



## GASTON COUNTY UDO- FREQUENTLY ASKED QUESTIONS

**Q1. Who is in charge of administering this Ordinance? Who do I contact if I have questions regarding the UDO?**

- A. The UDO is administered by the Gaston County Building and Development Services Department. The text of the Ordinance can be found on the County's website [www.gastongov.com](http://www.gastongov.com). You can also call (704)866-3075 for more information on the UDO.

**Q2. How is my property zoned?**

- A. All of the County's planning jurisdiction has been divided into a series of "general" zoning districts. These districts are classified into one of four categories: residential, commercial, industrial, and office. Numerous "uses by right" are included in each district along with other uses that are subject to the issuance of a Special Use Permit by the Board of Adjustment.

Most parcels will be located in one or more overlay zoning districts. Information about Overlay districts can be found in Chapter 7. Overlay district boundaries were drawn over defined geographic areas that have features that relate to the particular overlay district, regardless of the underlying general zoning. For instance, only parcels that are in a designated flood hazard area will be in the (FH) Flood Hazard Overlay District. Parcels contained in an overlay district will be subject to the general and overlay district regulations.

**Q3. What can I put on my piece of property?**

- A. The list of all permitted uses (uses by right), conditional uses, and existing uses are shown in **Table 7.1-1**. Permitted uses are designated in the table with an "X". The Administrator will issue a permit for a permitted use if all other requirements in the UDO have been met for that particular use. Special uses are denoted with a "S." Special Use Permits are issued by the Board of Adjustment following a quasi-judicial meeting and public hearing process. Manufactured Home Parks are designated with an "E", meaning that it is an existing use and subject to the regulations contained in Chapters 8 and 14.

Supplemental conditions or performance criteria may apply to certain uses in certain zoning districts. References to those conditions are shown in **Table 7.1-1**.



**Q4. What if I disagree with the decision made by the Administrator?  
What are my rights?**

- A. Any decision made by the Administrator may be appealed to the appropriate Board. Refer to **Table 4.1-1** for details. In making their decision, the appropriate Board has the ability to uphold, modify, or overturn the Administrator's decision.

**Q5. Can I petition to get my property rezoned?**

- A. Yes, property owners can petition to have their property rezoned in one of two ways. First, a petition can be made to rezone a property to a general zoning district. For example, if a property is zoned, (R-1), upon adoption of the UDO, the property owner can petition to have their property rezoned to another general zoning district ((C-1) for instance).

The second way to rezone a property is by requesting a Conditional District (CD) Zoning (refer to **Section 5.16**). Conditional Districts are legislative zoning map amendments with site-specific conditions incorporated into the zoning map amendment.

Both types of requests will be heard by the Planning Board and the Board of Commissioners at a public hearing. The ultimate decision will be made by the Board of Commissioners.

**Q6. How do I get my property subdivided?**

- A. **Chapter 13** regulates property subdivision. There are two (2) different types of subdivisions: minor and major. Minor subdivisions involve five (5) or fewer lots and do not require new streets to be built or new public utility connection. Minor subdivisions can be approved by the Subdivision Administrator. All other subdivisions are considered major subdivisions. Major subdivisions are first reviewed by the Technical Review Committee (TRC). The Gaston County Planning Board makes preliminary plat approval for major subdivisions exceeding fifty (50) lots. A Public Hearing with the Board of Commissioners is required for subdivisions exceeding fifty (50) lots. **Table 13.8-1** summarizes the approval process for all plats.

**Q7. What will happen if I violate the Ordinance?**

- A. You will receive a notice of violation from the Zoning Administrator and be given a time period to bring your site into compliance. If the violation is corrected within that time period, no further action is necessary. If the violation is not corrected within that time period, you may be subject to a civil penalty of \$100 per day for each day of violation. Refer to **Chapter 18** for more information.



**Q8. What happens if I am in the middle of developing / building on my property when the UDO becomes effective?**

- A. **Section 3.4.1** states that developments / buildings / structures / uses approved prior to the effective date of the UDO shall be allowed to proceed so long as their designated permit approval remains valid.

