

ZTA20-01

Zoning Text Amendments to the Unified Development Ordinance (UDO)

Applicant: Gaston County Planning Board

Proposed Text Change: Chapter 5 (Permit and Modification Procedures): Section 5.16.6(B); Chapter 13 (Subdivision Regulations): Sections 13.2(A)(5), 13.15.3(D)

Description: Minor modification to the Conditional District (CD) submittal procedure and modifications to the Subdivision Regulations to include family exemptions.



*Gaston County Department of Planning & Development Services
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Gaston County, North Carolina



PROPOSED TEXT AMENDMENTS – PUBLIC HEARING – JANUARY 2020

Highlighted italics = additions; strikeouts = deletions

(Chapter 5 – Permit and Modification Procedures)

SECTION 5.16.6 PROCEDURES

Procedures for application submittal are as follows:

B. The application shall be accompanied by a plan, drawn to scale, that includes or is accompanied by the following:

11. A list, if any, of all additional development conditions or standards that differs from those that would normally apply to that use. ~~Only conditions that exceed the UDO minimum standards can be considered and listed by the applicant, except those minor modifications listed in Table 5.15-1(B).~~



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(Chapter 13 – Subdivision Regulations)

SECTION 13.2 ACTIVITIES THAT CONSTITUTE A SUBDIVISION

- A. For purposes of this Ordinance, “subdivision” means all division of a tract or parcel of land into two (2) or more lots, building sites, or the divisions when those divisions are created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following activities do not constitute a subdivision and are expressly exempt from the design and improvement standards of this Chapter:
1. The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown in this Ordinance;
 2. The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
 3. The public acquisition by purchase of strips of land for the express purpose of widening or opening of streets;
 4. The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the County as required by this ordinance.
 5. *The division of land solely among members of the same family, as defined in Chapter 2 of this Ordinance under the term family member, by any method of transfer. Lots subdivided under this family exemption shall comply with Section 13.15.3(D).*



13.15.3 LOTS TO ABUT A PUBLIC STREET

Each lot shall have frontage on a public street and meet the requirements of Section 9.5, with the following exceptions:

- A. Existing lots meeting the requirements set forth in Section 3.5.7; or
- B. Lots fronting on a private road meeting the requirements set forth in 13.15.2; or
- C. Proposed lots for use by single-family dwellings and individual manufactured homes that do not have frontage on a public street may be approved by the Administrator after determining the following:
 - 1. Each such resultant lot is a minimum of three (3) acres in size, outside all easements and / or right-of-ways; and
 - 2. Not more than three (3) lots served by an easement have been created out of said parent tract.
 - 3. Each such lot is provided with access to a public street by means of a recorded twenty (20) foot wide access easement; and
 - 4. Each such resultant lot is served, at a minimum, by an all weather road; defined as: a well drained travel surface composed of gravel, crusher run, or other similar material, having a center crown to prevent ponding of water on the travel surface, and have a minimum twelve (12) foot travel surface and shall be built in accordance with the Figure 13.15.3-1.
- D. *Lots created as the result of a family exemption and which meet the following criteria:*
 - 1. *Each resultant lot must be a minimum of one (1) acre in size; and,*
 - 2. *Not more than five (5) lots may be created out of parent tract and served by an easement, with any subsequent lots to be approved by the Planning Board as a special exception; and,*
 - 3. *A road maintenance agreement must be recorded with the deed or plat; and*

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4. Each resultant lot is served, at a minimum, by an all weather road; defined as: a well drained travel surface composed of gravel, crusher run, or other similar material, having a center crown to prevent ponding of water on the travel surface, and have a minimum twelve (12) foot travel surface and shall be built in accordance with the Figure 13.15.3-1.
5. Yearly inspections shall be made by Planning staff to ensure regulations have been met.