future Land Use:
Gateway Center at NC 16 - This location offers an opportunity for those traveling on NC 16 from Mecklenburg or Lincoln Counties to get a small glimpse of Gaston County. While NC 16 is designed to keep traffic flowing and minimize on/off traffic, upon crossing the Catawba River, there is a small segment of the road that can be developed around the high traffic purpose to capture economic development. The center needs to be concentrated around NC 16 and the Catawba River crossing for commercial purposes associated with high traffic volume, as the existing conditions do not lend itself to future residential or mixed use development.
Staff Recommendation:
Application, as presented, is consistent with the Comprehensive Land Use Plan based on the commercial use and an increase in job opportunities.

UTILITIES AND ROAD NETWORK INFRASTRUCTURE
Water/Sewer Provider:
Private well / private septic
Road Maintenance:
North Carolina Department of Transportation

Technical Review Committee (TRC) comments provided by Gaston Lincoln Cleveland Metropolitan Planning Organization (MPO)
The request went before the Gaston County TRC on Wednesday, February 18th, and received "no comments" from the following departments:

- Building Inspections
- Emergency Services
- Natural Resources

Environmental Health indicated they have no record of an existing well on-site. The applicant has submitted updated applications for the existing well and a septic system review to ensure compliance with the proposed commercial use requirements.

The GCLMPO reviewed this request and provided the following statements:

- According to the 2026-2035 STIP, there are no funded transportation improvement projects in the immediate vicinity of this site.
- The NC 273/Lucia Riverbend Hwy Intersection Improvements is an unfunded project according to the 2050 MTP (improve intersection by installing a roundabout). The current ROW of Lucia Riverbend Hwy is 60 ft.
- There is a widening project for Union Road within the MPO’s CTP. However, this has not yet received funding at this time.
- The CTP also shows recommended bicycle and pedestrian facilities along Union Road, but these improvements are unfunded at this time.

STAFF SUMMARY

Prepared By: Jaime Lisi, Planner II

This property is located at 13460 Lucia Riverbend Road, in the northeast region of the county. The property is 1.03 acres and contains a single-family dwelling. The area is primarily zoned for residential use, with some commercial and industrial zoning nearby.

Currently, the property is being used as a contractor's office and equipment storage yard. However, this use is not permitted within the (R-1) Single-Family Limited zoning district. This rezoning request originated from a code enforcement complaint in March 2022 regarding the operation of a contractor’s business on a residential lot. Since that time, the applicant has pursued rezoning the property to bring the property into compliance with county regulations.

The site plan associated with this request shows the existing residential building will operate as a contractor’s office, with an equipment laydown area located at the rear of the property. The front and side yards are currently screened by a fence, and the applicant proposes a Type D, Option 3 buffer for additional screening. The site plan includes parking areas in the front, side, and rear of the property.

General Applicable Ordinance Sections

UDO Section	Proposal
Section 2.7 – Definition	Contractor’s Office and Equipment Storage Yard - An Operation center where the contracted work type requires large commercial vehicles to do the work. Type vehicles used in this operation would be dump trucks, bucket trucks, large commercial vehicles, flatbed trucks, tractor trailers, and grading/paving equipment. Vehicles, equipment and materials, to do the contracted work, can be externally stored on site.
Section 6.2.3.E – Commercial Districts	C-3 General Commercial. This district accommodates the broadest array of commercial uses of all the commercial zoning districts, some of which are not allowed in any other commercial zoning districts. Like the (C-2) district, the (C-3) district is intended to accommodate the community's larger and most intense commercial developments (outside of the central business district) and generally located within the Urban Standards overlay district
Section 6.3.6 – US Urban Standards Overlay District	This district provides for areas of the County located outside their corporate limits and municipal Extra Territorial Jurisdiction (ETJ), but where the

