

**GASTON COUNTY PLANNING BOARD
MINUTES
January 12, 2005**

The Gaston County Planning Board met in regular session on January 12, 2005 at 6:20 PM in Room 2029 of the Gaston County Courthouse, Gastonia. The following members were present: L. E Alford, Chairman; Jerry Campbell; William N. Craig; Betty Walker; Rev. Frank Milton; C. Wesley Black; Phil Coyle. Absent: C. E. "Spike" Stevens; Kristian Rhyne. Others present: Doug Arthurs; Brad Branham; Mark Looper; Joel Murphy; Robert McClure; Raleigh Holbert; Deborah Holbert; Willie King, Community Development.

Chairman Alford called the meeting to order and presided over the January 12, 2005 meeting.

ZONING MATTERS

Zoning Text Amendment: Chapter 4 Addition of Supplemental Regulation 4.2.45 and Modification of Zoning Use Table

The Planning Director advised the Board that Commission Chairman Keigher had requested staff to prepare a zoning amendment which removed the following uses from the Mountain Island Lake Watershed - Critical area: Automobile Service Station; Car Wash, Automatic (Principal Use); Car Wash, Self Service (1-4 Bays); Car Wash, Self Service (5 + Bays); Laundromat. He advised that this would assist in protection of water quality in the Mountain Island Lake Watershed (which serves as the major water supply for Gaston and surrounding counties) and since public water/sewer infrastructure is not available to much of the land in the watershed, it is proposed that several wet uses and uses that could potentially leak hazardous chemicals into the surface and ground water, currently allowed in several zoning districts not be allowed in the MIL- Critical Area watershed. Continuing, he stated that Mr. Coyle had suggested that not allowing these type wet uses in other areas of the County without the benefit of public water and sewer may be an appropriate to consider. He advised that this would be considered at a latter date when staff brought back a proposal to reduce the number of uses in certain zoning districts.

Concluding he advised the proposed amendment would add a Supplemental Regulation to Chapter 4, not allowing these used in the MIL - CA, and modify the Zoning Use Table, placing the Supplemental Regulations on the appropriate uses. He also advised of the planning Board options for providing a recommendation to the County Commission.

Mr. Campbell moved to recommend approval of the zoning text amendment stating that the limitation of these uses in the MIL Critical Area would aid in protecting the water quality of the lake. Mr. Coyle seconded the motion. (outlined below)

4.2.45 Mountain Island Lake Water Supply Watershed Critical Area

In order to protect the quality of water in the Mountain Island Lake Watershed this use shall not be allowed in the Mountain Island Lake Watershed Critical Area, with the MIL-CA being designated on the State Water Supply Watershed maps, as approved by Gaston County. This use could be allowed in other areas of the County's Zoning Jurisdiction.

(Portion of the Zoning Use Table)

PARKING REQUIREMENTS	SUPPLEMENTAL REGULATIONS	USE	R A	R R	R S	R S M	R V	R M F	R O S	O I	O P	B-N	B-R	B-H	B-G	B-P	I-G	I-P	PUD
2.26	4.2.45	Automobile Service Station										XS	XS	XS	XS	XS	XS		XS
2.36	4.2.45	Car Wash, Automatic (Principal Use)										CS	CS	CS	CS	CS	CS		CS
2.36	4.2.45	Car Wash, Self Service (1-4 Bays)										XS	XS	XS	XS	XS			
2.36	4.2.45	Car Wash, Self Service (5 + Bays)										CS	CS	CS	CS	CS			
2.62	4.2.45	Laundromat										XS	XS	XS	XS	XS			XS

Mr. Campbell stated being on both the Planning Board and serving as Chair for the Mountain Island Lake Marine

Commission, that many issues come up which require a lot of study and understanding. In consideration of the issues, he stated that it is a balancing act to one protect the environment and land for the common good, while equally important protecting the right of the property owner and individual to enjoy the use of their land. Continuing, he stated that the individuals making the decisions require a lot of knowledge and a strong understanding of the issues in order to make informed decisions.

He stated he had some concerns with a pending zoning application, but to the point is that the proposed amendment was good and would aid in protecting the water quality of the lake. Concluding, he stated that we all continue to review and refine our procedures and policies and better coordinate efforts in various jurisdictions to develop better working instruments to protect our land and water, while also protecting the owners and users of the land.

Being no further discussion, Chairman Alford called for the vote, and the Board approve the motion on the following:

aye: Campbell, Coyle, Alford, Walker, Black, Milton, Craig

nay: none absent: Stevens, Rhyne abstain: none.

