



**Gastonia Planning Commission
Special Meeting Schedule
October 04, 2018**

- 5:00 – 5:30** **Dinner**
(City Council Conference Room 201, City Hall)
- 5:30 – Until** **Planning Commission Meeting**
(City Council Conference Room 201, City Hall)

PLEASE REMEMBER TO BRING YOUR DRAFT COPY WITH YOU!

Gastonia Planning Commission
City Council Conference Room 201, City Hall
October 04, 2018 – 5:30 pm

Item 1a: Role Call / Sound Check

Item 1b: Calls/Contacts to Planning Commission Members

Item 2: Draft Residential Development Standards Amendments to Gastonia UDO

Discussion - All

**Discussion facilitated by: Jason Thompson, AICP, Planning Director
Demetri Baches, AICP, CNU-A, Metrocology, Inc.**

- **Single Family District Standards**
- **Building and Lot Type Standards**
- **Supplemental Regulations**
- **Streets**
- **Open Space**

Item 3: Other Business



Single Family Residential Zoning Revisions

DRAFT

8 August 2018

CITY of GASTONIA

Unified Development Ordinance

SINGLE FAMILY DETACHED DISTRICTS

Purpose

In order to provide for the orderly development of Gastonia, encourage residential development patterns that contribute to the character and sense of place of the community, and to allow for creativity in the planning of future residential development, the City hereby establishes districts and their associated standards and specifications to amend the City's existing UDO.

Districts Created

The following residential Use Districts are created. This listing is in order of intensity of development listed within the district, from least intense to most intense:

Single Family Residential (SFR-1)

Single Family Residential (SFR-2)

Single Family Residential (SFR-3)

Description of Districts

Single Family Residential Districts (SFR-1, SFR-2 and SFR-3) provide for the completion of existing residential neighborhoods and the development of new residential neighborhoods. Allowed building/lot types in the Single Family Districts are: Detached House. Listed uses are restricted to single-family homes and their accessory uses.

Neighborhoods in these districts are the dominant land use in Gastonia and are a major element in defining the character of the community. Standards for the Single Family Residential Districts promote that new development enhance the sustainability and character of the community by addressing the cost of providing services with an impactful increase in the valuation of property through better design. The Single Family Residential Districts permit the completion and conformity of conventional residential subdivisions already existing or approved in sketch plan form by the City of Gastonia prior to the effective date of these regulations.

District Development Standards & Permitted Uses

Development standards are established for each of the following Residential General-Use Districts to promote the orderly development of the City of Gastonia. The permitted uses listed for each district, are as specified in Table _____, Sections _____ appearing at the end of this Article for each of the three categories of use listings. Where a use is not listed within a given Primary General-Use District, such use shall not be permitted.

“L” Listed - Where a use is listed in a given district, the symbol “L” is entered in the corresponding district column for the specific use.

“S” Listed with Standards - Where a use requiring supplemental standards and specifications in accordance with Section _____ of the Ordinance is listed in a district, the symbol “S” is entered in the corresponding district column for

the specific use along with the reference number for the applicable supplemental standard(s).

"C" Conditional - Where a use is listed in a given district, upon satisfaction of the requirements established in Section ____ of this Ordinance, the symbol "C" is entered in the corresponding district column for the specific use.

(A.) Listed Uses:

- (1.) Uses listed by right: See Table of Uses (Table ____) of this Article
- (2.) Uses listed with additional standards: See Table of Uses (Table ____) of this Article and Article __, Section ____
- (3.) Uses listed with conditions: See Table of Uses (Table ____) of this Article and Article ____, Section ____

(B.) Listed Building and Lot Types: Detached House

(C.) Gross Residential Density Limit, excluding Accessory Dwellings meeting the limitations of and in accordance with Article ____, Section ____:

- (1.) SFR-1: 1.5 unit/acre
- (2.) SFR-2: 2.5 units/acre
- (3.) SFR-3: 4.0 units/acre

(D.) General Requirements:

(1.) Building placement, parking placement, building type, access, and lot arrangement shall be controlled by the lot and building type standards set forth in Article ____ for the lot and building types listed in the Single Family Residential Districts.

(2.) In addition to the requirements established by the lot type standards and building type standards, the following minimum dimensional standards shall apply in the Single Family Residential Districts for the *Principle Structure*:

Lot Size (in square feet)	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Corner Lot Side Yard Setback
SFR-1 10,001 - 20,000	SFR-1 91' - 120'	SFR-1 20' - 40'	SFR-1 20'	SFR-1 12'	SFR-1 22'
SFR-2 8,001 - 10,000	SFR-2 71' - 90'	SFR-2 10 - 30'	SFR-2 15'	SFR-2 10'	SFR-2 15'
SFR-3 5,500 - 8,000	SFR-3 50' - 70'	SFR-3 5 - 15'	SFR-3 10'	SFR-3 5'	SFR-3 10'

(E.) Open Space. The provision and design of open space shall comply with the requirements set forth in Article ____.

(F.) Parking and Landscaping. Parking shall comply with the requirements set forth in Article _____. Landscaping shall comply with the requirements set forth in Article _____.

Design Requirements:

Streets, Alleys and Blocks:

- (a.) Public streets shall provide access to all tracts and lots.
- (b.) Streets and alleys shall, wherever practicable, terminate at other streets within the neighborhood and connect to existing and projected streets outside the development.
- (c.) Cul-de-sacs shall not exceed 250 feet in length, must be accessed from a street providing internal or external connectivity, shall be permanently terminated by a vehicular turnaround, and are permitted only where topography makes a street connection impracticable. In most instances, a “close” or “eyebrow” is preferred to a cul-de-sac.
- (d.) Vehicular turnarounds of various configurations are acceptable so long as emergency access is adequately provided.
- (e.) Pedestrian connections should be provided as extensions of terminating streets where not precluded by topography or other physical constraints.
- (f.) The average perimeter of all blocks should not exceed 1,350 feet. No block face should have a length greater than 500 feet without a dedicated alley or pathway providing through access.

(g.) A continuous network of rear alleys is recommended for all lots less than 55 ft in width; rear alleys shall provide vehicular access to lots 59 feet or less in width.

(h.) Utilities may run along alleys provided that a permanent access and utility easement is recorded for the full length of alley being used for utilities or public services such as garbage collection.

(i.) Streets shall be organized according to a hierarchy based on function, size, capacity, and design speed; streets and rights-of-way are therefore expected to differ in dimension. The proposed hierarchy of streets shall be indicated on the submitted site plan. Each street type shall be separately detailed.

