

Ordinance # 2021.02.01

An Ordinance to Amend the City of Belmont Official Zoning Map

WHEREAS, the City of Belmont has a land development code that provides for various rules for how land can be used and developed within Belmont's planning and zoning jurisdiction; and,

WHEREAS, Habitat for Humanity of Gaston County, applicant and property owner of record, submitted an application for a zoning map amendment to rezone the entire 7.58 acre property identified as tax parcel identification number 182236 from Suburban Residential (S-R) to General Residential (GR/CD) to accommodate a 28-lot single-family residential subdivision; and

WHEREAS, the public hearing for this map amendment has been noticed in compliance with North Carolina General Statutes; and,

WHEREAS, the Belmont planning and zoning board has reviewed the map amendment petition and voted 5-1 to find the map amendment not to be a reasonable request as presented and therefore inconsistent with the Belmont comprehensive land use plan; and,

WHEREAS, the Belmont city council held the public hearing on February 1, 2021, and after hearing such, made the following required findings:

1. The conditional zoning petition is a reasonable request and in the public interest because:
 - a. The use provides housing choice by creating a mix of affordable and entry-level housing opportunities; and
 - b. Areas of relief are supported based on consistency with project plans initially approved at the time of annexation and initial zoning designation.
2. The proposed project is consistent with the following goals of the adopted comprehensive land use plan and other adopted plans:
 - a. Land Use: The project helps ensure a balanced approach to land use that promotes choice in housing; and
 - b. Community Character: The project protects and enhances the character of Belmont by improving community appearance and promoting social and economic diversity.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Belmont, that the official zoning map of the city be amended to reflect this adopted change, in accordance with Exhibit A attached herein.

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, independent provision and such holding shall not affect the validity of any other provision thereof, and to that end, the provisions of this ordinance are hereby declared to be severable.

This ordinance shall be effective on this 1st day of February, 2021.


Charles R. Martin, Mayor

Attest:


City Clerk

Approved as to form:

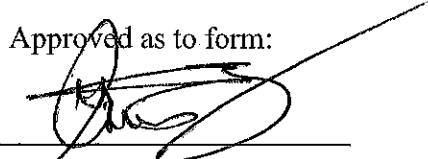

City Attorney



Exhibit A
Areas of Relief and Conditions of Approval
ZA2020.05 Dixon Village

1. The proposed development shall be in compliance with requirements of the land development code (LDC) and code of ordinances with the added relief of:
 - Not requiring a tree inventory to be performed on the site.
 - Allowing a tree-save area of 18.7% instead of 20%.
 - Not requiring street trees along one side of Geneva Circle where it abuts tree-save area/common open space.
 - Not requiring sidewalks along one side of Geneva Circle where location would be adjacent/parallel with the proposed parkway/greenway.
 - Reducing the front yard setback to 10'-0", but requiring the porch to be fully located behind the front yard setback (except the steps).
2. Relief shall be granted to the current tree protection ordinances to accommodate site plans as shown. Any tree-save area located on a single-family residential lot shall be required to be recorded as a conservation easement.
3. In addition to designated tree-save area, developer shall install a planted buffer consisting of a single row of evergreen trees along the rear of lots 4-10.
4. Dwellings shall be clad in fiber cement siding material utilizing various design profiles to maximize curb appeal. Front facades shall be comprised of a minimum of two different materials (i.e., fiber cement, stone) or textural profiles (i.e., horizontal, board and batten, shake) on the front façade.
5. Developer shall provide each house an 80 SF minimum attached or detached storage unit to be clad in cement fiber board and be architecturally compatible with the house.
6. Lots within the community will consist of a minimum of three unique floor plans for this project to ensure and promote variety, instead of a "cookie cutter" type appearance.
7. Applicant shall apply for an Architectural Review and approval through the Planning Department prior to the issuance of zoning permits for new single-family residential dwellings.
8. Developer agrees to install a stop sign on Geneva Circle at the intersection with Lee Road per NCDOT's recommendation.
9. Applicant shall coordinate with the City Engineer for all on-site construction and improvements to ensure that the project schedule is properly aligned with booster pump station installation.

