

CHAPTER 6
TABLE OF CONTENTS

SECTION NUMBER	NAME	STARTS AT PAGE
6.1	Zoning Districts Established	6-1
6.2	General Zoning Districts	6-2
6.3	Overlay Zoning Districts	6-8
6.4	Conditional Zoning (CZ) Districts	6-11

SECTION 6.1 ZONING DISTRICTS ESTABLISHED

- A. In order to achieve the purposes established for this Ordinance as indicated in Section 6.2, and to further the goals and objectives stated in any plans for the future development of the Town of McAdenville as adopted by the governing board, a number of zoning districts are hereby created. Districts are divided into the following four categories:
1. General zoning districts
 2. Overlay districts
 3. Conditional districts
- B. Each general zoning district category serves a different function. A number of “residential”, “commercial”, “office” and “industrial” zoning districts have been created. Most allow for a variety of land use types and categories; certain districts, allow for the mixing of land use types is encouraged. All of the geographic area to which this Ordinance applies shall be divided into one of the various general zoning districts.
- C. Overlay districts are created to address issues of particular concern in the community that overlay one (1) or more of the general zoning districts. These regulations supplement those that are found in the underlying general zoning district. Any proposed use located within an overlay district would have to meet the requirements of the underlying general zoning district along with the requirements of the overlay district.

- D. Conditional Zoning (CZ) is a legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment. There is no involvement of quasi-judicial procedures.. Two (2) Public Information Meetings (PIMs) are required to be held by the applicant. The owner of the property in question, or his authorized agent, are the only persons who can request a conditional rezoning.

SECTION 6.2 GENERAL ZONING DISTRICTS

6.2.1 RESIDENTIAL DISTRICTS

A. R-1 SINGLE FAMILY LIMITED

The purpose of this district is to accommodate single family site built and modular construction. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

B. R-2 SINGLE FAMILY MODERATE

The purpose of this district is to accommodate single family site built and modular construction and double-wide manufactured home placement. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

C. R-3 SINGLE FAMILY GENERAL

The purpose of this district is to accommodate single family site built and modular construction and double-wide and single-wide manufactured home placement. The minimum lot size allowed in this district will be dependent on the provision of public or community water and sewer facilities. Although areas may be served with such utilities, most of these areas are located beyond existing or anticipated utility service coverage areas. The minimum lot size for residential uses in this district is therefore larger than in other residential zoning districts.

D. RS-8 SINGLE FAMILY 8,000 SQUARE FEET

The purpose of the RS-8 District is primarily for the development of single family residential with a standard minimum lot size of eight thousand (8,000) square feet. This district is generally found in the Urban Standards Overlay (USO) district and is served by public or community water and sewer utilities. Higher densities than this is normally allowed and a variety of different residential types may be accommodated through Planned Residential Developments (PRD), Infill Residential Developments and Traditional Neighborhood Developments (TND) and / or through the satisfaction of certain performance design and construction.

E. RS-12 SINGLE FAMILY 12,000 SQUARE FEET

The purpose of the RS-12 District is primarily for the development of single family residential with a standard minimum lot size of twelve thousand (12,000) square feet. This district is generally found in the Urban Standards Overlay (USO) district and is served by public or community water and sewer utility. Higher densities than this is normally allowed and a variety of different residential types may be accommodated through Planned Residential Developments (PRD), Infill Residential Developments and Traditional Neighborhood Developments (TND) and / or through the satisfaction of certain performance design and construction.

F. RS-20 SINGLE FAMILY 20,000 SQUARE FEET

The purpose of the RS-20 District is primarily for the development of single family residential with a standard minimum lot size of twenty thousand (20,000) square feet. This district is generally found in the Urban Standards Overlay (USO) district and is served by at least one (1) public or community water or sewer utility. Higher densities than this is normally allowed and a variety of different residential types may be accommodated through Planned Residential Developments (PRD), Infill Residential Developments and Traditional Neighborhood Developments (TND) and / or through the satisfaction of certain performance design and construction.

G. RMF RESIDENTIAL MULTI FAMILY

The purpose of this district is intended primarily as a residential district for the location of single family, two family and multifamily dwellings along with their customary accessory uses so as to establish areas where development patterns are somewhat denser than surrounding areas. In order to ensure that developments are well planned and compatible with adjoining residential uses, density levels of development in excess of six (6) units per acre are allowed subject to the issuance of a Special Use Permit (SUP) by the Board of Adjustment. This district should have access to public or community water and sewer utilities.

