



## Gastonia Planning Commission Meeting Schedule

June 8, 2023

**5:30 – UNTIL PLANNING COMMISSION MEETING**  
(City Hall – City Council Chambers)

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**ITEM 1a: Role Call / Sound Check**

**ITEM 1b: Calls/Contacts to Planning Commission Members**

**ITEM 1c: Approval of April 6, 2023 Minutes**

**ITEM 2: Public Hearing – Dallas Bessemer City Highway Townhomes (File #202200615)**

Subject hearing involves a rezoning request for approximately 32.45 acres from Gaston County TMU (Transitional Mixed Use) and RLD (Residential Low Density) to City of Gastonia PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on Dallas Bessemer City Highway, north of the Gastonia Technology Park. The property is owned by Charles E. Pasour and Kenneth and Pamela Avery.

➤ *The Gastonia City Council will be holding a Public Hearing on the Annexation and Rezoning request at the **June 20th, 2023** meeting*

**Staff Presentation: Jason Pauling, AICP, Assistant Planning Director**

**ITEM 3: Public Hearing – Crowders Creek Commons Townhomes (File #202300052)**

Subject hearing involves a request to rezone approximately 16.31 acres from C-3 (General Business), I-2 (General Industrial), and I-2 CUP to PD-RRDD (Planned Development – Revised Residential Development District). The subject property is located on West Franklin Boulevard, adjacent to Patterson Circle and is owned by Dean Putnam and Martha Smith.

**Staff Presentation: Jason Pauling, AICP, Assistant Planning Director**

**ITEM 4: Public Hearing – Armstrong Park Road (File #202300122)**

Subject hearing involves a request to amend the C-2 CD (Highway Commercial – Conditional District) zoning district (File 7321) for approximately 3.49 acres. The subject property is located at the intersection of W. Hudson Boulevard and Armstrong Park Road and is owned by Gaston County Family YMCA.

**Staff Presentation: Jason Pauling, AICP, Assistant Planning Director**

**ITEM 5: Public Hearing – Unified Development Ordinance Amendment (File #202300141)**

Subject hearing involves a request to amend Chapter 10 *Off-Street Parking and Loading* to the Unified Development Ordinance to 1) revise the parking maximums within certain zones and building type, 2) allow the Administrator to evaluate and approve increases within particular zones, 3) establish Electric Vehicle Charging Station regulations for certain uses, 4) modify section numbers and cross-references within this chapter and the UDO, and 5) clarify, adjust, and/or remove criteria associated with parking standards.

**GASTONIA PLANNING COMMISSION MEETING**  
**Gastonia Council Chamber – City Hall – Gastonia, NC**

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- *The Gastonia City Council will be holding a Public Hearing on the text amendment at the **June 20th, 2023** meeting*

**Staff Presentation: Jason Thompson, AICP, Planning Director**

**ITEM 6: Public Hearing – Unified Development Ordinance Amendment (File #202300147)**

Subject hearing involves a request to amend *Section 12.3 Prohibited Signs* and *Section 12.14 Sign Flexibility Options* to the Unified Development Ordinance to allow roof signs as a sign type flexibility option in the UMU zoning district.

- *The Gastonia City Council will be holding a Public Hearing on the text amendment at the **June 20th, 2023** meeting*

**Staff Presentation: Jason Thompson, AICP, Planning Director**

**ITEM 7: Public Hearing – Unified Development Ordinance Amendment (File #202300181)**

Subject hearing involves a request to amend *Section 7.6.2 HD Historic District Overlay* to the Unified Development Ordinance to revise the Civil Penalty guidelines regarding Certificates of Appropriateness from the Historic District Commission.

- *The Gastonia City Council will be holding a Public Hearing on the text amendment at the **June 20th, 2023** meeting*

**Staff Presentation: Jason Thompson, AICP, Planning Director**

**ITEM 8: OTHER BUSINESS**

**ITEM 9: ADJOURNMENT**

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**UPCOMING IMPORTANT DATES**

June 20<sup>th</sup> & July 18<sup>th</sup> – City Council Meeting – 6:00 p.m.  
August 3<sup>rd</sup> – Planning Commission Meeting – 5:30 p.m.

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ALL INTERESTED PERSONS WISHING TO COMMENT SHOULD APPEAR AT THE PUBLIC HEARING. INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS WHEN ATTENDING THIS MEETING AND/OR IF THIS INFORMATION IS NEEDED IN AN ALTERNATIVE FORMAT BECAUSE OF A DISABILITY, SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, LOCATED IN CITY HALL AT 181 S. SOUTH STREET, TELEPHONE: (704-866-6786), FAX: (704-836-0022) OR BY EMAIL: JUDYS@CITYOFGASTONIA.COM. THE HUMAN RESOURCES DEPARTMENT REQUESTS AT LEAST 72 HOURS' NOTICE PRIOR TO THE MEETING TO MAKE THE APPROPRIATE ARRANGEMENTS.

## **Gastonia Planning Commission April 6, 2023 Meeting Minutes**

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The Gastonia Planning Commission meeting opened at 5:32 p.m. on Thursday, April 6, 2023 in the Council Chambers at City Hall, 181 S. South Street of Gastonia, NC.

Present: Chair Kristie Ferguson and Commissioners Jim Stewart, Carl Harris, David Wilson, and Rodney Armstrong

Absent: Commissioner Chad Ghorley, Anthony Gallant, Glenn Silverman

Staff Members Present: Charles Graham, Jason Thompson, Maddy Gates, Jalen Nash, Shelley DeHart, and Tucker Johnson

### **Item 1a: Role Call / Sound Check**

Chair Kristie Ferguson declared a quorum.

### **Item 1b: Calls/Contacts to Planning Commission Members**

Commissioners were not contacted.

### **Item 1c: Approval of March 9, 2023 Meeting Minutes**

Commissioner Stewart made a motion to adopt the March 9, 2023 minutes as presented and Commissioner Harris seconded the motion. The motion unanimously passed (5-0).

Chair Ferguson explained the rules of procedure and time limitations.

Chair Ferguson announced Item number 202200615, Dallas Bessemer City Highway, has been tabled and will not be heard tonight.

### **Item 2: Public Hearing (Continued from March 9th) – 1818 W. Fifth Avenue (File #202300024) - ~~WITHDRAWN~~**

Subject hearing involves a request to rezone approximately 0.34 acres from RS-8 (Single-family Residential) to RS-8 CD (Single-family Residential – Conditional District) for changes to an existing structure, and development of one new infill single-family house. The subject property is located at 1818 W. Fifth Avenue, adjacent to Sherman Street. The property is owned by Statement Homes, LLC.

Chair Ferguson stated that file number 202300024, that was continued from the March 9 Gastonia Planning Commission meeting has been withdrawn, therefore, there will be no public hearing for this item.

### **Item 3: Public Hearing – Shannon Bradley Road (File #202200544)**

Subject hearing involves a rezoning request for approximately 0.97 acres, and partial annexation (0.06 acres) from I-2 (General Industrial) to C-3 (General Business). The subject property is located south of Bessemer City Road on Shannon Bradley Road and is owned by Norris D. Lamb Jr.

*The Gastonia City Council will be holding a Public Hearing on the rezoning and annexation of 0.06 acres at the **April 18, 2023** City Council meeting.*

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director for the purpose of staff presentation. Mr. Thompson stated the request is from I-2 to C-3 and that the subject property is located in an area of transition. The zoning map was presented and Mr. Thompson noted there is currently both industrial uses and C-3 zoning in the surrounding area. He stated staff is supportive of the request and he will be happy to answer any questions.

Chair Ferguson asked the Commissioners if there were any questions for staff. With there being no further questions, Chair Ferguson recognized recognized Ty Toney, 1425 Merrimont Ave, Kings Mountain, NC. Mr. Toney stated that he now owns the property but the tax records still reflect Mr. Lambs name. He stated the request is from I-2 to C-3 and includes an annexation request. Chair Ferguson asked the Commissioners if they have any questions for Mr. Toney. With there being no further questions, Chair Ferguson asked the board for a motion.

Commissioner Stewart made a motion to close the public hearing and recommend approval of the item as presented with the statement of consistency and reasonableness. Commissioner Wilson seconded the motion of recommendation for approval. The motion was approved (5-0).

### **Item 4: Public Hearing – Lofts at Court Drive (File #202300050)**

Subject hearing involves a request to rezone approximately 12.64 acres from RS-8 (Single-family Residential, minimum 8,000 sq. ft. lots) to RMF CD (Residential Multi-family – Conditional District). The subject property is located on Court Drive, between Smyre Drive and Log Cabin Drive and is owned by Jerry and Alice Woods.

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Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director for the purpose of staff presentation.

Mr. Thompson stated the request was for 200 dwelling units in a multi-family development. Mr. Thompson noted, that the property was previously zoned for multi-family years ago and at some point got rezoned back to a single family district. Mr. Thompson stated there is precedent here for multi-family zoning and project approval. He presented the zoning conditions, stating they are similar in nature to conditions the Commission has seen for other multi-family projects. Mr. Thompson noted the applicant, Wynnefield Properties, has had two previous multi-family rezonings approved within the past several months and that the proposed project is consistent with adopted plans. Mr. Thompson noted the 2025 Future Land Use Map and the Smyre Mill Village plan, that both recognized the appropriateness and need for higher density residential in this vicinity. He stated staff is recommending approval of the request and he is happy to answer any questions.

Chair Ferguson asked the Commissioners if there were any questions for Mr. Thompson. Commissioner Wilson asked Chair Ferguson if there was anyone signed up to speak against this item. Chair Ferguson responded "Yes, several". Discussion ensued over who signed up to speak for or against the request.

Chair Ferguson recognized Davis Ray, 5614 Riverdale Dr., Jamestown, North Carolina. Mr. Ray stated he is here on behalf of Wynnefield Properties, which is a North Carolina apartment developer. Mr. Ray noted the number of properties under Wynnefield's management and current projects. He stated they have worked with the City of Gastonia and have also held a public meeting for this project. Mr. Ray referenced the site plan and explained the development consists of a mix of one, two, and three bedroom apartments spread throughout seven buildings. He noted the list of neighborhood and/or lifestyle amenities and specifics of the proposal. Mr. Ray stated the site is within close proximity to a lot of different life amenities/services, such as retail, restaurants, banks, health care, and future jobs with Gatewat 85 which is a reason why they chose this particular site. He stated that at the neighborhood meeting, one of the attendees brought up traffic concerns, Mr. Ray reiterated that traffic would have to be addressed through an approval process from multiple governing agencies. Mr. Ray stated he is available to answer any questions.

Chair Ferguson asked the board if they have any questions for the applicant. With there being no further questions, Chair Ferguson recognized Dan Keeps, 850 Log Cabin Dr., Gastonia, NC. Mr. Keeps noted his biggest concern is the applicant has two different entrances, one off Court Dr., and one off Log Cabin Dr. Mr. Keeps expressed concern with the entrance on Log Cabin Dr., stating it is a dead end. He asked if the Commissioners have been informed that one of the exits out of the community is a one lane road under a railroad trestle. He stated the addition of new vehicles traveling in and out of that exit, would pose a problem. Mr. Keeps asked if Wynnefield Properties has done a crime analysis with their similar projects in other cities. Mr. Keeps asked for further information on the type of housing being proposed.

With there being no further questions from Mr. Keeps, Chair Ferguson recognized Lester and Virginia Hovis, 2999 Millstone Dr., Gastonia, NC. Mrs. Hovis noted her and her husband have lived in the neighborhood for five years and they like the area but have a few questions about the project. Mrs. Hovis stated she would like an explanation on what a Conditional District is. She expressed concern with the apartments being three stories and the proposed density. Mrs. Hovis stated with three stories, the apartments would be looking down on their property and into their backyards. She stated her concerns with crime and traffic due to poor street quality and people driving over the speed limits. She expressed that she believes these issues will get worse. Mrs. Hovis asked how the utilities department is going to handle the extra needs and if that is going to be a strain.

Mr. Hovis pointed out his property in reference to the proposed development. He stated one of his main concerns is the entrance on Court Drive adjacent to his property. He asked if the City of Gastonia is going to re-open the land strip beside his house, that was previously a closed ROW. Mr. Hovis expressed that this entrance location, if opened, would ruin his life. Mr. Hovis noted that Smyre Village is an old community with little to no renovations, including narrow roads with no sidewalks or drainage. He shared his concern with the proposed density and the increase in vehicles on Court Dr., Log Cabin Dr. and Aberdeen, stating if there was an emergency, it would be dangerous to get out with limited exits and entrances. He stated the possibility of extending Aberdeen to provide relief. Lastly, Mr. Hovis shared concerns of crime and the quality of life for current residents.

Commissioner Wilson asked Mr. Hovis if Log Cabin Dr. is currently a dead end on one side and an ingress/egress on the other. Mr. Hovis responded "Yes", there is a dead end on one side of Log Cabin Dr.

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With there being no further questions for Mr. Hovis, Chair Ferguson recognized Jim Warner, at 772 Log Cabin Dr, Gastonia, NC. Mr. Warner stated Mr. Keeps and Mr. Hovis have touched the concerns he wanted to speak about. Mr. Warner reiterated the concerns of traffic, with only two means of ingress/egress, no sidewalks, and Court Dr. being too narrow for two vehicles. He noted existing traffic in the area on NC-7, Court Dr. and Smyre Dr. is tight and will only get worse with 200 plus more individuals. Additionally, Mr. Warners added that the existing entrance under the railroad trestle is dangerous. Mr. Warners expressed his concerns over water pressure in the area and asked if that would get worse with increased population in the area. He added that there has been new single family development on Log Cabin Dr. and there are a lot of new families and children in the neighborhood. He noted he is worried that the addition of the apartments will alter the current make up of the community.

With there being no questions, Chair Ferguson recognized Elton Walker, at 712 Smyre Dr., Gastonia, NC. Mr. Walker stated his concerns with the increase of traffic from this proposed development and others that have occurred in the area. He expressed concern that the new development will be used as a cut through for commercial vehicles from the industrial complex, adjacent to the neighborhood. He stated that although the City put a sign up on Symre Dr. to resolve the issue, commercial vehicles do it anyway.

With there being no questions, Chair Ferguson recognized Karen Walker, at 712 Symre Dr., Gastonia, NC. Ms. Walker noted she has lived in the area for 20 years. She stated she has grandchildren that live in the area, and with no sidewalks it is not safe to walk. Ms. Walker expressed concern with area being a cut through during busy commuting times for people trying to get to I-85. She also expressed concern with the additional vehicles that will be added. Ms. Walker expressed her concern with crime possibly increasing and homelessness problems. Lastly, she shared concerns with parked cars in the road and speeding.

Chair Ferguson stated there are a list of concerns for staff and that the applicant is available for rebuttal, should they choose. Commissioner Harris asked Staff if a TIA was done prior to the meeting, or if there is any type of engineering traffic concerns in the area. Tucker Johnson, the Assistant City Engineer responded this project meets the threshold and will require a TIA, but staff hasn't required one yet at this point. He stated there was a time when the City required TIA's prior to rezonings, but now they are independent of Planning Commission approval. Mr. Johnson stated if this passes, a TIA will be required.

Chair Ferguson asked Mr. Johnson if he could break down what TIA stands for. Mr. Johnson stated TIA stands for Traffic Impact Analysis and that it will study the number of new trips coming and going from the apartment complex. He stated the TIA will model the road network and provide a list of improvements that the developer will have to make to accommodate the additional trips. Mr. Johnson presented the site on Google Maps to display the current road network. He noted the connection to Aberdeen and explained that truck traffic should not come through the neighborhood because it would be very difficult due to tight turns. Mr. Johnson noted the railroad trustle off NC-7 and the turn on Court Dr. would prevent truck traffic. Mr. Johnson stated that Aberdeen is going to eventually connect through to Lowell and provide direct access to the interstate. Mr. Johnson stated that is appears there are three means of egress but that they are substandard roads with no sidewalk or full width. He stated the Fire Marshall has looked at these developments off substandard roads and classified them as grandfathered in, meaning they don't require widening of the street to current codes. He noted that the TIA may find deficiencies in the neighborhood street network, and provide improvements. Lastly, Mr. Johnson addressed the question on water/sewer capacity, stating as far as service, it looks like there is adequate flow but it depends on elevation. He continued explaining the higher in elevation, the water pressure decreases. He stated he has not done a complete review on water and sewer but from his experience, the elevation explains the decreased water pressure but that there is adequate service.

Commissioner Wilson asked Mr. Johnson to zoom in on the map presented and point out the ingress/egress locations and the dead end in question. Mr. Johnson explained that currently, the area on the site plan shown as Court Dr. is not entirely correct. He continued to explain that right of way may be dedicated and extended for Court Dr. in the future, but as of now, it is not a road. Discussion ensued over the ingress/egress and the dead end on Log Cabin Dr. Lastly, Mr. Johnson noted that fire code requires two egress points into the site which is why there is one on Court Dr. and Log Cabin Dr.

Commissioner Armstrong asked Mr. Johnson if there were any plans for Log Cabin Dr. to get extended. Mr. Johnson responded "No", there's no plans and the only way it would get extended is if the TIA were to require it. Commissioner Wilson asked Mr. Johnson if the project to be built, where does he think majority of the ingress and egress would occur. Mr. Johnson responded he was not sure, but that the traffic engineers who do the TIA study would figure that out. He stated that in his opinion, the

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majority of the trips would go out of Court Dr. because it is a signalized intersection and gives direct access to I-85.

Commissioner Ferguson asked Mr. Thompson to explain what a conditional district means. Mr. Thompson replied explaining the differences between a general and a conditional zoning request. He stated the biggest difference, is a general rezoning allows for all uses in a requested zoning district while a conditional rezoning, specifically allows for one, or limits uses. He also explained a conditional rezoning requires written conditions, a site plan, and renderings, which makes the site in question tied to the conditional zoning approval.

Chair Ferguson noted that in terms of crime analysis and speed limit concerns, that would be an issue for the Police Department. Commissioner Armstrong asked Mr. Thompson to address the concerns about the apartment building height and asked if any buffering will be required. Mr. Thompson stated every zoning district has a maximum height restriction that cannot be exceeded. He noted the max height is measured at the top of last habitable space and not to the peak of the roof. Mr. Thompson stated the buffering is shown in the site plan and includes the required Type C buffer. He also explained various ways the buffer requirement can be met.

Commissioner Harris asked the applicant if the size of the retention pond shown in the site plan is required. Mr. Ray responded the site plan is illustrative to show the location of the pond, but it is speculative at this point. He noted Wynnefield uses various different pond types which would be reviewed in later construction documents. Commissioner Harris asked Mr. Ray if he went with a two-story concept instead of three, if the project would be financial feasibility. Mr. Ray responded that at this time, it would not. He stated further that the architect on the project could look into possibly having two-stories for the buildings adjacent to residential. Chair Ferguson noted a two-story building would still require a change in land use.

Mr. Ray stated his company will work with city staff to address any issues, including the traffic concerns and the tight neighborhood streets. Mr. Ray stated Wynnefield has their own property management company and they will work closely with the Police Department in the area. In reference to the buffer, Mr. Ray noted this site has some mature vegetation currently which will be left undisturbed as much as possible. Mr. Ray identified areas on the plan where there would be replanting. He stated they try to avoid fencing, because it's not a natural component and instead would prefer adding additional landscaping and buffering.

Commissioner Harris asked Mr. Ray if his company has on site property management. Mr. Ray responded that the property will have full time management, but they do not live on site. With there being no further questions, Chair Ferguson asked what are the wishes of the board. Discussion ensued over the options of the public hearing.

Commissioner Wilson moved to close the public hearing. Commissioner Stewart seconded the motion. The motion to close the public hearing was approved (5-0). Commissioner Armstrong expressed his concerns with the location, road systems and the proposed density. Chair Ferguson asked Commissioner Armstrong if the requested zoning district of RMF was a concern. Commissioner Armstrong replied "Yes", stating his main concern was the number of units and the density proposed.

Commissioner Wilson motioned to approve the project as presented with the statement of consistency and reasonableness. Commissioner Stewart seconded the motion. With there being no further discussion, Chair Ferguson takes the vote. The motion to approve was passed (4-1).

Chair Ferguson noted that if the Planning Commission decision is appealed, this item would then be heard by City Council on Tuesday May 16, 2023.

### **Item 5: Public Hearing – Villages at Lynnhaven (File #202300051)**

Subject hearing involves a request to amend the conditional zoning district (File 202200570) for approximately 22.28 acres zoned RMF CD (Residential Multi-family – Conditional District). The subject property is located north of W. Hudson Boulevard, adjacent to Clyde Street. The property is owned by Usmani Holdings, LLC., and Jon and Peyton Apel.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation. Mr. Thompson noted this is another request for residential multi-family conditional zoning from the same applicant as the previous hearing. Mr. Thompson noted that the tax parcel in question is split north and south of W. Hudson Blvd. He explained that the southern portion was previously approved and that the current request is to expand onto the northern portion of the site. Mr. Thompson stated the applicant has previously gotten conditional zoning approval for RMF for the site to the west and that this is a continuation of a larger scale project. Mr. Thompson presented the

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proposed elevations and stated 8.1.10 in the code has design standards for multifamily. Mr. Thompson stated the 2025 Comprehensive Plan indicates office and commercial uses for this area, but staff feels multi-family zoning is compatible given the RMF projects adjacent. He states staff recommends approval.

With there being no questions, Chair Ferguson recognized Davis Ray, 5614 Riverdale Dr., Jamestown, NC. Mr. Ray stated Wynnefield was able to attain additional land and add 72 more units. Mr. Ray stated this request is similar to the previous item and discussed some possible amenities.

Commissioner Wilson asked Mr. Ray what the distance was from Clyde St. to the ingress/egress point. Mr. Ray responded it would be about 250 to 300 feet but that it is a right in/right out drive. Mr. Ray noted that access off Clyde St. was not proposed due to topography and existing wetlands. Commissioner Harris asked Mr. Ray if the elevations of the buildings are the same as the previous application. Mr. Ray responded "Yes".

Chair Ferguson asked for the wishes of the board. Commissioner Stewart made a motion to approve the project as presented with the statement of consistency and reasonableness. Commissioners Wilson and Harris seconded the motion. The motion to approve was unanimously approved (5-0).

**Item 6: Public Hearing – 211 E. Eighth Avenue (File #202300062)**

Subject hearing involves a request to rezone approximately 0.26 acres from C-2 (Highway Business) to C-1 (Neighborhood Business). The subject property is located at 211 E. Eighth Avenue, east of S. Oakland Street and is owned by Helmsman Homes, LLC.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation.

Mr. Thompson stated this rezoning request is from C-2 to C-1 which is the neighborhood commercial district. Mr. Thompson explained that this request is a down zoning, meaning it would be a more restrictive zoning district than what is currently there. Mr. Thompson stated the applicant is Helmsman Homes and the request would most likely be for the development of one single-family home. He explained that single family dwellings are not permitted in the C-2 zoning district but that the Commissioners have to consider all C-1 uses. He noted the Comprehensive Plan indicates commercial for the subject property and that staff is recommending approval.

Chair Ferguson recognized Christine Newsome, 110 Stanton Lane Mooresville, North Carolina. Ms. Newsome stated the intent is to build a single family residence. She noted there are existing single family residences on both sides of the property.

Chair Ferguson asked for the wishes of the board. Commissioner Armstrong made a motion to approve the project as presented with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion was approved unanimously (5-0).

**Item 7: Public Hearing – 1410 S. Marietta Street (File #202300063)**

Subject hearing involves a request to rezone approximately 0.11 acres from C-3 (General Business) to C-1 (Neighborhood Business). The subject property is located at 1410 S. Marietta Street, between E. Ruby Avenue and Davenport street and is owned by Helmsman Homes, LLC.

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation.

Mr. Thompson stated this hearing is very similar to the previous public hearing, and includes the same applicant. He stated the request is to rezone from C-3 to C-1, neighborhood commercial. Mr. Thompson noted the Comprehensive Plan indicates residential uses for the subject property and staff is recommending approval.

Chair Ferguson recognized Christine Newsome, at 110 Stanton Lane, Mooresville, North Carolina. Ms. Newsome stated this hearing is the same as the previous, with the purpose of building a single family home.

Commissioner Harris asked Ms. Newsome what type of dwelling units Helmsman Homes develops and if they are affordable. Ms. Newsome responded that Helmsman develops spec homes for resale. She stated they are single-family dwellings either for sale or for rent, but they are entry level homes. Commissioner Stewart asked Ms. Newsome for other locations where Helmsman Homes has built in

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Gastonia. Ms. Newsome responded they have one on S. South Street in the Historic District and two duplexes on Lewis Street. Ms. Newsome stated Helmsman Homes has also built in Gaston County.

Chair Ferguson asked for the wishes of the board. Commissioner Harris made a motion to approve the project as presented with the statement of consistency and reasonableness. Commissioner Stewart seconded the motion. The motion was unanimously approved (5-0).

Chair Ferguson requested a 8 minute recess.

### **Item 8: Public Hearing – Unified Development Ordinance Amendments (File #202300103)**

Subject hearing involves a request to amend *Section 7.1-1 Table of Uses, Section 7.3-1 Bulk and Use Chart, Section 7.6.5 Urban Standards Overlay District USO, Section 8.1.4 Urban Multi-Family and Mixed-Use Residential, and Section 8.1.5 Dwelling, Two Family* to the Unified Development Ordinance to 1) revise the permitted uses and dimensional requirements for all applicable residential uses previously amended by the Revised Residential Development District (*Sections 8.1.11 and 8.1.17*), 2) exempt temporary mobile classrooms on school properties from architectural requirements, and 3) add Urban Multi-Family and Mixed-Use Residential standards

Chair Ferguson opened the public hearing and recognized Jason Thompson, Planning Director, for the purpose of staff presentation.

Mr. Thompson stated the ordinance amendment includes three different requests. He stated the first includes proposing a new set of development standards for urban multi-family projects and mixed use projects, specifically targeting urban multi-family buildings and urban mixed use buildings. Mr. Thompson displayed the Urban Core map and explained the geographic area that the new development standards would apply to. He explained that the Urban Core map is made up of existing zoning districts and boundaries, including areas such as the Historic District overlay and the Gateway District overlay. Mr. Thompson stated the second request is in regards to the Revised Residential Development District (RRDD). He stated that the amendment would allow for RRDD to be used to provide flexibility in some areas in the City that target mid-level density. For the last request of the amendment Mr. Thompson stated staff has been working with Gaston County Schools to give them some flexibility with nonresidential building design standards and materials standards. He stated it's not uncommon for schools, particularly if they're going through an expansion or construction project to use these portable mobile classrooms. Mr. Thompson stated this would exempt those buildings from design standards and materials standards, so long as they're temporary. He noted temporary, in this case, is two years or less for modular classroom.

Commissioner Harris asked Mr. Thompson what would happen to these buildings after the two years. Mr. Thompson replied, that they would then become permanent structures and have to be fixed or removed.

With there being no further discussion, Chair Ferguson asked for the wishes of the board. Commissioner Stewart made a motion for recommendation of approval with the statement of consistency and reasonableness. Commissioner Harris seconded the motion. The motion for recommendation of approval was unanimously passed (5-0).