(j.) To prevent the buildup of vehicular speed, disperse traffic flow, and create a sense of visual enclosure, long uninterrupted segments of straight streets should be avoided. Methods to achieve this interruption include:

(i.) A street can be interrupted by intersections designed to calm the speed and disperse the flow of traffic (see City of Gastonia _____ Manual) and terminate vistas with a significant feature (building, park, natural feature);

(ii.) a street can be terminated with a public monument, specifically designed building facade, or a gateway to the ensuing space;

(iii.) perceived street length can be reduced by a noticeable street curve where the outside edge of the

curve is bounded by a building or other vertical elements that hug the curve and deflect the view; and
(iv.) other traffic calming configurations are acceptable so long as emergency access is adequately provided.

Buildings and Lots:

- (a.) All lots shall share a frontage line with a street or square; lots fronting a square shall be provided rear alley access.
- (b.) Consistent build-to lines shall be established along all streets and public space frontages; build-to lines determine the width and ratio of enclosure for each public street or space. A minimum percentage build-out at the build-to line shall be established on the plan along all streets and public square frontages.
- (c.) Building and lot types shall comply with the descriptions provided in Article 9.

Open Space:

The provision and design of open space shall comply with the requirements set forth in Article ____.

Table ____ Table of Uses L=listed use C=conditional use S=use listed with additional standards	SIC	Single Family Residential (SFR-1, SFR-2 & SFR-3)
Accessory Dwelling Unit		S (____)
Athletic Fields		L
Family Care Facility (Family Care Home)		L
Fences & Walls (See ____)		L (____)
Group Care Facility		C (____)
Home Occupation		S (____)
Parks & Recreation Facilities (Public)	7990	S (____)
Residential Uses, Dwelling, Accessory Unit		S (____)
Residential Uses, Dwelling, Single Family Detached (including Modular Construction)		L
Satellite Dish as Accessory Use		L
Sign (Accessory Use as permitted by ____)		L
Swim & Tennis Club	7998	S (____)
Swimming Pool as Accessory Use		L
Temporary Construction Storage and/or Office		S (____)
Yard Sale (no more than 3 per year)		S (____)

BUILDING AND LOT TYPE STANDARDS & SPECIFICATIONS

Purpose

The purpose of this Article is to establish standards and specifications for the buildings and lots permitted in each of the zoning districts established in Article 8. The standards and specifications set forth below are established to ensure that new development and construction is enduring and compatible with the character of the City of Gastonia, that it accomplishes the purposes of this Ordinance, and that it achieves the goals identified in the adopted Comprehensive Land Use Plan and other adopted and or approved plans.

Detached House Lot and Building Type

The detached house is the most prevalent building type in Gastonia. The detached house building type is generally found in residential neighborhoods, although it may coexist with other, similarly scaled buildings in commercial or mixed-use areas. Where possible, structures should be designed to maintain a harmonious image of the neighborhood when viewed from a distance. Where appropriate and possible, structures shall be designed to terminate vistas. For detached homes on large lots accessed by a private drive, building placement and site planning shall be dictated by landscape features and landscape preservation. Within the limits described below and unless the zoning district standards require greater measures, these regulations shall apply to all houses built in the City of Gastonia.

(A.) Building Placement, Parking, and Vehicle Access.

(1.) Along new streets:

(a.) the front setback shall be measured behind street ROW

(b.) the rear setback shall be measured from the rear property line;

(c.) the side setbacks on interior lots shall be measured from the side property line;

(d.) the side setback on corner lots for the side of the building that faces the street shall be measured from the street ROW on a corner lot.

(2.) Building placement may be further defined by zoning districts.

(3.) Parking standards of Article _____ apply (see Section _____ and Table _____).

(4.) Accessory structures, including detached garages, shall be located at least 5' behind the primary structure.

(5.) Only in the most exceptional circumstances having to do with extreme topography or very special design composition may the rules of residential building placement be varied.

(6.) Grading shall provide for smooth grade transitions to avoid abrupt "v" ditches, swales and other disruptions to the landscape, particularly between buildings where open space enhancements for use by persons actively utilizing the landscape and/or yard area. The use of crawl-space construction techniques in detached residential structures and professional landscape design is required to meet this characteristic of site development.

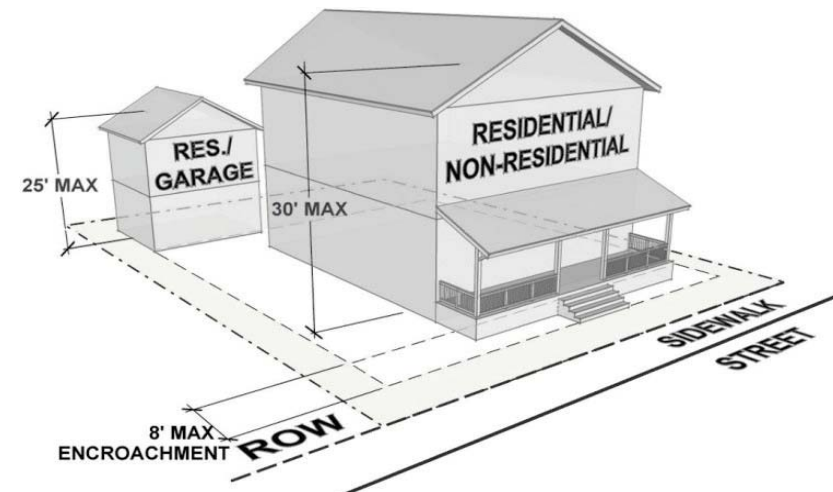
(7.) The maximum building coverage for the primary structure shall be 30% of the lot area.

(B.) Encroachment, Pedestrian Access, and Commercial Use Standards & Specifications.

- (1.) Primary pedestrian access into the building shall be from the street frontage line. Secondary access may be from parking areas.
- (2.) Balconies, stoops, stairs, open porches, bay windows, and awnings are permitted to encroach into the front setback area up to 8'.
- (3.) Mechanical equipment exceeding 16 square feet shall not encroach into any required setback.

(C.) Permitted Height, Uses, Encroachments, and Resiliency.

- (1.) Building heights shall be measured as the vertical distance from the mean elevation of the finished grade to a point representing the midpoint of the peak and eave heights.
- (2.) Building height to the ridge may vary depending on roof pitch.
- (3.) Permitted uses are controlled by zoning district standards.
- (4.) Balconies, stoops, stairs, open porches, bay windows, and, and awnings are permitted to encroach into the front setback area up to 8'.
- (5.) Mechanical equipment exceeding 16 square feet shall not encroach into any required setback.
- (6.) A minimum 8" overhanging gable end-rake and vented eaves shall be provided and finished by profiled molding or gutters to maintain compatibility with the character of structures within City.