**Q9. What are some of the major changes regulated by the UDO?**

- A. The following is a summary of **some** of the major changes:
- **The UDO is a unified ordinance.** It combines the floodplain, watershed, subdivision, manufactured home park, and zoning ordinances into one document. Moreover, the UDO is written in a form suitable for adoption by all other municipalities in the County that exercise land use controls.
  - **The UDO allows for minor variations to the Ordinance to be handled administratively or through a process less vigorous than seeking a “variance”.** **Section 5.15** allows the Administrator to administratively approve minor deviations from the standards of the UDO as long as the modification is incidental and does not have a significant impact on adjacent properties.
  - **The Table of Uses is “user-friendly”.** All permitted uses for each zoning district is listed in **Table 7.1-1**; the number of uses has been reduced significantly and categorized according to the activity of the use; the definitions for each use can be found in **Table 2.7-1**; the development status (i.e., permitted, conditional, existing) of all uses is clearly marked in **Table 7.1-1**.
  - **Creation of an Urban Standards Overlay District (US).** This district will apply in areas of the County that are currently urban in nature or likely to develop in an urban manner over the next 10-15 years. A number of standards will apply to most new buildings that lie in the Urban Standards Overlay District.
  - **Signage.** Signage regulations have been enhanced for aesthetic and safety purposes. Signs for nearly all uses have been standardized within most zoning districts. In addition, flexibility (and increased signage allowances) has been given for developments that submit master sign packages and for applicants who propose to use less than the maximum number of permitted signs. No new billboards are allowed. **Refer to Chapter 12** for signage requirements.



- **Landscaping.** Street trees are required for most new developments in the Urban Standards (US) Overlay district (notable exceptions include single-family residences not in subdivisions). In addition, the Administrator can grant a temporary Certificate of Compliance for uses that do not meet full screening and landscaping requirements at the time of occupancy.
- **Parking Requirements.** **Table 10.5-1** shows the off-street parking requirements for all uses. Parking requirements for retail uses are set to one (1) space per three hundred (300) sq. ft. Gross Floor Area (GFA). Uses that provide in excess of 150% of the required amount of parking must receive approval of a Minor Modification from the Administrator. Uses that seek to provide less than the required number of parking spaces may do so through the issuance of a Special Use Permit by the BOA per **Section 5.12**.
- **A Variety of New Housing Development Options** are provided in the UDO. Traditional Neighborhood Developments (TNDs) are allowed in multiple zoning districts. This type allows for the mixture of residential and non-residential uses in a pedestrian-friendly setting. Refer to **Section 8.1.13** for specifications. Planned Residential Developments (PRDs) are also allowed in a variety of zoning districts. PRDs allow for a mixture of residential types (i.e., single- and multi-family) provided that a variety of design standards are met. Refer to **Section 8.1.11** for specifications. Infill residential developments are allowed within the USO district in areas that are near transit lines, on major or minor arterials, or lie within walking distance of a major shopping center, office park/ industrial park, or other major employer or traffic generator. Infill developments allow for reduced lot sizes and deviations from some standard subdivision requirements. Refer to **Section 8.1.12** for specifications. Multi-family Development and density requirements have been modified.
- **Access Management Standards** are in place to regulate the number of driveways per lot; distances between driveways; and distances between a driveway and a street intersection. Refer to **Section 9.24 and 13.15.4C** for specifications.
- **Subdivision Standards. (Refer to Chapter 13)** The Technical Review Committee (TRC) was created to review and provide comments on all preliminary plats for major subdivisions. Open space may be required in subdivisions per **Section 11.7**. In lieu of open space, a fee may be paid to the County (funds from which are to be used exclusively for recreational purposes) per **Section 11.7**. Within the (US) Overlay district, sidewalks on both sides of streets in subdivisions shall be required per **Section 13.17**.



- **Conditional District (CD) Zoning** is a method for a property owner to rezone their property. Conditional District zoning is a means for ensuring that a firm development, based on a mutually agreed-upon site plan takes place on the property. The (CD) zoning is a legislative decision rendered after a public hearing is conducted by the governing board. Prior to the public hearing taking place, Public Information Meetings between the developers and adjoining and nearby property owners must occur. Conditional District zoning does not require issuance of a Special Use Permit. Refer to **Section 5.16.5** for more information on Conditional District zoning.

**Q10. Where can I place a manufactured home?**

- A. The Use Table in Chapter 7 can be used to verify which zoning districts allow manufactured homes and in what manner.

**Q11. Can I replace my manufactured home? What are the regulations for replacement?**

- A. Yes, manufactured homes may be replaced in accordance with Section 3.5. Manufactured homes within a Manufactured Home Park may be replaced in accordance with Section 8.1.8.

**Q12. Will Bona Fide Farms still be allowed?**

- A. Yes, Bona Fide Farms are allowed. Refer to Section 8.4.26.