### **Item 10: Other Business**

Planning Director, Jason Thompson, stated that there were two approvals for annexation and assignment of zoning at the March 21, 2023 City Council meeting. He noted both were for industrial spec building projects, one was located on Apple Creek Parkway and the other was on Delta Drive. Chair Ferguson stated no representative is needed at the April 18th City Council meeting.

### **Item 11: Adjournment**

There being no further business, Commissioner Stewart made a motion to adjourn the meeting and Commissioner Wilson seconded the motion. Hearing none in opposition, the meeting adjourned at 7:13 p.m.

Respectfully submitted,

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Jalen Nash, Planning Technician

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Kristie Ferguson, Chairwoman



**PUBLIC HEARING  
STAFF REPORT**

**File # 202200615**

**GPC Hearing Date: June 8, 2023**

OWNER: Kenneth R. & Pamela S. Avery, Charles E. Pasour

APPLICANT: Kyle diPretoro, JIK Holdings, LLC.

PROPOSED ZONING ACTION: Rezone from TMU & RLD (Gaston County) to PD-RRDD (City of Gastonia)

LOCATION: Located on Dallas Bessemer City HWY, north of the Gastonia Technology Park (PID# 171132, 171133, 171134, 203611, 203613, 203614).

TRACT SIZE: Approximately 32.45 total acres

WARD: County to 4 (City)

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**EVALUATION:**

Site Description and Background

The subject property for this zoning request includes six (6) parcels currently zoned Gaston County TMU (Transitional Mixed Use) and RLD (Residential Low Density). An annexation petition for the property has also been filed by the applicant, and both cases will be heard by City Council. The property is mostly vacant and rural consisting of open grassland with some wooded areas along the boundaries. There is one (1) single-family residence on the property with frontage on Dallas Bessemer City Highway and one (1) barn like structure.

The applicant is requesting to rezone to PD-RRDD (Planned Development – Revised Residential Development District) to facilitate the development of a maximum of 191 single-family attached (townhome) units. The lots are proposed to be 20 feet minimum in width, providing an overall density of 5.86 dwelling units per acre. All units within the development will be rear-loaded off of alleys with frontage on a public street or common open space. There are two primary entrances off of Dallas-Bessemer City Highway where sidewalk and other street improvements will be required. A Traffic Impact Analysis (TIA) is required for the proposed project and the applicant will be responsible for providing all mitigations resulting from the TIA. All street cross sections will be reviewed during the Technical Review Committee and Preliminary Plat process. Several pockets of common open space, including a 0.37-acre park square, are dispersed throughout the development. The applicant has also proposed a walking trail connecting the development to the neighboring Dallas Park. Additional details of the improved open space will be required as part of preliminary plat and construction document review. The applicant has submitted two-story conceptual elevations for the project.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of 191 attached single-family units (townhomes).
2. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards. Applicants shall provide elevation details for front and rear elevations, and also side elevations facing public streets as part of zoning review. Construction material shall consist of a combination of brick, stone or other masonry product, and any variation of fiber cementitious siding. Any alternatives must be reviewed and approved by staff as part of zoning permit reviews.
3. Street cross-sections, ingress and egress points, intersections, internal crosswalks and parking locations to be finalized during the subdivision review process. A Traffic Impact Analysis will be required and must be submitted and approved as part of the Preliminary Plat process.

4. Sidewalks shall be constructed on Dallas Bessemer City Highway along with other improvements required by Development Services, and in coordination with NCDOT.
5. Location, width, material and maintenance of the pedestrian path shown connecting to Dallas Park shall be coordinated via agreement with Gaston County Parks and Recreation. Path may be privately maintained as part of common open space until such time Gaston County has the ability to provide a public connection. Trails are encouraged to be accessible and may need to be paved depending on Gaston County requirements. Trail easement shall be shown and recorded on the final plat of the applicant's property, within common open space if it will be publicly maintained.
6. Developer shall coordinate with proper local and state officials on the location, design, maintenance and operation of stormwater/water quality measures, and in particular the potential effect of run-off and water quality to the existing pond located within Dallas Park.
7. In no instance shall the zoning conditions exempt a project from other development requirements.
8. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

#### Adjoining Properties and Land Use Trends

Adjoining land use is mainly Gaston County residential with a portion of City of Gastonia industrial to the south. The property to the north and west is zoned Gaston County R-1 (Single-family Limited) and consists of the Rudisill Park neighborhood. Directly east is Dallas Park zoned Gaston County TMU (Transitional Mixed Use). Further east is Gaston College in the Town of Dallas' ETJ. To the south, is a mix of Gaston County RLD (Residential Low Density), consisting of mostly vacant parcels and City of Gastonia I-2 (General Industrial), consisting of the Gastonia Technology Park.

#### Available Public Facilities

Sewer is available on this site but water extension will be required. Additional water and sewer utility comments will be made upon review of the construction drawings.

#### Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates industrial for the subject property. Although industrial is shown on the 2025 Comprehensive Plan, staff feels a residential land use is compatible with the surrounding area as there is primarily residential land uses to the north and west and the Dallas Park to the east. Additionally, this development provides a mix of residential uses in close proximity to the public park, the Gastonia Technology Park, and Gaston College.

#### Conclusion

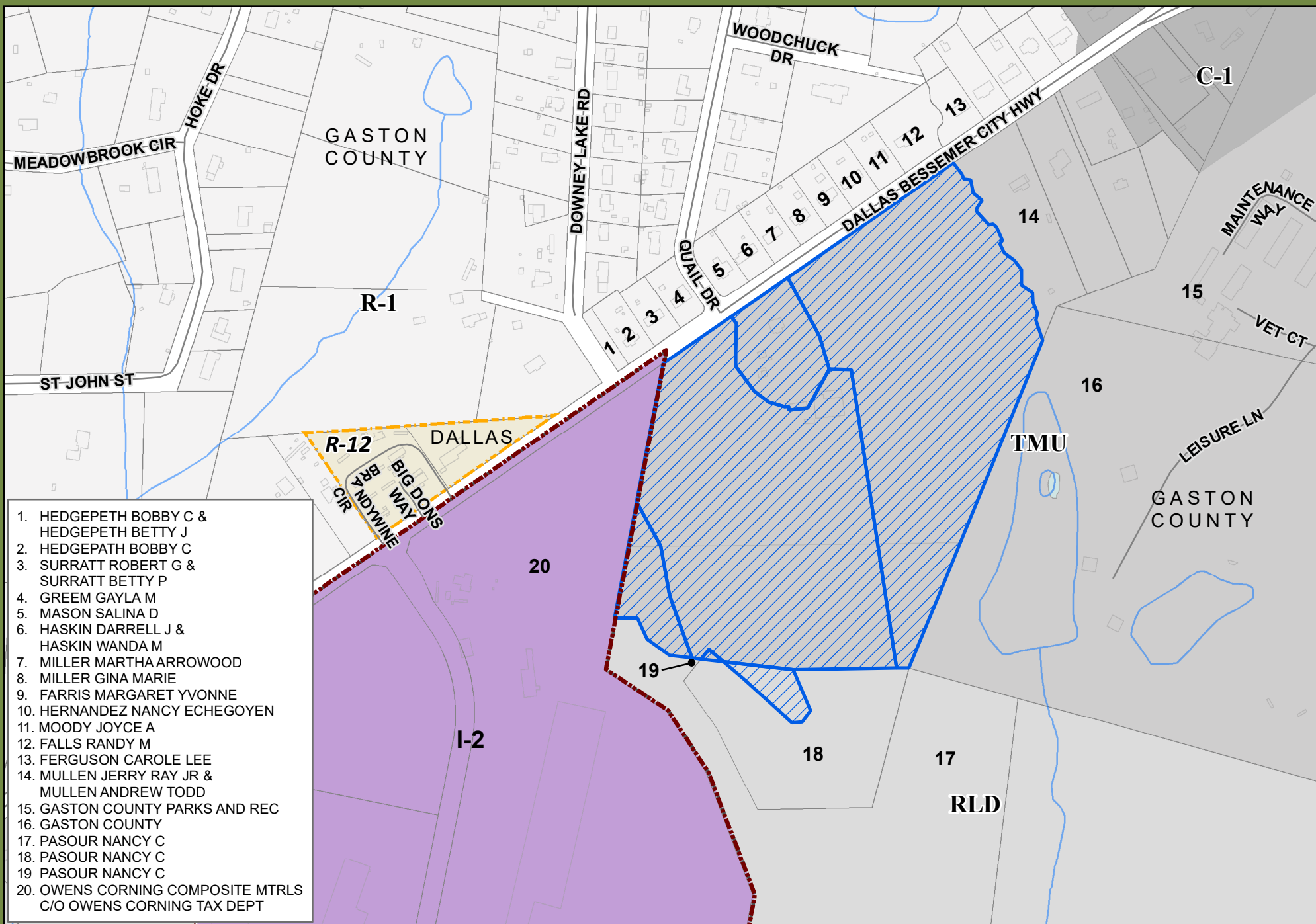
The request includes a rezoning and annexation request from Gaston County TMU and RLD to City of Gastonia PD-RRDD (Revised Residential Development District) to facilitate the development of a maximum of 191 townhome units. The plan was designed in accordance with the RRDD (8.1.17) standards of the UDO. **Staff recommends approval of the request.**



Maddy Gates, MURP  
Planner

**Statement of consistency and reasonableness (motion to approve):** Based on the 2025 Comprehensive Plan as well as existing zoning and land uses, the Planning Commission considers an affirmative vote to be reasonable, compatible with the surrounding land use and zoning, and in the public's interest.

**Statement of consistency and reasonableness (motion to deny):** The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



1. HEDGEPEETH BOBBY C & HEDGEPEETH BETTY J
2. HEDGEPEETH BOBBY C
3. SURRETT ROBERT G & SURRETT BETTY P
4. GREEM GAYLA M
5. MASON SALINA D
6. HASKIN DARRELL J & HASKIN WANDA M
7. MILLER MARTHA ARROWOOD
8. MILLER GINA MARIE
9. FARRIS MARGARET YVONNE
10. HERNANDEZ NANCY ECHEGOYEN
11. MOODY JOYCE A
12. FALLS RANDY M
13. FERGUSON CAROLE LEE
14. MULLEN JERRY RAY JR & MULLEN ANDREW TODD
15. GASTON COUNTY PARKS AND REC
16. GASTON COUNTY
17. PASOUR NANCY C
18. PASOUR NANCY C
19. PASOUR NANCY C
20. OWENS CORNING COMPOSITE MTRLS C/O OWENS CORNING TAX DEPT

**Applicant:** JIK Holdings LLC - Kyle diPretoro

**Owner:** Kenneth R & Pamela S Avery;  
Charles Pasour

**Planning Comm Hearing:** June 8, 2023

**Request:** TMU & RLD (County) to PD RRDD (City)

**Ward:** County to 4

**Total Tract Size:** approx. 32.45 acres

**Parcel ID #:** 171132, 171133, 171134, 203611, 203613, 203614

**Subject Property**

**Legend**

	AP Airport		City Boundary
	C-1 Light Commercial		Dallas Town Limit
	C-2 Highway Commercial		Streams
	C-3 General Commercial		Lakes
	CBD Central Business District		Parcels
	I-U Urban Industrial		Buildings
	I-1 Light Industrial		
	I-2 General Industrial		
	I-2 General Industrial		
	O-1 Office		
	OLC Office/Light Commercial		
	O-M Medical Office		
	PD IRD Planned District Infill Res Devt		
	PD PRD Planned District Planned Res Devt		
	PD RRDD Planned District Revised Res Devt District		
	PD PUD Planned District Planned Unit Devt		
	PD TND Planned Dist Traditional Neighborhood Devt		
	RLD Residential Low Density		
	RS-12 Residential 12000sqft lots		
	RS-8 Residential 8000sqft per lot		
	R-A Rural Agricultural		
	RMF Residential Multi-Family District		
	SP State Park District		
	TMU Transitional Mixed Use		
	UMU Urban Mixed Use District		

Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

**Application**  
**PLMAC202200615**

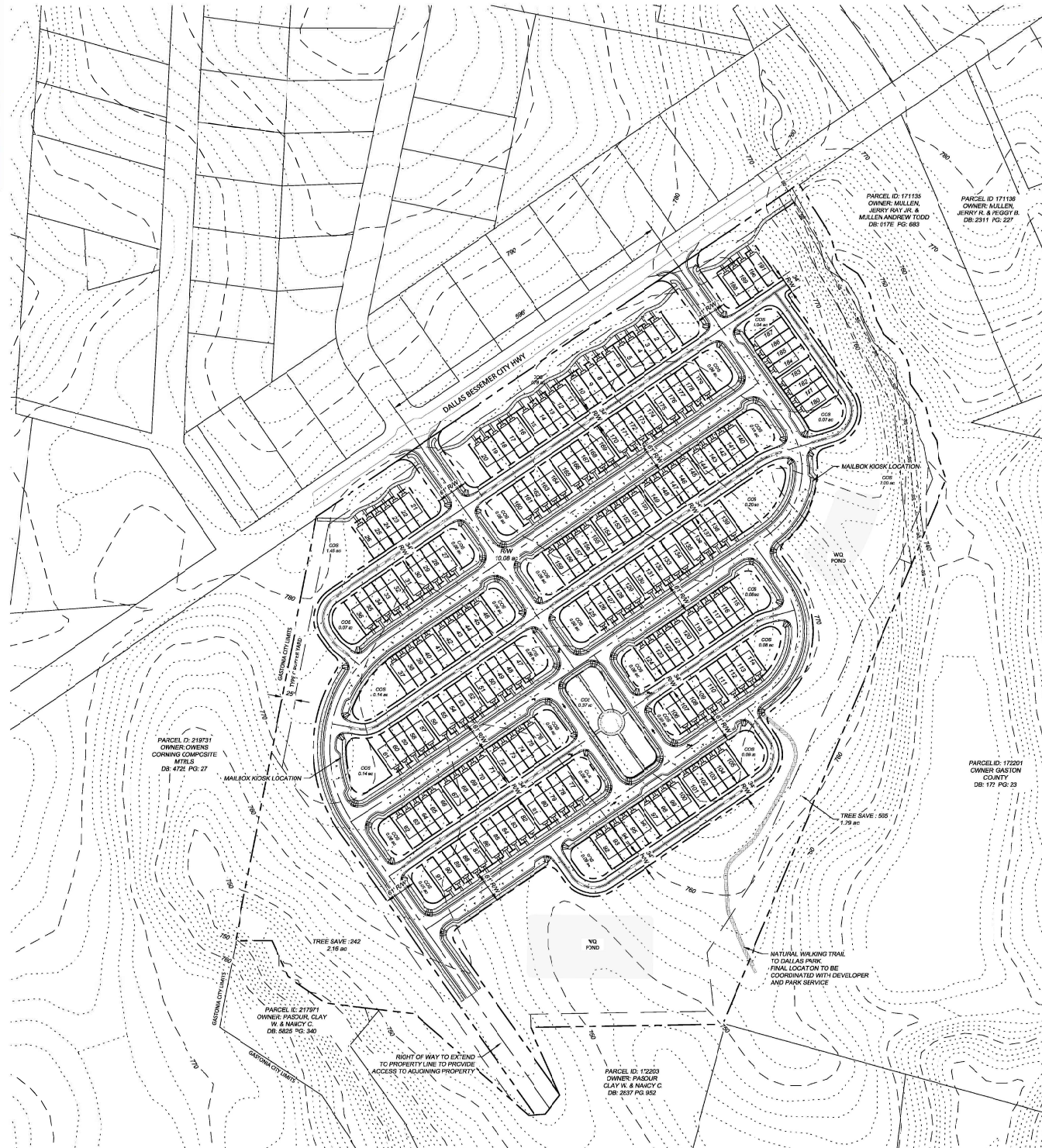
I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on May 24, 2023.



1 : 4,800  
1 inch represents 400 feet  
Plot Date: May 22, 2023



VICINITY MAP  
NOT TO SCALE

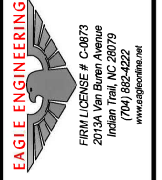
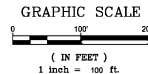
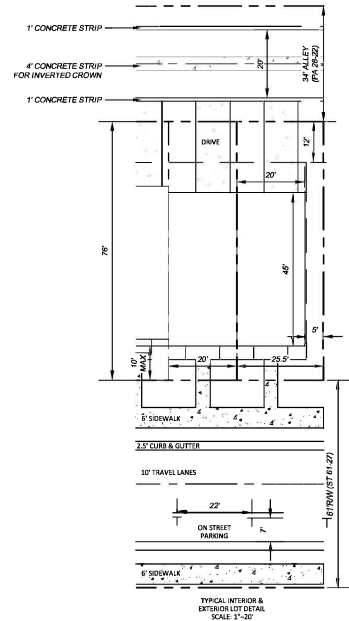


SITE NOTES

1. NO SWALS, RETAINING WALLS, STORMWATER (BMP) MEASURES CAN BE LOCATED WITHIN BUFFERS.
2. ALL ARCHITECTURAL REQUIREMENTS OF SECTION 8.1.37 IN THE UDC WILL BE REQUIRED.
3. AMENITIES SHOWN HEREIN ARE FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE.
4. ALL STREET RIGHT-OF-WAYS ARE TO BE PUBLIC, ALL ALLEY RIGHT-OF-WAYS ARE TO BE PRIVATE.



SITE AND DEVELOPMENT DATA	
JURISDICTION	GASTONIA TOWNSHIP
TAX PARCEL(S)	071136, 171155, 203811, 203812, 203813, 203814
SITE ADDRESS	DALLAS BESSEMER CITY HWY
CURRENT ZONING	TMU & RLD (COUNTY)
REQUESTED ZONING	RRD0
TOTAL AREA	32.41 AC
TOTAL LOTS	191 LOTS
DENSITY	5.89 UNITS/ACRE
AREA IN LOTS	7.41 ACRES (22.86%)
OPEN SPACE	14.82 ACRES (46.04%)
ROW	10.08 ACRES (31.10%)
SETBACKS IN CONDITIONAL DISTRICT	
FRONT SETBACK	8'(16')(MAX)
CORNERSIDE SETBACK	8'
REAR SETBACK	12'
DISTANCE BETWEEN BUILDINGS	10'(11' PROPOSED)
MINIMUM LOT SIZE	1,500 SQ. FT.
MINIMUM LOT WIDTH	20'



PRELIMINARY  
NOT FOR  
CONSTRUCTION

NO.	DATE	BY	ISSUE
1	04/03/23	KEL	REVISED MINIMUM LOT WIDTH TO 20' IN SITE TABLE
2	04/03/23	KEL	REVISED LOTS TO 20' WIDE, IMPAVED LOT AND COS-ARIES

DALLAS BESSEMER CITY HIGHWAY  
GASTONIA, NC  
KYLE DIPRETORO  
DP DEVELOPMENT  
PHONE - (803) - 493-0723

REVISION	DATE	BY	CHKD BY
REZONING SITE PLAN	10/14/2022	KEL	MCK
AS SHOWN			JOS BARBER

RZP-1



# Neighborhood Meeting Minutes

**To:** Ms. Maddy Gates (City of Gastonia Planning Department)  
**From:** Eagle Engineering, Inc.  
**CC:** File/7773  
**Date & Time:** March 22, 2023 | 6:00pm – 7:00pm (In Person)  
April 3, 2023 | 6:00pm – 7:00pm (Virtual)  
**Location:** Dallas Park, Dallas  
**Re:** Dallas Bessemer Townhomes

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## Summary:

Attendees from the Development Team included Mr. Brice Dimitruk (Eagle Engineering, Inc.), and Mr. Kyle diPretoro (DP Development, Representing JIK Holdings, “Applicant”).

1. Mr. diPretoro introduced the Development Team and provided a general description of the site location and planned development of the project. Mr. diPretoro outlined the zoning process within the City of Gastonia and the steps that the project will take including technical review, public information meeting, planning board, public hearing and City Council decision. The purpose of this meeting is to provide the attendees with an overview of the project and to receive comments from the public.
2. Mr. diPretoro noted the project will likely be heard at the April Planning Board meeting and the May City Council meeting for a public hearing and decision, but these dates may be pushed back to the May Planning Board Meeting and June City Council meeting. Notification for the City Council meeting date will be provided by the City. Mr. diPretoro also outlined the total timeline of the project including anticipated engineering, permitting, and groundbreaking.

## **Discussion Points from the Public Information Meeting regarding the Dallas Bessemer Townhomes Annexation and Rezoning Petition:**

3. **A few of the attendees asked how the project might affect the traffic on Dallas Bessemer City Hwy?**  
*Mr. diPretoro explained that the City of Gastonia requires a traffic impact analysis to be completed, and the City will provide an independent, third-party engineering firm to perform the analysis. Upon receipt of the recommendations, the developer, JIK Holdings, will agree to the proposed offsite improvements and will be responsible for all costs associated with design, permitting, and construction.*
4. **What is the final product that will be on the site and what will be the sale price? Will these be for sale or for rent homes?**  
*It was explained to the attendees that this project would be comprised of single-family attached dwellings and that the expectation is they would be for sale. The anticipated price point will be “starting from the \$200s” but will likely be over \$300,000 per home depending on the market.*

**5. Questions regarding the screening/buffer between the project and the neighboring property?**

*The rendered site plan was used as a reference to depict the landscape buffer area that will be planned to maintain the existing vegetation as much as possible. If there are any areas that are disturbed, then they will be replanted back.*

**6. What amenities will be provided for the subdivision, and will there be enough parking for the project?**

*There will be a community gathering area central to the project as well as natural trails throughout the project. The goal is to have the trails connect into the Dallas Park so the community can easily access the neighboring park. Mr. diPreto also explained that excess guest parking has been provided on-street throughout the community in addition to the garages and driveways provided for the residents.*

Attendees at the meeting were encouraged to sign the Attendance Sheet. A copy of the attendance list is attached.

## NEIGHBORHOOD MEETING SIGN-IN SHEET

<b>Project:</b>	Dallas/ Bessemer City	<b>Meeting Date:</b>	03/22/2023
<b>Facilitator:</b>	Matthew Kirchner (Eagle Engineering Inc)	<b>Place/Room:</b>	Dallas Park

Name	Address	Phone No.	E-Mail
David Danovant	134 Dallas Bessemer City	7049932438	
JERRY MULLEN	135 DALLAS BESSEMER CITY HWY	704-616-1854	mullenj@att.net
<del>DAVID DANOVANT</del>			
Carole Ferguson	140 Dallas Bessemer City		
Margaret Farris	188 Dallas Bessemer City		

## NEIGHBORHOOD MEETING SIGN-IN SHEET

<b>Project:</b>	Dallas/ Bessemer City	<b>Meeting Date:</b>	04/03/2023
<b>Facilitator:</b>	Matthew Kirchner (Eagle Engineering Inc)	<b>Place/Room:</b>	Virtual

Name	Address	Phone No.	E-Mail
Joy PRESLEY	<sup>DALLAS</sup> 103 BESSEMER CITY Rd.		
DAN PRESLEY			



File # \_\_\_\_\_  
Date Rec'd: \_\_\_\_\_  
Rec'd By: \_\_\_\_\_  
Fee: \_\_\_\_\_

## CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

**Detach pages 1-10 from this packet and retain for your records.**

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD or CUP for outdoor storage; etc.)  
Rezone from TMU and RLD (County) to Gastonia PD-RRDD

Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.

2. Gaston County Tax Identification Number: 171134, 171133, 203611, 203613, 171132, 203614  
Subject property address: Dallas Bessemer City Hwy

3. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business X located on the East side). Staff will erect the signs approximately 15 days prior to the meeting.  
See site map in top left hand corner of the plans.

4. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

5. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? Yes

6. The real property to be rezoned is owned in fee simple by Kenneth & Pamela Avery & Charles E. Pasour  
as evidenced in deed from Gaston County recorded in Deed Book \_\_\_\_\_  
at page \_\_\_\_\_ in the Gaston County Registry.

7. The real property for which the above request is sought is located on the Right side of Dallas Bessemer City Hwy between Gastonia Technology Pkwy and Dallas Cherryville Hwy having a frontage of \_\_\_\_\_ feet and depth of \_\_\_\_\_ feet and acreage of 32.41.

8. Are sewer and water available on the property? \_\_\_\_\_

9. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

10. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary.)

Kenneth & Pamela Avery - 1825 FAIRFIELD DR , GASTONIA, NC 28054

Charles E. Pasour c/o Chandler Burns, his agent and AIF under power of attorney - 119 Lake Hogan Farm Road, Chapel Hill, NC 27516

11. Name and address of applicant: JIK Holdings LLC - Kyle diPretoro

Telephone #: 803.493.0723 Fax #: \_\_\_\_\_

E-mail address: kyle@dp-development.com

12. Interest in subject realty Residential Townhomes

13. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested.  True  False  
(The only known deed restrictions are held by Charles E. Pasour, signatory hereto, and party to contract to sell real property to Applicant.)

14. Has this property previously been subject to any of the following?  conditional use permit  
 planned unit development  subdivision ordinance  unified development  
If yes, please explain N/A

15. Name and address of person to present item at public hearing Matthew C. Kirchner  
2013-A Van Buren Ave. Indian Trail, NC 28079  
Telephone number ( 704 ) 882-4222

\*\*\*\*\*

I, \_\_\_\_\_, certify that I have read the information provided in the public hearing information package on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**SIGNATURES: All property owners must sign when either a Conditional Use Permit or CD is requested.**

Kenneth R. Avery  
Patricia S. Avery

Charles E. Pasour  
c/o Chandler Burns,  
his agent and Attorney  
in fact under power of attor.  
By: Chandler Burns

**PUBLIC HEARING  
STAFF REPORT**

**File # 202300052**

**GPC Hearing Date: June 8, 2023**

OWNER: Martha P. Smith & Dean A. Putnam

APPLICANT(S): Julie Lowe, Crowder’s Creek Commons LLC  
John H. Carmichael, Robinson Bradshaw  
Richard Petersheim, Land Design

PROPOSED ZONING ACTION: Rezone from C-3, I-2 and I-2 CUP to PD-RRDD

LOCATION: 2915, 2927, 2941, 3001 West Franklin Boulevard  
(PID# 138076, 138077, 138078, 138079, 138080,  
138089, 138090, 138099, & 138101).

TRACT SIZE: Approximately 16.31 total acres

WARD: 6

---

**EVALUATION:**

Site Description and Background

The subject property for this zoning request includes a total of nine (9) tax parcels currently zoned a combination of Commercial (C-3) and Industrial (I-2), and contains an auto salvage and storage business. This proposed development will adjoin the larger Crowder’s Creek development, recently approved as a Traditional Neighborhood Development (TND), which will include commercial and multi-family at the front closest to Franklin Boulevard. A creek borders the property along the eastern side and current access to the site comes either from Franklin Boulevard or Patterson Circle. The site slopes moderately from west to east.

The applicant is requesting to rezone to PD-RRDD (Planned Development-Revised Residential Development District) to construct a maximum of 140 single-family detached and/or attached units. There will be three (3) primary public streets providing access, with a main drive coming from Franklin Boulevard, a secondary street (collector) which will connect from the approved Crowder’s Creek development, and a third public street providing future cross connection to the east/southeast. Total density will be about 8.6 dwelling units per acre.