Attached House Lot Type and Building Type Standards

The attached house is a row-house, a City house, or a duplex. Traditional southern homes in Savannah and Charleston provide a model. The Southside neighborhood in Greensboro provides a good contemporary example. Generally, building plans will have narrow frontages with the plan depth being greater than its width. Groups of attached house buildings that are not integrated into a pedestrian oriented mixed-use urban pattern shall not be permitted within Gastonia. Attached house structures should complement the neighborhood through their design, location on the site, and building materials. Within the limits described below and unless the zoning district standards require greater measures, these regulations shall apply to all attached houses built on public streets.

Attached House Lot Type Standards & Specifications.

(A.) Building Placement, Parking and Vehicle Access.

- (1.) There shall be at least 12' of separation between units that are not attached.
- (2.) Only in the most exceptional circumstances having to do with extreme topography or very special design composition may these rules of residential building placement be varied.
- (3.) Building facades shall be generally parallel to front street right-of-way lines.
- (4.) All buildings shall front onto a public street.
- (5.) Grading shall provide for smooth grade transitions to avoid abrupt "v" ditches, swales and other disruptions to the landscape, particularly between buildings where open space enhancements for

use by persons actively utilizing the landscape and/or yard area.
The use of crawl-space construction techniques in attached residential structures and professional landscape design is required to meet this characteristic of site development to establish a Finished Floor Elevation (FFE) a minimum of two (2.0) vertical feet above adjacent sidewalk.

(6.) Parking standards of Article ____ apply (see Section _____ and Table _____).

(7.) Accessory structures shall be located at least 5' behind the primary structure and shall have the same side and rear setbacks as the main structure.

(B.) Encroachment and Pedestrian Access.

(1.) For buildings set up to the sidewalk, balconies and bay windows at an upper level and their supports are permitted and encouraged within the sidewalk area.

Encroachments affixed to the building and horizontally protruding more than 6" from the face of the building must have a minimum 7'6" clearance from the finished grade. Encroaching canopies should cover the entire sidewalk within the permitted distance shown by the shaded area.

(2.) For buildings set back from sidewalk, balconies, stoops, stairs, unenclosed porches and bay windows are permitted to encroach into the front setback area up to 8'.

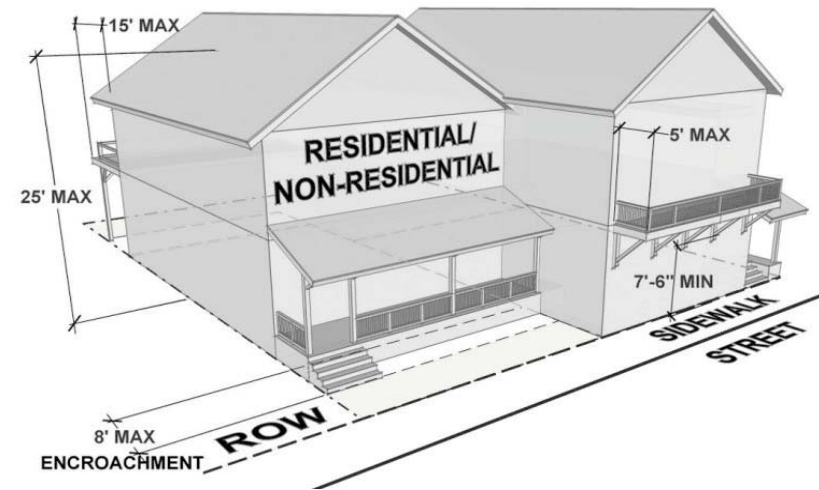
(3.) Main pedestrian access to the building is from the street. Secondary access may be from parking areas.

(4.) Decks shall be constructed only in an established rear yard and are not permitted to encroach into the rear setback.

Attached House Building Type.

(A.) Permitted Height and Encroachments.

- (1.) Building heights shall be measured as the vertical distance from the mean elevation of the finished grade to a point representing the midpoint of the peak and eave heights.
- (2.) Building height to the ridge may vary depending on the roof pitch.
- (3.) Permitted uses are controlled by zoning district standards.
- (4.) For buildings set back from sidewalk, balconies, stoops, stairs, unenclosed porches and bay windows are permitted to encroach into the front setback area up to 8'.
- (5.) Mechanical equipment exceeding 16 square feet shall not encroach into any required setback.



(B.) Architectural Standards.

- (1.) Principles for maintaining the character of the City:
 - (a.) To perpetuate the unique building character of the City and its environs, and to re-establish its local identity, development shall generally employ building styles that are compatible with the architectural vocabulary of the area in their external treatment. Manufactured homes shall not be permitted as part of any attached residential development under this ordinance.

(b.) The front elevations facing the street, and the overall massing shall communicate an emphasis on the human scale and the pedestrian environment. The intention of buildings in all locations must be to relate the principal facade to the sidewalk and public space of the street to maintain compatibility with structures within the City. Setbacks should be used in a manner that encourages pedestrian activity.

(c.) Each building should be designed to form part of a larger composition of the area in which it is situated to maintain compatibility with structures within the City.

(d.) Building silhouettes should be generally consistent. The scale and pitch of roof lines should thus be similar across groups of buildings to maintain compatibility with structures within the City.

(e.) Porches should form a predominant motif of house designs, and be located on the front or to the side of the dwelling. When attached to the front, they shall extend over at least 40% of the front facade. All porches should be constructed of materials in keeping with those of the main building to maintain compatibility with structures within the City.

(f.) Front loaded garages, if provided, shall meet the standards of Article 2 to maintain compatibility with structures within the City.

(2.) Configurations:

(a.) Main roofs on residential buildings shall be symmetrical gables or hips with a pitch of between 4:12 and 12:12 to maintain compatibility with structures within the City.

Mono-pitch (shed) roofs are allowed only if they are attached to the wall of the main building. No mono-pitch shall be less than 4:12. All accessory buildings shall have roof pitches that conform to those of the main buildings to maintain compatibility with structures within the City.

(b.) Balconies should generally be simply supported by posts and beams to maintain compatibility with structures within the City. For balconies overhanging the sidewalk, supports should be from visible brackets, as supports cannot be located in the sidewalk. The support of cantilevered balconies should be assisted by visible brackets.

(c.) Two wall materials may be combined horizontally on one facade. The "heavier" material should be below to maintain compatibility with structures within the City.

(d.) Exterior chimneys should be finished in brick, stone or stucco to maintain compatibility with structures within the City.

(3.) Techniques:

(a.) Overhanging eaves may expose rafters to maintain compatibility with structures within the City.

