

# ZTA19-01

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## Zoning Text Amendments to the Unified Development Ordinance (UDO)



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PROPOSED TEXT AMENDMENTS – PUBLIC HEARING – May 2019

Highlighted italics = additions; strikeouts = deletions

TABLE 2.7-1 DEFINED TERMS		
Term	Use Table Subcategory*	Definition
Subdivision, Major1		A Major Subdivision consisting up to <del>two hundred fifty</del> <i>(250) fifty (50) lots.</i>
Subdivision, Major2		A Major Subdivision consisting of more than <del>two hundred fifty</del> <i>(250) fifty (50) lots.</i>
Subdivision, Minor		A subdivision where (i) no new streets (public or private) are proposed; and (ii) where no more than five (5) <i>lots</i> will result after the subdivision is completed and (iii) where no extension of any sewer or water system is required.

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### SECTION 13.2      ACTIVITIES THAT CONSTITUTE A SUBDIVISION

C. *It is the County's intent to ensure that larger developments are not phased or*

*subdivided into large adjoining parcels or tracts in order to comply with numerical requirements of this Ordinance. Two (2) or more developments, represented by their owners or developers to be separate developments, shall be aggregated and treated as a single development when they are determined to be part of a unified plan of development and are physically proximate to one another. The following factors will be considered to determine whether there is a unified plan of development:*

- 1. There is unified ownership, indicated by the fact the same person has retained or shared control of the developments; the same person has ownership or a significant legal or equitable interest in the developments; or there is common management of the developments controlling the form of physical development or disposition of parcels of the development.*
- 2. There is a reasonable closeness in time between the completion of eighty (80) percent or less of one (1) development and the submissions to the County of a master plan or series of plans or drawings for the other development that is indicative of a common development effort.*
- 3. The voluntary sharing of infrastructure that is indicative of a common development effort or is designated specifically to accommodate the developments.*
- 4. There is a common advertising scheme or promotional plan in effect for the developments.*
- 5. Any information provided by the applicant that the project is not being phased or subdivided to avoid requirements of this Ordinance.*

**Table 13.8-1 Subdivision Approval Procedures**

	Description	Pre-Design Conference	Public Hearing	Preliminary Plat	Final Plat
Minor	<ul style="list-style-type: none"> <li>(1) no new streets (public or private) are proposed; and</li> <li>(2) where no more than five (5) lots will result after the subdivision is completed; and</li> <li>(3) where no extension of any sewer or water system is required.</li> </ul>	Recommended		Administrative Review	Administrative Review
Major1	<ul style="list-style-type: none"> <li>(1) new streets (public or private) are proposed; or</li> <li>(2) where more than five (5) lots up to <del>two hundred fifty</del> (250) fifty (50) lots will result after the subdivision is completed; or</li> <li>(3) where extension of any sewer or water system is required.</li> </ul>	Required	Not Required. Note: A notice shall be sent to the adjoining property owners by the County.	TRC Recommend, Planning Board Approval	Administrative Review
Major2	<ul style="list-style-type: none"> <li>(1) new streets (public or private) are proposed; and /or</li> <li>(2) where more than <del>two hundred fifty</del> (&gt;250) fifty (50) lots will result after the subdivision is completed; and/or</li> <li>(3) where extension of any sewer or water system is required.</li> </ul>	Required	Required – Recommend by Planning Board, Approval by Board of Commissioners	TRC Recommend, Planning Board Approval	Administrative Review

**5.16.1 ZONING MAP AMENDMENTS- CONDITIONAL USE DISTRICTS  
(CD)**

**A. Application**

1. Petitioning for a CD zoning district is a voluntary procedure and can be initiated only by the owner(s) of the property (ies) in question or by his/her authorized agent. Every application for the rezoning of property to a CD district shall be accompanied by a site plan, drawn to scale containing all of the information outlined in Section 5.11.2 (B) of this Ordinance. The Administrator shall schedule a meeting with the applicant, prior to any public information meeting (PIM) being advertised and/or held to review the rezoning application and site plan to make sure that it meets, at a minimum, all minimum requirements of this Ordinance.
2. No application shall be considered complete unless it is accompanied by a fee, in accordance with a fee schedule approved by the governing board for the submittal of an application for rezoning to a CD district. Said fee shall be waived for any application submitted by any official or agency acting on behalf of the Gaston County or the State of North Carolina
3. The Administrator may require the petitioner to submit more than one (1) copy of the rezoning application in order to have enough copies available to circulate to other government agencies for review and comment. When dealing with the conditional zoning district process, it may be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board or Board of Commission may request additional information as they deem necessary.
4. The deadline for submittal shall be ~~ninety (90)~~ **forty five (45) working** days prior to the public hearing meeting with the Planning Board and Board of Commissioners.

## B. Public Information Meeting

2. Following the PIM, the applicant shall have the opportunity to make changes to the application to take into account information and comments received. One (1) or more revised copies of the application shall be submitted to the Administrator for review. No additional fee shall be required to be paid for making such changes provided the Administrator receives the revised application within ~~thirty~~ ~~(30)~~ ~~seven~~ (7) days following the PIM. If a revised application is not received during said ~~thirty~~ ~~(30)~~ ~~seven~~ (7) day period, the Administrator shall review the original application submitted.

## C. Administrator Approval

The Administrator shall have up to ~~thirty~~ ~~(30)~~ ~~seven~~ (7) days following any revision of the application to make comments. If the Administrator forwards no comments to the applicant by the end of any such ~~thirty~~ ~~(30)~~ ~~seven~~ (7) day period, the application shall be submitted to the Planning Board for their review without any further comment.



#### 8.2.14.1 CAMPING AND RECREATIONAL VEHICLE PARK

- A. All spaces for camping and recreational vehicles shall be located at least one-hundred (100) linear feet from any adjoining lot line. *Where the lot line adjoins a public road right-of-way or street, the spaces shall be located at least fifty (50) linear feet from the property line.*
- B. Notwithstanding any other screening requirements, the campground shall be sufficiently wooded to provide an opaque natural buffer between the campground, all adjacent lots, and all adjacent public roads at the time a certificate of occupancy is issued for the use.
- C. Accessory uses, limited to usage by campground patrons, may include laundry facilities and the selling of convenience items (snacks, beverages, etc.).