In accordance with the RRDD Design Standards per sections 8.1.11 and 8.1.17 of the UDO, all units will be rear loaded, and the majority will have architectural fronts along one of the three public streets, with the exception of four lots that will front on common open space near the front of the site. The development will have sidewalk connections and street trees throughout, as well as open space and tree save areas to meet code. An open space plan will be presented with construction drawings for the development. A future greenway corridor is identified along the eastern (creek) boundary in accordance with the City’s adopted Greenway Master Plan, the purpose of which was to provide a future connection to the north to the T. Jeffers Park and Recreation Center. However, with the development approval of Crowder’s Creek subdivision to the west, this connection will be achieved utilizing the proposed street network to the signal crossing at Shannon Bradley Road, and therefore the applicants will accommodate a bicycle and pedestrian connection from this development to Crowder’s Creek utilizing planned public streets. All street cross sections will be reviewed by Planning and Development Services during the TRC and Preliminary Plat process. The applicant has submitted conceptual elevations for the project as well with a variety of options.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan, and “Development Standards” provided by the applicants dated April 14, 2023, including a maximum of 140 single-family units, attached or detached.
2. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards. Applicants shall provide elevation details

for front and rear elevations, and also side elevations for units adjacent to public streets as part of zoning review. Construction material shall consist of predominant brick, stone or other masonry product, and any combination/variation of fiber cementitious siding. Any alternatives must be reviewed and approved by staff as part of zoning permit reviews.

3. Street cross-sections, ingress and egress points, intersections and parking locations to be finalized during the subdivision review process. All sub-250' radius curves, skewed and off-set intersections shall be reviewed and approved by the Engineering and Fire Departments and must meet AASHTO standards.
4. The applicants shall provide an open space plan as part of preliminary plat and construction document review. Open space shall conform to section 8.1.11 of the Unified Development Ordinance. Trails, if provided, must be ADA accessible. Storm water control structures designed as part of the open space shall be designed as best management practice solutions that are a feature of the open space to which they are within. For wet ponds, they shall be designed to include appropriate fountains or filtration devices with permanent depth of at least 3-feet. Any pond that is a feature of the open space shall also provide an ADA accessible trail around said pond.
5. The City of Gastonia adopted Greenway Master Plan references a future greenway that crosses the applicant's property. In lieu of developing a standard greenway trail along the creek, the applicants will provide a multi-use connection from the development via the internal street network to the proposed greenway as part of the original Crowder's Creek development located immediately to the west of the applicant's property. This connection must accommodate pedestrians and bicyclists, and will be reviewed and approved by City staff during the TRC and Preliminary Plat process.
6. In no instance shall the zoning conditions exempt a project from other development requirements.
7. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

#### Adjoining Properties and Land Use Trends

Property directly to the east also features a mixture of auto service and salvage uses zoned C-3 or I-2. Property to the southeast is currently vacant or wooded. The Fawnbrook subdivision, zoned RS-8 is just beyond the vacant land to the east/southeast, and the approved subdivisions of Crowder's Creek, Parklin, Westfall, and the future Linwood Springs Regional Park are all to the south of this site.

#### Available Public Facilities

Water and sewer is available at the property. Additional utility comments will be made upon preliminary plat and construction document review.

#### Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan indicates a mix of commercial, industrial and residential for the subject property.

#### Conclusion

The applicant has requested that the property be rezoned to PD-RRDD (Revised Residential Development District). The plan was designed in accordance with the standards of sections 8.1.11 and 8.1.17 of the Unified Development Ordinance adopted by City Council in October 2021.

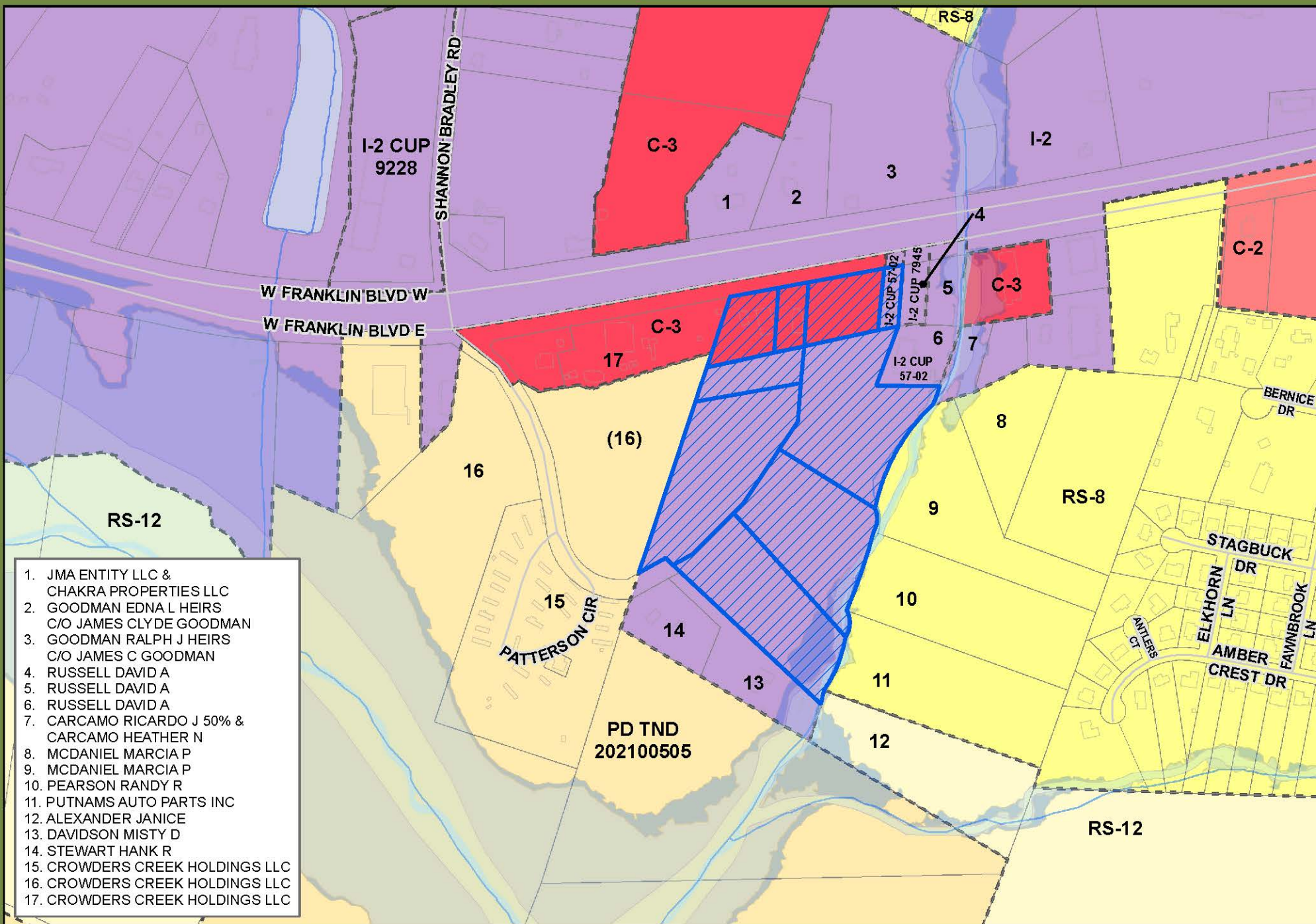
**Staff recommends approval of the request.**



Jason T. Pauling, AICP  
Assistant Planning Director

***Statement of consistency and reasonableness (motion to approve):*** Based on the 2025 Comprehensive Plan as well as existing zoning and surrounding residential zoning and land uses, the Planning Commission considers an affirmative vote to be reasonable and is compatible with the surrounding land use and zoning and is in the public's interest.

***Statement of consistency and reasonableness (motion to deny):*** The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



1. JMA ENTITY LLC & CHAKRA PROPERTIES LLC
2. GOODMAN EDNA L HEIRS C/O JAMES CLYDE GOODMAN
3. GOODMAN RALPH J HEIRS C/O JAMES C GOODMAN
4. RUSSELL DAVID A
5. RUSSELL DAVID A
6. RUSSELL DAVID A
7. CARCAMO RICARDO J 50% & CARCAMO HEATHER N
8. MCDANIEL MARCIA P
9. MCDANIEL MARCIA P
10. PEARSON RANDY R
11. PUTNAMS AUTO PARTS INC
12. ALEXANDER JANICE
13. DAVIDSON MISTY D
14. STEWART HANK R
15. CROWDERS CREEK HOLDINGS LLC
16. CROWDERS CREEK HOLDINGS LLC
17. CROWDERS CREEK HOLDINGS LLC

Applicant: Crowders Creek Commons, LLC  
 Owner: Smith, Martha P. & Putnam, Dean A.  
 Planning Comm Hearing: May 4, 2023  
 Request: C-3, I-2, & I-2 CUP to PD RRDD  
 Ward: 6  
 Total Tract Size: approx. 16.31 acres  
 Parcel ID #: 138076, 138077, 138078, 138079, 138080, 138089, 138090, 138099, 138101

Subject Property

**Legend**

	AP Airport		Roads
	C-1 Light Commercial		Floodway
	C-2 Highway Commercial		100yr Flood Zone
	C-3 General Commercial		500yr Flood Zone
	CBD Central Business District		Streams
	I-U Urban Industrial		Lakes
	I-1 Light Industrial		Rivers
	I-2 General Industrial		Parcels
	I-2 General Industrial		Buildings
	O-1 Office		
	OLC Office/Light Commercial		
	O-M Medical Office		
	PD IRD Planned District Infill Res Devt		
	PD PRD Planned District Planned Res Devt		
	PD RRDD Planned District Revised Res Devt District		
	PD PUD Planned District Planned Unit Devt		
	PD TND Planned Dist Traditional Neighborhood Devt		
	RLD Residential Low Density		
	RS-12 Residential 12000sqft lots		
	RS-8 Residential 8000sqft per lot		
	R-A Rural Agricultural		
	RMF Residential Multi-Family District		
	SP State Park District		
	TMU Transitional Mixed Use		
	UMU Urban Mixed Use District		

Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

1 : 4,800  
 1 inch represents 400 feet  
 Plot Date: April 19, 2023

Application  
 PLMAC202300052

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on April 20, 2023.



REZONING

# CROWDERS CREEK

PETITIONER : CROWDERS CREEK COMMONS, LLC.

GASTONIA , NORTH CAROLINA

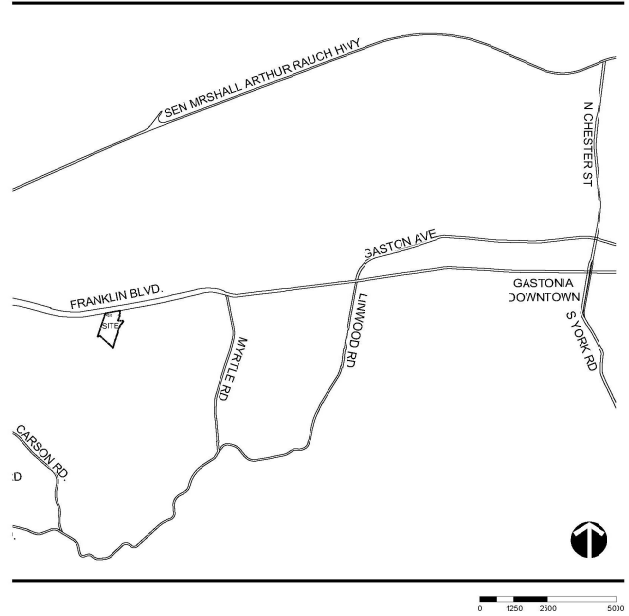
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DATE: 04/14/2023

**CHAPTER INDEX**

Sheet List Table	
Sheet Number	Sheet Title
RZ-00	COVER SHEET
RZ-01	EXISTING CONDITIONS
RZ-02	PARCEL OWNER INFO
RZ-03	TECHNICAL DATA SHEET
RZ-04	DEVELOPMENT STANDARDS
RZ-05	CONCEPTUAL MASTER PLAN
RZ-06	ARCHITECTURAL IMAGERY

**VICINITY MAP**



**PROJECT TEAM**

**APPLICANT**  
 CROWDERS CREEK COMMONS, LLC  
 2820 SELWYN AVENUE, SUITE 650  
 CHARLOTTE, NC 28209  
 704.774.7175  
 CONTACT NAME: JULIE LOWE

**LANDSCAPE ARCHITECT | CIVIL ENGINEERING**  
 LANDDESIGN  
 223 NORTH GRAHAM STREET  
 CHARLOTTE, NC 28202  
 704.333.0325  
 CONTACT NAME: RICHARD PETERSHEIM

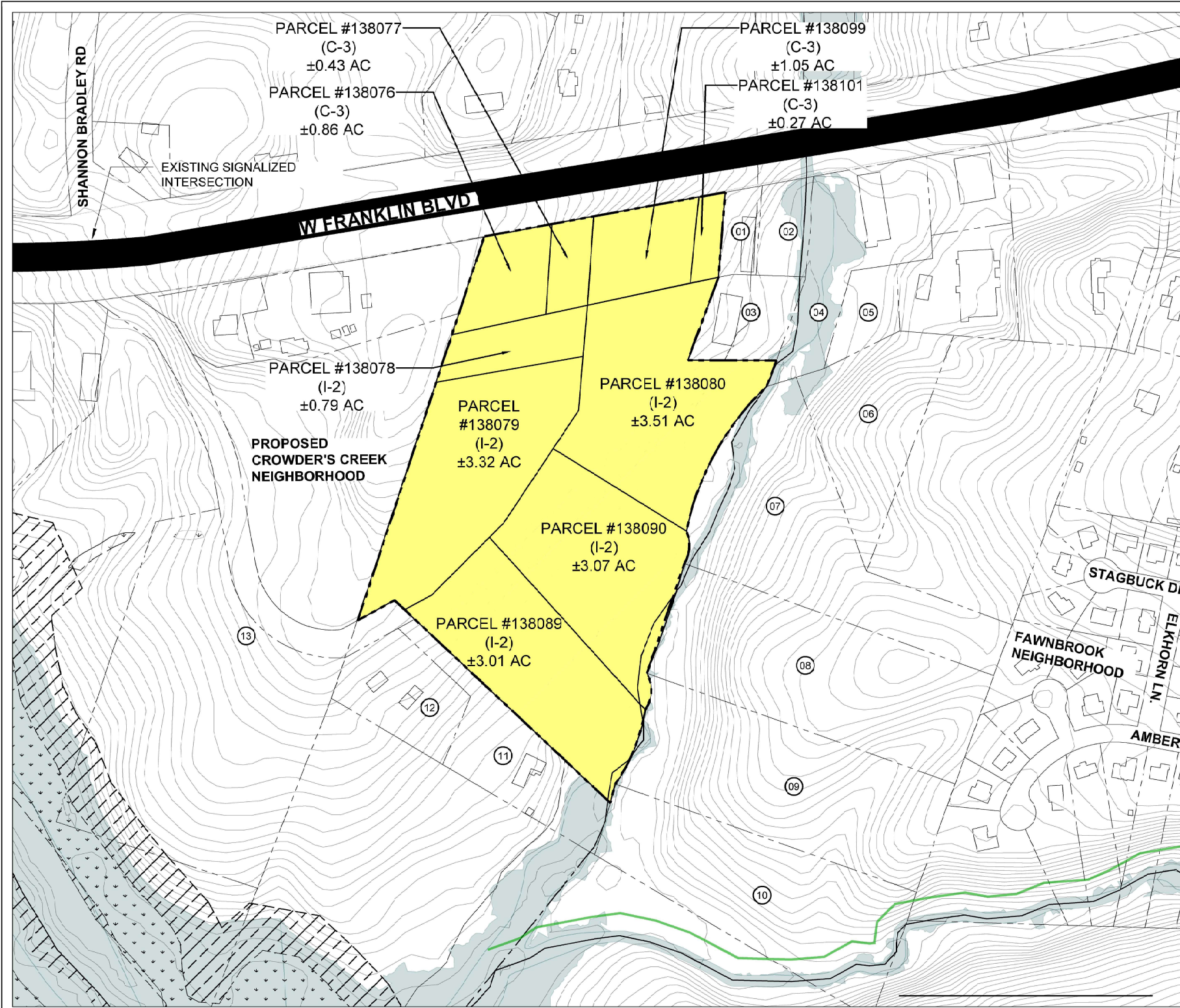
**LAND USE ATTORNEY**  
 ROBINSON BRADSHAW  
 101 N. TRYON ST., SUITE 1900  
 CHARLOTTE, NC 28246  
 704.377.8341  
 CONTACT NAME: JOHN H. CARMICHAEL

**SITE LEGEND:**

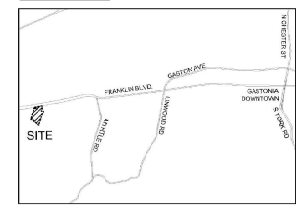
SITE BOUNDARY   
FLOODZONE A\_AE 

NOTES:  
1) SEE RZ-02 / RZ-03 FOR ADJACENT PARCEL INFORMATION  
2) BASE MAP INFORMATION EXTRACTED FROM GASTON COUNTY GIS SHAPEFILES.

ZONING PETITION PARCELS	
#	AREA (ACRES)
138076	0.86
138077	0.43
138099	1.05
138101	0.27
138080	3.51
138090	3.07
138089	3.01
138079	3.32
138078	0.79
TOTAL	16.31



**VICINITY MAP:**



**CROWDER'S CREEK - PUTNAM**

NEIGHBORHOOD DEVELOPMENT  
GASTONIA  
NORTH CAROLINA

PETITIONER: CROWDER'S CREEK COMMONS, LLC.

PROJECT PREFIX: 1022113

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
01	CONDITIONAL REZONING	02/03/2023
02	CONDITIONAL REZONING	04/14/2023

DESIGNED BY: RP  
DRAWN BY: YD  
CHECKED BY: RP

SCALE: 1" = 100'

VERT: N/A  
HORZ: 1" = 100'

0 50 100 200  
ORIGINAL PLANS: 03/28/2023

EXISTING CONDITIONS & PARCEL MAP

SHEET NUMBER: **RZ-01**

PARCEL CWNER INFORMATION						
ID	PARCEL NO.	CURRENT OWNERS	ADDRESS	DB & PG	ZONING	PROPERTY USE
1	138100	RUSSELL DAVID A	2825 W FRANKLIN BLVD, GASTONIA, NC 28052-0000	1488-0873	I-2 CUP	COMMERCIAL (IMPROVED)
2	138098	RUSSELL DAVID A	2825 W FRANKLIN BLVD, GASTONIA, NC 28052-0000	1324-0005	I-2 CUP	COMMERCIAL (IMPROVED)
3	138081	RUSSELL DAVID A	2825 W FRANKLIN BLVD, GASTONIA, NC 28052-0000	1324-0005	I-2 CUP	COMMERCIAL (IMPROVED)
4	138082	NEWMAN STEPHEN ANTHONY NEWMAN JOSHUA STEPHEN	108 DELMONT CT, BESSEMER CITY, NC 28016-8510	5153-2052	C-3 / I-2	COMMERCIAL (IMPROVED)
5	138092	JONES VELVA KALE	C/O RALPH FLACK 614 21ST AVE N, NORTH MYRTLE BEACH, SC 29582-2315	1256-0665	I-2	COMMERCIAL (IMPROVED)
6	138083	MCDANIEL MARCIA P	154 SHERMAN DR, FOREST C.TY, NC 28043-0000	RUTH - CNTY	Rs-8	RESIDENTIAL (VACANT)
7	138084	MCDANIEL MARCIA P	154 SHERMAN DR, FOREST C.TY, NC 28043-0000	RUTH - CNTY	Rs-8	RESIDENTIAL (VACANT)
8	138085	PEARSON RANDY R	303 PAM DR, GASTONIA, NC 28056	5020-1785	Rs-8	RESIDENTIAL (VACANT)
9	138086	PUTNAMS AUTO PARTS INC	3001 W FRANKLIN BLVD, GASTONIA, NC 28052-	5252-0402	Rs-8	RESIDENTIAL (VACANT)
10	138087	ALEXANDER JANICE	5119 PINE SPRING DR, BESSEMER CITY, NC 28016-0000	2748-0553	Rs-12	RESIDENTIAL (VACANT)
11	138088	DAVIDSON MISTY D	3105 W FRANKLIN BLVD, GASTONIA, NC 28052-0000	3452-0668	I-2	COMMERCIAL
12	138091	STEWART HAN K R	3107 W FRANKLIN BLVD, GASTONIA, NC 28052-9484	1414-0364	I-2	COMMERCIAL
13	138180	CROWDERS CREEK, LLC	2820 SELWYN AVE, 650, CHARLOTTE NC 28209	5376-1245	PD TND	RESIDENTIAL (VACANT)

REVISED

SCALE

PROJECT

**CROWDERS  
CREEK - PUTNAM**

NEIGHBORHOOD DEVELOPMENT  
GASTONIA  
NORTH CAROLINA

PETITIONER: CROWDERS CREEK  
COMMONS, LLC

PRECEDENCE PROJECT # 1022113

**REVISION / ISSUANCE**

NO.	DESCRIPTION	DATE
01.	CONDITIONAL REZONING	02/03/2023
02.	CONDITIONAL REZONING	04/14/2023

DESIGNED BY: BP  
DRAWN BY: YD  
CHECKED BY: BP

SCALE: NORTH

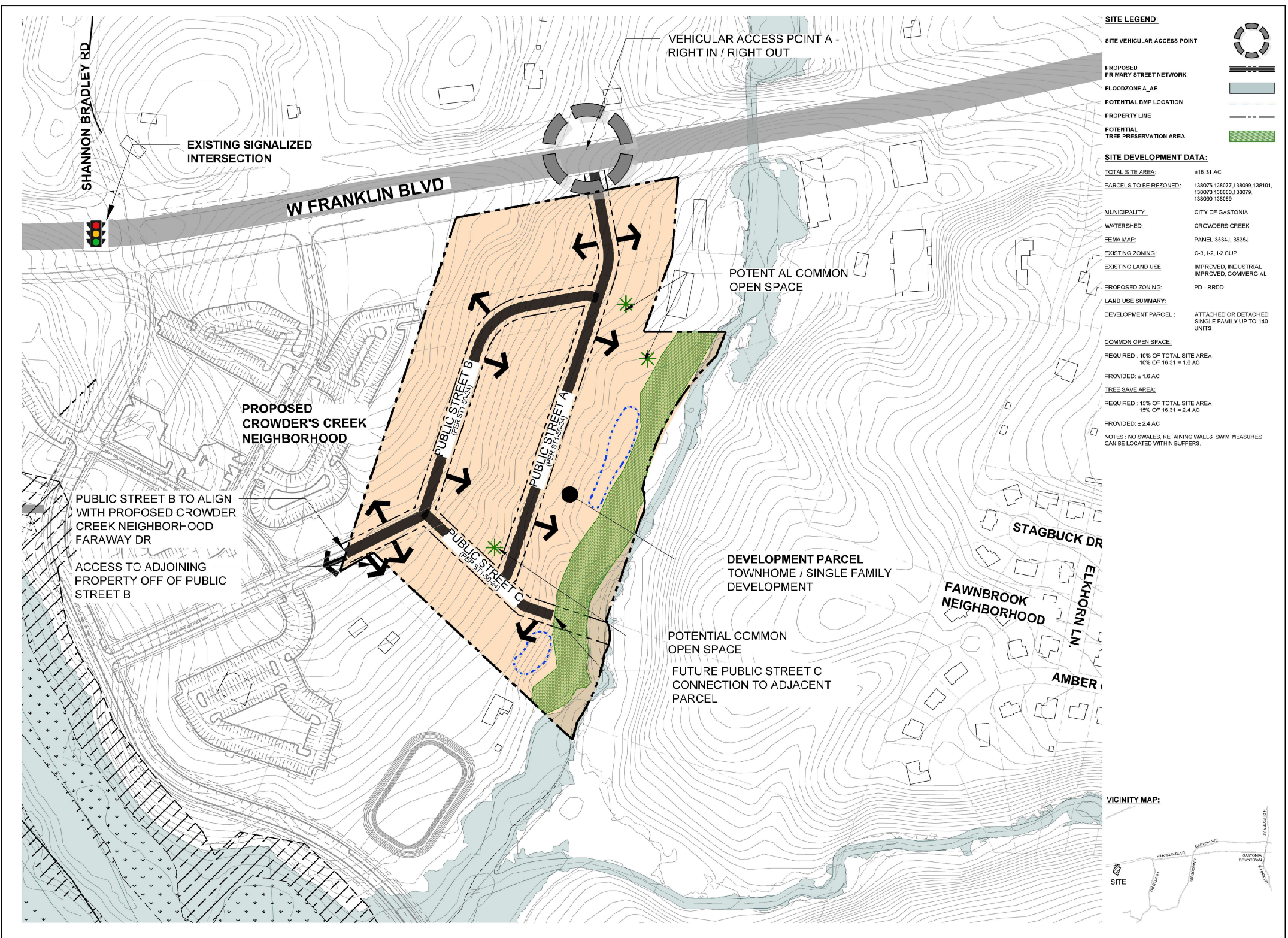
VERT: N/A  
HORIZ: AS NOTED

ORIGNAL SHEET SIZE: 24" x 36"

**PARCEL OWNER  
INFORMATION**

SHEET NUMBER:  
**RZ-02**





**SITE LEGEND:**

- SITE VEHICULAR ACCESS POINT
- PROPOSED PRIMARY STREET NETWORK
- FLOODZONE A\_AE
- POTENTIAL BMP LOCATION
- PROPERTY LINE
- POTENTIAL TREE PRESERVATION AREA

**SITE DEVELOPMENT DATA:**

TOTAL SITE AREA: 16.31 AC

PARCELS TO BE REZONED: 138078, 138077, 138090, 138101, 138078, 138060, 138079, 138060, 138069

MUNICIPALITY: CITY OF GASTONIA

WATERSHED: CROWDERS CREEK

FEMA MAP: PANEL 3534J, 3535J

EXISTING ZONING: C-3, I-2, I-2 CUP

EXISTING LAND USE: IMPROVED, INDUSTRIAL, IMPROVED, COMMERCIAL

PROPOSED ZONING: PD - RRDO

LAND USE SUMMARY: ATTACHED OR DETACHED SINGLE FAMILY UP TO 140 UNITS

**COMMON OPEN SPACE:**

REQUIRED: 10% OF TOTAL SITE AREA  
10% OF 16.31 = 1.6 AC

PROVIDED: ± 1.6 AC

**TREE SAVE AREA:**

REQUIRED: 15% OF TOTAL SITE AREA  
15% OF 16.31 = 2.4 AC

PROVIDED: ± 2.4 AC

NOTES: NO SWALES, RETAINING WALLS, SWM MEASURES CAN BE LOCATED WITHIN BUFFERS.

REVISION

NO.	DESCRIPTION	DATE
01	CONDITIONAL REZONING	02/03/2023
02	CONDITIONAL REZONING	04/14/2023

**CROWDERS CREEK - PUTNAM**

NEIGHBORHOOD DEVELOPMENT  
GASTONIA  
NORTH CAROLINA

PETITIONER: CROWDERS CREEK COMMONS, LLC.