(b.) The gable end-rake and minimum 8" overhanging vented eaves shall be finished by profiled molding or gutters to maintain compatibility with structures within the City.

USES WITH ADDITIONAL STANDARDS

Uses with Additional Development Standards

Purpose. Certain uses provide services and benefits for residents of and visitors to the City of Gastonia. The convenient location of these uses is necessary to their success and the function of the community. Due to the potential impacts of these uses, certain additional standards are necessary to ensure that they do not adversely impact neighboring uses or the community as a whole. This section identifies the uses that require additional standards and establishes the standards they must meet.

Standards Established. The following Uses with Additional Standards and the standards they must meet are hereby established.

Accessory Dwelling Units.

(A.) Development Standards.

(1.) One (1) *Accessory Dwelling Unit* shall be permitted only on a lot containing a single dwelling unit (the principal dwelling) and conforming accessory structures in any single-family zoning district.

(2.) The *Accessory Dwelling Unit* shall not be considered a separate unit for the purpose of determining minimum lot size or maximum density.

(3.) Home occupations may be located within the *Accessory Dwelling Unit*.

(4.) The maximum gross floor area for the *Accessory Dwelling Unit* shall be 900 SF or 40% of the gross floor area of the principal structure, whichever is less.

Variances shall not allow the gross floor area of the *Accessory Dwelling Unit* to exceed 1200 SF nor shall the size of the *Accessory Dwelling Unit* exceed 50 percent of the gross floor area of the principal dwelling unit.

(5.) The *Accessory Dwelling Unit* may be located within same structure as the principal dwelling unit or it may be a separate structure. If within the same structure as the principal dwelling unit, the *Accessory Dwelling Unit* may have a separate entrance. If the *Accessory Dwelling Unit* is located in a separate structure, the following standards shall apply:

(a.) The accessory structure housing the *Accessory Dwelling Unit* must be located behind the principal dwelling. On corner lots, the accessory structure housing the *Accessory Dwelling Unit* may be located on the corner street side of and

behind the principal dwelling, but must be oriented to the front street (same orientation as principal dwelling).

(b.) Vehicular access to the *Accessory Dwelling Unit* shall be via the same drive that provides access to the principal

structure unless the *Accessory Dwelling Unit* is located on a corner or through lot. If located on a corner or through lot, a secondary drive may provide access to the *Accessory Dwelling Unit*, but the secondary drive shall not be on the same street as the drive providing access to the principal dwelling.

(6.) One (1) parking space may be provided for the *Accessory Dwelling Unit*. The parking space shall be located in the same area as the parking provided for the principal dwelling unit unless the lot is a corner or through lot and a separate drive provides access to the *Accessory Dwelling Unit*.

(7.) The design and construction of the accessory structure housing the *Accessory Dwelling Unit* shall be compatible with the design and construction of the principal dwelling unit. To ensure compatibility, the following standards shall be met:

(a.) The design of the accessory structure housing the *Accessory Dwelling Unit*

shall be of the same architectural style as that of the principal dwelling unit.

(b.) The roof style and pitch of the accessory structure housing the *Accessory*

Dwelling Unit shall be the same as that of the principal dwelling unit.

(c.) The exterior building materials used for the accessory structure housing the *Accessory Dwelling Unit* shall be the same as those used for the principal dwelling unit. When the principal dwelling unit is predominantly brick or stone,

the use of smooth wood or fibrous cement siding for the accessory structure housing the *Accessory Dwelling Unit* is appropriate to reinforce the ancillary and secondary nature of the *Accessory Dwelling Unit*.

(d.) Windows and doors used for the accessory structure housing the *Accessory Dwelling Unit* shall be the same style and design as those used for the principal dwelling unit. Window and door placement (fenestration) on the accessory structure housing the *Accessory Dwelling Unit* shall mimic that of the principal dwelling unit.

(e.) Exterior paint colors for the accessory structure housing the *Accessory Dwelling Unit* shall be the same as (or complementary to) those for the principal dwelling unit.

(8.) The use of manufactured dwellings, mobile homes, travel trailers, campers, or similar units as an *Accessory Dwelling Unit* is prohibited.

(9.) The *Accessory Dwelling Unit* shall not be deeded and/or conveyed to separate and/or distinct ownership separately from the principal dwelling unit.

Home Occupation.

(A.) Development Standards:

(1.) No display of goods, products, or services, or other advertising shall be visible from outside the dwelling, except that home occupations shall be allowed one pole sign in accordance with the provisions of Article 17, and such sign shall not be illuminated.

(2.) Home occupations shall be principally conducted by residents of the dwelling. However, a maximum of one full-time equivalent non-resident of the dwelling may be employed as part of the home occupation.

(3.) On premise retail sales shall not be a component of the home occupation.

(4.) A maximum of 25 percent of the gross floor area of the dwelling unit may be used for the home occupation. If the home occupation is housed in an accessory structure, the square footage of the accessory structure shall not exceed 25 percent of the square footage of the principal structure (home).

(5.) Only one vehicle principally used in connection with the home occupation shall be parked or stored on premise. Such a vehicle shall not display any signage designed to be visible beyond the property boundaries. Such a vehicle shall not be parked in a conspicuous place and shall be stored in a conforming on-site parking space meeting the provisions of Article ____.

(6.) No equipment or process shall be used in connection with the home occupation that creates noise, vibrations, glare, fumes, odors, or electrical interference off premises.

(7.) In addition to required parking as stipulated in Article _____, one additional off- street parking space shall be provided for use in conjunction with the home occupation.

(8.) Instruction in music, dancing, art, or similar subjects shall be limited to no more than five (5) students at one time.

(9.) The home occupation shall not materially increase the traffic that is found in its vicinity when the use is not in operation. Pursuant to this, a maximum of six individuals per day may visit the home occupation with the exception of the instruction occupations addressed in (A)(8) above.

Parks and Recreation Facilities, Public.

(A.) Development Standards:

- (1.) Overflow parking (in addition to required parking) must be designed on the site plan and be kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.
- (2.) All parks greater than ten (10) acres shall have primary access to a collector or higher capacity street.
- (3.) Lighting, with the exception of lighting for ball fields and tennis courts, shall be full cut-off fixtures.

Swim and Tennis Club.

(A.) Development Standards:

- (1.) The minimum area shall be two (2) acres. The minimum area shall be one (1) acre if located as part of a common area within a development.
- (2.) There shall a minimum fifty (50) foot separation (distance) between clubhouse, swimming pool, lighted tennis court, or athletic field and any adjacent residentially-zoned property.
- (3.) Outdoor swimming pools shall be protected by a non-

climbable type fence, or equal enclosure, a minimum four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

(4.) Site lighting shall be full cut-off fixtures. If proof is provided that such lighting is inadequate for the tennis courts, the *Development Administrator* may approve other lighting for the tennis courts only.

