

GASTON COUNTY TEXT AMENDMENT TEXT-26-05-20-00013

STAFF REPORT

APPLICATION SUMMARY

Request:

To amend sections of the Unified Development Ordinance (UDO) to better reflect best practices in calculating open space requirements for subdivisions and to provide incentives to larger lot developments by reducing the amount of required open space.

Applicant(s):

Gaston County Planning and Zoning Staff

Section:

- Chapter 2 (Definitions)
- Chapter 11 (Screening/Buffering and Landscaping)

COMPREHENSIVE LAND USE PLAN

Goals 4, 6, and 7

4. Enhance quality of life to absorb growth while focusing on commercial and community resources, walkability, and agricultural preservation.

- Enhance zoning regulations to reflect the types of communities desired by the residents.

6. Improve the image of Gaston County both to current and potential residents, focusing on retaining and increasing the population of young professionals.

- Support quality of life initiatives

7. Emphasize the importance of our natural resources through highlighting natural environments and encouraging the use of environmental recreation.

- Promote recreational areas
- Create greenway connections

Staff Recommendation:

Application, as presented, is consistent with the goals of the Comprehensive Land Use Plan.

Technical Review Committee (TRC) comments

Not required by the Unified Development Ordinance (UDO)

STAFF SUMMARY

Prepared By: Jamie Mendoza Kanburoglu, Director of Planning and Zoning

The current Unified Development Ordinance (UDO) establishes open space requirements based on several factors, including parent tract size, development density, tax value, and proposed land use. Staff have determined that the existing regulations are not consistent with typical planning and zoning standards or common regulatory practices and are difficult to calculate, administer, and enforce effectively.

The proposed amendments to Chapter 2 (Definitions) and Chapter 11 (Open Space) are intended to simplify the applicable standards and calculation methods while improving overall clarity and enforceability. The amendments also eliminate the option to pay a fee in lieu of providing required open space improvements and allow for a reduction in the required amount of open space for developments with larger lots.

Overview of changes: These are staff notes for the proposed changes. For the full text, please see the attached draft.

1. Remove the definition for “Common Open Space, Improved”
 - a. Staff felt that this definition complicated the overall intention of the common open space regulations. Common open space areas are already defined as being areas that are designed and intended for the common use or enjoyment of the residents. The differentiation between passive and active space is common knowledge in the planning and zoning practice, and the new text states that two-thirds of the dedicated common space shall be developed for active recreation.
2. General Requirements
 - a. New provisions would be applicable to all types of subdivisions. The current UDO has different requirements based on the type of development. Standardizing the calculation would make it easier for staff and developers to anticipate the required amount of open space for a proposed development.
 - b. The amendment recognizes established greenway plans, including the Carolina Thread Trail, as guidelines for developing open space in areas that would be obvious connections.
 - c. The amendment defines how open space is to be owned and maintained. At no point should Gaston County be responsible for owning or maintaining common open space areas.
 - d. Common Open Space should be accessible and useable by the public.
 - e. Proximity to a public park, greenway, or blueway can could allow up to a 30% reduction in the required amount of open space for the development.
 - f. Other requirements such as landscape and buffer areas cannot be counted towards the open space requirements.
3. Calculation for open space is based on number of lots and proposed lot size.
 - a. This aligns with the existing 5 lot maximum for exempt family subdivisions.
 - b. Developments with lots that are greater than one acre in size will not be required to dedicate open space.
4. Nature of land to be dedicated
 - a. This section outlines that common open space land needs to be useable and accessible. It provides regulations for location, access, and useability.

PLANNING & ZONING BOARD MEETING DATE

The planning board reviewed the proposed changes at their regularly scheduled meeting in May and provided a recommendation to approve with the following amendments at their July 6th meeting.

Requested Changes:

- **Adjust the sqft. amounts in the table so that they are the same formal.**
- **Add a period after “sqft” in the same table.**

Attachments: Resolution, Draft Text, Presentation