PROJECT NUMBER: 1022113

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
01	CONDITIONAL REZONING	02/03/2023
02	CONDITIONAL REZONING	04/14/2023

VICINITY MAP:

DESIGNED BY: RP  
DRAWN BY: YD  
CHECKED BY: RP

SCALE: 1" = 100'

VERT: N/A  
HORZ: 1" = 100'

0 50 100 200

ORIGINAL DATE: 02/03/23 2:30 PM

SHEET TITLE: TECHNICAL DATA SHEET



**SITE LEGEND:**

PROPERTY LINE

**SITE DEVELOPMENT DATA:**

CURRENT TOTAL SITE AREA: 119.3 AC

PARCELS TO BE REZONED: 138076, 138077, 138069, 136101,  
138080, 138090, 138068, 138075,  
138078

NOTES: NO SWALES, RETAINING WALLS, SWM MEASURES CAN BE LOCATED WITHIN BUFFERS.

KEY MAP

SCALE

PROJ: 001

**CROWDERS CREEK - PUTNAM**

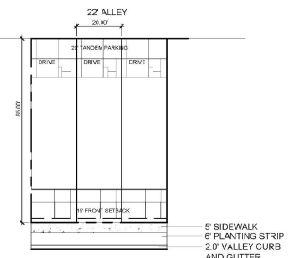
NEIGHBORHOOD DEVELOPMENT  
GASTONIA  
NORTH-CAROLINA

PETITIONER: CROWDERS CREEK COMMONS, LLC.

DATE: 10/22/13

**REVISION / ISSUANCE**

NO.	DESCRIPTION	DATE
01.	CONDITIONAL REZONING	02/03/2013
02.	CONDITIONAL REZONING	04/14/2013



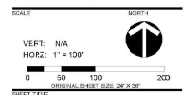
TYPICAL TOWNHOME LOT PLAN  
SCALE: NTS

NOTE: EACH UNIT WILL MEET UDD PARKING REQUIREMENTS.

**NOTE:**

THE CONCEPTUAL MASTER PLAN IS SCHEMATIC IN NATURE AND IS FOR ILLUSTRATIVE PURPOSES ONLY. AND THE PURPOSE OF THE CONCEPTUAL MASTER PLAN IS TO ILLUSTRATE THE OVERALL DESIGN INTENT FOR THE SITE. ACCORDINGLY, THE UTILITY LAYOUT, LOCATIONS AND SIZES OF THE LOTS AND BUILDINGS SHOWN ON THE CONCEPTUAL MASTER PLAN MAY BE ALTERED OR MODIFIED DURING THE DESIGN DEVELOPMENT AND PERMITTING PHASE.

**VICINITY MAP:**



CONCEPTUAL MASTER PLAN

SHEET NUMBER  
**RZ-05**



ARCHITECTURAL IMAGERY



PROJECT

DATE

PROJECT

**CROWDERS CREEK - PUTNAM**

NEIGHBORHOOD DEVELOPMENT  
GASTONIA  
NORTH CAROLINA

PETITIONER: CROWDERS CREEK COMMONS, LLC.

DATE: 10/22/13

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
01.	CONDITIONAL REZONING	02/03/2023
02.	CONDITIONAL REZONING	04/14/2023

DESIGNED BY: RF  
DRAWN BY: YD  
CHECKED BY: RF

SCALE: AS SHOWN

VERT: N/A  
HORIZ: AS NOTED

BY STYLE: 0 DIGITAL RENDERING 2/1/23

ARCHITECTURAL IMAGERY : TOWNHOME

BY DATE: 10/22/13

RZ-06



**AMENDED  
CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING**

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): \_\_\_\_\_  
See Exhibit A Attached hereto

*Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.*

2. Gaston County Tax Identification Number(s): See Exhibit B Attached hereto

3. Subject property addresses: See Exhibit B

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'X' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. Automobile Repair Shop and Salvage yard

5. Complete legal description by metes and bounds of said realty is attached to the application (a **copy of the deed** is sufficient).

6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? Yes, but need advance notice

7. The real property to be rezoned is owned in fee simple by See Exhibit B as evidenced in deed from (date) See Ex B recorded in DB: \_\_\_\_\_ PG: \_\_\_\_\_ in the Gaston County Registry

8. The real property for which the above request is sought is located on the South side of W. Franklin Blvd. between Shannon Bradley Rd. and \_\_\_\_\_ having a frontage of 554 +/- feet and depth of 912 +/- feet and acreage of 16.31 Trakas Blvd.

9. Are sewer and water available on the property? Yes

10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary). See Exhibit B

12. Name and address of applicant: Crowders Creek Commons, LLC c/o Julie Lowe  
2820 Selwyn Avenue, Suite 650, Charlotte, NC 28209  
Telephone #: 704-774-7175 E-mail address: rockwellinvest2@gmail.com

13. Interest in subject realty: Contract interest

14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested. \_\_\_\_\_ True \_\_\_\_\_ False \*

15. Has this property previously been subject to any of the following (please add case # and date)?

- Conditional Use Permit \_\_\_\_\_
- planned unit development \_\_\_\_\_
- subdivision ordinance \_\_\_\_\_
- Planned Residential Development \_\_\_\_\_
- Other Conditional District \_\_\_\_\_

If yes, please explain Not to Applicant's Knowledge

16. Name and address of person to present item at public hearing: Julie Lowe  
2820 Selwyn Avenue, Suite 650, Charlotte, NC 28209  
Telephone number: 704-774-7125 Email: rockwellinvest2@gmail.com

\*\*\*\*\*

I, Julie Lowe, certify that I have read the information provided in the public hearing information package on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. See Attached Signature Page

SIGNATURES: All property owners must sign when a CD is requested.

\_\_\_\_\_  
See Attached Signature Page  
\_\_\_\_\_  
\_\_\_\_\_

\* Applicant is currently conducting a title search

**Exhibit A to Rezoning Application**  
**Filed by Crowders Creek Commons, LLC**

**Rezoning Request**

Applicant is requesting the rezoning of an approximately 16.31 acre site located on the south side of West Franklin Boulevard between Shannon Bradley Road and Trakas Boulevard from the C-3 and I-2 zoning districts to the Planned District (PD) – RRDD zoning district to accommodate a residential community on the site that would contain single family attached dwelling units and/or single family detached dwelling units. The site is comprised of those tax parcels identified on Exhibit B to the Rezoning Application.

**Exhibit B to Rezoning Application**  
**Filed by Crowders Creek Commons, LLC**

**Rezoning Site Property Owners Information and Property Information**

**Tax Identification Nos. 138076, 138077, 138099, 138101, 138080, 138090, 138089, 138079 and 138078**

Property Owners: Dean A. Putnam, Geraldine H. Putnam and Martha P. Smith

Property Addresses: 3001 West Franklin Boulevard, Gastonia, NC 28052  
2941 West Franklin Boulevard, Gastonia, NC 28052  
2927 West Franklin Boulevard, Gastonia, NC 28052  
2915 West Franklin Boulevard, Gastonia, NC 28052

Owners' Address: 1126 Acorn Drive, Gastonia, NC 28052

Tax Identification Nos. 138076, 138077, 138099, 138080, 138090, 138079, and 138078:

Deed from Martha P. Smith, as Executrix of the Estate of Virginia Marie Putnam; Martha P. Smith, unmarried; Dennis Putnam and wife, Lynn Putnam; and Dean A. Putnam and wife, Deanie Putnam, recorded in Deed Book 5369 at Page 2417

Tax Identification No. 138101:

Deed from Dennis Alva Putnam and wife, Lynn Putnam, recorded in Deed Book 3916 at Page 0005

Tax Identification No. 138089:

Deed from Alice Pearson Little recorded in Deed Book 4069 at Page 2337



***[Signature Page of Applicant to Rezoning Application filed by  
Crowders Creek Commons, LLC]***

**CROWDERS CREEK COMMONS, LLC**

By: Julie Lowe

Name: Julie Lowe

Title: Managing Member

**Mailing Address:**

c/o Julie Lowe  
2820 Selwyn Avenue, Suite 650  
Charlotte, NC 28209

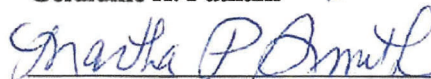
Phone: 704-774-7175

Email: rockwellinvest2@gmail.com

***[Signature Page of Property Owners (138076, 138077, 138099, 138101, 138080, 138090, 138089, 138079, 138078), Dean A. Putnam, Geraldine H. Putnam and Martha P. Smith, to Rezoning Application filed by Crowders Creek Commons, LLC]***

  
Dean A. Putnam

  
Geraldine H. Putnam

  
Martha P. Smith

Mailing Address:

1126 Acorn Drive  
Gastonia, NC 28052

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**PUBLIC HEARING  
STAFF REPORT**

**File # 202300122**

**GPC Hearing Date: June 8, 2023**

OWNER: Gaston County Family YMCA  
APPLICANT: Jamie Rolewicz, Legacy Pointe Properties, LLC  
PROPOSED ZONING ACTION: Amend existing C-2 CD (File 7321)  
LOCATION: 2470 E Hudson Blvd., (PID# 115541 - Corner of Armstrong Park Road and E Hudson Boulevard).  
TRACT SIZE: Approximately 3.49 acres  
WARD: 3

---

**EVALUATION:**

Site Description and Background

The subject site for this rezoning request consists of one parcel, approximately 3.29 acres located at the intersection of E. Hudson Boulevard and Armstrong Park Road. The parcel is currently zoned C-2 CD (Highway Commercial – Conditional District.) This property was rezoned to C-2 CD (case number 7321) in 2011 which authorized the development of the site for commercial use. The types of commercial uses authorized within this conditional district were restricted to “Restaurant with Drive-Through,” and neighborhood commercial type uses permitted within a C-1 zoning classification.

The applicant is requesting a C-2 CD amendment in order to allow the development of a self-storage facility. The proposed project will consist of one, three-story facility approximately 115,000 square feet in size. Development of the site includes a multi-use path located adjacent to Armstrong Park Road, architectural enhancements to the building, and the development of a public plaza at the intersection as a community focal point. Access into the development is proposed from E. Hudson Boulevard and Armstrong Park Road.

Submitted elevations include articulation on the west façade, architectural wall projections on the south, east, and north facades, and a mix of materials that include E.I.F.S with stucco finish, vinyl cedar shake, and curtain wall windows.

Proposed zoning conditions:

1. Development shall be generally consistent with the attached site plan including a maximum of a 115,000 square foot self-storage facility. Any proposed change in use will require amendment of the conditional zoning district.
2. Applicant(s) shall coordinate with the City and NCDOT on the primary driveway locations at E. Hudson Blvd. and Armstrong Park Rd.
3. Applicant(s) shall construct sidewalk and/or multi-use trail along the entire frontage of the property. A public easement will be required for any portion of sidewalk, and/or multi-use trail built outside of the public right-of-way on private property.
4. Construction shall be generally consistent with character and details as depicted in the submitted elevations and architectural standards. Applicants shall continue to provide elevation details for all sides throughout site plan and zoning reviews and permits.
5. In no instance shall the zoning conditions exempt a project from other development requirements.
6. Where the notes or depictions on the site plan may conflict with these conditions, the conditions shall govern.

### Adjoining Properties and Land Use Trends

To the west, across the street on E. Hudson, is a Gaston County Public School facility and a mix of single-family and multi-family uses. To the north exist primarily multi-family residential uses. To the south, across E. Hudson Blvd. and along Gaston Day School Road, exist a mix of single-family residential uses and multi-family residential uses.

### Available Public Facilities

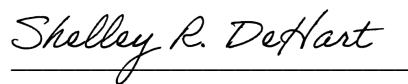
Water and sewer is available at the property.

### Consistency with Adopted Plans

The Future Land Use Map in the 2025 Comprehensive Plan identifies future use in this area as residential. The trajectory of future development and use was changed for this area with the city's approval of the C-2-CD zoning on the subject property in 2011. Therefore, it is staff's opinion that the proposed amendment is consistent with the city's vision for the area.

### Conclusion

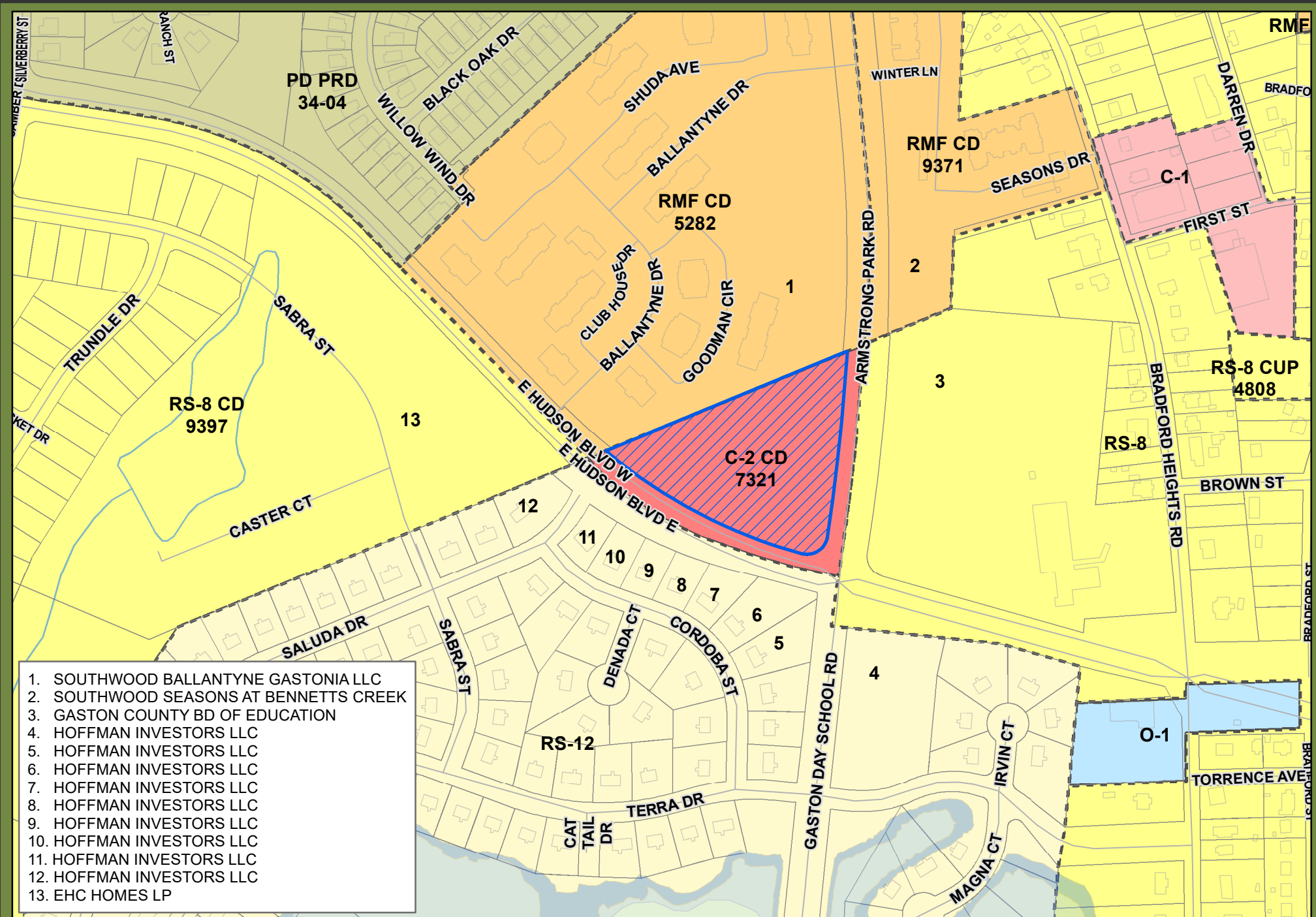
The applicant has requested a C-2 CD zoning amendment, to accommodate a self-storage facility development. Based on the submitted site plan, detailed elevations, and proposed conditions, **staff recommends approval of the request.**



Shelley DeHart, AICP  
Senior Planner

**Statement of consistency and reasonableness (motion to approve):** Based on the 2025 Comprehensive Plan, the city approved rezoning action on the subject property in 2011, as well as existing zoning and surrounding zoning and land uses, the Planning Commission considers an affirmative vote for commercial use consisting of a self-storage facility to be reasonable, compatible, and in the public's interest.

































**Statement of consistency and reasonableness (motion to deny):** The Planning Commission considers an affirmative vote to not be reasonable and to not be in the public interest.



**Applicant:** Legacy Pointe Properties, LLC  
**Owner:** Gaston County Family YMCA  
**Planning Comm Hearing:** June 8, 2023  
**Request:** Amend File 7321 zoned C-2 CD  
**Ward:** 3  
**Total Tract Size:** approx. 3.49 acres  
**Parcel ID #:** 115541

 **Subject Property**

**Legend**

	AP Airport		Roads
	C-1 Light Commercial		Floodway
	C-2 Highway Commercial		100yr Flood Zone
	C-3 General Commercial		500yr Flood Zone
	CBD Central Business District		Streams
	I-U Urban Industrial		Parcels
	I-1 Light Industrial		Buildings
	I-2 General Industrial		
	I-2 General Industrial		
	O-1 Office		
	OLC Office/Light Commercial		
	O-M Medical Office		
	PD IRD Planned District Infill Res Devt		
	PD PRD Planned District Planned Res Devt		
	PD RRDD Planned District Revised Res Devt District		
	PD PUD Planned District Planned Unit Devt		
	PD TND Planned Dist Traditional Neighborhood Devt		
	RLD Residential Low Density		
	RS-12 Residential 12000sqft lots		
	RS-8 Residential 8000sqft per lot		
	R-A Rural Agricultural		
	RMF Residential Multi-Family District		
	SP State Park District		
	TMU Transitional Mixed Use		
	UMU Urban Mixed Use District		


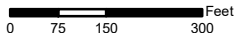
1. SOUTHWOOD BALLANTYNE GASTONIA LLC
2. SOUTHWOOD SEASONS AT BENNETTS CREEK
3. GASTON COUNTY BD OF EDUCATION
4. HOFFMAN INVESTORS LLC
5. HOFFMAN INVESTORS LLC
6. HOFFMAN INVESTORS LLC
7. HOFFMAN INVESTORS LLC
8. HOFFMAN INVESTORS LLC
9. HOFFMAN INVESTORS LLC
10. HOFFMAN INVESTORS LLC
11. HOFFMAN INVESTORS LLC
12. HOFFMAN INVESTORS LLC
13. EHC HOMES LP

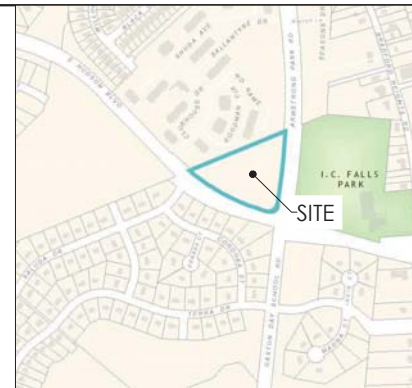
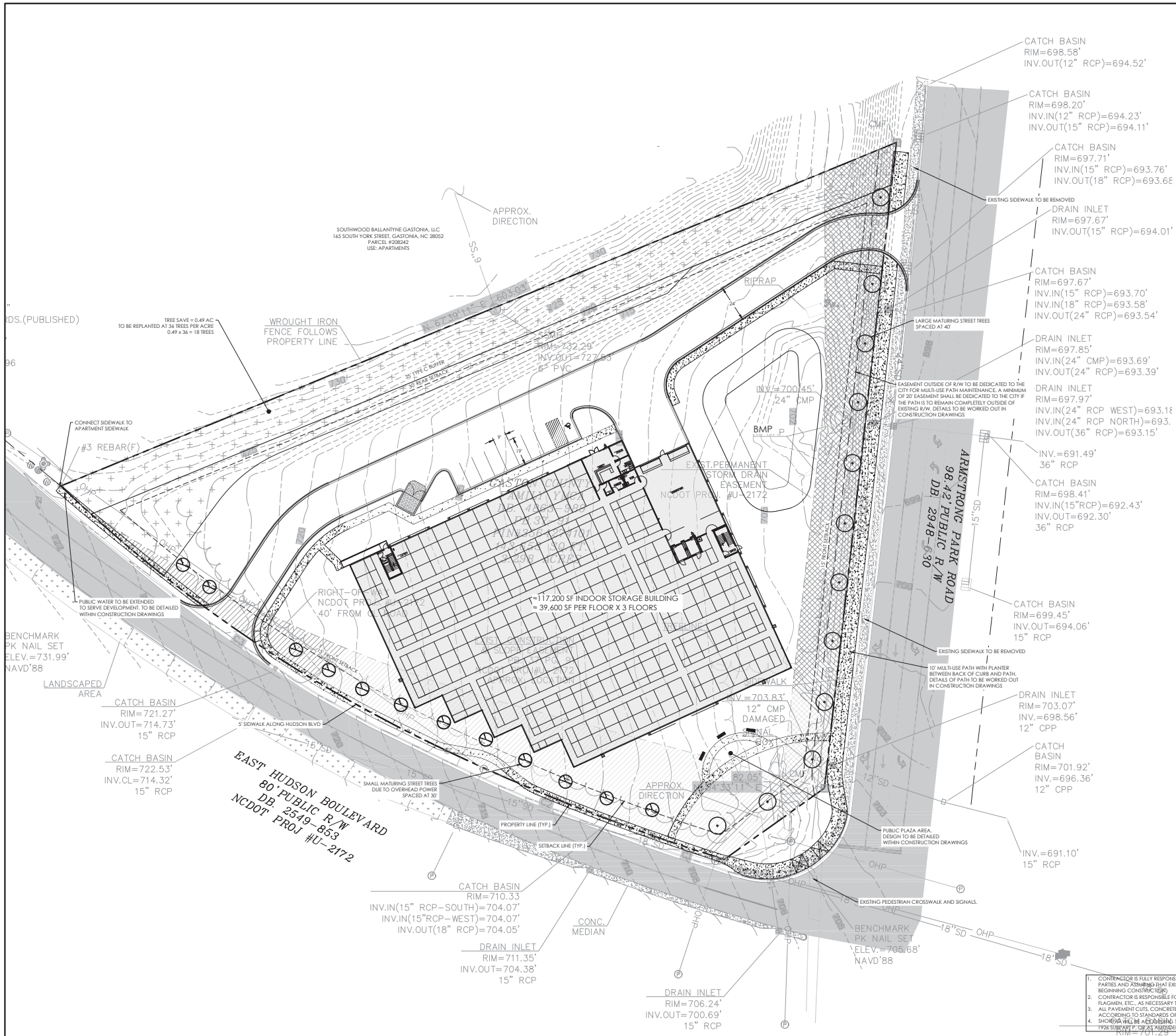
Note: For a complete elaboration of zoning classifications, see the Unified Development Ordinance or contact the City of Gastonia Planning Department at (704) 854-6652.

**Application**  
**PLMAC202300122**

I, Julia Baker-Granata, hereby certify that all mail notices, in the absence of fraud, were mailed to all affected and adjoining property owners on May 24, 2023.



1 : 3,600  
 1 inch represents 300 feet  
 Plot Date: May 22, 2023  
  




VICINITY MAP  
SCALE: N.T.S.

SITE DATA TABLE	
PARCEL ID	115541
LOCATION	2470 E HUDSON BLVD GASTONIA, NC 28054
JURISDICTION	GASTONIA
OWNER	GASTON COUNTY FAMILY YMCA
DEVELOPER	LEGACY POINTE PROPERTIES
ZONING	C-2 CD
TOTAL PARCEL AREA	3.298
PROPOSED USE	INDOOR STORAGE
PROPOSED BUILDING PRODUCT	3-STORY INDOOR STORAGE
MIN. FRONT / STREET SETBACK	30' OR 15' IF NO PARKING OR DRIVE ABLES BETWEEN BUILDING AND R/W
MIN. SIDE SETBACK	10'
MIN. REAR SETBACK	20' OR 30' IF ABUTTING RESIDENTIAL
MAX. BUILDING HEIGHT	50'
PROPOSED BUILDING HEIGHT	~37'
BUILDING AREA	~39,400 SF PER FLOOR (=117,200 SF TOTAL)
MAXIMUM PARKING ALLOWED	40 SPACES
MINIMUM TREE SAVE REQUIRED	15% - 0.49 AC - 21,549 SF
TREE SAVE PROVIDED (MITIGATED TREE SAVE @ 36 TREES PER ACRE)	9 SPACES
PARKING SHOWN	9 SPACES
FEMA MAP NUMBER	3710355400J
FEMA MAP DATE	9/28/2007
SOIL TYPES	CeB2 (100%)
TRASH COLLECTION	J DUMPSTER
ALL ARCHITECTURAL DESIGN STANDARDS SHALL APPLY	
SITE LIGHTING BY OTHERS & SHALL COMPLY WITH LAND DEVELOPMENT STANDARDS	
PROJECT TO BE DEVELOPED IN ONE (1) PHASE	

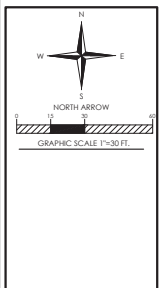
PARKING REQUIREMENT SUMMARY	
<b>MAXIMUM VEHICLE PARKING</b>	
1 SPACE PER 400 SF OF OFFICE & 1 SPACE PER 3,000 SF OF ADDITIONAL INDOOR SPACE	
400 SF OF OFFICE & 116,600 SF OF ADDITIONAL INDOOR SPACE PROVIDED	
MAXIMUM PARKING ALLOWED = 40 SPACES	
PARKING SHOWN = 9 SPACES	
<b>REQUIRED BICYCLE PARKING SPACES = 0</b>	

LEGEND			
	PROJECT BOUNDARY		BUILDING HATCH
	PROPOSED BUILDING		TREE SAVE (RE-PLANT)
	CURB AND GUTTER		SIDEWALK
	BUILDING SETBACK		HEAVY DUTY CONCRETE PAVING
	PARKING		NCDOT #6 REINFORCED CONCRETE PAVING
	EXISTING SURVEY		HANDICAPPED PARKING STABLOCK
	STOP SIGN W/ WHITE STOP BAR		COMPACT CAR SPACE
	PARKING ROW COUNT		HANDICAPPED PARKING STABLOCK

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.
- SHORTS SHALL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART T.