	provision of public water and sewer services can reasonably be expected to occur over the next 10-15 years. This district calls for standards traditionally found in urban areas as opposed to rural areas. Standards addressed include, but are not limited to: building design, off-street parking, road, lot, and subdivision standards.
Section 6.3.11 – CH Corridor Highway Overlay District	This district preserves and enhances the streetscape along designated corridor highways in Gaston County. A (CH) district may exist along the entire length of a roadway or any identifiable segment of a roadway. Any (CH) District initially established shall contain a minimum length of at least 1,000 linear feet as measured along one side of a designated corridor highway. The (CH) district shall consist of all lots fronting on the corridor highway for a depth of 250 feet as measured from the centerline of the corridor highway for a total width of 500 feet, unless otherwise indicated on the Zoning Map. Although such corridor highways may vary in character, particular aspects of development along those roads raise common concerns and should be managed in a consistent way in order to preserve and enhance the streetscape.
Section 6.5 – Conditional District (CD)	The Conditional District (CD) zoning process allows for the establishment of specific uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. Any area rezoned to a (CD) district shall be in general compliance with the goals, objectives, and implementation strategies of the adopted Comprehensive Land Use Plan and all other plans and regulations officially adopted by the Board of Commissioners. This review process provides for the accommodation of such uses by a reclassification of property into a (CD) district, subject to specific conditions (which may exceed those that would otherwise be required for the use in question), to ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the County.
Section 7.5 – Table of Uses	The proposed use for this site includes “Contractors Office and Equipment/Storage Yard,” which is allowed in the proposed underlying zoning district of (C-3) General Commercial.

Proposed Features

UDO Section	Required	Proposed
Section 7.6.6 – Corridor Highway Overlay District – Setbacks	The following setbacks are required for the (CH) overlay district, which are more restrictive than the underlying district setbacks. They are: <ul style="list-style-type: none"> - Front: 50 ft - Side: 25 ft - Rear: 25 ft 	The proposal meets or exceeds all required setbacks for the (CH) overlay district.
Section 8.3.11 – Contractor’s Office and Equipment/Storage Yard	This section outlines the supplemental regulations for Contractor’s Office and Equipment/Storage Yard.	If more than five acres of outdoor storage area is provided, a Special Use Permit shall be required. Storage area is not greater than 5 acres.
Section 11.3.2 – Buffer yard requirements	Screening and buffering shall be required under the following situations:	The applicants are complying with all buffer yard requirements by installing a Type D buffer – option 1 -

	<p>When a lot is:</p> <ul style="list-style-type: none"> - In a commercial district and abuts a lot in a residential district, screening must be provided on the commercial lot in the form of a Type D Screen/Buffer. 	along the side and rear property lines.
Section 11.6.C – Open Air Storage Buffering	C. Buffering for storage areas one acre or less in size shall consist of any one or more of the following: (i) a wall or opaque fence meeting the requirements of Section 11.3.5(F); or (ii) a Type C Buffer or greater	A type D buffer is required and proposal includes this buffer.

Requested Area of Relief

UDO Section	Required	Proposed
Section 7.6.6.H – CH Corridor Highway Overlay District	Any lot having direct access (i.e., a point of ingress and egress) onto a Corridor Highway shall have a minimum lot width measured at the Corridor Highway right-of-way line of 200 feet.	Lot will remain as is 150' lot width
Section 10.5 – Off-street parking space requirements	The parking calculation for the site is as follows: -6 Employees + 8 Business Vehicles= -16 spaces required	10 parking spaces proposed
Section 9.14 – Special grading treatment abutting residential districts	A. Special grading treatment is required where a nonresidential use abuts a residential use or zone and differences in elevations of two feet or greater are proposed within 20 feet of common property lines for the purpose of development. The elevation must be graded to a maximum two to one (2:1) slope and the installation of grass, plantings, landscaping, etc., as necessary to prevent erosion.	Site will remain as is, no grading is proposed
Section 10.4 – Off-street parking surface requirements	Unless otherwise stated, all off-street parking areas shall be paved. Pavement surfaces shall consist of asphalt, concrete, bituminous surface treatment, brick, or other paving material that will provide equivalent protection against potholes, erosion, and dust. Pervious paving surfaces that aid in reducing runoff are encouraged.	A 15' driveway section where the driveway intersects the road and 324 square feet ADA parking area to be paved. The remainder of the parking spaces to remain gravel parking.

Public Engagement

This case has been added to the Planning and Zoning Current Pages page on engagegaston.com. So far, there have been no questions or concerns posted on the project page.

PLANNING & ZONING BOARD MEETING DATE

The Planning and Zoning Board met at its regular meeting on March 2, 2026, and recommended approval by a 10 to 0 vote based on:

- This is a reasonable request and in the public interest; and
- It is consistent with the goals of the comprehensive land use plan as it will facilitate commercial development and generate additional employment opportunities at the Gateway Center on NC 16.

The planning board recommended a Type D buffer extending 55 feet into the front portion of the property. However, staff believes that a six-foot fence in the front yard would be incompatible with the residential appearance of the property. As an alternative, the board may consider additional landscaping or plantings within the front yard to provide screening, rather than requiring a full Type D buffer that would require a fence.

Attachments: Application, Maps, Site Plan and GCLMPO Comment Letter