H. RLD RESIDENTIAL LOW DENSITY

The RLD requires the largest standard minimum lot size of two (2) acres (87,210 square feet) and the purpose of the district is designed to accommodate residential uses in the most rural portions of the Town or to protect areas from large-scale residential development where industrial or intense commercial development is called for on the land development plan in the future, but where specific development plans do not currently exist. The district may be located both within and beyond the Urban Standards Overlay (USO) District.

I. MXR MIXED USE RESIDENTIAL

The MXR Mixed-Use Residential District was established in the order to accommodate the development of planned communities that may incorporate a full range of housing types. In order to encourage high quality design and innovative arrangement of buildings and open space uses throughout the project, this district provides substantial flexibility from the conventional use and dimensional requirement of any other McAdenville general zoning district. It permits only residential mixed-use development and is applicable to developments that are ten (10) acres or larger. This district is intended to be located within any residential acres in the community. The existing MXR-CZ district was approved as a Conditional Zoning District in the McAdenville Zoning Ordinance. The regulations and conditions of the approved MXR-CZ shall remain valid after the adoption of the McAdenville UDO. Modifications in MXR-CZ district may only occur in compliance with conditional zoning as outlined in Section 6.4.

6.2.2 OFFICE DISTRICTS

A. TMU TRANSITIONAL MIXED USE

The TMU district encourages office and mixed office and residential uses at an intensity to compliment nearby residential land uses. Such areas are most often found in developed, urban portions of the Town within the Urban Standards Overlay District. Many such areas, especially those found along major corridors, were originally developed for residential areas. But due to their location, the blending of office uses and higher density residential development has taken place. The TMU district is designed to encourage such mixed development to continue.

B. OLC OFFICE / LIGHT COMMERCIAL

The OLC district also allows for and is designed to accommodate mixed office, retail and residential development. Such higher intensity development will most likely occur within the Urban Standards Overlay District where public utilities may present and where access to major thoroughfares and/or transit is found. Development in OLC areas will most likely be at a higher intensity level than in the TMU district.

C. O-1 OFFICE

The O-1 district accommodates larger-scale office developments along with complementary commercial service establishments.

D. OM MEDICAL OFFICE

The OM district is designed to accommodate medically oriented uses that lie in close proximity to Gaston Memorial Hospital or other existing or planned community medical facilities in the Town. In order to serve the general public better, complementary uses (doctors' offices, medical supply shops, pharmacies, etc.) are encouraged to locate near these medical facilities. Uses that are non-medically related are generally excluded for this zoning district so as to not compete for space that could otherwise be developed for medically related uses. Given the relative small amount of land suitable for such zoning, uses which predominate in other zoning districts (i.e., residences, non-medically related retail uses) are not allowed in the O-M district.

6.2.3 COMMERCIAL DISTRICTS

A. CBD CENTRAL BUSINESS DISTRICT

The CBD district is designed to accommodate the uses found in a central town location and to encourage high intensity, compact, urban development in a pedestrian-oriented setting. Retail, office, personal service, and institutional uses normally found in a central business district are allowed. In order to encourage more efficient building usage and to take advantage of the area's centralized location, second-story residential uses are permitted, as are high-density residential developments. Signage requirements shall be specifically tailored for a downtown setting.

B. UMU URBAN MIXED USE

The UMU district is generally located in the fringes of central business districts and is designed to allow for the redevelopment of older

commercial districts in a pedestrian-friendly manner. An UMU zoned area may not represent the true downtown business core of a community, but contains development features (i.e., limited or no front yard setbacks, limited amounts of off-street parking) that often pre-date the implementation of land use regulations. Redevelopment of such areas, for both commercial and residential purposes, is encouraged.

C. C-1 LIGHT COMMERCIAL

The C-1 Light Commercial District is designed to accommodate a large variety of retail uses designed to meet the needs of individual neighborhoods, or other relatively small geographic areas. Stores and shopping complexes are therefore relatively small in size and are designed to be compatible and integrated with adjoining residential neighborhoods. This zoning district is not intended to accommodate retail uses which attract persons from outside the neighborhood or which attract large numbers of passing motorists.

D. C-2 HIGHWAY COMMERCIAL

The C-2 Highway Commercial District is primarily intended to accommodate those retail service and distributive uses that are typically located along or adjacent to principal or minor arterials and which require high visibility, good road access, and which cater primarily to passing motorists. Development in this district is designed to promote aesthetics and the safe and efficient movement of traffic so as to not unduly burden adjacent thoroughfares. As larger and/or more intensive developments normally will create more significant impacts on adjoining neighborhoods and road and utility infrastructures, larger developments may be allowed in this zoning district. Most C-2 zoning districts will be located within the Urban Standards Overlay District.