Temporary Construction Storage and/or Office.

(A.) Construction and storage containers. Construction and storage containers are not intended to be used for long-term on-site storage and any such use in any zoning district is expressly prohibited.

Construction containers shall be allowed as a temporary use while a valid building permit is in effect for the construction project. Storage containers shall be allowed as a temporary use when in compliance with the following standards:

(1.) Each container shall be in compliance with any applicable sign regulations.

(2.) In residential districts, portable on-demand (POD) storage units may be

located for a period of time not to exceed ninety (90) consecutive days in duration from the time of delivery to the time of removal, two times per calendar year, provided they are placed in a location where sight visibility is not obstructed. Further, these units shall be located in a manner that does not hinder access to the site or to off-street parking spaces.

(3.) In all non-residential districts, portable on-demand storage units may be located for a period of time not to exceed ninety (90) consecutive days in duration from the time of delivery to the time of removal, up to two times per calendar year, provided they are placed on a paved surface and do not obstruct sight visibility. Further, these units shall be located in a manner that does not hinder access to the site or to off-street parking spaces. Multiple units may be used at one time.

Temporary portable office.

A temporary portable office may be placed on a property to serve as the following:

(1.) Temporary offices for construction and security personnel during the construction of a development for which the City of Gastonia has issued either/or a zoning permit and/or approved preliminary plat, and/or a building permit.

Group Care Facility.

(A.) Conditions:

- (1.) No such facility shall be located within one-half (1/2) mile of an existing group care facility.
- (2.) The facility shall be limited to no more than thirty (30) persons.
- (3.) Buildings shall be of a type permitted in the zoning district.

STREETS

General

Streets shall be designed to suit their functions. Many streets have purposes other than vehicular traffic. As an alternative to current N.C. Department of Transportation road standards, the following street standards are provided for non-state maintained streets within the City of Gastonia and for streets proposed to be maintained by the City upon annexation. Streets built to the standards identified in this section are eligible for consideration by the City Council for acceptance into City maintenance. Streets in Gastonia are public spaces and integral components of community design. A hierarchical street network accommodates a variety of uses, including bicycle, pedestrian, motor-vehicle and transit routes. All streets shall connect to help create a comprehensive network that enables the efficient movement of automobiles, bicycles, and pedestrians. In order for this street network to be safe for motorists, bicyclists and pedestrians, design elements must consistently be applied to calm vehicular traffic throughout the City. Where discrepancies occur between the text of this Ordinance and the City of Gastonia Technical Standards & Specifications Manual, the Technical Standards & Specifications Manual shall prevail.

Street and Associated Infrastructure Standards

Streets in the City of Gastonia shall be:

Interconnected.

Interconnected within a development and with adjoining development.

Cul-de-sacs shall be allowed only where topographical configurations offer no practical alternatives for future connections or through traffic. The

location of streets as may be shown in the Comprehensive Land Use Plan and adopted area plans, per Section 1.5 of this Ordinance, shall govern connectivity designs. Street stubs shall be provided within developments adjacent to open land to provide for future connections except where environmentally sensitive areas such as wetlands, creeks, steep slopes and conservation areas are vulnerable to harmful impacts by the extension of the street.

Pedestrian Scaled.

Be designed as the most prevalent public space of the City and, thus, scaled to the pedestrian harmonious with bicycles and motor vehicles.

Bordered by Sidewalks.

Be bordered by sidewalks with a minimum width of five (5) feet on both sides of the street, with the exception of rural roads, lanes, alleys, and the undeveloped edge of neighborhood parkways. Sidewalks may be located in the street right-of-way, on private or public property, or in common areas. All sidewalks not located within the public right-of-way shall have a public access easement permitting public use of the sidewalk.

Street Trees. Be lined with street trees located on both sides, with the exception of rural roads, lanes, alleys, and the undeveloped edge of neighborhood parkways. Street trees along streets shall be located in a planting strip as per the standards set forth in City of Gastonia _____ Manual.

Public Streets. Private streets are permitted on a limited basis only in

accordance with standards set forth in Subsection _____ of this Ordinance and when constructed in accordance with the standards set forth in the City of Gastonia Technical Standards & Specifications Manual. Alleys will be classified as public or private depending on function, according to the street acceptance policy.

Orientation of Buildings. Provide access to principal buildings. The principal building shall front on public streets as specified by the lot and building type standards of Article _____ of this Ordinance.

Street Lights. Be illuminated by street lights located on at least one side and at all intersections, with exception of rural roads, lanes, alleys, and the undeveloped edge of neighborhood parkways. Street lights along streets shall be located in a planting strip as per standards set forth in the City of Gastonia Technical Standards & Specifications Manual. Maximum spacing of street light fixtures shall be 180 linear feet measured along the street centerline. The height of street light fixtures shall be 14 vertical feet in residential areas. Street light fixtures shall not produce direct light into adjacent properties at a height above four (4) vertical feet at the building setback line of residential districts. Street lights within mixed use districts shall not produce a direct light into adjacent properties at a height above 16 vertical feet at the building setback line. Street lights within non-residential districts shall not produce a direct light into adjacent residential properties at a height above six (6) vertical feet at the property line. Residential streets shall utilize the "Open Traditional" design on a black finished type "A" fiberglass pole as provided locally by Duke Energy or equivalent.

Intersections

Segments of straight streets shall be interrupted by intersections designed to:

Reduce Speed. Disperse traffic flow and reduce speeds, thereby eliminating the creation of de facto collector streets with high speed, high volume traffic; and

Terminate Vistas. Terminate vistas with a landmark such as a significant natural feature, a building, a park, or other public space.

Other traffic calming measures such as neck-downs, chicanes, mid-block diverters, intersection diverters, curb bulbs, serial hill crests, and related devices may be specified on a case by case basis, based on improving traffic safety and functional appropriateness in the proposed location.

Blocks

Street blocks defined by public streets are the fundamental design elements of neighborhoods. The block pattern should continue to establish the development pattern at the project edge. Where a longer block will reduce the number of railroad grade crossings, major stream crossings, or where longer blocks will result in an arrangement of street connections, lots and public space more consistent with this Article and Article ____ of this Ordinance, the Development Administrator may approve greater block lengths.

Street Plan

The layout of streets should provide structure to the neighborhoods. The formality of the street plan will vary depending upon site conditions and

topography. Unique site conditions should be used to create special neighborhood qualities. The street plan for new developments shall reflect the character of the City of Gastonia and comply with the standards set forth in Section _____ above.