**HensonFoley**  
 Landscape Architecture | Civil Engineering  
 121 Collead, Huntersville, NC 28028  
 P: 704.875.1615 | F: 704.875.0969 | www.hensonfoley.com  
 INCORPORATED IN NORTH CAROLINA

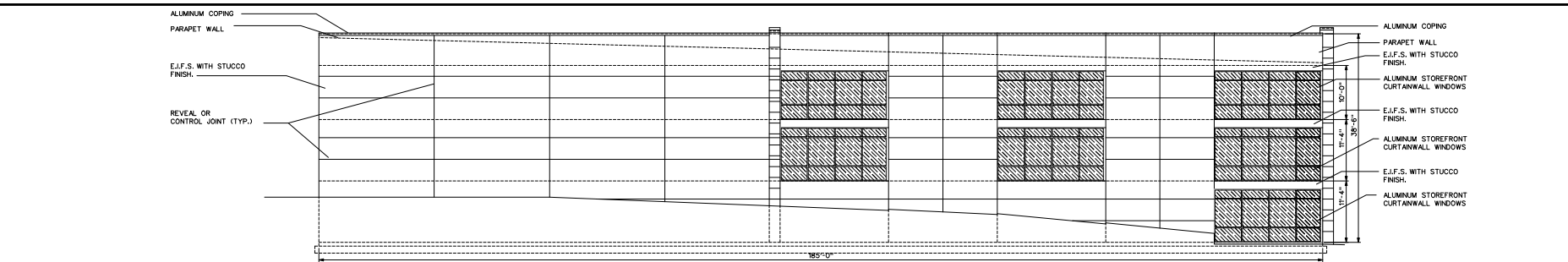


**LIFE STORAGE - GASTONIA**  
 PIN # / PARCEL ID: 115541  
 2470 E HUDSON BLVD, GASTONIA, NC 28054  
**REZONING SITE PLAN**

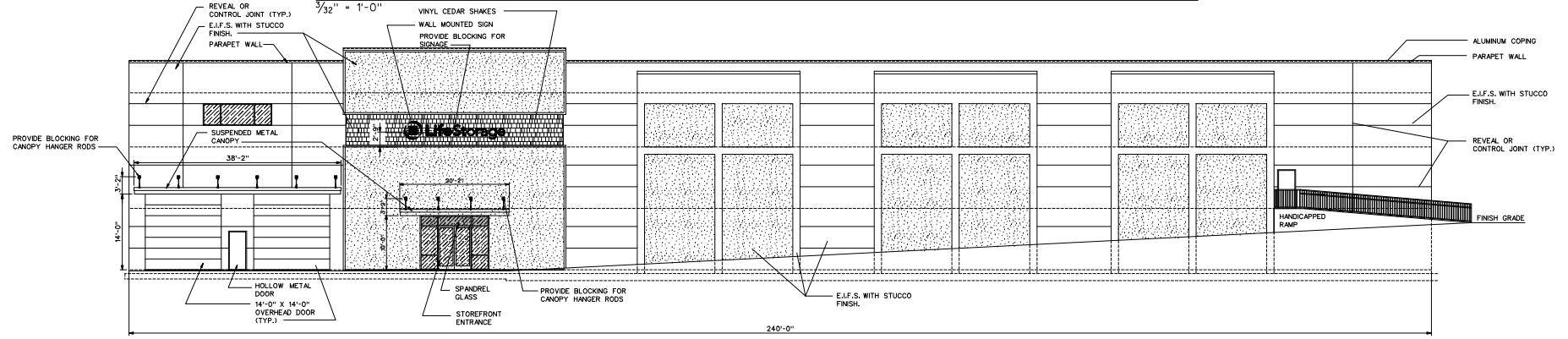
REVISIONS:

NO.	DATE	DESCRIPTION

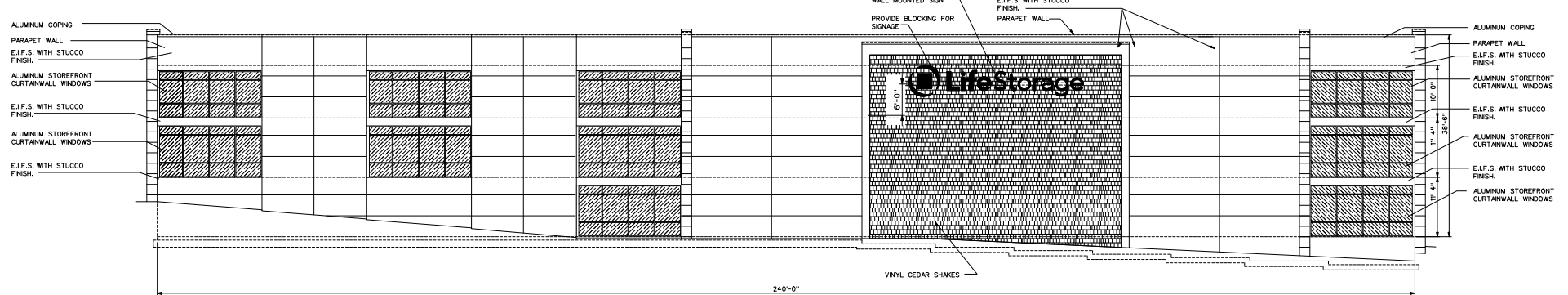
X-BASE: 22010.DWG	PROJECT NUMBER: 22010
DATE: 4/3/2023	DRAWN BY: KSW
SHEET 01	OF 01



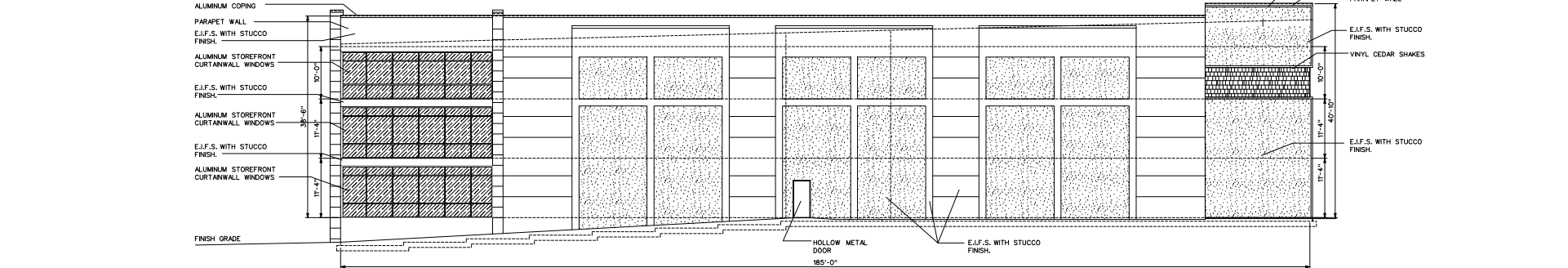
WEST SIDE ELEVATION  
3/32" = 1'-0"



NORTH REAR ELEVATION  
3/32" = 1'-0"



SOUTH FRONT ELEVATION  
3/32" = 1'-0"



EAST SIDE ELEVATION  
3/32" = 1'-0"

NOTE  
This drawing is property of JNR Construction, LLC. Reproduction or reuse in part or in whole without written permission is forbidden.

SEAL

TITLE

A NEW MINI-STORAGE BUILDING FOR  
**LIFE STORAGE - GASTONIA**  
2470 E. HUDSON BLVD.  
GASTONIA, NORTH CAROLINA

COMM. NO.	2303
DATE	5/19/23
REVISIONS	

SHEET  
**SKA-2**  
OF  
1



## CITY OF GASTONIA APPLICATION FOR PUBLIC HEARING

ATTN: Please upload applications and all attachments separately to our online portal at the following address: <https://devsvcs.cityofgastonia.com/> and click on "Apply for a Planning Permit"

The undersigned do hereby make application to the City of Gastonia for the hereinafter described request and in support of this request, the following facts are shown:

1. Identify the request (example: rezone from RS-12 to OLC CD; etc.): C-2 CD Admendment  
to allow for indoor climate controlled storage facility

*Please Note: Before applying for a rezoning, applicants are advised to determine if their property is subject to private deed restrictions to be sure the intended use of the property is allowed. The City of Gastonia neither keeps records of, enforces, nor overrules private deed restrictions.*

2. Gaston County Tax Identification Number(s): 115541

3. Subject property addresses: 2470 E Hudson Blvd. Gastonia, NC 28054

4. In order for our staff to place the rezoning signs on the property, please describe what is on the subject property and or adjacent properties (example: a white frame house is located on the property; the property is vacant with Business 'X' located on the east side). Staff will erect the signs approximately 15 days prior to the meeting. Property is located at the corner of Armstrong Park Road & East Hudson Blvd.  
Site is mostly wooded and is undeveloped.

5. Complete legal description by metes and bounds of said realty is attached to the application (a copy of the deed is sufficient).

6. In order to be familiar with the subject property the City staff may need to walk the property. Do we have the property owner's permission to do so? Yes

7. The real property to be rezoned is owned in fee simple by Gaston County Family YMCA as evidenced in deed from (date) 1/8/2016 recorded in DB: 4863 PG: 989-990 in the Gaston County Registry

8. The real property for which the above request is sought is located on the North side of East Hudson Blvd West side of Armstrong Park Rd. having a frontage of 1,025 feet and depth of Varies feet and acreage of 3.298.

9. Are sewer and water available on the property? Yes

10. The tax sheets for all persons or firms that own the subject land and land adjacent to or within 100 feet of all sides, including property across the street, from the property for which the request is sought are attached. (Note: When measuring the 100-foot distance, street rights-of-way shall not be included in the measurement.)

11. If the applicant does not own the property sought to be rezoned, the names and addresses of the legal owners are listed below. The owner's names and their addresses are recorded in the Gaston County Tax Office. (Use additional sheets of paper if necessary). Gaston County Family YMCA, 2221 Robinwood Rd.  
Gastonia, NC 28054-5848



12. Name and address of applicant: Legacy Pointe Properties, LLC 19354 Watermark Dr. Suite 102 Cornelius NC 28031  
Telephone #: 704-905-0335 E-mail address: jamie@rolewicz.com

13. Interest in subject realty: Under contract to purchase

14. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being used as requested.  True  False

15. Has this property previously been subject to any of the following (please add case # and date)?

- Conditional Use Permit \_\_\_\_\_
- planned unit development \_\_\_\_\_
- subdivision ordinance \_\_\_\_\_
- Planned Residential Development \_\_\_\_\_
- Other Conditional District 7321 (11/3/2011)

If yes, please explain Parcel was previously conditionally rezoned from RS-12 to C-2 CD in 2011.

16. Name and address of person to present item at public hearing: Jamie Rolewicz  
19354 Watermark Dr. Suite 102 Cornelius, NC 28031  
Telephone number: 704-905-0335 Email: jamie@rolewicz.com

\*\*\*\*\*

I, Sharon Padgett, certify that I have read the information provided in the public hearing information package on the 5 day of April, 2023.

SIGNATURES: All property owners must sign when a CD is requested.

Sharon Padgett

4.5.23 Sharon Padgett

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## MEMORANDUM

Date: June 8, 2023

To: Michael Peoples  
City Manager

From: Jason Thompson, AICP  
Planning Director

Subject: Subject hearing involves a request to amend Chapter 10 – *Off-Street Parking and Loading*, and other various sections of the Unified Development Ordinance to 1) revise the parking maximums within certain zones and building type, 2) allow the Administrator to evaluate and approve increases within particular zones, 3) establish Electric Vehicle Charging Station regulations for certain uses, 4) modify section numbers and cross-references within this chapter and the UDO, and 5) clarify, adjust, and/or remove criteria associated with parking standards within the city. (File #202300141)

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### BACKGROUND

Planning staff, working with Metrocology, continues to review and make necessary modifications to the UDO with the goal of clarifying and improving development standards within City. Part of the process of ordinance implementation is to re-evaluate and adjust these development regulations, where needed, to ensure the right fit for the city.

Staff has identified Chapter 10 - Off Street Parking and Loading as an area of the UDO that needs refinement and enhancement. The amendment includes provisions:

- Allowing flexibility to exceed the maximum parking ratios within higher density zoning districts and building type, in order to meet market trends, thus avoiding multiple text amendments when trends shift (Section 10.12).
- Establishes electric vehicle criteria for certain uses that will either require installation of facilities, or actions promoting EV facility readiness for certain use types (Section 10.8).
- Removes Section 10.10 related to private car sharing programs.
- Modifies Drive-Through Vehicle Queuing regulations removing use limitations (Section 10.9).
- Added provisions excluding types of spaces from the maximum parking space calculations (Section 10.5).
- Modified section numbers and cross-references within the chapter to accommodate additions and deletions.

This amendment also proposes to modify the following sections of the UDO to reflect changes to Chapter 10 section numbers as follows:

- Table 7.1-1 Table of Uses – Parking Regulation (“Pkg. Reg.”) column for all uses will be amended to reflect the parking chapter in-lieu of a specific section to avoid having to amend the table each time a section number is changed. This will be required through-out the entire table.

Use Category			
	Defined	Sup. Reg.	Pkg. Reg. (Chapter)
Abattoir			
ABC Store	Y		10-11
Adult Establishments	Y	8.2.1	10-11

- Amend Section 7.6.5(C) changing a section number reference to a chapter reference.
  - C. Location of Off-Street Loading Areas.  
Refer to ~~Section 10.14~~ Chapter 10 -Off-Street Loading Areas
  
- Amend Section 7.12 (D)(1) changing the section number reference to a chapter reference.
  - D. *Land Use Considerations.* All uses listed in Section 7.1-1 for the UMU are retained, with the following exceptions.
    1. *Restaurant, with Drive Thru.* The use shall be subject to the off-street staging space requirements of ~~Section 10.6~~ Chapter 10. Any Restaurant, with Drive Thru shall also include an outdoor dining area and on-site bike racks. The DRC, as part of its review of a proposed Restaurant, with Drive Thru, may require certain additional site improvements and architectural standards be met in addition to ordinance minimums. These include, but are not limited to: alternate paving treatments for pedestrian and vehicular traffic areas, roof extensions to cover drive-thru service windows, and menu board dimensional and material specifications including lighting. Primary building colors shall not include high intensity colors (such as yellow, red, orange, etc.), metallic colors, or fluorescent colors. The use of such colors shall be permitted on business identification signs, provided all other sign requirements herein are adhered to. Finally, any children's play area provided by the restaurant may not be located in the front or side yard of any lot. As with all other new and renovated sites and buildings within the UMU, these uses shall be subject to review by the DRC and must meet all site and design standards established for the UMU.

Amend Section 8.3.1 (C) changing section number reference to Chapter number reference.

**8.3.1 –INDUSTRIAL HEAVY EQUIPMENT BULK STORAGE YARD & COMMERCIAL VEHICLE AND TRUCK STORAGE**

- A. All storage areas shall be screened from both a public street (including I-85) and any adjoining residentially zoned lot with a Type D buffer yard.
  - B. All commercial vehicle and truck driving, parking and maneuvering areas shall be surface with asphalt or bituminous concrete.
  - C. A lighting plan shall be provided showing all outdoor lighting fixtures, type, and wattage. Glare shall be minimized through the use of directional fixtures and be in compliance with Section 9.13 Lighting and Reflectivity and ~~Section 10.15~~ Chapter 10 Lighting for Parking Lot and Vehicle Loading areas.
  - D. One shade (canopy)tree for every four thousand (4.000) square feet of impervious area shall be installed throughout the site. Preservation of existing trees are eligible to count towards this requirement.
  - E. Existing trees of a caliper greater than eight (8) inches may be used to satisfy the tree coverage requirement of section D above based on the location of the tree(s), the caliper, and the species
- Amend Section 9.20 changing section number reference to chapter number reference.

**SECTION 9.20 - USES WITH OUTDOOR SPEAKERS**

All uses with outdoor speakers shall locate the speaker and associated menu board, drive through window, and stacking lane, if applicable, fifty (50) or more feet from the edge of a lot located in a Residential zoning district. Staging spaces may be required per ~~Section 10.6~~ Chapter 10.

- Amend Section 11.4 (A) changing section number references to chapter number reference.

#### SECTION 11.4 - STREET TREES

##### A. Purpose

In order to absorb carbon dioxide and provide oxygen necessary for human life; purify air through transpiration; provide cooling through shade; reduce the impact of wind; retard the rate of water runoff; reduce glare and noise; to conserve property values; and to contribute to the natural beauty and aesthetics of the community, street trees, as herein provided, are required. Additional landscape planting strip standards associated with parking decks are found ~~in Sections 10.9.1, 10.9.2 and 10.9.3~~ Chapter 10. The required street trees may be planted within said landscaped area or elsewhere on the lot as herein called for in Subsection D. Greenstrips may also be required as provided for in Section 9.18.2.

#### CONCLUSION

If approved, these revisions would modify and enhance the parking standards within the city. Staff recommends approval as presented.

**Statement of Reasonableness and Consistency (*motion to approve*):**

*This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small areas plans, and is reasonable and in the public interest.*

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE OF THE CITY OF GASTONIA**

**WHEREAS**, the City of Gastonia deems it necessary to update the Unified Development Ordinance in order to provide additional clarification as needed; and

**WHEREAS**, the City of Gastonia deems it necessary to and in the public interest to have clear, concise and consistent standards for the management of growth and development throughout the city; and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GASTONIA as follows:**

**Section 1.**     Chapter 10 shall be rescinded in its entirety and replaced as provided in Exhibit A attached herein.

**Section 2.**     Table 7.1-1 Table of Uses shall be amended in its entirety within the Parking Regulation Column (Pkg.Reg) as provided in Exhibit B attached herein.

Use Category			
	Defined	Sup. Reg.	Pkg. Reg. (Chapter)
Abattoir			
ABC Store	Y		10. <del>11</del>
Adult Establishments	Y	8.2.1	10. <del>11</del>

**Section 3.**     Amend Section 7.6.5(C) and 7.12(D)(1) as follows:

7.6.5 - C.    Location of Off-Street Loading Areas.

Refer to Section ~~10.4~~ Chapter 10 -Off-Street Loading Areas

7.12.5 D.    Land Use Considerations. All uses listed in Section 7.1-1 for the UMU are retained, with the following exceptions.

1.    Restaurant, with Drive Thru. The use shall be subject to the off-street staging space requirements of ~~Section 10.6~~ Chapter 10. Any Restaurant, with Drive Thru shall also include an outdoor dining area and on-site bike racks. The DRC, as part of its review of a proposed Restaurant, with Drive Thru, may require certain additional site improvements and architectural standards be met in addition to ordinance minimums. These include, but are not limited to: alternate paving treatments for pedestrian and vehicular traffic areas, roof extensions to cover drive-thru service windows, and menu board dimensional and material specifications including lighting. Primary building colors shall not include high intensity colors (such as yellow, red, orange, etc.), metallic colors, or fluorescent colors. The use of such colors shall be permitted on business identification signs, provided all other sign requirements herein are adhered to. Finally, any children's play area provided by the restaurant may not be located in the front or side yard of any lot. As with all other new and renovated sites and buildings within the UMU, these uses shall be subject to review by the DRC and must meet all site and design standards established for the UMU.

**Section 4.**     Section 8.3.1 (C) shall be amended as follows:

8.3.1 C - A lighting plan shall be provided showing all outdoor lighting fixtures, type, and wattage. Glare shall be minimized through the use of directional fixtures and be in compliance with Section 9.13 Lighting and Reflectivity and ~~Section 10.15~~ Chapter 10 Lighting for Parking Lot and Vehicle Loading areas.

**Section 5.**      *Section 9.20 shall be amended as follows:*

SECTION 9.20 - USES WITH OUTDOOR SPEAKERS

All uses with outdoor speakers shall locate the speaker and associated menu board, drive through window, and stacking lane, if applicable, fifty (50) or more feet from the edge of a lot located in a Residential zoning district. Staging spaces may be required per ~~Section 10.6~~ Chapter 10.

**Section 6.**      *Section 11.4 (A) shall be amended as follows:*

SECTION 11.4 - STREET TREES

A. Purpose

In order to absorb carbon dioxide and provide oxygen necessary for human life; purify air through transpiration; provide cooling through shade; reduce the impact of wind; retard the rate of water runoff; reduce glare and noise; to conserve property values; and to contribute to the natural beauty and aesthetics of the community, street trees, as herein provided, are required. Additional landscape planting strip standards associated with parking decks are found in ~~Sections 10.9.1, 10.9.2 and 10.9.3~~ Chapter 10. The required street trees may be planted within said landscaped area or elsewhere on the lot as herein called for in Subsection D. Greenstrips may also be required as provided for in Section 9.18.2.

**Section 7.**      Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 8.**      This ordinance shall take effect and be in force from and after the date of its adoption.

**Section 9.**      This ordinance is consistent with the purpose and intent of the Unified Development Ordinance, Gastonia 2025 Comprehensive Plan and any applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes the health, safety, and welfare.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Walker E. Reid III, Mayor

ATTEST:

\_\_\_\_\_  
Suzanne Gibbs, City Clerk

## EXHIBIT A

### Chapter 10 - OFF-STREET PARKING AND LOADING

#### SECTION 10.1 - PURPOSE

When managed properly parking is an asset for both the driving and non-driving public. Managed parking encourages a balanced supply adequate to meet the day-to-day demands of drivers for access to work, home, shopping and entertainment; and moderates the impacts of its physical presence on the prices paid for goods and services, and the costs of environmental mitigation, which are incurred by all.

When mismanaged parking is a liability for both the driving and non-driving public, delivering excess spaces almost exclusively in the form of low tax revenue generating, and expensive to build, surface lots. The true cost of excess parking raises the price of housing for all residents, specifically burdening those with lower incomes; increases the cost of business development, specifically for small businesses; and increases the cost of utilities and the infrastructure needed mitigate flooding, stormwater runoff quality, and heat island impacts for all. Because the costs of mismanaged parking are inflicted at the community level, while the benefits accrue only to drivers, parking standards must be calibrated to manage an equitable balance between driver accessibility and public cost.

Therefore, the provisions of this Chapter mandate maximum off-street parking requirements for all uses in all Zoning Districts to reduce oversupply with the expressed intent of promoting affordable housing and small business development, reducing parking lot surface areas to lower mitigation costs for, and replenishment of, environmental systems, and making alternative modes of transit economically viable. The provisions of this Chapter establish robust standards for locating and calculating off and on-street parking, encourage ride sharing, and provide bicycle parking to meet these stated goals.

#### SECTION 10.2 APPLICABILITY

No permit for the construction, reconstruction, extension, or alteration of any building, structure, or use of land; and no building or land, or any part of any building or land, may receive a Certificate of Occupancy until parking for automobiles and bicycles have been provided in accordance with the requirements of this Chapter except as exempted in Section 10.5. Existing parking lots that do not meet the design requirements of this Chapter shall refer to Chapter 3, Section 3.3.9, Non-conforming Parking Lots.

#### SECTION 10.3 RENOVATIONS & ADDITIONS

- A. Buildings fully renovated or repaired without expansion of their gross floor area; or expanded less than 30% of the existing gross floor are exempt from the landscape requirements of this chapter as long as the final parking adheres to the maximum requirement for the use(s), as listed in Table ~~10.11~~ 10.12.
- B. Parking lots that undergo reconstruction of 50% or more of their area, shall adhere to the parking maximums and landscape requirements of this Chapter. Resealing, repaving, restriping and/or resurfacing of an existing parking lot are not considered reconstruction.

## SECTION 10.4 CHANGE IN USE

A change in use must comply with the parking requirements of the new use.

## SECTION 10.5 TYPES OF SPACES EXEMPT

The following types of spaces are exempt from the required parking maximums:

- A. Spaces required for compliance with the Americans with Disabilities Act (ADA) standards.
- B. Pick up and drop off spaces for ride-hailing vehicles, quick commerce delivery vehicles, and carry-out/online purchased goods.
- C. On-site visitor parking for multi-family dwellings up to 10 spaces, or 3% of total number of dwelling units (in spaces), whichever is greater. Such spaces shall be marked as visitor parking.

## **SECTION ~~10.5~~-10.6 VEHICULAR PARKING LOCATIONS**

Required off-street vehicle parking shall be located as described below.

### A. Off-Street Parking

1. No new surface parking may be located in front of a building façade along a primary frontage in a RMF, CBD, TMU, UMU, C-1, and I-U District. Within a PD District no mixed-use buildings shall locate their parking in front of the building façade along a primary frontage.
2. The primary pedestrian entrance and front facade for all uses on a property, located in a CBD, TMU and UMU District, and all mixed-use developments within a PD District, shall be located facing the primary frontage. Parking shall be located to the side or rear of buildings and shall provide clear and visible access to secondary building entrances for pedestrians from the lot.
3. In the CBD, UMU, TMU, C-1 and I-U districts access to off-street surface and structured parking, including driveways accessing internal structured parking, shall be from the secondary frontage when available, into the side or rear of a lot, or structure.

### B. Off-Street Remote Parking

All required parking spaces can be located off-site, except for required handicapped spaces, if the remote parking area is located within one thousand five hundred (1,500) feet from the primary entrance of the use served.

1. Specifically designated parking spaces for employees may be located off-site up to two thousand six hundred forty (2,640) feet from the primary entrance of the use served.
2. All remote parking spaces used to meet an on-site parking requirement must be located within the boundaries of the Zone in which the use is located.
  - a. Properties may use parking located outside the boundaries of the Zone in which the use is located if such Zone permits the use.
3. The off-site parking area is measured in walking distance from the nearest point of the remote parking area to the primary entrance of the use served.

## **SECTION ~~10.6~~-10.7 BICYCLE PARKING LOCATIONS**

### A. General Requirements

1. Bicycle parking spaces must be located on paved or pervious, surface with a slope no greater than three (3) percent. Surfaces cannot be gravel, landscape stone, or wood chips.
2. Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet. There must be an access aisle a minimum of five (5) feet in width.
3. Each required bicycle parking space must be accessible without moving another bicycle and its placement must not result in a bicycle obstructing a required walkway.
4. Up to twenty-five (25) percent of bicycle parking may be structured parking such as vertical parking, or wall mounted parking, provided there is a five (5) feet access aisle for wall mount parking.
5. All racks must accommodate cable and "U" locks and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position.



B. Short-Term Bicycle Parking

For utility oriented, short duration storage. Required short-term bicycle parking spaces must be located in a convenient and visible area at least as close as the closest non-accessible vehicle parking and within one hundred (100) feet.

C. Long-Term Bicycle Parking

For commuter oriented, long duration storage typically four (4) hours, or more. See Chapter 2 Definitions, Section 2.7-1.

1. Required long-term bicycle parking spaces shall be fully covered and offer protection from the elements. Long-term bicycle parking may consist of indoor parking, racks in garage structures, and/or bicycle lockers or other means which provide coverage of the bicycle and must be accessible to intended users.
2. Long term bicycle parking shall be located either internal to a building or behind the building line along a frontage. Such parking may be restricted for the sole use of employees, tenants, residents, or other at the direction of the property owner or management.
3. Required long-term bicycle parking for residential uses cannot be located within dwelling units or within deck, patio areas, or private storage areas accessory to dwelling units.
4. With permission from the Planning Director, long-term bicycle parking spaces for non-residential uses may be located off-site within three hundred (300) feet of the site.
5. The off-street parking area is measured in walking distance from the nearest point of the remote parking area to the closest primary entrance of the use served.

**SECTION 10.8 ELECTRIC VEHICLE CHARGING STATIONS**

**A. ELECTRIC VEHICLE (EV) CHARGING STATION CATEGORIES**

1. EV-Capable: Installation of electrical panel capacity with a dedicated branch circuit, and continuous raceway from the panel to the future parking space.
2. EV-Ready: Installation of electrical panel capacity and raceway with conduit to terminate in a junction box of 240-volt outlet accessible to parking space.
3. EVSE-Installed: Installation of a Level 2 electric vehicle charging station, charging through a 240-volt AC plug, with a dedicated 40-amp circuit.

**B. Electric Vehicle (EV) charging station Requirements**

1. Electric vehicle (EV) charging stations are required per Table 10.8.B(1) for the following uses: Multi-family stacked dwellings, residential components of mixed use developments, hotels, and parking lots and parking structures as a principle use. Percentage figures resulting in fractions shall be rounded up.

