

**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 2.7 Terms Defined in this Ordinance* of the Unified Development Ordinance shall be amended as follows:

<u>Industrial Heavy Equipment, Bulk Storage Yard and Commercial Vehicle and Truck Storage</u>	A piece of property that is used primarily for the outdoor storage, on a regular basis, of trucks and other commercial vehicles, excluding septic tank and solid waste vehicles; <u>industrial heavy equipment and any other type of bulk storage</u>
--	---

Section 2. *Table 7.1-1 Table of Uses* of the Unified Development Ordinance shall be amended as follows:

Use Category	Commercial Districts		Industrial Districts						
	Defined	Sup. Reg.	C-2	C-3	CBD	I-1	I-2	I-3	IU
<u>Commercial Vehicle and Truck Storage</u>	Y	8.3.1	-	-	-	XS/CS	XS/CS	XS/CS	XS/CS
<u>Industrial Heavy Equipment Bulk Storage Yard & Commercial Vehicle and Truck Storage</u>	<u>Y</u>	<u>8.3.1</u>						CS	

Section 3. *Section 8.3.1 Commercial Vehicles and Truck Storage* of the Unified Development Ordinance shall be amended as follows:

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

- A. All vehicle and truck storage areas shall be screened from both a public street (including except for I-85) and any adjoining residentially zoned lot with a Type D-C buffer yard.
- B. All commercial vehicle and truck driving, parking and maneuvering areas shall be surfaced with asphalt or bituminous concrete. Commercial vehicle and truck storage for solid waste and septic tank trucks shall require issuance of a conditional use permit.
- 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 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 listed above based on the location of the tree(s), the caliper, and the species.

Section 4. *Section 8.4.15 School, Vocational* of the Unified Development Ordinance shall be amended as follows:

8.4.15 SCHOOL, VOCATIONAL

- A. Truck driving schools with outdoor maneuvering area shall be allowed in the I-1 and I-2 districts only. All parking, training and maneuvering areas shall adhere to the surface material requirements found in Chapter 10 Off-Street Parking and Loading.

One shade (canopy) tree for every four thousand (4,000) square feet of truck training, parking and maneuvering areas shall be installed throughout the site. Preservation of existing trees are eligible to count towards this requirement. Existing trees of a caliper greater than eight (8) inches may be used to satisfy the tree coverage requirement listed above based on the location of the tree(s), the caliper, and the species as approved by the Administrator.

Section 5. *Section 10.13(F) Off-Street Parking and Loading– Surfacing* of the Unified Development Ordinance shall be amended as follows:

10.13 (F)(1) OFF-STREET PARKING & LOADING - SURFACING

1. Surfacing
a. Impervious Materials

Where on-site facilities are provided for parking or any other vehicular use areas, including but not limited to vehicular, boat and trailer storage, they must be surfaced with asphalt, or bituminous concrete, or other material(s) equal to or surpassing in performance, as approved by the Planning Director, or other type of dustless material approved by the Planning Director and maintained in a smooth, well-graded condition.

- b. ~~Pervious Materials~~

~~Pervious or semi-pervious parking area surfacing materials may be approved by the Planning Director. Permitted materials may include, but are not limited to grass, grasserete, ring and grid systems used in porous or grid pavers, or recycled materials such as glass, rubber, used asphalt, brick, block and concrete and other impervious materials.~~

Section 6. *Section 11.6 Open-Air Storage and Solid Waste Dumpster Screening* of the Unified Development Ordinance shall be amended as follows:

SECTION 11.6 OPEN-AIR STORAGE AND SOLID WASTE DUMPSTER SCREENING

- A. Within all zones, except for residential uses in Residential zones, screening shall be required for the open storage of any goods, materials, products, wastes or equipment that is visible from any adjacent Residential zone and/or any public street.

Excluded from such requirement are the following displays of items for sale: outdoor in-service vending machines; fresh produce; Christmas trees; live plants; bagged ice in freezers; firewood in sales bins, tanks of propane in exchange racks; other retail goods left outside during business hours only, vehicles, trailers, other equipment capable of being driven or towed on a roadway, manufactured or modular homes; and storage buildings prefabricated to building codes.

- B. In addition to the above, all uses that store heavy equipment outdoors on a regular basis (e.g., bobcats, graders, and other such heavy equipment) shall provide such screening per the standards listed below.
- C. Screening for storage areas one acre or less in size shall consist of a Type C Buffer as described in Chapter 11 Screening and Landscaping. ~~any one or a combination of more than one of the following: a wall or opaque fence meeting the requirements of Section 11.3.5(F) or a densely planted screen which will generally screen the storage from street view or from view of an adjacent Residentially zoned lot within five (5) years of installation.~~
- D. If the storage area is greater than one acre in size, screening shall consist of a Type D Buffer as described in Chapter 11 Screening and Landscaping. ~~ten-foot planted strip in addition to the fence or wall. Such planted strip shall be on the exterior of the wall or fence (no chain link).~~

Section 7. All ordinances or portions of ordinances in conflict herein are hereby repealed.

Section 8. 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 9. This ordinance shall take effect and be in force from and after the date of its adoption.

Section 10. 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 5th day of April, 2022.

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

ATTEST:

Suzanne J. Gibbs
Suzanne Gibbs, City Clerk



Ord22-761.docx