

**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. *Table 2.7-1* of the Unified Development Ordinance shall be amended as follows:

| | |
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| <p>Dwelling, Multi-Family and Mixed Residential</p> | <p>A building or portion thereof designed or occupied as a single family dwelling, two (2) or more duplex buildings or three (3) or more dwelling units sharing common walls. Such units shall generally be developed in a unified manner and shall be located on one lot (unless the individual dwelling units are under condominium ownership). In the CBD only, the term "multifamily dwelling" shall also include one or two (2) dwelling units located on the same premises as a nonresidential use.</p> <p>Developments, generally on property under single ownership, containing a mix of residential building types. Dwelling units within a building type may be owner occupied, or for rent. Units may share amenities such as pools, clubhouses, meeting centers, leasing offices. Vehicular access to all dwellings within a property shall be sufficient to meet Fire Department accessibility requirements. Parking location shall be provided as defined by type below. Dwelling unit types permitted:</p> <ul style="list-style-type: none"> • Multi-family, Apartment: dwellings arranged side by side, or stacked, on multiple floors of a building or buildings containing a minimum of 4 units, that share a single-entry lobby, or individual exterior entries along a common breezeway, with shared, or dedicated parking. • Attached Single Family, Townhome: a minimum of 3 dwellings, sharing party walls, with main door entry individually accessed from a fronting street, or sidewalk, and dedicated parking accessed from rear lanes/alleys. • Attached Two Family, Duplex: two dwelling units sharing a common vertical wall(s) with main door entry individually accessed from a fronting street, or sidewalk with dedicated parking for each dwelling. The location of required parking shall be determined by the separation between driveways within the designated front yard of the dwelling as follows: 30' or less - parking shall be accessed via rear lanes/alleys; greater than 30' may be accessed from the fronting street. • Detached Single Family: a single dwelling, with main door entry individually accessed from a fronting street, or sidewalk with dedicated parking for each dwelling. The location of required parking shall be determined by the separation between driveways within the designated front yard of the dwelling as follows: 30' or less - parking shall be accessed via rear lanes/alleys; greater than 30' - parking may be accessed from the fronting street or rear lane/alley. |
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Section 2. Table 7.1-1 Table of Uses of the Unified Development Ordinance shall be amended as follows:

| Use Category | | | | Residential Districts | | | | | Office Districts | | | | Commercial Districts | | | | | Industrial Districts | | | | Other | | |
|--|--------------|----------------|-----------|-----------------------|-------|-------|--------|--------|------------------|-----|--------|--------|----------------------|--------|--------|--------|-----|----------------------|-----|--------|----|-------|----|--|
| | Def. Ine. d. | Sup. Reg. | Pkg. Reg. | RLD | RS-20 | RS-18 | RMF | TMU | OM | O-1 | OLC | UMU | C-1 | C-2 | C-3 | CBD | I-1 | I-2 | I-3 | IU | SP | APP | PD | |
| Dwelling, Multi-family and Mixed Residential | Y | 8.1.10 | | | | | | | | | | | | | | | | | | | | | | |
| | | See chapter 10 | | | | | XS/C S | XS/C S | | | XS/C S | XS/C S | XS/C S | X S/CS | XS/C S | XS/C S | | | | XS/C S | | | | |

Section 3. Table 7.3-1 Bulk and Use Chart of the Unified Development Ordinance shall be amended as follows:

**TABLE 7.3-1
BULK AND USE CHART**

| | RLD | | | | | RS-20 | | | | | RS-12 | | | | | RS-8 | | | | | MF&MXD/RES | | | | |
|--|-----|---|---|---|---|-------|---|---|---|---|-------|---|---|---|---|------|---|---|---|--------|------------|----|-------------------|----|----|
| | A | W | F | S | R | H | A | W | F | S | R | H | A | W | F | S | R | H | A | W | F | S | R | H | |
| Multi-family Development and Mixed Residential | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 43,560 | 100 | 50 | 15 ⁽¹⁾ | 30 | 45 |

Notes

- A = Minimum Lot Area
- W = Minimum Lot Width (as measured at the minimum front yard setback)
- F = Minimum Front Setback (see definition of front yard to determine how front yard is measured on corner lots)
- S = Minimum Side Setback
- R = Minimum Rear Setback
- H = Maximum Building Height

* There are no dimensional requirements for Essential Services, Class 1 and Parks

** Dimensional requirements listed for certain uses in Chapter 8 shall supersede those listed herein.

*** Dimensional requirements for MF&MXD/RES in C-3 Zones apply to the overall property. Setbacks within property between building types shall be as described in 8.1.10(B)

1. An additional ten (10) feet to the requirements listed above shall be required on all side yards which abut a public street.

