



Type: CRP  
 Recorded: 09/06/2019 at 11:37:43 AM  
 Fee Amt: \$0.00 Page 1 of 3  
 Revenue Tax: \$0.00  
 Gaston, NC  
 Susan S. Lockridge Register of Deeds  
 BK 5065 PG 1804-1806

**RESOLUTION TITLE: ZONING TEXT AMENDMENT: ZTA19-05, GASTON COUNTY PLANNING BOARD (APPLICANT); TO CONSIDER PROPOSED TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO): CHAPTER 5 (PERMIT AND MODIFICATION PROCEDURES): SECTION 5.16.4**

WHEREAS, the County Ordinance (approved April 24, 2008), sets forth Amendment procedures in Chapter 5, requiring a joint public hearing by the Planning Board and Commission, with said hearing being conducted August 27, 2019 to take public comment (comments are on file in the Commission Clerk's Office as a part of the minutes of the meetings); 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 meeting in July 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 amendment to amend UDO Chapter 5 (Permit and Modification Procedures): Section 5.16.4 on August 27, 2019, and based on: public hearing comment and staff recommendation, the request is reasonable and in the public interest and is in accordance with the County's Comprehensive Land Use Plan. The text amendment removes the Parallel Conditional Use Permit as a rezoning option in the Gaston County Unified Development Ordinance. Conditional Districts may be permitted in place of a Parallel Conditional Use Permit. This change will help enable Gaston County to grow in an orderly manner and improve the quality of life for the residents of Gaston County, all of which are goals of the Gaston County Comprehensive Land Use Plan.

3 RECORDING ☒  
 REVENUE ☐  
 NSF ☐  
 ROTC ☐ PQ ☐ CS ☐

Motion: Hollar Second: Horne Vote: Unanimous  
 Aye: Attaway, Barber, Hurst, Harris, Hollar, Horne, Houchard, Sain Vinson  
 Nay: None  
 Absent: Ally  
 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:

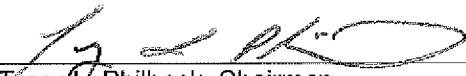
NO.	DATE	M1	M2	CBrown	JBrown	AFraley	BHovis	TKelgher	TPhibbs	RWorley	Vote
2019-247	08/27/2019	AF	RW	A	A	A	A	A	A	A	U

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NOW, THEREFORE, BE IT RESOLVED that after consideration of the proposed amendments, public hearing comment and Planning Board recommendation, the Commission considers this action to be reasonable and in the public interest and finds the proposed amendment to be consistent with the Comprehensive Land Use Plan. The text amendment removes the Parallel Conditional Use Permit as a rezoning option in the Gaston County Unified Development Ordinance. Conditional Districts may be permitted in place of a Parallel Conditional Use Permit. This change will help enable Gaston County to grow in an orderly manner and improve the quality of life for the residents of Gaston County, all of which are goals of the Gaston County Comprehensive Land Use Plan.

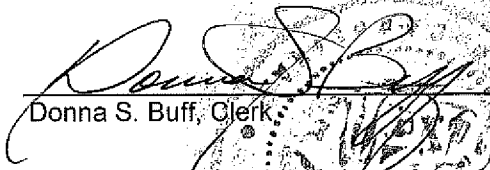
The Commission hereby approves the amendments to UDO Chapter 5 (Permit and Modification Procedures): Section 5.16.4, effective with the passage of this Resolution. All references to the PCUP throughout the UDO, will be removed and/or amended (when referencing applications that have been approved prior to the adoption of this amendment).

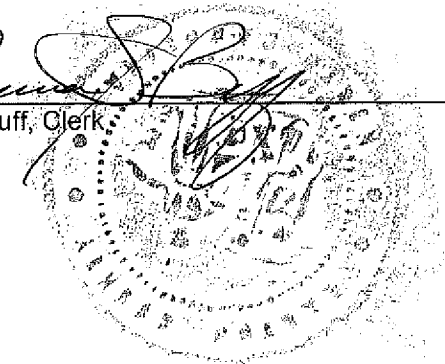
The County Manager is authorized to make necessary notifications in this matter to appropriate parties.

  
Tracy L. Philbeck, 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: ZTA19-05, Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO) Chapter 5 (*Attached*), as adopted by the Board of Commissioners on August 27, 2019 and is to be set forth in the Gaston County Unified Development Ordinance (UDO) upon adoption.

  
Donna S. Buff, Clerk





(Chapter 5 – Permit and Modification Procedures)

#### **5.16.4 ZONING MAP AMENDMENT PROCESS-PARALLEL CONDITIONAL USE DISTRICTS (PCUP)**

The parallel conditional use rezoning process allows particular uses to be established, but only in accordance with a specific development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and/or on the entire community that cannot be predetermined and controlled by general district standards or the criteria governing planned developments. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property and be consistent with the objectives of these regulations, the adopted land use plan, and other plans for the physical development of the County as adopted by the governing board. This process was formerly established to provide accommodations for such uses by reclassifying the property into a "parallel conditional use" district. With the adoption of Resolution 2019-247, parallel conditional use districts are no longer offered as an expedited means of review and/or approval of a zoning map amendment and issuance of a conditional use permit. Any and all PCUP's approved prior to the adoption of the aforementioned Resolution are to be considered valid zoning districts with binding conditional uses as specified with the respective case documents.

**NOTE:** *All references to the PCUP throughout the UDO, will be removed and/or amended (when referencing applications that have been approved prior to the adoption of this amendment).*



# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## Planning Board Action

File #: 19-331

Commissioner Philbeck - Planning & Development Services - Zoning Text Amendment: ZTA19-05, Gaston County Planning Board (Applicant); To Consider Proposed Text Amendments to the Unified Development Ordinance (UDO): Chapter 5 (Permit and Modification Procedures): Section 5.16.4

### STAFF CONTACT

David L. Williams - Director of Planning - 704-866-3473

### BACKGROUND

The Unified Development Ordinance (approved April 24, 2008), sets forth procedures for amendment procedures in Chapter 5, requiring a joint public hearing by the Planning Board and 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 ZTA19-05 Gaston County Planning Board (Applicant), to request the Board of Commission to consider approval of the proposed text amendments to the UDO: Chapter 5 (Permit and Modification Procedures): Section 5.16.4. A joint public hearing was advertised and held on August 27, 2019 with the Public Hearing comments being on file in the Board of Commission Clerk's Office. Planning Board recommendation was provided on the same date, 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 reflect the removal of the Parallel Conditional Use Permit as a zoning map amendment option. The Planning Board reviewed the amendments at its meeting (07/23/2019) and unanimously recommended to move them to the public hearing process.

### ATTACHMENTS

Resolution - ZTA19-05; Zoning Text Amendment - ZTA19-05

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	JBrown	AFrale	BHovis	TKelgher	TPhilbeck	BWorley	Vote
2019-247	08/27/2019	AF	RW	A	A	A	A	A	A	A	U

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