<u>Table 10.7.B(1) Total Off-Street Spaces Provided</u>	<u>EV- Capable Spaces</u>	<u>EV-Ready Spaces</u>	<u>EVSE- Installed Spaces</u>
<u>Less than 25</u>	=	=	=
<u>25 - 100</u>	<u>15% of spaces</u>	<u>5% of spaces</u>	=
<u>101 - 150</u>	<u>15% of spaces</u>	<u>10% of spaces</u>	=
<u>More than 150</u>	<u>15% of spaces</u>	<u>10% of spaces</u>	<u>2% of spaces</u>

2. Payment in lieu of providing EV spaces of any Category as required by this Section may be approved by Administrator.
3. Affordable housing projects may request relief from these requirements. Determination of the request shall be the responsibility of the Administrator.

## SECTION ~~10.7-10.9~~ DRIVE-THROUGH VEHICLE QUEUING

Vehicle Queuing ~~is permitted for restaurants, pharmacies, and bank uses only~~ shall comply with the following.

- A. Adequate space must be made available on-site for the stacking, storage and queuing of vehicles
  - 1. Vehicles using drive-thru facilities may not encroach on or interfere with the public use of streets and sidewalks by pedestrians and vehicles.
  - 2. A restaurant with drive-thru windows must provide at least eight (8) queuing spaces for vehicles when one drive-thru lane exists and six (6) spaces at each drive-thru when more than one lane exists.
  - 3. A bank with drive-thru facilities must provide at least three (3) queuing spaces per drive-thru lane.

## SECTION ~~10.8-10.10~~ PARKING OF BOATS, COMMERCIAL AND RECREATIONAL VEHICLES, MANUFACTURED HOMES

### A. Parking Area Restricted

No boats, recreational vehicles, non-operational trucks or automobiles, or covered trucks or automobiles (whether operational or not) may be stored in any front yard, including a driveway. All such storage shall be in the side and rear yard.

### B. Recreational Vehicles

No more than one recreational vehicle (i.e., RV motor home, travel trailer) and no more than one boat or trailer combination may be parked on a lot containing a principal single-family dwelling. Such recreational vehicle must be owned and titled in the name of the owner of the lot on which it is parked.

No boats or recreational vehicles shall be stored in the front yard, including the driveway. All such storage shall be located in the side or rear yard only and shall be located no closer than five (5) feet from any property line common with a lot under different ownership. Otherwise, such vehicles shall be parked in an enclosed garage.

Recreational vehicles, and corresponding trailers, shall be parked on an improved surface (concrete, asphalt, gravel, pavers, etc.)

Recreational vehicles which do not belong to the property owner but to his visiting guests, boarders, tenants or sub-lessees may be temporarily parked in the side or rear yard in the same manner as set forth above for a period not to exceed fourteen (14) days in any consecutive twelve (12) month period. In no case shall the vehicle be parked in a manner which impairs motorists' vision.

The use of a recreation vehicle as an accessory structure or for living, sleeping or housekeeping and its connection to utility services (other than for periodic maintenance and/or repair purposes) shall be prohibited unless the vehicle is located in a camping and recreational vehicle park designed to accommodate recreation vehicles.

### C. Commercial Vehicles

Commercial vehicles limited to vans and trucks having a gross vehicle weight rating (GVWR) of up to eighteen thousand (18,000) pounds may be parked on an overnight basis on any lot of less than one (1) acre. This requirement does not prohibit vehicles from loading and unloading household goods in any Residential area for a period of up to twenty-four (24) hours. No residentially developed lot may be used as the base of operation for any freight hauling truck.

### D. Manufactured Homes

The temporary parking or storage of manufactured homes is prohibited in all zoning districts, except when located in manufactured home sale lots.

## **SECTION ~~10.9- 10.11~~ SHARED, VALET, AND TANDEM PARKING STANDARDS**

- A. Shared parking for projects with multiple uses that are located in the same building and/or near one another on the same property/properties under single ownership, or unified master development plan; and which have different peak parking demands, or operating hours; shall not exceed the max parking requirement established for the primary use in Table ~~10.11~~10.12(A). Primary use shall be defined as the use comprising the greatest percentage of area within the total building(s) square footage.
- B. Valet parking may be permitted as a means of satisfying the parking requirements where all the following standards have been met:
  - 1. An attendant is provided to park vehicles during all business hours of the use utilizing the valet parking
  - 2. An equivalent number of valet spaces area available to replace the number required on-site spaces
  - 3. Valet spaces do not require individual striping and may take into account the mass parking of vehicles.
  - 4. Where valet parking services are located on a public street, and/or where the public ROW is utilized by the service, a valet parking permit shall be obtained from the Public Works Department.
  - 5. Valet parking and associated structures shall not disrupt the flow of pedestrian and vehicular traffic.
- C. Tandem Parking
  - 1. Tandem parking is allowed for single-unit, two-unit and multi-unit living.
  - 2. Two (2) parking spaces in tandem must have a combined minimum dimension of eight and one-half (8.5) feet in width by thirty-six (36) feet in length.
  - 3. Both parking spaces in tandem must be assigned to the same dwelling unit.
  - 4. Tandem parking may not be used to provide guest parking.

## **~~SECTION 10.10 PRIVATE CAR SHARING PROGRAMS~~**

~~A reduction in the number of required parking spaces for residential units is allowed where an active on-site car sharing program is made available for the exclusive use of residents. In such instances the parking requirements for all dwelling units may be reduced by five (5) spaces for each car share vehicle provided.~~

## **SECTION ~~10.11- 10.12~~ USE DEFINITIONS AND MAXIMUM VEHICLE AND REQUIRED BICYCLE PARKING STANDARDS TABLES**

Table A lists the maximum vehicle and Table B lists the minimum bicycle parking spaces required by use. The Uses listed in Table A and Table B are defined as follows:

- A. Residential owner and renter occupied dwelling units governed by long term, or short term lease agreements, consisting of detached, attached, manufactured, or multi-family building(s). Residential includes accessory dwelling units subordinate to the primary residence on a lot, which may be leased, or rented daily by the primary owner.
- B. Lodging overnight accommodation commercially operated and charged daily to a customer.
- C. Office space owned or rented by a business (defined as an individual or corporation) to house employees of the business conducting the day-to-day operations of the business that are not related to the on-premise sale to customers of any goods or services the business may offer.
- D. Retail space owned or rented by a business, (defined as in individual or corporation) used to cater to customers, in both indoor and outdoor space, who purchase, contract, or avail themselves to the goods and services offered by the business, on and off premise.

- E. Workplace space owned or rented, by a business (defined as an individual or corporation) for the manufacturing of goods not classified under uses listed for I-1, I-2 or I-3 Districts, and/or for research into the production of goods and services sold off premise. Workplace may include space set aside for limited on premise sales and ordering by customers, and/or office use for business management and operations. To be considered Workplace at least fifty-one (51) percent of the square footage of a building and its property shall be set aside for the manufacturing of goods, or for the research into the production of goods and services.
- F. Industrial space owned or rented by a business, (identified as an individual or corporation) used for the manufacturing and/or warehousing of goods or components of goods, to be distributed and/or sold off premise. Industrial may include space set aside for office use, for business management and operations. To be considered Industrial at least fifty-one (51) percent of the square footage of a building and its property shall be set aside for the manufacturing and warehousing of goods, or components of goods to be distributed and/or sold off premise. For the purposes of this Ordinance, Municipal Utilities are categorized as Industrial.
- G. Education space used by public or private entities, both religious or state affiliated, for teaching persons enrolled to participate in course study. Space set aside for employees responsible for management and teaching is permissible, but shall not exceed forty-nine (49) percent of the total square footage of a building, or campus of buildings.
- H. Civic space used for gathering of private groups, religious affiliated groups, or the general public to participate in events that require admission, or are free, such as churches, meeting halls, and convention centers. Civic space may be entirely enclosed or combine both enclosed and outdoor space. At least fifty-one (51) percent of the indoor and outdoor space must consist of gathering space to be considered Civic.
- I. Other space that marries aspects of one use with another either in the delivery of services, the production of goods, or the generation of visitor numbers that require parking independent of developed building square footage that may be associated with the use. Fast-food restaurants, assisted living housing/retirement housing, medical offices, hospitals, parks, airports, and transit stations are examples.

Table A. Maximum Vehicle Parking (see Sections 1 - 3 <del>5</del> for exceptions)	RLD	RS-20	RS-12 RS-8 RMF	CBD TMU UMU	C-1 I-U	OLC, O-1, O-M, C-2, C-3	I-1 I-2 I-3	PD AP SP
Residential per dwelling	<del>2.5</del> See Section <del>5</del>	<del>2.0</del> See Section <del>5</del>	<del>1.5</del> <del>2.0</del>	1.0	1.5	2.0	n/a	Based on Project and approval by Technical Review Committee
Lodging per bedroom	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
Office per 1,000 ft2	3.0	3.0	<del>1.0</del> n/a	1.5	2.0	3.0	3.0	
Retail per 1,000 ft2	3.0	3.0	<del>1.0</del> n/a	1.5	2.0	3.0	3.0	
Workplace *per 1,000 ft2 of office/ retail **per 6,000 ft2 of additional indoor space	*2.0 **1.0	*1.5 *1.0	n/a	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	
Industrial *per 600 ft2 of office **per 3,000 ft2 of additional indoor space	n/a	n/a	n/a	n/a	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	
Education *per 600 ft2 **per 5 seats of assembly space	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	*1.0 **1.0	n/a	
Civic	Based on Project and approval by Technical Review Committee.							
Other	Based on Project and approval by Technical Review Committee. Fast-food restaurants and pharmacies can be granted up to 10 spaces per 1,000 ft2 if need can be shown by the applicant.							

- Uses requiring more than three (3) spaces per one thousand (1,000) square feet, shall be permitted to increase parking up to five (5) spaces per one thousand (1,000) square feet.  
Such exemptions may only be granted to uses located in OLC, O-1, O-M, C-2, C-3, I-1, I-2, and I-3 Districts, and requires best management practices to be used to substantially improve water quality discharge from the site, as determined by the Storm Water Administrator. The Administrator shall have authority to approve parking space increases.
- Uses ~~requiring~~ seeking to provide parking in excess of five (5) spaces per one thousand (1,000) square feet require a ~~conditional~~ special use permit or conditional zoning district. Such exemptions may only be granted to uses located in O-M, C-3, I-1, I-2, and I-3 Districts, and requires best Best management practices ~~shall to~~ be used to substantially improve water quality discharge from the site, as determined by the Storm Water Administrator.

3. Uses requiring seeking to provide parking more than one and one-half (1.5) spaces per one thousand (1,000) square feet located in a CBD, TMU, UMU, C-1, and I-U District, may increase up to three (3) spaces per one thousand (1,000) square feet if one or more of the following conditions are met. Such spaces shall be clearly marked as available with the hours permitted posted.
  - a. Ten percent (10%) of the total number of spaces are provided for public use twenty-four (24) hours a day and seven (7) days a week.
  - b. Twenty percent (20%) of the total number of spaces are provided for public use as shared spaces available from 8:00 a.m. to 5:00 p.m., Monday through Friday.
  - c. Twenty percent (20%) of the total number of spaces are provided for public use as shared spaces from 6:00 p.m. to 8:00 p.m. seven days a week.
4. Townhomes shall provide a maximum of two (2) spaces per unit. On street parking may be used to meet this requirement.

5. Multi-family residential located in any District for which it is an approved use may provide up to a maximum of 2.0 spaces per dwelling. Single-family Residential in RLD and RS-20 zoning district may provide parking based on driveway and enclosed garage capacity. In no instance shall a car parked on a driveway encroach over a sidewalk.

Table B. Required Bicycle Parking (see Section <del>10.6</del> <u>10.7</u> for location requirements)	RLD	RS-20	RS-12 RS-8 RMF	CBD TMU UMU	C-1 I-U	OLC, O-1, O-M, C-2, C-3	I-1 I-2 I-3	PD AP SP
Residential *Short-Term: Multi-family, per 20 units, min 4 **Short-term: dormitory, fraternity, sorority, per 20 bedrooms, min 8	n/a	n/a	*1.0 **1.0 ***1.0	*1.0 **1.0 ***1.0	*1.0 **1.0 ***1.0	*1.0 **1.0 ***1.0	n/a	Based on Project and approval by Technical Review Committee

Table B. Required Bicycle Parking (see Section <del>10.6</del> <a href="#">10.7</a> for location requirements)	RLD	RS-20	RS-12 RS-8 RMF	CBD TMU UMU	C-1 I-U	OLC, O-1, O-M, C-2, C-3	I-1 I-2 I-3	PD AP SP
***Long-term: dormitory, fraternity, sorority, per 5 bedrooms, min 2								
Lodging *Short-Term, per 20 rooms, min 4 **Short-term per 20 rooms if located within 2 miles of a designated bicycle route, path, or trail/corridor	n/a	n/a	n/a	*3.0	**1.0	**1.0	**1.0	
Office *per 10,000 ft <sup>2</sup> , min 4 **per 5,000 ft <sup>2</sup> ***per 10,000 ft <sup>2</sup> if located within 2 miles of a designated bicycle route, path, or trail/corridor	n/a	n/a	n/a	**2.0	*2.0	***1.0	*1.0	
Retail *Short-term, per 10,000 ft <sup>2</sup> min 4	n/a	n/a	n/a	*2.0	*2.0	2.0	3.0	
Workplace *Long-term, per 15,000 ft <sup>2</sup> ,	n/a	n/a	n/a	*1	**1	***1	n/a	

Table B. Required Bicycle Parking (see Section <del>10.6</del> <u>10.7</u> for location requirements)	RLD	RS-20	RS-12 RS-8 RMF	CBD TMU UMU	C-1 I-U	OLC, O-1, O-M, C-2, C-3	I-1 I-2 I-3	PD AP SP
min 4 **Long-term, per 20,000 ft <sup>2</sup> , min 4 ***Long-term, per 20,000 ft <sup>2</sup> , if located within 2 miles of a designated bicycle route, path, or trail/corridor								
Industrial Long-term, per 40,000 ft <sup>2</sup> , min 4, if located within 2 miles of a designated bicycle route, path, or trail/corridor. Self-storage exempt	n/a	n/a	n/a	n/a	n/a	n/a	1.0	
Education *short-term, per class **long-term per 10,000 ft <sup>2</sup> of academic space	n/a	n/a	*1.0 **1.0	n/a	*1.0 **1.0	*1.0 **1.0	n/a	
Civic	Based on Project and approval by Technical Review Committee							
Other	Based on Project and approval by Technical Review Committee							

**SECTION ~~10.12~~10.13 STALL SIZE AND DRIVE AISLE DIMENSIONS AND SURFACE MATERIALS**

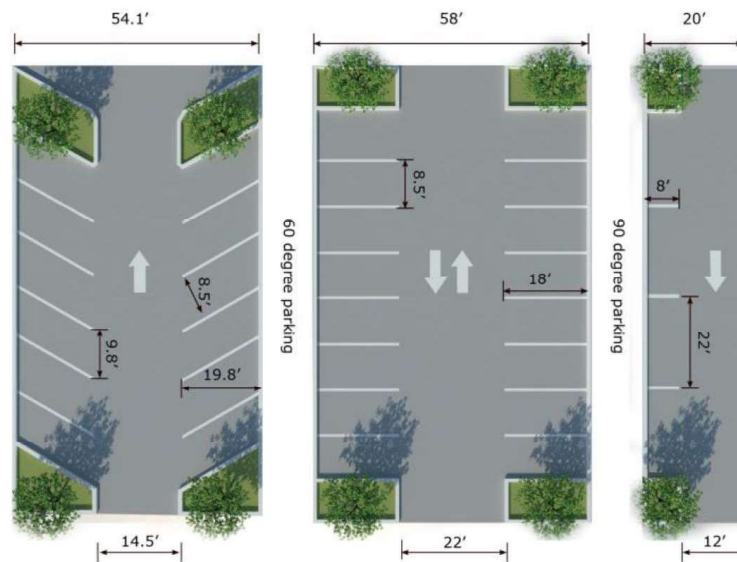
Off-street parking shall refer to areas set aside for the parking needs of customers, employees, and residents of the primary use. Such parking shall be designed so that parked vehicles do not encroach upon or extend into public rights-of-way, sidewalks or strike against or damage any wall, vegetation, utility, or other structure. All parking spaces and drive aisles must meet the following dimensions, except that the portion of off-street parking for primary uses that generate, or require the storage, rental and/or servicing of larger vehicles, such as vans, pickup trucks, and trucks; may use dimensions for parking spaces and drive aisles appropriate for such vehicles. Parking spaces and drive aisles using dimensions other than those specified, except as exempted above, may be used if approved by the Planning Director.

1. For surfaces parking lots and structured parking garages having 20 or more spaces, up to thirty (30) percent of the total parking spaces provided may be compact spaces. Compact spaces may be ~~to~~ seven and one half (7.5) feet in width by sixteen feet in length. All compact parking spaces must be clearly and visibly striped and labeled for compact car use only.



2. Parking Lot Surface Material Requirements:

- a. Impervious Materials – Where on-site facilities are provided for parking or any other vehicular use areas, they must be surfaced with asphalt or bituminous concrete.
- b. Existing Unpaved Lots - See Chapter 3 Section 3.9. Non-Conforming off street Parking and/or Loading.



3. Curbs and Drainage

- a. All surface parking areas must be graded and drained to collect, retain, and infiltrate surface water accumulation on-site to the greatest extent practicable.
- b. Curbs or parking blocks are required at the edges or perimeter and interior landscaped areas. Curbing must have openings to allow drainage to enter and percolate through the landscape area.

4. Cross Access, Joint Driveways, and Curb Radii/Site Triangles

Applications for project site review must comply with the following standards as well as Section 7.6.5 Urban Standards Overlay Standards and Section 9.23 Access Management.

- a. They shall incorporate site design features such as coordinated landscape, bulb-outs, or hardscape elements to make such connections visibly apparent.
- b. All pre-existing driveways shall be closed and eliminated. The Administrator may modify this requirement if such driveways are necessary to business operations.
- c. Cross access for vehicles is required between abutting lots along US- 74, NC-7, NC 279, and US-321.
- d. A stub for future vehicular cross access must be provided to all abutting vacant land.

5. When vehicular cross-access is deemed impractical by the Administrator on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross access may be waived.

6. Property owners who establish cross access easements must:

- a. Record an easement allowing cross access to and from properties served by the cross-access easement
- b. Record a joint maintenance agreement defining the maintenance responsibilities of each property owner.

## SECTION ~~10.13~~10.14 PARKING LOT LANDSCAPING

### A. General Provisions

This Section applies to all on-site surface parking lots with more than ten (10) spaces created after the effective date of this ordinance, except as provided below. For purposes of this Section, multiple platted lots contained on a single site plan and any separate parking areas connected with drive aisles are considered a single parking area.

1. An existing parking lot may be repaired without providing additional landscaping.
2. When an existing parking lot is increased in size by less than fifty (50) percent, landscaping is required for the additional parking area only.
3. When an existing parking lot is increased in size by more than fifty (50) percent, landscaping is required for both the existing parking lot and the new parking area.
4. Parking areas used for storage, rental and/or servicing of larger vehicles, such as vans, pickup trucks, and trucks are exempt from landscape requirements, except for those listed under ~~10.13~~10.14.B Perimeter Screening.



### B. Perimeter Screening

All surface parking lots with frontage on any portion of a street right-of-way, not including an alley, must be screened with the following:

1. A minimum of ten (10) feet wide (five (5) feet max in CBD, TMU, UMU, C-1, I-U and RMF District), landscaped area with a continuous row of shrubs must be provided between the street and parking lot.
2. Shrubs must be a minimum of eighteen (18) inches in height when planted and must reach a minimum size of thirty-six (36) inches in height within three (3) years of planting. Shrubs used in any screening or landscaping must be evergreen, at least two (2) to two and one-half (2½) feet tall with a minimum spread of two (2) feet when planted and no further apart than five (5) feet. The average expected height shall be no more than four (4) feet for screening along public streets.
3. A wall between three (3) feet and four (4) feet in height in a minimum five (5) feet planting strip may be substituted for the continuous row of shrubs. Up to fifty (50) percent of the total length of such wall may be designed as a seating wall. If so, the minimum wall height may be adjusted up to one foot lower or higher. No plantings shall be permitted in front of a seating wall.
4. Breaks for pedestrian and vehicle access are allowed.

C. Interior Islands

1. A landscaped interior island must be provided every ten (10) parking spaces. Interior islands must be distributed evenly throughout the parking area. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.
2. An interior island abutting a double row of parking spaces must be a minimum of eight and one-half (8.5) feet in width and three hundred (300) square feet in area.
3. An interior island abutting a single row of parking spaces must be a minimum of eight and one-half (8.5) feet in width and two hundred (200) square feet in area.
4. Interior islands shall be designed to capture and infiltrate the flows of lower intensity rain events to the maximum extent practicable. The number of interior islands meeting this requirement shall be dependent on their location within, and the grading of, the parking lot. Parking lots shall not be designed to direct, or concentrate flows to interior islands, or from island to island. Rock, or ground cover plantings shall be used within an island to prevent erosion and contribute to pollutant removal.

D. Median Islands

1. A landscape median island must be provided between every six (6) single parking rows.
2. A landscape median island must be a minimum of five (5) feet wide.
3. A median island may also serve as the location for a sidewalk. In such case, the sidewalk must be a minimum of six (6) feet wide, and the remaining planting area must be no less than five (5) feet wide.
4. Median islands may be consolidated or intervals may be expanded in order to preserve existing trees.
5. Median islands shall be designed to capture and infiltrate the flows of lower intensity rain events to the maximum extent practicable. Median islands meeting this requirement shall be dependent on their location within, and the grading of, the parking lot. Parking lots shall not be designed to direct, or concentrate flows to a median island, or from median island to median island. Rock, or ground cover plantings shall be used within a median island to prevent erosion and contribute to pollutant removal.

E. Tree Coverage

1. Each interior island must include at least one shade (canopy) tree per two hundred seventy-five (275) square feet.
2. In no case can there be less than one shade (canopy) tree for every two thousand (2,000) square feet of parking area including driving aisles.
3. Existing trees of a caliper greater than eight (8) inches may be used to reduce the tree coverage requirement of 10. ~~13~~ 15(E)1. The amount of reduction shall be determined by the Planning Director and be based on the location of the tree(s), the caliper, and the specie.

F. Maintenance and Installation

All required parking lot landscaping must meet the maintenance and installation requirements of the Gastonia Tree Ordinance.

G. Curbs and Drainage

1. All surface parking areas must be graded and drained to collect, retain, and infiltrate surface water accumulation on-site to the greatest extent practicable.
2. Curbs or parking blocks are required at the edges or perimeter and interior landscaped areas. Curbing must have openings to allow drainage to enter and percolate through the landscape area.

H. Cross Access, Joint Driveways, and Curb Radii/Site Triangles

Applications for project site review must comply with the following standards as well as Section 7.6.5 Urban Standards Overlay Standards and Section 9.23 Access Management.

1. They shall incorporate site design features such as coordinated landscape, bulb-outs, or hardscape elements to make such connections visibly apparent.
2. All pre-existing driveways shall be closed and eliminated. The **Planning** Administrator may modify this requirement if such driveways are necessary to business operations.
3. Cross access for vehicles is required between abutting lots along US- 74, NC-7, NC 279, and US-321.
4. A stub for future vehicular cross access must be provided to all abutting vacant land.
5. When vehicular cross-access is deemed impractical by the Planning Director on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross access may be waived.
6. Property owners who establish cross access easements must:
  - a. Record an easement allowing cross access to and from properties served by the cross-access easement
  - b. Record a joint maintenance agreement defining the maintenance responsibilities of each property owner.

**SECTION ~~10.14~~ 10.15 OFF STREET LOADING AREAS**

If determined necessary by the Planning Director, non-residential and multi-family uses shall provide adequate space on-site for the unloading and loading of goods, materials, items, or stock for delivery and shipping. In the case of mixed-use developments, required off street loading spaces are calculated on the basis of each individual use.

A. Location & Screening

If a loading area is provided it must meet the following standards:

1. The loading area must be located on the same lot occupied by the use served and must be accessible from a public street or alley.
2. The loading area must be located to the side or rear of buildings. Loading areas may not be placed between the street and the associated building.
3. With the exception of areas specifically designated by the City, loading and unloading activities are not permitted in the public right-of-way.
4. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, queuing areas and parking areas by pedestrians or vehicles.
5. Loading spaces shall be screened with a solid wall, or fence, a minimum of six (6) feet and a maximum of ten (10) feet in height.

B. Loading Space Calculations Non-residential

Non-residential uses are required to provide loading spaces in accordance with the following gross floor area categories.

Table 1 Non-residential	
50,000 ft <sup>2</sup> and less	n/a
50,001 ft <sup>2</sup> - 150,000 ft <sup>2</sup>	1 space
Each additional 100,000 ft <sup>2</sup>	1 space

Multi-family developments are required to provide loading spaces in accordance with the following net density categories.

Table 2 Multi-family	
20 units per acre and less	n/a
21 to 50 units per acre	1 space
Each additional 50 units per acre	1 space

**SECTION ~~10.15~~ 10.16 LIGHTING FOR PARKING LOT & VEHICLE LOADING AREAS**

No permit for the construction, reconstruction, extension, or alteration of any parking lot may be given until lighting has been provided in accordance with the requirements of this Chapter and Section 9.13 Lighting & Reflectivity. The installation of site lighting, replacement of site lighting, and changes to existing light fixture wattage, type of fixture, mounting, or fixture location must be made in compliance with this Code. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures. This section does not apply to lighting installed in the public right-of-way.

**A. Additions**

When a parking lot is renovated, any new or replaced outdoor light or lighting fixture must conform to the requirements of this Code.

**B. Light Level Measuring**

1. Light levels are expected, calculated and measured in footcandles. All footcandles values are maintained footcandles.
2. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

**C. Prohibited Sources**

The following light fixtures and sources cannot be used:

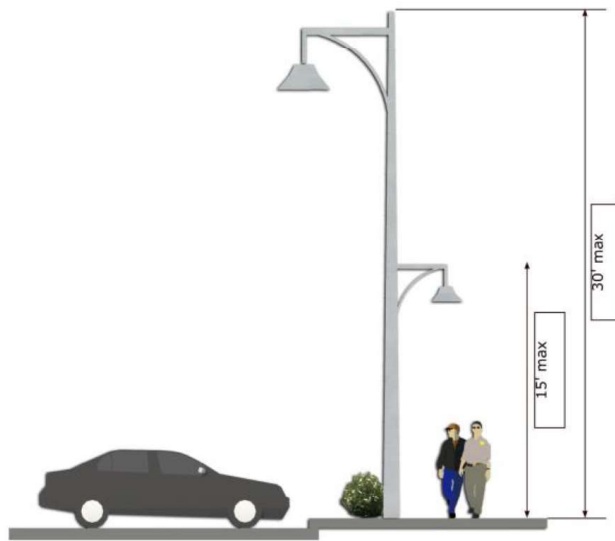
1. Cobra-head-type fixtures having dished or drop lenses or refractors.
2. Temporary searchlights and other high-intensity narrow-beam fixtures
3. Light sources that lack color correction or do not allow for uniform site lighting.