Section 4. *Section 8.1.10 Multi-Family Development* of the Unified Development Ordinance shall be amended as follows:

8.1.10 – DWELLING, MULTI-FAMILY & MIXED RESIDENTIAL

A. Development Guidelines.

1. Allowed Zoning Districts

All multi-family developments must be served by a public water and sewer system.

2. Maximum Residential Density

Maximum density of eight (8) dwelling units per acre. Any density greater than eight (8) dwelling units per acre requires CD zoning. C-3 Zones are exempt from max density requirements.

3. Maximum Building Height

Same as underlying zoning district

4. Minimum Gross Acreage

One acre

5. Common Open Space

Within Multi-family and Mixed Residential developments, total acreage shall be based on number of units in Multi-Family-Apartment and Attached Single Family-Townhome building types using the ratios listed below, with a reduction based on proximity to existing municipal parks, greenways/trails. For developments adjacent to such facilities the amount of open space shall be reduced by 75%. For developments within a 10-minute walk from the closest point of the property boundary to the municipal facility, open space shall be reduced by 50%. All other developments shall provide the open space according to the ratios below.

In all zoning districts except for CBD, TMU, I-U and UMU, the following amount of common open space shall be provided:

- Less than ten (10) units: no open space required
- Ten (10) to two hundred (200) units: Eight hundred (800) square feet per unit
- Any additional units over two hundred (200): Four hundred (400) square feet per unit

At least seventy-five (75) percent of the open space shall be improved open space per Section 8.1.11A6. The standards and type of open space shall be in accordance with Section 8.1.11A6 of this Ordinance.

6. Approval Process

| AREA OF TRACT | PIM REQUIRED | APPROVAL BODY |
|-------------------------|--------------|---|
| Less Than Two (2) Acres | None | Administrative Approval |
| Two (2) Acres or More | Yes for CD | Planning Commission and/or City Council |

7. Off-street Parking Requirements

Parking shall be provided in accordance with Chapter 10 herein.

8. Screening Requirements

Screening shall be a minimum Type B and installed in accordance with Chapter 11.

B. Building Design Standards.

1. All Multi-Family-Apartment buildings located within two hundred (200) linear feet of the front lot line shall be oriented parallel with the front yard. (NOTE: The above referenced orientation requirements shall be waived if screening in the form of a Type B or higher screen is provided in the front yard. This regulation does not apply in the CBD and C-3 Zones.) The Administrator shall have the authority to waive or modify this requirement provided that specific circumstances unique to the subject property would make meeting the required width impractical or impossible.
2. Front build-to lines shall be a minimum of ten (10) feet behind the sidewalk, except in the CBD, TMU, C-3, and UMU.
3. If the interior side or rear yards of the multi-family development abut a Residential (R) district (other than RMF), screening in said yards in the form of a Type C or higher screen shall be provided. This requirement shall not apply in the CBD, TMU and UMU zones or where a proposed multifamily development abuts an existing multifamily development.
4. No off-street parking spaces may be placed in front yard unless a Type B or higher screen is provided in the front yard to shield the parking spaces from the adjoining street. Notwithstanding, in no case may greater than one-half ($\frac{1}{2}$) of the required off-street parking be placed in the front yard.
5. A minimum of twenty (20) feet shall be maintained between one story buildings, however, the rear of a building shall be a minimum of fifty (50) feet from another building. An additional five (5) feet of separation shall be added for buildings two stories and above. A multiple-story building with one story end units shall be considered a multiple-story building. This requirement shall apply only to Multi-Family Apartment buildings in a C-3 Zone. Attached Single Family Townhomes, Attached Single Family Duplex and Detached Single Family dwellings shall provide side setbacks a minimum of 12' between buildings.
6. Trash dumpsters are to be located to the rear of the building.
7. The primary pedestrian entrance into the building shall be from the front yard sidewalk.
8. A conditional use permit shall be required for any Multi-Family Apartment building over three (3) stories in height. This requirement shall not apply in the CBD, TMU and UMU zones.
9. At least fifty (50) percent of the front elevation of the Multi-Family Apartment building shall be clad with brick, rock, decorative block, approved stucco and other permitted masonry materials as determined by the Zoning Administrator or approval body in instances where a conditional use permit or conditional zoning is involved. Buildings located in the CBD and UMU will follow the design standards for those districts. In C-3 Zones, Attached Single Family-Townhome, Attached Two Family-Duplex, and Detached Single Family dwelling units shall use complimentary building materials to those of any Multi-Family Apartment building. If no Multi-family Apartment Buildings area present cladding materials shall be approved by the Zoning Administrator.
10. All newly constructed Multi-Family Apartment buildings shall have a minimum of two (2) different roof elevations on any building with a length over seventy-five (75) feet. Buildings located in the CBD and UMU will follow the design standards for those districts. Flat roofed buildings in a C-3 Zone shall follow the requirements of the CBD and UMU Zones.
11. For Multi-family Apartment buildings greater than one hundred (100) feet long, there shall be no uninterrupted wall length exceeding seventy-five (75) feet. An interruption shall consist of a change in place by more than one foot or a change in texture/masonry patterns. Multi-family Apartment buildings located in the CBD and UMU will follow the design standards for those districts.
12. For Multi-family Apartment buildings that have a length less than one hundred (100) feet, one interruption shall be required within thirty (30) feet on either side of the center of the building.