Street and Associated Infrastructure Design

Designs should permit comfortable use of the street by motorists, pedestrians, and bicyclists. Pavement widths, design speeds, and the number of motor travel lanes should be minimized to enhance safety for motorists and non-motorists alike. The specific design of any given street must consider the building types as shown in Article _____ that have frontage and the relationship of the street to the overall street network. The following specifications apply to street design:

Street trees and sidewalks are required on both sides of public streets except rural roads, lanes, alleys, and the undeveloped edge of neighborhood parkways except that sidewalks on one side of the road directly abutting residential lots of less than 1.2 acres may be permitted in the Agricultural District (AG) to protect water quality. The street tree planting strip shall be a minimum of 8' in width and sidewalks shall be a minimum of 5'-0" in width unless otherwise provided. Generally, canopy trees shall be planted at a spacing not to exceed fifty (50) feet on center. Where overhead utility lines preclude the use of canopy trees, small maturing trees may be substituted, planted not more than 34' on center.

On-street parking An on-street parking lane on at least one side of the street is required on streets serving attached houses and detached houses with lots less than fifty (50) feet in width.

Design speeds shall not exceed 30 miles per hour on any neighborhood, mixed-use and/or non-residential street. Only arterials and City boulevards may exceed this design speed. Design speeds for non-residential streets shall not exceed 30 miles per hour on any internal circulation street. Petitioners for acceptance by the City for public maintenance shall include a request for designation of not more than 25 miles per hour.

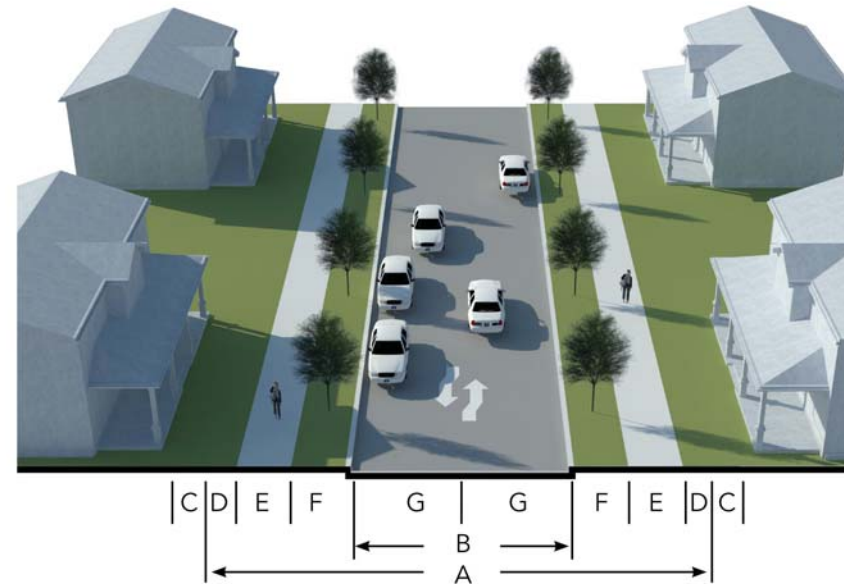
Covenants and restrictions made a part of development shall not restrict vehicle types in conflict with adopted City policies.

Traffic control plans showing signage and pavement markings shall be prepared in accordance with the guidance of the Manual on Uniform Traffic Control Devices. The developer is responsible for the initial installation of the devices or markings and the maintenance thereof until a public agency (City or NCDOT) accepts the street for maintenance. Design standards and specifications for City streets are set forth in the City of Gastonia Technical Standards & Specifications Manual. The street specifications in this manual may only be varied in accordance with the design principles set forth above and as approved by the City during the site plan or subdivision plat review process appearing in Article ____ of this Ordinance.

Cul-de-sacs shall have a minimum ten (10) foot wide pedestrian access easement connecting to the nearest public space, street right-of-way, or common open space, and have paved pedestrian connections, where practicable to provide pedestrian access connectivity. See additional cul-de-sac standards in Article _____, Street Design of this Ordinance.

Street Sections

Neighborhood Street 1
Yield Movement



Right-of-Way

Ⓐ	Right-of-way width	55'
Ⓑ	Back of curb to back of curb	27'

Streetscape

Ⓒ	Utility Placement, easement(min)	5'
Ⓓ	Maintenance Strip (min)	2'
Ⓔ	Sidewalk (min)	6'
Ⓕ	Planting Area (min)	6'

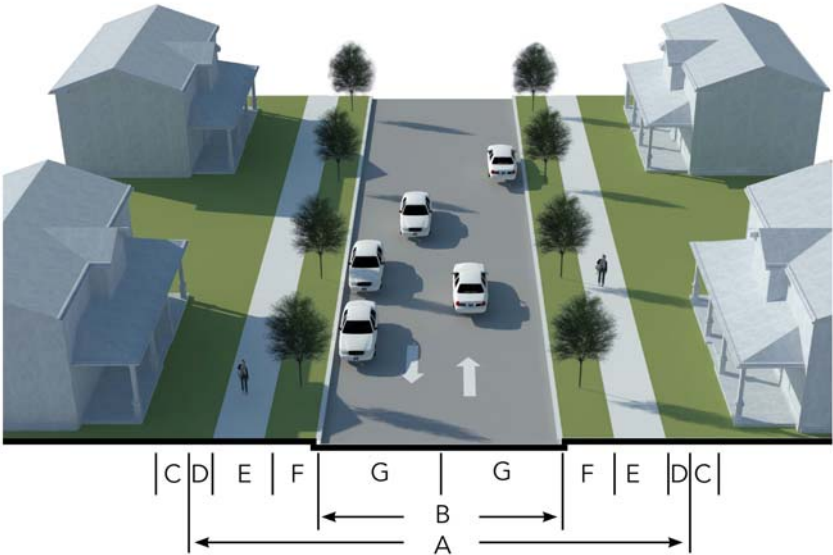
Travelway

Ⓖ	Parallel Parking/ Travel Lane	13.5'
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General

Walkway type	Sidewalk
Planting type	Tree Lawn
Tree spacing	40' o.c. avg
Parking type	Parallel

Neighborhood Street 2
 Slow Movement



Right-of-Way

Ⓐ	Right-of-way width	59'
Ⓑ	Back of curb to back of curb	31'

Streetscape

Ⓒ	Utility Placement, easement(min)	5'
Ⓓ	Maintenance Strip (min)	2'
Ⓔ	Sidewalk (min)	6'
Ⓕ	Planting Area (min)	6'