**D. Design and Installation Requirements**

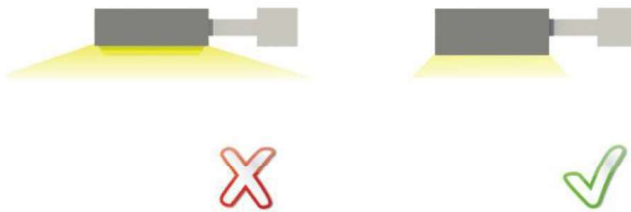
1. The maximum light level of any light fixture cannot exceed 0.5 footcandles measured at the property line of any residential district or single-family residence and 2.0 footcandles measured at the right-of-way line of a street.
2. Lighting must not be oriented onto adjacent properties, streets, or sidewalks.
3. Service connections for all freestanding lighting fixtures must be installed underground.

**E. Parking and Pedestrian Areas**

1. Light fixtures within parking areas may be no higher than thirty (30) feet
2. Light fixtures within pedestrian areas may be no higher than fifteen (15) feet



3. Light fixtures located within fifty (50) feet of the property line of a residential district or single-family residence may be no higher than fifteen (15) feet.
4. All light fixtures must be full cutoff, except as listed in Section 10.15.17(E)5 below.

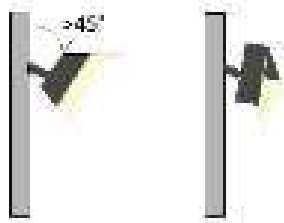


5. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than nine thousand five hundred (9,500) initial lamp lumens. These fixtures must feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

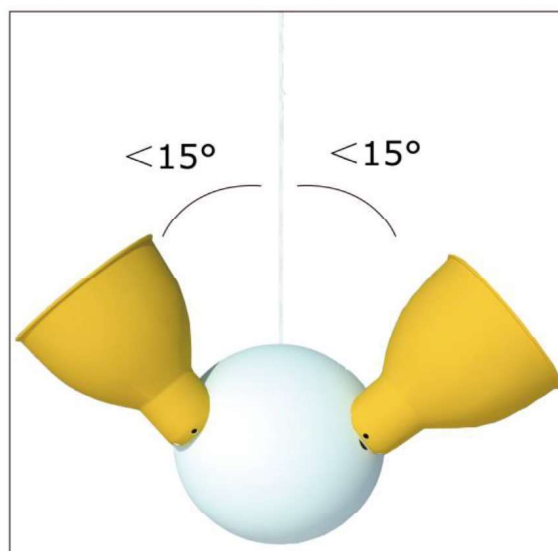


F. Flood Lights and Lamps

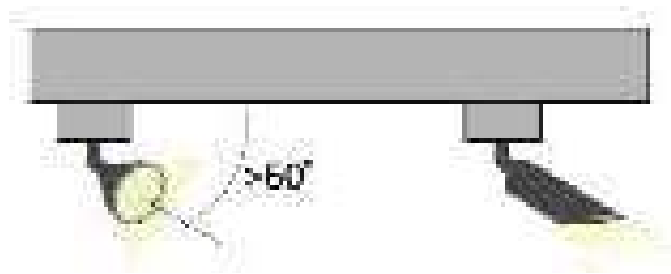
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical, or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



2. Any flood light fixture located within fifty (50) feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way with a side-to-side horizontal aiming tolerance not to exceed fifteen (15) degrees.



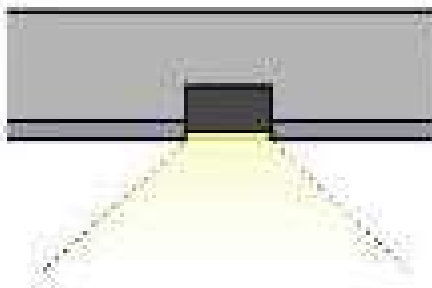
3. All flood lamps emitting one thousand (1,000) or more lumens must be aimed at least sixty (60) degrees down from horizontal, or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.



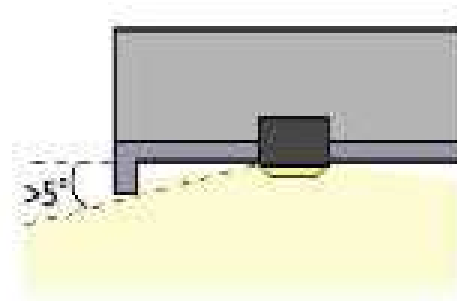
#### G. Vehicular Canopies

Lighting under vehicular canopies must be less than twenty-four (24) maintained foot candles and be designed to prevent glare off-site. Acceptable lighting designs include the following:

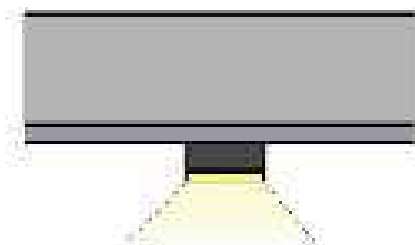
1. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy.



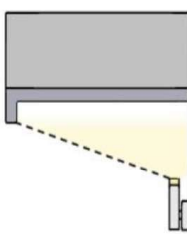
2. Light fixture incorporating shields or is shielded by the edge of the canopy itself so that light is restrained to five (5) degrees or more below the horizontal plane



3. Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution.



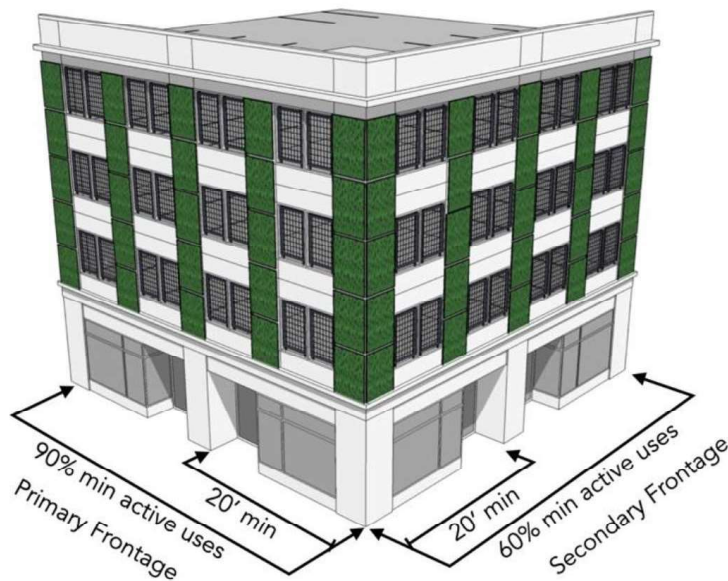
4. Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



## SECTION ~~10.16~~10.17 STRUCTURE PARKING DESIGN STANDARDS

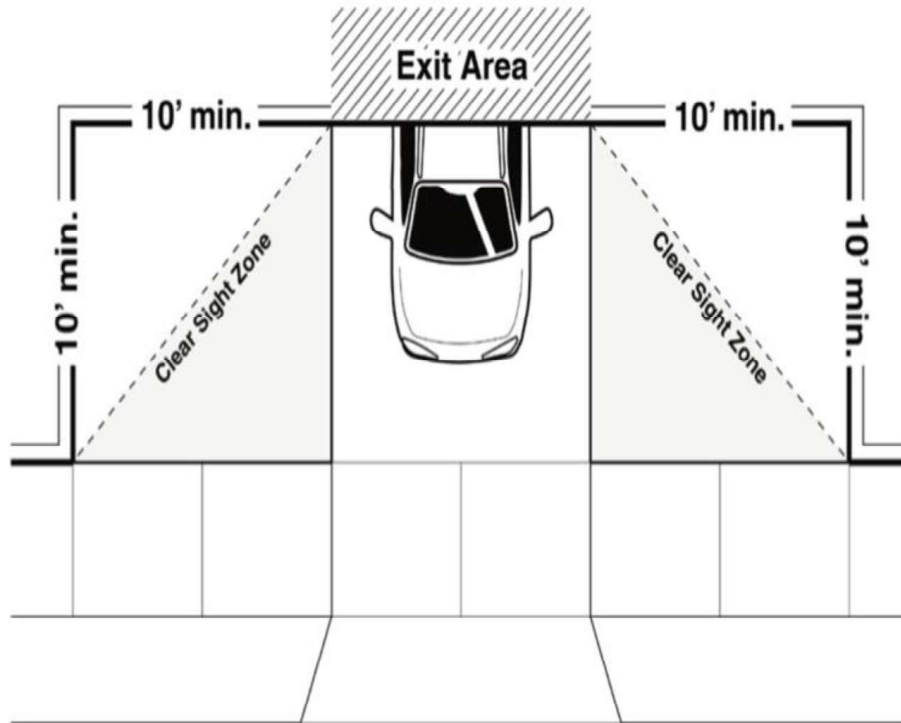
Standalone parking structures may be the principal use of a property, or a standalone structure providing parking for another principal use(s) on the property. Integrated parking structures are those built as part of a principal use, whether designed as podiums for the principal use(s) or wrapped by the principal use(s). Standalone and integrated structured parking shall adhere to the following design standards when they contain activated ground floor space, and/or are fully wrapped by the primary use(s).

- A. When adjacent to a public frontage (ie: pedestrian and/or greenway corridor, open space, public ROW), parking structures shall include residential and/or non-residential active uses along the ground floor building length. Frontages designated as primary shall provide for residential and/or non-residential active uses along ninety (90) percent of the ground floor length. Frontages designated as secondary shall provide for residential and/or non-residential active uses along fifty (50) percent of the ground floor length. All other frontages are exempt. Areas for required vehicular and pedestrian egress and mechanical and electrical equipment rooms are excluded.
- B. All ground floors shall be a minimum height of fourteen (14) feet floor to floor. Non-residential uses shall be a minimum of twenty (20) feet in width and twenty (20) feet in depth, with utility stubs and the ability to accommodate equipment for restaurant uses.
- C. The ground floors of parking structures abutting a designated primary or secondary frontage that do not have active uses, ingress/egress points, and/or mechanical equipment rooms shall provide architectural elements such as awnings, overhangs, decorative screens, grills, louvers, artwork, and green walls.



- D. Parking Structure facades not wrapped by a primary use(s) that face primary and secondary frontages shall be designed so that vehicles parked on all levels of the structure and associated lighting are screened by a wall or panel, measuring a minimum of forty-eight (48) inches in height. Screening shall include both vertical and horizontal treatment that resembles the patterns and architecture of the occupied portions of the building, including use of similar materials and a similar rhythm of window openings on frontages. The remaining openings shall be screened using decorative elements such as grill-works, lovers, green walls, or similar. For parking structures with rooftop open air parking, a parapet wall of sufficient height to ensure vehicles are not visible from adjoining streets is required. Any such parapet wall shall be a minimum of four (4) feet in height. Parking floors that are inclined may not face a primary frontage unless fully wrapped by a primary use(s) or screened fully with a façade matching that of the primary use(s).
- E. A Vehicular clear sight zone shall be included at vehicular exit areas as follows:
  - 1. The façade of vehicular exit areas shall be set back a minimum of ten (10) feet for the portion of the façade that includes the vehicle exit area and an additional ten (10) feet on each side of the exit opening.





2. A vehicular clear sight zone is defined by drawing a line from the edge of the vehicular exit area to the main building façade line.
  3. In a vehicular clear sight zone, landscape or a decorative wall shall be used to separate the exit aisle and the pedestrian walkway. Landscape and/or a decorative wall cannot exceed thirty (30) inches in overall combined height in order to maintain driver sightlines.
  4. The upper story façade(s) of a parking structure may overhang the vehicular clear sight zone.
- F. Structure parking shall be designed in accordance with Table 1 when located a primary or secondary frontage. When multiple options are indicated with a "P" any of the indicated options are permitted. An "X" indicates that an option is not permitted.

Table 1 Parking Structure Frontages	Primary Frontage	Secondary Frontage	Other	Frontage Example
A) All Floors Wrapped & Active Ground Floor Floors above ground floor shall be occupiable, conditioned space with a minimum depth of 20 feet. Parking Structure setback shall be a maximum of 3 feet.	P	P	P	
B) Ground Floor Active Only See Section 10. <del>16</del> 18 (D) for upper floor design standards. Parking façade step-back a min of 10 feet may occur after the second level (ground floor plus first floor)	X	P	P	
C) Landscaped Setback at 30	X	X	P	

Table 1 Parking Structure Frontages	Primary Frontage	Secondary Frontage	Other	Frontage Example
feet min. Landscaping shall run the full length of the setback zone, with the exception of areas of vehicular or pedestrian access. The landscaping area shall meet the requirements of Section 10. <del>16</del> <u>18</u> (G)				

G. Parking Structure Landscaping

Per Table 1 (C) parking structures setback from the right of way shall provide foundation landscaping. Such landscaping shall run the length of the façade with the exception of areas of ingress/egress and any building functional operations.

1. The planted area within the required minimum setback per Table 1(C) shall be a minimum of fifteen (15) feet.
2. One shrub shall be planted for every three (3) feet of foundation yard length. Shrubs may be spaced linearly, on center, or grouped to complement an overall design concept.
3. A minimum of one shade tree shall be provided for every thirty (30) feet of linear foundation yard. Two ornamental trees may be substituted for one shade tree and shall be spaced one ornamental tree every fifteen (15) feet. Trees may be spaced linearly, on center, or grouped to complement an overall design concept.
4. The remaining area of the required foundation landscape outside of shrubs and trees shall be planted in live ground cover, perennials, or ornamental grasses.

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Use Category				Residential Districts					Office Districts				Commercial Districts				Industrial Districts				Other			
	Define d	Sup . Reg	Pkg. Reg Chapter.	RLD	RS-20	RS-12	RS-8	RMF	TMU	OM	O-1	OLC	UM U	C-1	C-2	C-3	CBD	I-1	I-2	I-3	IU	S P	A P	PD
Abattoir			10-11											C		C			C					
ABC Store	Y		10-11									X	X	X	X	X								
Adult Establishments	Y	8.2.1	10-11											XS	XS	XS		XS	XS	XS	XS			
Agricultural Use, Class I	Y		10-11	X		X	X	X		X	X	X		X	X	X		X	X		X			
Agricultural Use, Class II	Y	8.1.1	10-11	X		CS													X					
Agricultural Use, Class III	Y		10-11	C																				
Aircraft Sales & Service			10-11															C	C					
Airport			10-11																				C	
Amateur Wireless Facilities		8.1.14	10-11	XS	XS	XS	XS	XS				XS		XS	XS	XS		XS	XS	XS	XS			
Amusement and Sporting Facility, Indoor (unless use specifically listed)	Y	8.2.2	10-11						XS	XS	XS	XS	X		X	X	X							
Amusement and Sporting Facility, Outdoor	Y	8.2.3	10-11										X		CS	CS	X							
Amusement Arcade			10-11									X	X	X	X	X	X							
Amusement Park			10-11										X			C	X							
Animal Boarding & Grooming Service, no outdoor kennels, household pet			10-11											X	X	X								

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Animal Hospital (with outdoor kennel)	Y	8.2.4	10-11	CS											CS	CS		CS	CS		CS						
Animal Hospital, Indoor	Y	8.2.4	10-11						XS/CS		XS/CS	XS/CS	XS/CS	XS/CS	XS/CS	XS/CS						XS/CS					
Animal Kennel	Y	8.2.5	10-11	CS											CS	CS		CS	CS								
Animal Shelter	Y	8.2.5	10-11												CS	CS		CS	CS								
Art Gallery	Y	8.2.33	10-11						XS			XS	X	X	X	X	X										
Assisted Living Center	Y	8.1.2	10-11					CS	CS	XS	XS	XS	CS	CS	XS	XS	XS									XS	
ATM (Automated Teller Machine)	Y	8.2.6	10-11						XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS							XS
Auction Gallery	Y		10-11									X	X	X	X	X	X										X
Auction House	Y	8.2.7	10-11										CS	CS	XS	XS	CS									XS	CS
Audio Visual Producing and Recording Service	Y		10-11									X	X	X	X	X	X		X								X
Auditorium/Assembly Hall/Amphitheater/Community Center, 500 or more seats (principal use)	Y	8.4.1	10-11						CS		CS	CS	CS	CS	CS	CS	CS										CS
Auditorium/Assembly Hall/Amphitheater/Community Center, Less than 500 seats	Y		10-11						X		X	X	X	X	X	X	X										X
Automobile Body Shop	Y	8.2.8	10-11												XS	XS											XS/CS
Automobile Club	Y	8.2.33	10-11						XS			XS	X	X	X	X	X		X								X

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Automobile Detail Shop	Y	8.2.8	10-11											XS		XS	XS	CS				XS/CS			
Automobile Hobbyist	Y	8.1.16	10-11							XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS			
Automobile Parts and Supply Store	Y		10-11											X	X	X	X	X		X		X			
Automobile Reconditioning Shop	Y	8.2.8	10-11													XS	XS		XS	XS		XS/CS			
Automobile Repair Shop	Y	8.2.8	10-11											XS		XS	XS					XS/CS			
Automobile Service Station	Y	8.2.9	10-11											XS/CS		XS/CS	XS/CS		XS/CS	XS/CS		XS/CS			
Automobile Towing and Wrecker Service	Y	8.2.10	10-11																			CS			
Automobile Towing and Wrecker Service, Adjunct	Y	8.2.10	10-11																			CS			
Automobile Wholesaler		8.2.37	10-11														XS		X						
Automobile, Truck, Boat, Motorcycle, Manufactured Home, Recreational Vehicle Sales and Rental	Y	8.2.11	10-11														XS		CS						
Bail Bond	Y		10-11													X	X								
Baseball Hitting Range			10-11								X	X	X	X	X	X									
Bed and Breakfast Inn	Y	8.2.12	10-11	CS	CS	CS	CS	CS	XS			XS	XS	XS				XS							
Billiard Parlor	Y		10-11											X	C	X	X	C							
Blood Plasma Facility	Y	8.4.4	10-11							CS				CS		CS	XS	CS				XS			

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Botanical Garden	Y	8.4.2	10-11																				
Bowling Lanes			10-11								X		X	X	X								
Brew-pub	Y		10-11								X	X	X	X	X						X		
Breweries (including micro breweries and cideries) Distillery (including micro distillery) Winery (including vineyard)	Y	8.3.14	10-11											XS	XS			XS				XS	
Building Material and Lumber Sales	Y		10-11												X			X				X	
Bus and Train Terminal, Passenger	Y	8.2.13	10-11								C		C	C	C	C	C						
Business Incubation Facility	Y	8.2.22	10-11						XS		XS	XS	XS	XS	XS	XS	XS						
Business Services	Y		10-11						X		XS	X	XS	X	X	X	XS						
Cabinet and Woodwork Shops			10-11											X	X			X				X	
Camping and Recreational Vehicle Park	Y	8.2.14	10-11							CS						CS	CS						
Car Wash, Automatic, Class I and II	Y	8.2.15	10-11												XS	XS						XS	
Car Wash, Self Service	Y	8.2.15	10-11												XS/C S	XS/C S							
Cemetery/Columbarium	Y	8.4.3	10-11	CS	CS	CS	CS	CS	CS		CS	CS			XS	XS			XS				XS
Charitable Relief Organization, Category I	Y	8.4.4	10-11											XS		XS	XS	XS					XS
Charitable Relief Organization, Category II	Y	8.4.4	10-11												XS	XS							XS

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Charitable Relief Organization, Category III	Y	8.4.4	<del>10-11</del>												XS	XS					XS			
Check Cashing Establishment, Closed 12AM to 5AM	Y		<del>10-11</del>												X	X					X			
Check Cashing Establishment, Open 12AM to 5AM	Y		<del>10-11</del>												C	C					C			
Child Care Center	Y	8.2.19	<del>10-11</del>	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS			XS
Child Care Center, Located in a Residence	Y	8.1.3	<del>10-11</del>	XS	XS	XS	XS	XS	XS		XS	XS	XS	XS							XS			XS
Church/Place of Worship	Y	8.4.5	<del>10-11</del>	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS					CS		
Cleaning & Maintenance Service			<del>10-11</del>							X	X	X	X	X	X			X						
College/University	Y		<del>10-11</del>									X	X	X	X	X								
Commercial Vehicle and Truck Storage	Y	8.3.1	<del>10-11</del>															XS/C	XS/C	XS/C	XS/C			
Communication Tower	Y	see 9.15	<del>10-11</del>	XS/C		XS/C	XS/C	XS/C	XS/C	XS/C	XS/C	XS/C	XS/C	XS/C	XS/C	XS/C		XS/C	XS/C	XS/C	XS/C			
Communication Tower, Combined	Y	see 9.15	<del>10-11</del>	XS		XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS		XS	XS	XS	XS			
Community Center	Y	8.4.2	<del>10-11</del>			XS	XS	XS			XS	XS	XS	XS	XS	XS								XS
Conference Center/Meeting Facility	Y	8.4.1	<del>10-11</del>										XS		XS	XS	XS							XS
Continuing Care Facility	Y	8.1.2	<del>10-11</del>		CS			CS		CS	CS	CS			CS	CS								



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Contractor Storage & Equipment Yard	Y	8.3.10	<del>10-11</del>														XS		XS	XS			XS				
Convenience Store	Y		<del>10-11</del>											X	X	X	X	X	X	X			X				
Convenience Store -Fuel Mart	Y	8.2.17	<del>10-11</del>													XS	XS		XS	XS			CS				
Correctional Facility, Class I	Y	8.4.6	<del>10-11</del>																				CS				
Correctional Facility, Class II	Y		<del>10-11</del>																								
Country Club	Y	8.2.18	<del>10-11</del>	XS	XS	XS	XS	XS									XS	XS									
Craft Studio	Y		<del>10-11</del>								X	X	X	X	X	X	X						X				
Crematorium	Y		<del>10-11</del>													X	X		X				X				
Distribution/Wholesale/Storage Operation	Y		<del>10-11</del>													X	X		X	X			X				
Distribution/Wholesale/Storage Operation, Planned Development	Y	8.3.15	<del>10-11</del>																XS	XS	XS						
Dry Cleaning/Laundry Plant	Y		<del>10-11</del>																X	X	X						
Dwelling, Manufactured Home, Class A	Y		<del>10-11</del>																								
Dwelling, Mixed Use	Y		<del>10-11</del>						XS	XS	XS	XS	XS	XS	XS	XS	XS						XS				
Dwelling, Multi-family	Y	8.1.10	<del>10-11</del>						XS	XS	XS	XS	XS/C S	CS				CS					XS				
Dwelling, Single Family Detached	Y	8.1.11	<del>10-11</del>	X	X	X	XS	XS	XS	XS	XS	XS	X	XS									XS			CS	
Dwelling, Single Family Attached	Y	8.1.11	<del>10-11</del>						XS (1)	XS (1)		XS (1)	XS (1)	XS (1)	XS (1)			XS (1)					XS (1)			CS (1)	

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		8.1. 17																							
Dwelling, Single-Family Attached, Two Unit	Y	8.1. 17. C	10-11				XS	XS	XS		XS	XS	XS	XS							XS				CS
Dwelling, Two Family (Duplex)	Y	8.1. 5 8.1. 11 8.1. 17	10-11	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS							XS				CS
Electric, Heating, Air Conditioning, Ventilating, Plumbing Supplies & Equipment Sales			10-11											X	X		X	X		X					
Electronic Gaming Operation	Y	8.2. 45	10-11														XS								
Emergency Shelter for Homeless Children	Y		10-11					C		X	X	X			X	X					X				
Essential Services, Class III	Y	8.4. 8	10-11								XS/C S				XS/C S	XS/C S		XS/C S	XS/C S	XS/C S					
Essential Services, Class IV	Y	8.4. 8	10-11	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	X	X	X	XS/C S	X	X	X	X		X	XS/C S	
Essential Services, Class I	Y		10-11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	
Essential Services, Class II	Y		10-11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	
Exterminator Service			10-11											X	X		X	X		X					
Family Care Home	Y	8.1. 6	10-11	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S		XS/C S	XS/C S	XS/C S	XS/C S											
Family Child Care Home	Y	8.1. 3	10-11	XS	XS	XS	XS	XS	XS		XS	XS	XS	XS							XS				XS
Farm Supply Store, with outdoor storage	Y		10-11												X	X		X			X				

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Farm Supply Store, without outdoor storage	Y		10-11											X	X	X	X			X				
Farmers Market	Y		10-11									X	C	X	X	X	X			X				
Financial Institution (excluding principal use ATMs)	Y		10-11					X		X	X	X	X	X	X	X	X	X		X				
Firing Range, Indoors, principal use			10-11												X									
Firing Range, Outdoors, principal use	Y	8.2.29	10-11															CS						
Fish Hatcheries			10-11	CS													C	C						
Flea Market, Indoor	Y	8.2.20	10-11												XS		CS	CS		XS				
Flea Market, Outdoor	Y	8.2.20	10-11												CS		CS	CS		CS				
Flex Space	Y	8.3.2	10-11														X	X	X					
Food Catering Facility	Y		10-11					X		X	X	X	X	X	X	X	X			X				
Food Pantry	Y		10-11							X	X	X	X							X				
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 0-9,999 sqft GFA	Y	8.4.10	10-11	CS				CS	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S				XS/C S				
Fraternal & Service Organization Meeting Facility (non- or not- for profit), 10,000+sqft GFA	Y	8.4.10	10-11					XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S					CS				
Fulfillment Center	Y	8.3.15	10-11														XS	XS	XS					
Funeral Homes	Y		10-11					C		C	X	X	X	X	C									

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Furriers			10-11											X	X	X									
Gameroom	Y		10-11										X	X	X	X	C								
Garden Events Facility	Y	8.2.44	10-11						XS		XS	XS	XS	XS	XS	XS									
Golf Course & Golf Driving Range, miniature		8.2.18	10-11	CS	CS	CS	CS	CS					X		XS	XS	X								
Grocery Store, 0—17,999 sq. ft. GFA	Y	8.2.33	10-11								XS	X	X	X	X	X							X		
Grocery Store, 18,000+ sq. ft. GFA	Y		10-11										X	C	X	X	X						X		
Grooming Services	Y	8.2.38	10-11						X			XS	X	X	X	X	X						X		
Group Home	Y	8.1.7	10-11							XS	XS	XS	CS	CS											
Hardware Store			10-11											X	X	X	X	X							
Health and Behavioral Care Facility	Y		10-11								X	X		X	X	X		X							
Health Club, Spa, Gymnasium (principal use)	Y		10-11									X	X	X	X	X	X								
Heavy & Industrial & Farm Equipment Sales and Services	Y		10-11														X					X	X		
Heliport/Helistop	Y	8.4.11	10-11							XS											CS	CS			
Home Occupation, Customary	Y	8.1.11 9.1	10-11	XS	XS	XS	XS	XS	XS		XS	XS	XS	XS			XS								XS
Hospital	Y		10-11							X															

