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 REVENUE _____
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Type: CRP
 Recorded: 02/25/2022 at 11:03:09 AM
 Fee Amt: \$0.00 Page 1 of 7
 Revenue Tax: \$0.00
 Gaston, NC
 Susan S. Lockridge Register of Deeds
 BK **5314** PG **2272-2278**

RESOLUTION TITLE: ZONING TEXT AMENDMENTS: ZTA22-01 GASTON COUNTY PLANNING BOARD (APPLICANT); TO CONSIDER PROPOSED TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO): 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; CHAPTER 9 (GENERAL PROVISIONS): SECTION 9.6

WHEREAS, the County Ordinance (approved April 24, 2008), sets forth Amendment procedures in Chapter 5, requiring a Public Hearing by the Commission, with said hearing being conducted February 22, 2022 to take public comment (comments are on file in the Commission Clerk's Office as a part of the minutes of the meeting); and,

WHEREAS, the Text Amendments are requested by the Gaston County Planning Board as the amendments relate to minor modifications and changes to the UDO; and,

WHEREAS, the Gaston County Planning Board met during its regular meeting on February 14, 2022, and reviewed proposed text amendments and approved a recommendation to move the proposed amendments to the Public Hearing format for the Board of Commissioners consideration; and,

WHEREAS, the Planning Board recommended approval of the text amendments to amend UDO 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; Chapter 9 (General Provisions): Section 9.6, on February 14, 2022 based on: staff recommendation and the request is reasonable and in the public interest and is in accordance with the County's Comprehensive Land Use Plan. 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.

Motion: Vinson Second: Houchard Vote: Unanimous
 Ayes: Ally, Brooks, Harris, Horne, Houchard, Hurst, Magee, Vinson
 Nay: None
 Absent: Fallon, Sadler
 Abstain: None

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	AFraley	BHovis	KJohnson	TKelgher	Vote
2022-041	02/22/2022	BH	TP	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users


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

Zoning Text Amendments: ZTA22-01 Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): 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; Chapter 9 (General Provisions): Section 9.6
Page 2

NOW, THEREFORE, BE IT RESOLVED by the County Commission that after consideration of the proposed amendments, public hearing comment and Planning Board recommendation, the County Commission considers this action to be reasonable and in the public interest and finds the proposed amendments to be consistent with the Comprehensive Land Use Plan. 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.

The County Commission hereby approves, effective with the passage of the Resolution the amendments to the UDO 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; Chapter 9 (General Provisions): Section 9.6.

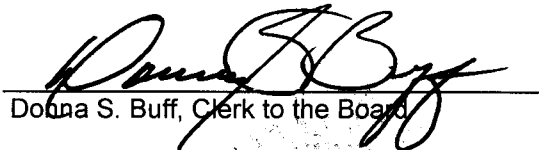
The County Manager is authorized to make necessary notifications in this matter to appropriate parties.



Chad Brown, Chairman
Gaston County Board of Commissioners

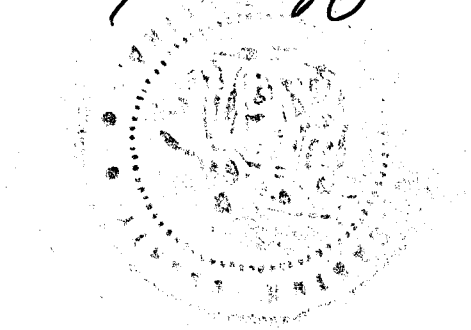
Certification

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 Amendments: ZTA22-01, Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapters 2, 7, 8 and 9 (*Attached*) as adopted by the Board of Commissioners on February 22, 2022 and is to be set forth in the Gaston County Unified Development Ordinance (UDO) upon adoption.



Donna S. Buff, Clerk to the Board

SEAL





(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 home" or "tiny houses", is no greater than eight hundred (800) square feet, constructed or assembled onsite, and meets applicable NC State Building Code requirements.</p> <div data-bbox="761 814 1070 1045" data-label="Image"> </div> <div data-bbox="1100 730 1430 982" data-label="Image"> </div>
Residence Hall	Residential	Dependent or independent living facility with common areas for residents.
Small House Community		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.



PROPOSED AMENDMENTS – PUBLIC HEARING – FEBRUARY 2022

Highlighted italics = additions; strikeouts = deletions

(Chapter 7 – Uses and Building Lot Standards)

ALPHABETICAL LISTING OF USES ON THE USE TABLE 7.1-1

Residence Hall

Small House Community

Table 7.1-1: Table of Uses

[illegible]



(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) part of private residential quarters per Section 8.1.17;



Gaston County, North Carolina

PROPOSED AMENDMENTS – PUBLIC HEARING – FEBRUARY 2022

Highlighted italics = additions; strikeouts = deletions

- (iv) 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



Gaston County

Gaston County
Board of Commissioners
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Building and Development Services Board Action

File #: 22-047

Commissioner Brown - Building & Development Services - Zoning Text Amendments: ZTA22-01 Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): 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; and Chapter 9 (General Provisions): Section 9.6

STAFF CONTACT

Joseph B. Sciba - Director - 704-866-3970

BACKGROUND

The Unified Development Ordinance (approved April 24, 2008), sets forth procedures for amendment procedures in Chapter 5, requiring a public hearing by the Commission. A recommendation on the amendments is provided by the Planning Board, with final action on said amendments by the Commission, to consider text amendments to Application Number ZTA22-01 Gaston County Planning Board (Applicant), to request the Board of Commission to consider approval of the proposed text amendments to the UDO: 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; Chapter 9 (General Provisions): Section 9.6. Planning Board recommendation was provided on February 14, 2022, and the Commission is requested to consider the public hearing comment, Planning Board recommendation and other pertinent information, then (approve), (disapprove) or (modify) the zoning text amendments. The proposed amendments include language to allow for Small House Communities as a Special Use in all residential zoning districts as the (TMU), (UMU), and (C-1) Zoning Districts. The Planning Board met in regular session on Monday, February 14, 2022 and voted unanimously to recommend approval of the request.

ATTACHMENTS

Resolution, Staff Report & Application Packet

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	AFrale	BHovis	KJohnson	TKeigher	TPhilbeck	RWorley	Vote
2022-041	02/22/2022	BH	TP	A	A	A	A	A	A	A	U

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