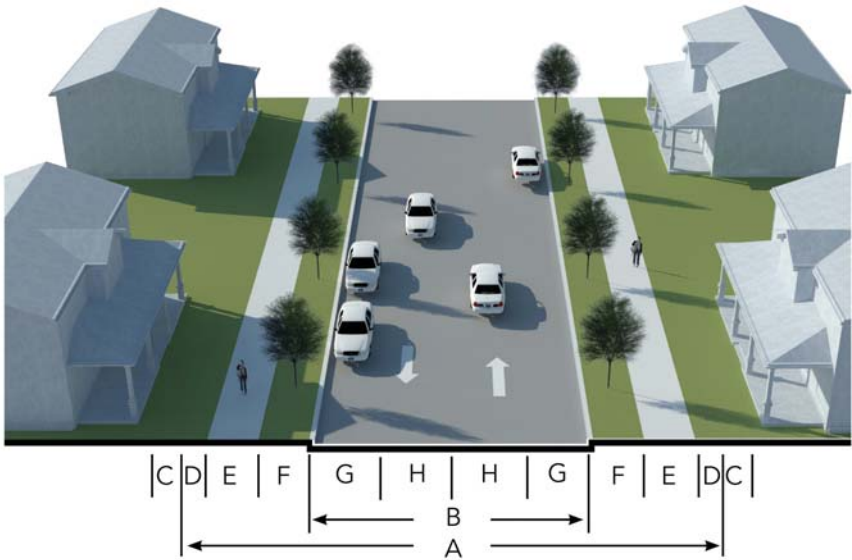
Travelway

Ⓖ	Parallel Parking/ Travel Lane	15.5'
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General

Walkway type	Sidewalk
Planting type	Tree Lawn
Tree spacing	40' o.c. avg
Parking type	Parallel

Neighborhood Street 3
Free Movement



Right-of-Way

Ⓐ	Right-of-way width	64'
Ⓑ	Back of curb to back of curb	36'

Streetscape

Ⓒ	Utility Placement, easement(min)	5'
Ⓓ	Maintenance Strip (min)	2'
Ⓔ	Sidewalk (min)	6'
Ⓕ	Planting Area (min)	6'

Travelway

Ⓖ	Parallel Parking/ Travel Lane	8'
Ⓗ	Travel Lane	10'

General

Walkway type	Sidewalk
Planting type	Tree Lawn
Tree spacing	40' o.c. avg
Parking type	Parallel

OPEN SPACE

Purpose.

The open space standards contained herein are established to provide for the reservation of various forms of open spaces, including parks and greenways in all forms of developments located in the City of Gastonia territorial jurisdiction. Preservation of open space in developing areas serves a variety of purposes, including meeting the recreational needs of residents, improving the aesthetic character of the community, reducing stormwater runoff, improving stormwater runoff water quality, and enhancing air quality. The standards set forth below establish regulations for open space.

Open Space.

Although open space can be agricultural or natural in character, sub-urban open space is typically planned and developed as part of a development. The following standards are hereby established for open space.

Open space land area requirements.

Single-family/and/or duplex subdivisions: 10% of total subdivision project site area.

Other residential: the greatest of 500 square feet of open space per dwelling unit or 9% of lot area.

Open space shall be provided in accordance with the following:

- (A.) initial residential development containing eight or more units,

- (B.) redevelopment or additional development that adds eight or more residential units,
- (C.) initial non-residential or mixed-use development greater than 0.6 acres, and
- (D.) re-development or additional development that adds 25 percent more non-residential or mixed-use floor area on a site that exceeds 0.6 acres within any 36-consecutive month period.

Land designated as future open space. Regardless of the requirements and exemptions of this subsection, any portion of the site of the proposed development that is designated as future open space or greenway in the *adopted Comprehensive Land Use Plan* adopted by the City of Gastonia, as amended from time to time, shall be reserved for open space. This area may be counted toward the total amount of open space required for the development. If the total amount of land designated as future open space or greenway is less than the total amount of open space required for the development, then the developer shall provide additional open space to meet the requirement listed above. If the amount of land designated as future open space or greenway exceeds the total amount of open space required, then the developer must provide the open space designated in the official adopted plan. As compensation for any open space dedication associated with implementing any official adopted plan above the requirement listed herein, the developer is eligible for a density bonus of one dwelling unit per each 4,356 square feet of land area in excess of that required, up to a maximum of a fifteen (15%) percent increase above the maximum density or intensity allowed in the applicable zoning district. The density bonus in the proposed development is limited to

additional yield that can be configured with less than a ten (10%) percent reduction in(s) in lot area and/or setback dimensions specified in Article ____.

Minimum open space area. Individual areas designated as open space areas shall not contain less than 500 square feet, although smaller areas may be approved by the *Development Administrator* if the intent of this Ordinance is determined to be met.

Improvement of open space. With the exception of Natural and Agricultural Open Space, open space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and shall contain four or more of the following improvements: landscaping, walls/fences, walks, statues, fountains, demarked ball fields, and/or playground equipment. Walls and fences shall be made of brick, stone, wrought iron, or wood and shall not exceed 3.5 ft. in height with the following exceptions: fences used in conjunction with ball fields, tennis courts, swimming pools, and/or play grounds.

Design and location. In major subdivisions and multi-building developments in all zoning districts, except Agricultural, open space shall be integrated into the design of the site. In subdivisions where 50% or more of the lots are less than 0.75 acre in size, open space shall be located within ¼ mile of at least 90% of the building lots, as measured along the rights-of-way of streets providing access between the two. In subdivisions where 50% or more of the lots are 0.75 acre or more in size, open space shall be located within ½ mile of at least 90% of the building lots, as measured along the rights-of-way of streets providing access between the two.

Focal point. Open space features should provide focal points for the neighborhood. A central square or green, for example, may comprise a majority of the open space. There should be a hierarchy of open space within new neighborhoods so that open space serves the needs of multiple age groups.

Types of open space. Open space types include Squares, Parks, Forecourts, Plazas, Greenways, and Natural and Agricultural. Standards for these open space types are set forth below:

(A.) Squares

Squares are areas for passive recreational use. Squares shall be bounded by streets on either a minimum of three sides or 56% of their perimeter.

Squares should be used in high density environments where residents have little yard space. Squares are used to bring a natural landscape into a high density environment. As such, not more than 25% of a square should be impervious surface coverage.

Hardscaping should be decorative (example brick pavers instead of asphalt for walkways).

Min size: 500 sq. feet, unless approved per Section _____ of this Ordinance.

Max Size: 4 acres



(B.) Parks

Parks are areas for passive or active recreational use. Parks shall be bounded by streets on either a minimum of two sides or 32% of their perimeter.