E. C-3 GENERAL COMMERCIAL

The C-3 District is intended to accommodate the broadest array of commercial uses of all the commercial zoning districts, some of which are not allowed in any of the other commercial zoning districts. Like the C-2 district, the C-3 district is intended to accommodate the community's larger and most intense commercial developments (outside of the central business district) and is generally located within the Urban Standards Overlay District.

F. NBS NEIGHBORHOOD BUSINESS SERVICES

The NBS District is designed primarily for local retail, offices, and personal services developed at relatively low intensity levels and which serve and

are compatible with adjoining residential neighborhoods. It is not intended to accommodate retail uses which are designed to attract persons from outside the neighborhood or which attract large numbers of traveling motorists. Accordingly, regulations for this district are designed to encourage the development of small, neighborhood-oriented retail areas.

6.2.4 INDUSTRIAL DISTRICTS

A. I-1 LIGHT INDUSTRIAL

The I-1 district is established to provide for areas that contain a mix of light manufacturing uses, office park and service uses in an attractive setting with proper screening and buffering. I-1 districts should include areas that continue the orderly development and concentration of light industrial uses. Any areas rezoned to the I-1 district subsequent to the adoption of this Ordinance should be located so as to have direct access to or lie within close proximity of a principal or minor arterial.

B. I-2 GENERAL INDUSTRIAL

The I-2 district is established to provide for areas of heavier manufacturing and industrial uses that are properly sited, based on such factors as: adjacent land uses, access to the transportation network, and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. I-2 zoned districts shall be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. The I-2 district is established in order to provide sites for activities that involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the I-1 district. I-2 districts shall generally not be located adjacent to any property that is zoned for residential use, except when mitigating factors (i.e., terrain, buffering, and transportation access) are in place to substantively mitigate any potential negative impacts upon such residential areas caused by uses in the I-2 district. Any areas that are rezoned to an I-2 district subsequent to the adoption of this Ordinance shall be located so as to have direct access to or lie in close proximity of a principal or minor arterial.

C. I-3 EXCLUSIVE INDUSTRIAL

The I-3 district is established to provide areas for the most intensive heavy manufacturing and industrial uses that may have impacts such as excess noise, environmental concerns and extended hours of operation. Uses in this district are extremely limited and include mining uses, petroleum

refining and slaughterhouses. I-3 districts shall not be located adjacent to any property that is zoned for residential use. Any areas that are rezoned to an I-3 district subsequent to the adoption of this Ordinance shall be located so as to have direct access to or lie in close proximity of a principal or minor arterial.

I-U URBAN INDUSTRIAL

The I-U urban industrial district is normally found in older portions of the community that were developed prior to the advent of zoning regulations and which contain older industrial and warehouse-type uses. Such uses often times do not conform to the parking, bulk or setback requirements that would be applicable if those structures were developed today. The purpose of this district is to accommodate such existing uses and to encourage the redevelopment of such uses for industrial, commercial and/or residential purposes.

SECTION 6.3 OVERLAY ZONING DISTRICTS

6.3.1 FH FLOOD HAZARD OVERLAY DISTRICT

It is the purpose of this zoning district to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within floodprone areas.

See Chapter 16 for the Flood Hazard Regulations.

6.3.2 WS WATER SUPPLY WATERSHED OVERLAY DISTRICT

The regulations herein are designed to protect the water quality of the streams in the water supply watershed that lie within the jurisdiction of this Ordinance. It is the intent of this Ordinance to provide regulations that implement the rules adopted by the North Carolina Division of Water Quality, pursuant to NC General Statute 143-214.5.

6.3.3 RESERVED

6.3.4 TH THOROUGHFARE HIGHWAY OVERLAY DISTRICT

The TH district has been created to insure that development that takes place along designated thoroughfares be well planned. At some point in the future, widening or construction of these roads will take place. In order to minimize any negative impacts to adjoining property owners occurring as a result of such widening projects, the TH district has been created to require that all new structures lying on properties along these roads be adequately set back from existing and/or projected road rights-of-way. In this manner, all structures built per the TH district requirements will be adequately set back from the road when it is widened. The thoroughfare roads are shown on the adopted Thoroughfare Map, not the official Zoning Map. This thoroughfare is addressed when a development is submitted for review.

6.3.5 USO URBAN STANDARDS OVERLAY DISTRICT

Areas of the County that are located (1) within existing municipal corporate limits or (2) outside their corporate limits but where the provision of public water and sewer services can reasonably be expected to occur over the next ten (10) to fifteen (15) years, have been designated as the "Urban Standards Overlay District". Accordingly, standards for development, more akin to those that traditionally are found in urban areas, as opposed to rural areas, are called for. Standards address such issues including, but not limited to, building design, off-street parking, road, lot and subdivision standards. All of McAdenville's zoning jurisdiction can be considered in the USO.