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Hotel	Y	8.2.23	10-11												XS	XS	XS		XS		XS				
Hotel, Full Service	Y	8.2.23	10-11								CS				XS	XS	XS				XS				
Independent Living Center	Y	8.1.2	10-11					XS	XS	XS	XS	XS	XS	XS	XS	XS	XS				XS				
Industrial Heavy Equipment Bulk Storage Yard			10-11																	CS					
Junk Yard/Salvage Yard	Y	8.3.3	10-11																	CS					
Laboratories - Dental, Medical			10-11							X	X	X	X	X	X	X	X	X	X	X					
Landfill, Land Clearing and Inert Debris, Offsite	Y	8.3.4	10-11												CS	CS			CS	CS					
Landfill, Land Clearing and Inert Debris, Onsite (accessory)	Y	8.3.5	10-11												XS	XS		XS	XS						
Laundromat	Y		10-11										X	X	X	X	X				X				
Lawn and Garden Center			10-11										X	X	X	X	X	X			X				
Library	Y		10-11	X	X	X	X	X	X	X	X	X	X	X	X	X	X				X				
Live-in Office or Business	Y	8.2.39	10-11								XS	XS	XS	XS	XS	XS	XS								
Machine, Metal, Wood Working, Welding Shop	Y		10-11													X		X	X		X				
Manufactured Goods, Class I	Y	8.3.6	10-11															XS	XS	XS	XS				
Manufactured Goods, Class II	Y	8.3.7	10-11																CS	CS					

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Manufactured Goods, Class III	Y	8.3.8	10-11																	C				
Manufactured Home Park	Y	8.1.8	10-11	ES	ES	ES	ES	ES	ES	ES	ES	ES	ES	ES	ES	ES		ES	ES	ES	ES			
Manufactured Home, Class A	Y	8.1.8	10-11	XS		XS	XS	XS																
Marina, Accessory	Y		10-11	XS	XS	XS	XS	XS																
Marina, Commercial	Y		10-11												C	C								
Maternity Home	Y	8.1.9	10-11								XS/C S	XS/C S		XS/C S	XS	XS		XS						
Medical Offices, 25,000+sqft GFA			10-11						C	X	C	C	X	X	X	X	X	X	X		X			
Medical Offices, 0-24,999 sqft GFA			10-11						X	X	X	X	X	X	X	X	X	X	X		X			
Military Reserve Center	Y	8.4.12	10-11					XS			XS	XS		XS	XS	XS		XS	XS		XS			
Mini-Warehouse	Y	8.3.9	10-11												CS	XS		XS	XS		XS			
Monument Sales			10-11											X	X	X		X						
Motel	Y	8.2.23	10-11												CS	XS								XS
Moving & Storage Facilities			10-11												X	X		X	X	X	X			
Museum	Y		10-11	C	C	C	C	C	X		X	X	X	X	X	X	X					X		
Neighborhood Services Center	Y	8.2.21	10-11											CS	CS									
Nursery (Garden)	Y	8.2.24	10-11	XS											XS	XS		XS				XS		

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Nursing Home, Rest Home	Y	8.1.2	10-11						CS	XS	XS	XS	XS	XS	XS	XS	XS								
Offices, Excluding Medical, 25,000+ sqft GFA	Y	8.2.25	10-11									XS/C S	XS/C S	X		X	X	X	X	X		X			
Offices, Excluding Medical, 0- 24,999 sqft GFA	Y		10-11							X		X	X	X	X	X	X	X	X	X		X			
Paint Ball Facility	Y	8.2.27	10-11	XS											XS	XS	XS		XS	XS		XS			
Park	Y		10-11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X			
Parking Lot (principal use)	Y	8.2.28	10-11									CS	CS	XS	XS	XS	XS	X	XS	XS		XS			
Pawn Shop	Y		10-11												X	X						X			
Petroleum Distribution Facility	Y		10-11												C	C			X			C			
Photo Finish Laboratory			10-11											X	X	X		X	X						
Planned Unit Development (PUD)		8.2.26	10-11																						CS
Portable Toilet Service	Y	8.3.11	10-11														XS		XS	XS					
Post Office	Y		10-11							X		X	X	X	X	X	X	X	X	X	X	X	X		
Postal & Parcel Processing & Bulk Handling Facility			10-11														X	X	X						
Printer	Y		10-11												X	X		X	X		X				
Private Club (without Adult Entertainment)	Y	8.2.16	10-11											XS		XS	XS	XS	XS	XS		XS			
Private Dining Club	Y	8.2.40	10-11									XS	XS	XS	XS	XS	XS	XS							

EXHIBIT B

Produce Stand, Accessory	Y	8.1.15	<del>10-11</del>	XS	XS	XS	XS	XS	XS		XS	XS	XS	XS	XS	XS	XS				XS			
Produce Stand, Principal Use	Y	8.1.15	<del>10-11</del>	XS	XS	XS	XS	XS	XS		XS	XS	XS	XS	XS	XS	XS				XS			
Public Safety Weapons Training & Testing Facility	Y		<del>10-11</del>																C					
Public Services Operations Center	Y		<del>10-11</del>																		X			
Race Track	Y	8.2.29	<del>10-11</del>	CS																CS				
Radio and Television Studio	Y	8.4.18	<del>10-11</del>										XS		XS	XS	XS			XS		XS		
Railroad Terminal & Yard	Y		<del>10-11</del>												C	C			C	C		C		
Recreation Center and Sports Center	Y	8.4.1	<del>10-11</del>	CS	CS	CS	CS	CS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS				X		
Recycling Collection Facility	Y		<del>10-11</del>																XS	XS		XS		
Recycling Deposit Station, Principal Use	Y	8.4.13	<del>10-11</del>										XS	XS	XS	XS			XS	XS		XS		
Recycling Processing Facility, Indoors			<del>10-11</del>																C	C				
Restaurant	Y	8.2.31	<del>10-11</del>										XS	XS	XS	XS	XS	XS	XS	XS		XS		
Restaurant, with Drive Thru	Y	8.2.30	<del>10-11</del>										XS		XS	XS	XS	XS	XS	XS		XS		
Restaurant, within Other Facilities			<del>10-11</del>						XS	XS	XS	XS	XS	XS	XS	XS	XS							
Retail, 0-24,999 sqft GFA	Y	8.2.32	<del>10-11</del>						XS	XS		XS	XS	XS	XS	XS	XS					XS		





EXHIBIT B

Small Engine Repair and Services	Y		10-11												X	X			X		X				
Solid Waste & Septic Tank Vehicle Storage Facility			10-11															C	C						
Solid Waste Transfer Station	Y	8.4.16	10-11												XS		XS	XS							
Stadium	Y	8.4.17	10-11		XS/C S	XS/C S	XS/C S	XS/C S	XS/C S		XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	XS/C S	X	XS/C S	XS/C S		XS/C S				
Storage Building Sales and Display	Y	8.3.2	10-11												XS							XS			
Swim/Tennis Club	Y	8.4.7	10-11			XS	XS	XS							XS	XS						XS			
Swimming Pool, Sales, Service & Supplies	Y	8.2.35	10-11												XS	XS									
Tattoo Parlor - Body Piercing Establishment	Y		10-11										X												
Taxi Stand		8.2.43	10-11							XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS	XS
Taxicab Company			10-11												X	X			X	X	X				
Taxidermy	Y		10-11									X	X	X	X	X	X	X	X		X				
Theater, Indoor Movie			10-11									X		X	X	X									
Theater, Outdoor Movie	Y	8.4.20	10-11										C			C	C				C				
Tire Sales, New or Used	Y	8.2.36	10-11										XS		XS	XS		XS	XS		XS				
Traditional Neighborhood Development (TND)	Y	8.1.13	10-11																						CS
Transit Station	Y		10-11		C	C	C	C	C		C	C	C	C	C	C	C	C	C		C				





**MEMORANDUM**

Date: June 8, 2023

To: Michael Peoples  
City Manager

From: Jason Thompson, AICP  
Planning Director

Subject: Subject hearing involves a request to amend *Section 12.3 Prohibited Signs* and *Section 12.14 Sign Flexibility Options* in Chapter 12-Signs, of the Unified Development Ordinance to allow for roof signs as a flexibility option within the UMU, zoning district (File #202300147).

**BACKGROUND**

Roof signs have often been referred to as a historic sign type contributing to the architectural and historic character of a city and its skyline. The city has a few remaining non-conforming roof signs and has received new requests for this historic sign type within our urbanized district.

Staff has reviewed the sign ordinance and recommends the following text amendment for Chapter 12 to allow for sign flexibility within the Urban Mixed Use District (UMU), if approved through the sign flexibility process.

- Amend Section 12.3 (K) – PROHIBITED SIGNS – to allow roof signs pursuant to Section 12.14 – SIGN FLEXIBILITY OPTIONS, within the UMU zoning district.
- Amend Section 12.14 SIGN FLEXIBILITY OPTIONS. This existing section of the ordinance allows for sign flexibility as an incentive for enhanced architectural design. It clearly outlines a purpose, process, review criteria, and approval procedure. This amendment proposes to add flexibility in a sign type (roof sign), in addition to the existing flexibility in sign area. The sections proposed for amendment are:

**SECTION 12.14 - SIGN FLEXIBILITY OPTIONS**

- A. This Section contains provisions for sign bonus options, allowing greater sign area, **or sign type**, when specifications are met. The provisions of this Section apply to all zoning districts unless noted.
1. The aggregate area of all wall signs per premises may be increased based on the distance the principle building is set back from the required front setback line. Said increase shall be in accordance with the following table:

Principal Building Distance Setback From the Required Front Setback	Allowed Aggregate Wall Sign Area Increase (Percent)
0—49 feet	0
50—99 feet	25
100—149 feet	50
150—199 feet	75
200—249 feet	100
250—299 feet	125
300—349 feet	150
350—399 feet	175
400 feet or more	200

B. Where a freestanding sign is not used and/or permitted, a projecting sign may be substituted for part or all of the allowable wall signage per premises. A projecting sign shall not project more than four (4) feet from a building. In no instance shall a projecting sign extend into a street right-of-way, except in the CBD (where such extensions may be permitted subject to approval of the Subdivision Administrator).

C. Where a freestanding sign is not used and/or permitted in the Urban Mixed Use District (UMU), a roof sign may be substituted pursuant to this section.

D. Design review alternative.

1. *Purpose.* The purpose of this Subsection is to provide functional flexibility, encourage variety, and create an incentive to relate wall signs, or unique sign type, to basic principles of good building design. This Subsection promotes the integration of signage and building facades and rewards design innovation and creativity. The goal is to create a better product, than would typically be provided through strict adherence to the signage requirements, by offering a voluntary procedure for building design review. This option encourages wall signage that is context sensitive to the building on which it is placed.

In order to provide such signage flexibility and incentives for well-designed buildings, provisions are hereby made to allow a review committee to approve an increase in wall sign square footage, or roof sign in the UMU zoning district, where external building features create an attractive wall face, reducing the negative impacts of larger signs. Such determination shall be made through a voluntary building design review submittal. Said flexibility shall be available for structures within commercial and industrial zoning districts, or as specifically identified within this section. Applicants are required to have a consultation with Planning Department staff before submitting a proposal for increased wall sign size.

2. *Process.* All submittals shall be reviewed and approved by a three to seven person the city's Design Review Committee (DRC) consisting of the zoning administrator, the planning director or their designee, and such additional staff as the City Manager may designate. The committee shall meet not more than ten (10) working days after submittal or re-submittal of a sign proposal. Actions of this committee may be as follows: approval of the sign as submitted, or rejection of the proposal with recommendations for design changes that would elicit favorable consideration upon re-submittal. Such actions shall also govern re-submittals. Appeals of any decision made by the committee shall be made to the Planning Commission Board of Adjustment at the first meeting following a 30-day period after the committee decision. Such appeal shall be advertised and conducted as a public hearing. The Planning Commission may grant the request for a larger sign only after having made all four (4) findings set forth in the approval procedure subsection. The decision of the Planning Commission is appealable only to the superior court by writ of certiorari. The appeal shall be heard and processed pursuant to Section 5.13.

3. *Submittal.* Applicants must submit, at a minimum, a detailed scale drawing of all building facade(s) including proposed building materials, colors to be used, and applicable dimensions (roof overhand and/or roof slope, wall height, etc.). Submittal shall also include sign dimensions, proposed placement on the building, copy, color, sign illumination plans, and all materials that are to be used in sign construction. In addition, committee members may require the submission of samples of materials proposed, if deemed necessary for proper review and consideration of the application.

4. *Review Criteria.* When reviewing applicable building facades in association with wall sign size, or sign type, the following concepts are encouraged by the committee to create context sensitive signage:

a. Building entrances should be articulated (recessed or protruding) from the main facade line sufficient to provide emphasis and variation to the building wall. Applicable building facades should have adequate openings (window and/or doors) to break up long expanses of building wall.

b. Building facades should not include dominating architectural elements that are identified or associated with the particular franchise or chain and repetitive from community to community. Prototype franchise buildings are discouraged, whereas, creative design is encouraged.

c. The primary external building materials should include one or more of the following: brick, brick veneer, ornamental split-faced concrete block or similar ornamental concrete masonry unit (CMU), stucco (synthetic or natural), stone or simulated stone/marble. Other materials such as vinyl, aluminum, and ornamental metals may be used as trim only.

d. The use of subdued or earth tone colors and shades, such as beige, tan, rust, brown, and green, are encouraged in building facade materials. Bright colors typically used in franchise architecture are discouraged.

e. All signs within a particular project shall be presented within a master sign program and should be coordinated in terms of design features and materials.

- f. Roof signs shall comply with the following:
  - i. Roof signs are only permitted for nonresidential buildings or multi-family dwelling structure of 30-feet or more in height in the UMU zoning district.
  - ii. Maximum sign height is 15-feet above roof, including the support structure. The width of a roof sign is limited to 65% of the roof level width or 40 feet, whichever is less.
  - iii. Roof sign shall be designed with channel letters/icons and overall area shall be a minimum of 40% transparent.
  - iv. A maximum of one roof sign is permitted per building on a flat roof only.
  - v. A minimum of a five-foot setback is required from all building edges.
  - vi. The roof structure and roof sign shall be engineered to ensure safe and secure installation.
  - vii. Roof signs may only be internally illuminated.
  
- 5. *Approval Procedure.* The committee, or ~~Planning Commission~~ **Board of Adjustment** upon appeal, may approve an increase in sign square footage, **or sign type**, for a particular structure only upon making the following findings in the affirmative:
  - a. The building architecture and materials coordinated with the proposed wall **or roof** sign to create a context sensitive design solution consistent with the general purpose and intent of this subsection;
  - b. The proposal will provide needed sign visibility to motorists and pedestrians visiting the facility;
  - c. The proposal will enhance the aesthetics of the development and surrounding area and will not substantially injure the value of adjoining properties (as measured against the nonuse of the design review alternative);
  - d. The proposal will not be detrimental to the public's health, safety, or welfare.
  - e. Increases **in sign area or sign type** allowed by the design review alternative may be combined with those allowed in paragraph A but may not be combined with those allowed by the planned development flexibility option.

## CONCLUSION

If approved, these revisions would provide the opportunity for quality roof signs pursuant to Section 12.14 within the UMU zoning districts. Staff recommends approval as presented.

**Statement of Reasonableness and Consistency (*motion to approve*):**

*This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small areas plans, and is reasonable and in the public interest.*

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE OF THE CITY OF GASTONIA**

**WHEREAS**, the City of Gastonia deems it necessary to update the Unified Development Ordinance in order to provide additional clarification as needed; and

**WHEREAS**, the City of Gastonia deems it necessary to and in the public interest to have clear, concise and consistent standards for the management of growth and development throughout the city; and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GASTONIA as follows:**

**Section 1.** *Section 12.3(K) of the UDO be amended as follows:*

K. Roof signs (except as approved pursuant to Section 12.14 within the UMU zoning district.)

**Section 2.** *Section 12.14 of the UDO shall be amended as follow:*

SECTION 12.14 - SIGN FLEXIBILITY OPTIONS

- A. This Section contains provisions for sign bonus options, allowing greater sign area, or sign type, when specifications are met. The provisions of this Section apply to all zoning districts unless noted.
  - 1. The aggregate area of all wall signs per premises may be increased based on the distance the principle building is set back from the required front setback line. Said increase shall be in accordance with the following table:

Principal Building Distance Setback From the Required Front Setback	Allowed Aggregate Wall Sign Area Increase (Percent)
0—49 feet	0
50—99 feet	25
100—149 feet	50
150—199 feet	75
200—249 feet	100
250—299 feet	125
300—349 feet	150
350—399 feet	175
400 feet or more	200

- B. Where a freestanding sign is not used and/or permitted, a projecting sign may be substituted for part or all of the allowable wall signage per premises. A projecting sign shall not project more than four (4) feet from a building. In no instance shall a projecting sign extend into a street right-of-way, except in the CBD (where such extensions may be permitted subject to approval of the Subdivision Administrator).
- C. Where a freestanding sign is not used and/or permitted in the Urban Mixed Use District (UMU), a roof sign may be substituted pursuant to this section.
- €D. Design review alternative.

1. *Purpose.* The purpose of this Subsection is to provide functional flexibility, encourage variety, and create an incentive to relate wall signs, **or unique sign type**, to basic principles of good building design. This Subsection promotes the integration of signage and building facades and rewards design innovation and creativity. The goal is to create a better product, than would typically be provided through strict adherence to the signage requirements, by offering a voluntary procedure for building design review. This option encourages wall signage that is context sensitive to the building on which it is placed.

In order to provide such signage flexibility and incentives for well-designed buildings, provisions are hereby made to allow a review committee to approve an increase in wall sign square footage, **or roof sign in the UMU zoning district**, where external building features create an attractive wall face, reducing the negative impacts of larger signs. Such determination shall be made through a voluntary building design review submittal. Said flexibility shall be available for structures within commercial and industrial zoning districts, **or as specifically identified within this section**. Applicants are required to have a consultation with Planning Department staff before submitting a proposal for increased wall sign size.

2. *Process.* All submittals shall be reviewed and approved by ~~a three to seven person~~ **the city's Design Review Committee (DRC)** ~~consisting of the zoning administrator, the planning director or their designee, and such additional staff as the City Manager may designate.~~ The committee shall meet not more than ten (10) working days after submittal or re-submittal of a sign proposal. Actions of this committee may be as follows: approval of the sign as submitted, or rejection of the proposal with recommendations for design changes that would elicit favorable consideration upon re-submittal. Such actions shall also govern re-submittals. Appeals of any decision made by the committee shall be made to the ~~Planning Commission~~ **Board of Adjustment** at the first meeting following a 30-day period after the committee decision. ~~Such appeal shall be advertised and conducted as a public hearing. The Planning Commission may grant the request for a larger sign only after having made all four (4) findings set forth in the approval procedure subsection. The decision of the Planning Commission is appealable only to the superior court by writ of certiorari.~~ **The appeal shall be heard and processed pursuant to Section 5.13.**

3. *Submittal.* Applicants must submit, at a minimum, a detailed scale drawing of all building facade(s) including proposed building materials, colors to be used, and applicable dimensions (roof overhand and/or roof slope, wall height, etc.). Submittal shall also include sign dimensions, proposed placement on the building, copy, color, sign illumination plans, and all materials that are to be used in sign construction. In addition, committee members may require the submission of samples of materials proposed, if deemed necessary for proper review and consideration of the application.

4. *Review Criteria.* When reviewing applicable building facades in association with wall sign size, **or sign type**, the following concepts are encouraged by the committee to create context sensitive signage:

- a. Building entrances should be articulated (recessed or protruding) from the main facade line sufficient to provide emphasis and variation to the building wall. Applicable building facades should have adequate openings (window and/or doors) to break up long expanses of building wall.
- b. Building facades should not include dominating architectural elements that are identified or associated with the particular franchise or chain and repetitive from community to community. Prototype franchise buildings are discouraged, whereas, creative design is encouraged.
- c. The primary external building materials should include one or more of the following: brick, brick veneer, ornamental split-faced concrete block or similar ornamental concrete masonry unit (CMU), stucco (synthetic or natural), stone or simulated stone/marble. Other materials such as vinyl, aluminum, and ornamental metals may be used as trim only.
- d. The use of subdued or earth tone colors and shades, such as beige, tan, rust, brown, and green, are encouraged in building facade materials. Bright colors typically used in franchise architecture are discouraged.
- e. All signs within a particular project shall be presented within a master sign program and should be coordinated in terms of design features and materials.



- f. Roof signs shall comply with the following:
    - i. Roof signs are only permitted for nonresidential buildings or multi-family dwelling structure of 30-feet or more in height in the UMU zoning district.
    - ii. Maximum sign height is 15-feet above roof, including the support structure. The width of a roof sign is limited to 65% of the roof level width or 40 feet, whichever is less.
    - iii. Roof sign shall be designed with channel letters/icons and overall area shall be a minimum of 40% transparent.
    - iv. A maximum of one roof sign is permitted per building on a flat roof only.
    - v. A minimum of a five-foot setback is required from all building edges.
    - vi. The roof structure and roof sign shall be engineered to ensure safe and secure installation.
    - vii. Roof signs may only be internally illuminated.
5. *Approval Procedure.* The committee, or Planning Commission **Board of Adjustment** upon appeal, may approve an increase in sign square footage, **or sign type**, for a particular structure only upon making the following findings in the affirmative:
- a. The building architecture and materials coordinated with the proposed wall **or roof** sign to create a context sensitive design solution consistent with the general purpose and intent of this subsection;
  - b. The proposal will provide needed sign visibility to motorists and pedestrians visiting the facility;
  - c. The proposal will enhance the aesthetics of the development and surrounding area and will not substantially injure the value of adjoining properties (as measured against the nonuse of the design review alternative);
  - d. The proposal will not be detrimental to the public's health, safety, or welfare.
  - e. Increases **in sign area or sign type** allowed by the design review alternative may be combined with those allowed in paragraph A but may not be combined with those allowed by the planned development flexibility option.

**Section 3.** Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 4.** This ordinance shall take effect and be in force from and after the date of its adoption.

**Section 5.** This ordinance is consistent with the purpose and intent of the Unified Development Ordinance, Gastonia 2025 Comprehensive Plan and any applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes the health, safety, and welfare.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Walker E. Reid III, Mayor

ATTEST:

\_\_\_\_\_  
Suzanne Gibbs, City Clerk



## MEMORANDUM

Date: June 20, 2023

To: Michael Peoples  
City Manager

From: Kim Wallis, AICP  
Senior Planner

Through: Jason Thompson, AICP  
Planning Director

Subject: An ordinance amending the Civil Penalty Section of the Historic District Overlay in the Unified Development Ordinance.

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### Proposed Amendments

The Historic District Overlay in the UDO stipulates that property owners wishing to do work to the exterior structure or the lot on properties in local historic districts need to obtain a certificate of appropriateness (COA) from the Historic District Commission (HDC) before work is initiated. As investment in these neighborhoods has increased over the last few years there has been an increase in work done without first receiving a COA from the HDC. Much of the work needing these certificates do not necessitate a building permit thus it is difficult to police this activity. This has presented hardship to the HDC who must decide to either approve work that is not appropriate to the district or require owners to remove it. The Commission and staff have worked hard these last several years on educating new and existing property owners of the regulations that come with owning property in a local historic district, however as these cases have continued, the HDC feel monetary consequences are necessary to curtail this activity.

### Conclusion

This amendment to the UDO would help the Historic District Commission uphold the purpose of the establishment of Gastonia's local historic districts which is to protect and conserve the heritage and history of the neighborhoods and the City of Gastonia, fostering civic beauty, enhancing property values within the district and Gastonia as a whole, and contributing to the improvement of the general health and welfare of Gastonia and its residents. Staff recommends approval as presented.

### **Statement of Reasonableness and Consistency (*motion to approve*):**

*This ordinance is consistent with the Gastonia 2025 Comprehensive Plan, and is reasonable and in the public interest because it helps support the goal of protecting and preserving the local historic districts in Gastonia.*

**AN ORDINANCE TO AMEND SECTION 7.6.2 – HD HISTORIC DISTRICT  
OVERLAY OF THE UNIFIED DEVELOPMENT ORDINANCE  
OF THE CITY OF GASTONIA**

**WHEREAS**, the City of Gastonia deems it to be in the best interests of the health, safety and welfare of the citizens of Gastonia to have clear, concise, consistent and enforceable standards for the management of growth and development throughout the City; and,

**WHEREAS**, the City of Gastonia deems it necessary to update the Unified Development Ordinance in order to provide additional enforcement provisions for failure to obtain the required certificate of appropriateness for modifications to the exterior of properties located within the Historic District Overlay;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GASTONIA as follows:**

**Section 1.** Section 7.6.2-*HD Historic district overlay* sub-section EE is hereby amended as follows:

EE. Civil Penalty.

1. Unless otherwise provided in this subsection, violation of any of the regulations contained herein shall be subject to the penalties and remedies set forth in Chapter ~~15~~14.
2. In the event that a tree is removed without authorization in an HD district, the Administrator shall have the authority to bypass the “Notice of Violation” provisions of this Ordinance and immediately issue a civil penalty in the amount of two hundred dollars (\$200.00). In the event that a tree is removed without authorization in an HD district, such tree shall be replaced by another tree of a size and species to be determined by the zoning administrator or city arborist no smaller than two (2) inches in diameter measured four (4) inches from grade. Such tree shall be replaced within thirty (30) days of receiving an order to do so from the Administrator. Failure to comply with such order shall subject the violator to additional civil penalties in the amount of two hundred dollars per day for the continuing violation. In addition, the violator shall be subject to any of the penalties and remedies set forth in Chapter ~~15~~14.
3. No civil penalty shall be levied for violations of the provisions of Section 7.6.2GG unless and until the Planning Director or his designee delivers a written notice by personal service or by registered mail or by certified mail, return receipt requested, to the owner of the property or the person responsible for each violation indicating the nature of the violation and ordering corrective action or other by service using other means allowable pursuant to G.S. rule 1-A1, rule 4. The notice shall also set forth the time period when corrective measures must be completed. The notice shall state that failure to correct the violation within the specified time period, which shall not be less than ninety (90) days, will result in the assessment of civil penalties and other enforcement action. If, after the allotted time period has expired and after the hearing of an appeal by the Board of Adjustment, if any was requested, corrective action has not been completed, a civil penalty shall be assessed in the amount of two hundred dollars (\$200.00) per day for the continuing violation.
4. In the event any exterior portion of a building, structure, lot or site is altered within an HD Historic District Overlay without an approved certificate of appropriateness and in violation of this Section, the Administrator shall have the authority to bypass the “Notice of Violation” provisions of this Ordinance and immediately issue a civil penalty in the amount of two hundred dollars (\$200.00). In addition, the Administrator shall order the owner of the property and the person responsible for each violation to apply for and obtain a certificate of appropriateness for any and all alterations made to the property. If the owner and/or the person responsible for each violation fails to comply with such order, the terms of any certificate of appropriateness obtained thereafter; or, if a certificate of appropriateness is denied and the owner and/or person responsible for each violation fails to remove the unapproved alteration and restore the property the violator shall be subject to additional civil penalties in the amount of two hundred dollars per day for the continuing violation. In addition, the violator shall be subject to any of the penalties and remedies set forth in Chapter 14.

**Section 2.** All ordinances or portions of ordinances in conflict herein are hereby repealed.

**Section 3.** Should any provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 4.** This ordinance shall take effect and be in force from its effective date.

**Section 5.** This ordinance is consistent with the Gastonia 2025 Comprehensive Plan and any applicable duly adopted small area plans, and is reasonable and in the public interest because it promotes the health, safety, and welfare and brings the City's ordinance into compliance with federal law.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Walker E. Reid III, Mayor

ATTEST:

\_\_\_\_\_  
Suzanne Gibbs, City Clerk

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