

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:

Zoning Text Amendment: Text-24-04-26-00012 - May Green Properties (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 5 (Permit and Modification Procedures); Section 5.15.1 (Minor Modification Table); and Chapter 13 (Subdivision Regulations); Section 13.27 (Public Utilities and Services)

Page 2

NOW, THEREFORE, BE IT ORDAINED by the County Commission, upon consideration of the proposed amendments, public hearing comment and Planning Board and Planning staff recommendation, the County Commission considers this action to be **(reasonable and in the public interest)** or **(not reasonable and not in the public interest)** and finds the proposed amendments to be **(consistent)** or **(not consistent)** with the County's Comprehensive Land Use Plan.

The County Commission **(hereby approves, effective with the passage of the Ordinance)** or **(hereby disapproves)** the amendments to UDO Chapter 5 (Permit and Modification Procedures); Section 5.15.1 (Minor Modification Table); and Chapter 13 (Subdivision Regulations); Section 13.27 (Public Utilities and Services).

The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

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Chad Brown, Chairman  
Gaston County Board of Commissioners

#### 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: TEXT-24-04-26-00012 - May Green Properties (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 5 (Permit And Modification Procedures); Section 5.15.1 (Minor Modification Table); and Chapter 13 (Subdivision Regulations); Section 13.27 (Public Utilities and Services) (*Attached*), as adopted by the Board of Commissioners on August 27, 2024 and is to be set forth in the Gaston County Unified Development Ordinance (UDO) upon adoption.

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Donna S. Buff, Clerk

SEAL

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**Sec. 5.15.1 Development and zoning district standards.**

- B. *Minor Modifications Allowed.* Table 5.15-1 indicates those minor modifications that are suitable for approval by the Administrator.

<b>TABLE 5.15-1: Minor Modification Table</b>		
<b>Standard That May be Modified</b>	<b>Modification Allowed</b>	<b>Subsection</b>
Façade and HVAC Encroachment- Placement of Eaves, Gutters, Cornices, Bay Windows, and HVAC Equipment	An eave, bay window or external HVAC equipment may extend into the required front, side or rear yard by no greater than three feet, but in no case closer than five feet to an adjoining property line. <sup>1</sup>	
Handicap Ramp Encroachment- Placement of Handicap Ramps	A ramp designed to accommodate handicapped persons may extend into a required front, side or rear yard, but in no case closer than five feet to an adjoining property line. <sup>1</sup>	
Uncovered and Unenclosed Decks, Porches and Terraces	Such decks, porches and terraces which are not in any part more than six feet above the finished grade level shall not project more than 25 percent into any required yard setback. <sup>1</sup>	
At-grade Driveways, Paths, Walks or Uncovered Concrete Slabs	May be placed in any required setback.	
Other Yard or Height Encroachments	One foot or ten percent of the required yard standard, whichever is less. <sup>1, 2</sup>	
Reduction in the Required Amount of Landscaping or Buffering Plant Materials	Refer to Section 11.1.2.F.	
Accessory Structures	An accessory structure may exceed its maximum area requirement by up to three percent.	
Nonconforming Uses	Expansion of nonconforming use per Sections 3.5.1(C) and Section 3.5.4(C)	5.15.1.B.1.
Nonconforming Structures	Expansion of certain nonconforming structures in accordance with Section 3.5.5.B.	5.15.1.B.2.
Family Care Homes	Provision for two or more family care homes to be located within one-half mile of each other per Section 8.1.6	5.15.1.B.3.
Extended Operating Hours	Extend operating hours for certain non-residential uses in Residential zoning districts per Section 9.20.	5.15.5.B.4.

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Streetlights in Subdivisions	Additional streetlights may be required for public safety in the reasonable determination of public safety officials with authority.	
<sup>1</sup> In no case shall the Administrator have the authority herein to allow for a building encroachment into any of the following: 1. Street or railroad right-of-way; 2. Street or utility easement; 3. Designated floodplain or floodway areas; 4. Encroachment into another lot or parcel; 5. Encroachment into land that lies in another local government's planning jurisdiction, unless approval from that local government is given to do so.		
<sup>2</sup> The Administrator shall only be able to grant such modification if the petitioner can demonstrate that the modification required was not the result of a deliberate action to circumvent the terms of this Ordinance.		

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**Sec. 13.27 Public utilities and services.**

- A. All public utilities and service lines shall be below ground to the point of service. This includes, but is not limited to, lines for electric service, cable service, telephone service, water service, and wastewater services.
- B. Easements shall be provided for storm and sanitary sewers, water lines, and other utilities in such widths, and at such locations as may be required by the County in order to properly serve the lot and adjoining realty; but in no event shall the County require less than easements of ten feet in width along all rear lines and exterior side lot lines, and five feet in width along each side of all interior side lot lines.
- C. No principal or accessory structure may be placed within a utility easement.
- D. Streetlights shall be installed by the subdivider, owner, or developer in all subdivisions of six or more lots via underground distribution along all proposed streets and along all adjoining streets at the developer's expense. The placement of streetlights shall be at 200-300 foot intervals in subdivisions with lots less than one (1) acre in size and 300-400 foot intervals in subdivisions with lots greater than 1 acre in size.
  - 1. All streetlights shall meet Section 9.13: Outdoor Lighting.
  - 2. All addressing for new subdivisions shall meet Section 14-191 in the County Code of Ordinances.
  - 3. Amenity Centers and facilities for public use shall have adequate lighting so that public safety is ensured.
  - 4. Light fixtures shall be decorative in appearance. Wooden poles are prohibited.
  - 5. The County will not accept responsibility for the streetlights. A maintenance plan must be noted in the approved site plan for the subdivision.