The Planning Director advised that a recommendation for approval of the zoning text amendment would be forwarded to the County Commission.

Map Change

The Planning Director advised in accordance with Chapter 11 of the County Zoning Ordinance, a joint public hearing was advertised for and held on December 9, 2004, to consider a map change to the official zoning map. Below is listed the proposed zoning map change:

Applicant: Mark T. Looper
Property Owner: Raleigh H. & Deborah J. Holbert
TAX PARCEL NUMBER(S): 175078
PROPERTY ADDRESS: Lucia Riverbend Hwy, near Lumber Lane
TOWNSHIP: Riverbend Township
PROPERTY SIZE: 3.16 acre
CURRENT PROPERTY USE: vacant
REQUEST: Rezone: Residential Agricultural to Rural Business

(Minutes of the Public Hearing are on file in the Office of the Clerk to the Board of Commissioners).

The Planning Director advised that the Planning Board tabled this issue during the December 9, 2004, based on providing time for any comment to signers of a Memorandum of Understanding for Mountain Island Lake. He stated that information had been provided and some comments received. He advised that prior to review any information or discussion by the Board the matter would have to be taken from the table.

Mr. Campbell moved to that the request from Mark T. Looper for a zoning map change from residential agricultural to rural business for parcel 175078 from the table. Rev. Milton seconded the motion and the Board unanimously approved the motion.

Mr. Campbell moved to recommend approval of the rezoning application for parcel 175078 with the map change from residential agricultural to rural business. Mr. Coyle seconded the motion.

The Planning Director stated that he would not go into the specifics of the rezoning request and the Board had the information provided and heard comments at the December public hearing. He did review in brief comments from signers of the MOU: City of Charlotte; Lincoln County; City of Mt. Holly; City of Gastonia; Town of Huntersville, Mountain Island Marine Commission and Centralina Council of Government. (Summary of recommendations received through January 11, 2005)

Lincoln County - Returned comments indicated no comments pro or con of the application.

Town of Huntersville - No comments were received.

Mt. Holly - Recommends opposition to the application for any development that would be intrusive to the conservancy, as well as any negative intrusion to the water drinking source.

City of Gastonia - Recommends that storage or use of any petroleum products, organic chemicals, pesticides, fertilizers or detergents be limited to a sum total of 2000 pounds. It is further recommended that all these materials be stored within the confines of an impermeable concrete containment area large enough to prevent runoff to or seepage into the ground of any of these materials. In addition, it is recommended that all stormwater runoff be collected from these 3.16 acres and that proper detention and sedimentation be built, operated and maintained throughout the time this property is used for any allowed purpose.

Town of Huntersville - No comments were received.

Mecklenburg County Water Quality Program - Recommends, if approval occurs, that the bulk storage of petroleum products, automotive fluids and/or other chemicals in the form of either raw or waste products not be allowed on the property in excess of 20 gallons. It is also recommended that structural best management practices such as wet ponds be installed to collect and treat runoff from the property associated with the first inch of rainfall such that an 85 percent total

suspended solids removal efficiency will be maintained.

Mountain Island Lake Marine Commission: Comments received late in the day January 12, 2005, with comments being similar to Mecklenburg County comments.

Centralina Council of Government: No comments were received.

He advised that the matter under consideration was a straight rezoning request, and not a conditional use activity, in which the Board could not assign any conditions to the rezoning. He commented that if the rezoning was granted, then the above comments could be reviewed at the time of site plan review.

He then advised the Planning Board of their options in making a recommendation.

Mr. Craig questioned whether or not the text amendment removing the uses from the MIL critical watershed would be in effect for this application. The Planning Director advised the text amendment resolution was written for it to be in effect with the passage of the resolution by the Commission, and if the rezoning request was considered after the amendment, then in his opinion provision would be in effect. He advise that the matter was scheduled for the Commission for the text amendment then the rezoning application.

The Planning Director advised that the Board should provide a recommendation in the matter to resolve the application.

Being no further discussion, Chairman Alford called for the vote, with the Board approving the motion on the following:

aye: Campbell, Coyle, Alford, Walker, Black

nay: Craig, Milton absent: Stevens, Rhyne abstain: none.

The Planning Director advised that a recommendation for approval of the zoning map change would be forwarded to the County Commission.

Adjournment

Being no further business, Chairman Alford adjourned the meeting of January 12, 2005.

Planning Director