Minimum Size: 6,500 square feet

Maximum Size: 8 Acres. Maximum size may exceed eight acres if the park serves multiple neighborhoods or preserves environmental features.

Parks shall be areas where both passive and active recreation may occur simultaneously (example: park benches for elderly and a tot-lot for young children), encouraging intergenerational interactions among park users.



(C.) Forecourt

Forecourts are open spaces that act as buffers between residential buildings and streets or non-residential buildings. Forecourts are entirely bounded by buildings or streets. Forecourts shall be planted parallel to all primary street right-of-ways as shown in the illustration above.

Minimum Size: 500 sq feet

Maximum Size: 1.5 acre



(D.) Playground

A Playground provides sunny and shaded play areas for children as well as open shelter with benches and for parents. Playgrounds may be built within squares and parks or may stand alone within a residential block.

Playgrounds shall be fenced, lockable and lit if not part of a Square or Park. Playing surfaces may be covered in sand, wood chips, or other equivalent material. Paths and walkways may be paved in concrete, crushed gravel, brick paver, or similar material, or partially paved.

Minimum Size: 10,000 sq feet

Maximum Size: 20,000 sq feet



(E.) Greenways

Greenways are spaces designed to incorporate natural settings such as creeks and significant stands of trees within a neighborhood. Greenways shall have streets or pedestrian ROWs parallel to or integrated into at least 75% of their length.

Greenways are used for walking, jogging, biking, and they are used as wildlife corridors. Greenways may have infrequent small-scale active recreational facilities such as playgrounds, although the majority of greenways shall be for passive, pedestrian and/or bicycle recreation.



(F.) Natural and Agricultural Open Space

Natural and Agricultural Open Space preserves agricultural lands, environmentally sensitive areas such as stream buffers and floodplains, scenic views, cultural features, and rural character that would likely be lost through conventional development approaches. To accomplish this goal, the City of Gastonia encourages creativity and allows for greater flexibility in the design of developments through use of the Mini- Farm and Traditional Neighborhood Development Overlay Districts in Article ____ of this Ordinance. Natural and Agricultural Open Space shall be placed in preserves, which adjoin housing areas.

Open Space Ownership and Conservation Easement. Open space may be owned or administered by one or a combination of the following methods: fee simple ownership by a unit of government or private non-profit land conservancy; owned by a property association; or by individual private ownership such as a farmer, developer or other private entity that maintains the open space (i.e. farming, equestrian facility, etc.) All lands within areas required to be maintained as open space shall be protected by a permanent conservation easement, prohibiting further development, and setting other standards safeguarding the site's special resources from negative changes. Public use of the open space may be limited to residents of the development, except for land used for public sidewalks and multi-use trails, provided that such open space is held in private or property association ownership.

Maintenance. The owner or lessee of the property designated as the open space shall be responsible for the maintenance of the open space area. Landscaped

areas shall be maintained in good condition and the entire area shall be kept clear of debris. Failure to maintain the area shall constitute a violation of this or other applicable ordinances. Alternatively, if acceptable to the City Council, as applicable, the land may be dedicated to the City for public use and thereafter maintained by the City.

Land Acceptable for Open Space Designation. The classes of land enumerated below may be utilized to meet the requirements of this section.

(A.) Open water, wetlands, utility transmission right-of-ways, and undisturbed floodplains may account for up to 80 percent of the area requirement.

(B.) Land used for landscape buffers , public sidewalks in excess of standard sidewalk requirements, streetscape and hardscape areas accessible to the public including sidewalk cafe areas, areas containing public art, and similar high density area open space amenities.

(C.) Land on which locally or nationally designated historic structures are located and determined to be contributing to the designation.

(D.) Land which exceeds a sixteen (16%) percent slope may be used to provide up to 80 percent of the required open space if existing slopes and vegetation so designated remain undisturbed.

(E.) Land used for stormwater retention, provided such land is natural in appearance and is not separately fenced, may be used for up to thirty-two (32%) percent of the required open space; green roofs are eligible to be counted as open space under this provision on a 2:1 ratio (two square feet of green roof = one square foot of conventional open space). Additionally, land used for stormwater retention, provided such

land is natural in appearance and is not separately fenced, that is developed using best management practices (e.g., constructed wetlands, rain gardens, green roofs or similar features), and either exceeds the required amount of retention or treats off-site stormwater may be used for up to eighty (80%) percent of the required open space at the discretion of the *Development Administrator* after consultation with the Public Works Engineer.

(F.) Land available to residents or tenants for active or passive recreation, including parks, walking trails not used to meet sidewalk requirements, playgrounds, benches, picnic tables, and similar land uses or facilities. Playgrounds and athletic fields installed shall be counted at a 2:1 ratio (two acres of unimproved land = one acre playground and/or athletic field) for calculation compliance provide all improvements are installed.

(G.) Land that is suitable for agriculture, land that has environmentally sensitive areas (ex. mature trees), or land that has cultural significance (ex. important view such as a rural entrance into City).

Land not Acceptable for Open Space Designation: The classes of land enumerated below shall not be utilized to meet the requirements of this section:

(A.) Land that is contaminated with hazardous or toxic waste or materials as defined by state or Federal regulations, with the exception of land covered by an approved mitigation plan and deemed acceptable by the City Council or land that is designated in an officially adopted Open Space, Park or Greenway master plan.

(B.) Land occupied by streets, drives, parking areas, or structures other than recreational structures.

(C.) Land with a minimum width less than twenty (20) feet.

(D.) Playgrounds and athletic fields that have not been maintained to adequate standards for safe and sanitary use.

Fee-in-Lieu.

For open space and/or park requirements of 500 square feet or less in area and not involving property designated as a greenway on any official plan adopted by the City of Gastonia, a property owner may elect to pay a fee-in-lieu of open space instead of providing the open space provided that the *Development Administrator* deems that there is reasonable existing or future open space proximate to the subject parcel. For other required open space areas, a property owner may pay a fee-in-lieu of open space designation for all or a portion of the open space requirement if such fee-in-lieu is acceptable to the City Council. For developments and subdivisions containing more than 30 residential units, the fee-in-lieu option may only be used for up to 50 percent of the open space requirements in order to ensure that these larger projects provide on-site open space for their residents. This fee shall be calculated by using the pro rata value of the designated property relative to the value of the entire site to be developed using current property tax appraisal data; for properties covered by agricultural or other exemptions, the City may utilize a separate appraisal method in its sole discretion. Funds collected in this manner shall be maintained in a separate fund and shall be used to purchase or to enhance recreational use of property provided such features are reasonably proximate to the site(s) from which the funds are collected. Where practical, the collected fees for each project shall be designated for specific parks and recreation acquisitions and/or enhancements by the City.