Multi-family Apartment Buildings located in the CBD and UMU will follow the design standards for those districts.

13. Each exterior front door that provides access to an individual unit or any shared door (i.e., a door that provides access to more than one unit from the exterior) shall have a porch that forms the predominant aspect of the building design. Porches shall constitute at least fifteen (15) percent of the front façade of each apartment unit. Buildings located in the CBD and UMU will follow the design standards for those districts. Multi-family Apartment Buildings located in a C-3 Zone are exempt.
14. There shall be a landscaped area at least four (4) feet in width along the entire length of the front façade of each Multi-family Apartment building. There shall be at least one (1) shrub per six (6) linear feet of building. (NOTE: This is not applicable in the TMU, UMU and CBDs.) In C-3 Zones, Multi-family Apartment Buildings developed in keeping with UMU and CBD Zones may follow the design standards for those Districts.
15. In lieu of the street tree requirements contained in Section 11.4, trees shall be planted between the building and the adjoining public street (at the periphery of the development) as follows:
 - Two (2) canopy trees and two (2) understory trees shall be planted for every one hundred (100) linear feet of public street frontage.
 - When the backs of dwelling units face a street right-of-way, the number of plantings required above shall be increased by fifty (50) percent.
16. At least one ground entrance to every dwelling shall be located within a walking distance of one hundred (100) feet to the parking area within the development designated to serve that dwelling.
17. Sidewalk requirements—Refer to Section 9.18.1.
18. Greenstrip requirements—Refer to Section 9.18.2.

Section 5. Section 10.11 Use Definitions & Required Vehicle Standards-Table A of the Unified Development Ordinance shall be amended as follows:

| Table A. Required Vehicle Parking (see Sections 1 - 3 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 | 2.5 | 2.0 | 1.5 | 1.0 | 1.5 | n/a | 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 ft ² | 3.0 | 3.0 | 1.0 | 1.5 | 2.0 | 3.0 | 3.0 | |
| Retail per 1,000 ft ² | 3.0 | 3.0 | 1.0 | 1.5 | 2.0 | 3.0 | 3.0 | |

| | | | | | | | |
|---|--|---------------|---------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Workplace *per 1,000 ft ² of office/ retail **per 6,000 ft ² of additional indoor space | *2.0 **1.0 | *1.5 *1.0 | n/a | * 1.5 **1.0 | * 1.5 **1.0 | * 2.0 **1.0 | * 3.0 **1.0 |
| Industrial *per 600 ft ² of office **per 3,000 ft ² of additional indoor space | n/a | n/a | n/a | n/a | * 1.5 **1.0 | * 1.5 **1.0 | * 3.0 **1.0 |
| Education *per 600 ft ² **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 may be granted up to 10 spaces per 1,000 ft ² if need can be shown by the applicant. | | | | | | |

1. Uses requiring more than 3 spaces per 1,000 ft², shall be permitted to increase parking up to 5 spaces per 1,000 ft². 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.
2. Uses requiring in excess of 5 spaces per 1,000 ft² require a conditional use permit. 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 management practices to be used to substantially improve water quality discharge from the site, as determined by the Storm Water Administrator.
3. Uses requiring more than 1.5 spaces per 1,000 ft² located in a CBD, TMU, UMU, C-1, and I-U District, may increase up to 3 spaces per 1,000 ft² 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 24 hours a day and seven days a week.
 - b. Twenty percent (20%) of the total number of spaces are provided for public use as shared spaces available from 8:00am to 5:00pm, Monday through Friday.
 - c. Twenty percent (20%) of the total number of spaces are provided for public use as shared spaces from 6:00pm to 8:00pm seven days a week.
4. Townhomes shall provide a maximum of 2 spaces per unit. On street parking may be used to meet this requirement.

Section 6. All ordinances or portions of ordinances in conflict herein are hereby repealed.

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 10th day of August, 2021.

Walker E. Reid III
Walker E. Reid III, Mayor

ATTEST:

Suzanne Gibbs
Suzanne Gibbs, City Clerk

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