6.3.6 TD- TRADITIONAL DOWNTOWN OVERLAY

The TD district has been created to ensure that development that takes place in the area adjacent to a downtown central business district is executed with appropriate urban design, site planning and architectural principles and techniques. A goal of this district is to promote a stable, attractive, economically viable, pedestrian-scaled environment in the downtown area of the Town of McAdenville. The TD district contains many requirements similar in nature and intent to those of the CBD central business district, but with somewhat more flexibility. To accomplish the goals stated herein, architectural standards, site layout, building materials, and sign standards are specified and categorized as either required or voluntary standards to insure high quality design. Where there is conflict with other portions of this subsection in terms of allowed uses, yard and height requirements, parking and landscaping standards, etc., the requirements of the TD district shall prevail, whether more or less restrictive. However, with respect to sign requirements, where these standards are silent, the requirements of Chapter 12 ("Signs") shall prevail.

6.3.7 WF WATERFRONT OVERLAY DISTRICT

The Waterfront District is hereby established to provide supplemental restrictions to protect and enhance water quality, public safety, and public recreational opportunities on the Catawba River and its impoundments. This District shall cover the surface waters of the Catawba River and its impoundments and all land areas within one thousand (1000) feet of these shorelines. The shoreline shall be deemed to be the mean high water mark (i.e., the 570-foot contour level for Lake Wylie) of the Catawba River and said impoundments.

6.3.8 RESERVED

6.3.9 SH SPECIAL HIGHWAY OVERLAY DISTRICT

The purpose of this district is to protect and preserve the landscape of areas which lie adjacent to designated Special Highways and that development that takes place on land that lies near such highways occur in a manner which maximizes the aesthetics and development potential of the area through the application of additional development standards. The SH District shall consist of all lots fronting on the special highway for a depth of five hundred (500) feet as measured from the centerline of the special highway (for a total width of one thousand (1,000) feet), unless otherwise indicated on the Zoning Map.

6.3.10 CH CORRIDOR HIGHWAY OVERLAY DISTRICT

The purpose of the CH District is to preserve and enhance the streetscape along designated corridor highways in Gaston County and its municipalities. A CH District may exist along the entire length of a roadway or along any identifiable segment of a roadway. Any CH District initially established shall contain a minimum length of at least one thousand (1,000) linear feet as measured along one side of a designated corridor highway. The CH District shall consist of all lots fronting on the corridor highway for a depth of two hundred-fifty (250) feet as measured from the centerline of the corridor highway (for a total width of five hundred (500) feet), unless otherwise indicated on the Zoning Map. Although such corridor highways may vary in character, particular aspects of development along those roads raise common concerns and should be managed in a consistent way in order to preserve and enhance the streetscape.

6.3.11 RESERVED

6.3.12 MH MANUFACTURED HOME OVERLAY DISTRICT

The purpose of this district is to provide areas in which mobile homes can be located on individual lots. The MH Overlay District supplements the range of uses permitted in the underlying district. All other uses and regulations for the underlying district shall continue to remain in effect for properties classified in the MH Overlay District. The MH Overlay District may only be located in areas which contain a Residential (R) underlying general zoning district.

SECTION 6.4 CONDITIONAL ZONING (CZ) DISTRICTS

The Conditional Zoning (CZ) process allows for the establishment of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole. The development of these uses cannot be predetermined or controlled by general district standards. In order to accommodate these uses, this Section establishes the conditional zoning process. The process for approval of a CZ Zoning is explained in Section 5.16.5. The rezoning of any parcel of land to a CZ shall be a voluntary process initiated by the property owner or his authorized agent. Any area rezoned to a CZ shall be in general compliance with the goals, objectives and implementation strategies of the adopted Comprehensive or Land Use Plan and all other plans and regulations officially adopted by the Town Council. The review process established in this Section provides for the accommodation of such uses by a reclassification of property into a CZ, subject to specific conditions (which may exceed those that would otherwise be required for the use in question), which ensure compatibility of the use with the enjoyment of neighboring properties and in accordance with the general plans of development of the Town. A conditional zoning is not intended for securing early zoning for a proposal.

Once a property has been rezoned to a CZ, it shall be referenced with the letters “CZ” in the name of the applicable general zoning district listed in Section 6.2. Thus, a property rezoned to a C-2 Conditional Zoning shall appear on the Zoning Map as “C-2 / CZ”.

SECTION 6.5 RESERVED