

ARTICLE 3: ZONING DISTRICTS AND ZONING MAP

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**ARTICLE 3
ZONING DISTRICTS AND ZONING MAP**

3-1 Establishment of Zoning Districts

In order to achieve the purposes of this Ordinance as set forth, all property within the jurisdiction of the City of Mebane is divided into zoning districts with the designations and purposes listed in Section 3-1, subsections A through C as a comprehensive plan. The minimum lot size specified for each residential zoning district in the descriptions below is the general requirement. The specific minimum lot sizes and dimensional requirements for each zoning district are provided in Article 4, Table 4-2-1, Table of Density and Dimensional Requirements. See also Article 5, Section 3 for additional density and built-upon requirements for properties located within a watershed protection overlay district.

Property located in the City's extraterritorial jurisdiction, the use of which is for a *bona fide* farm purpose, shall be exempt from this ordinance. See NCGS 160D-903(c).

Amended June 7, 2021

A. General Use Zoning Districts

Amended June 6, 2022

1. **R-20 Residential District.** The R-20 Residential District is established for low-density residential and agricultural purposes with some limited public, semi-public and recreational uses permitted when they are compatible with low density residential development. Water and/or sewer may or may not be available in this district. In areas where there is no public water and/or sewer, lot size is determined by the applicable County Health Department. The overall gross density is typically 2.17 units per acre or less.
2. **R-15 Residential District.** The R-15 Residential District is established for moderate density residential uses in areas with public water and sewer with some limited agricultural, public, semi-public, and recreational activities that are compatible with residential development. The overall gross density is typically 2.9 units per acre or less.
3. **R-12 Residential District.** The R-12 Residential District is established for moderate density residential uses with some limited agricultural, public, semi-public, and recreational activities that are compatible with residential development. The overall gross density is typically 3.63 units per acre or less.
4. **R-10 Residential District.** The R-10 Residential District is established for moderate to high residential use; limited public, semi-public and commercial uses permitted when they are compatible with residential development. The overall gross density is typically 4.35 units per acre or less.

5. **R-8 Residential District.** The R-8 Residential District is established for moderate to high density two-family and multi-family residences with limited public, semi-public, and commercial uses, permitted when they are compatible with high density residential development. The overall gross density is typically 5.44 units per acre or less for single family residences and approximately 10 units per acre for multi-family residences.
6. **R-6 Residential District.** The R-6 Residential District is established for high density two-family and multi-family residences with limited public, semi-public, and commercial uses, permitted when they are compatible with high density residential development. The overall gross density is typically 7.26 units per acre or less for single family residences and approximately 14 units per acre for multi-family residences and is intended to make efficient use of available land.
7. **O&I Office and Institutional District.** The Office and Institutional District is established to provide for business and professional office use, service occupations and light commercial uses, as well as higher density residential uses. Because the Office and Institutional uses are subject to the public view, developers and operators of offices and business shall provide an appropriate appearance, ample parking and design of entrances, and exists to offices and businesses in a manner to minimize the traffic congestion. Residential densities range from 5.44 units per acre for single family residences to 8.71 units per acre for multi-family residences.

Amended June 6, 2022

8. **B-1 Central Business District.** The B-1 Central Business District is established as the centrally located trade and commercial service area to provide for retailing goods and services to the passing motorists and residents living in the area, as well as to allow for higher density residential dwellings consistent with the denser development type of an urban center. Because the business uses are subject to the public view, developers and operators of businesses should provide an appropriate appearance, pedestrian accessibility, ample parking, and design of entrances and exists to businesses in a manner to minimize traffic congestion. The regulations of this district are designed to permit a concentrated development of permitted uses while maintaining a substantial relationship between the intensity of land uses and the capacity of utilities and streets.

Amended June 6, 2022

9. **B-2 General Business District.** The B-2 General Business District is established to provide for a compact neighborhood shopping district which provides convenience goods such as groceries and drugs and some types of personal services to the surrounding residential area. They are generally located on major thoroughfares and collector streets in the Mebane planning area. The regulations are designed to protect the surrounding residential districts and provide an appropriate community appearance. Ample parking and design of entrances and exists to businesses must be established in a manner to minimize traffic congestion.

10. **B-3 Neighborhood Business District.** The B-3 Neighborhood Business District is established as a district in which the principal use of land is for the retailing of goods and services to the adjacent residential neighborhoods. The regulations of this district are intended to provide for smaller scale retail trades and services in designated shopping areas, with standards designed to protect abutting residential areas and accessibility to pedestrians and cyclists.

Amended June 6, 2022

11. **LM Light Manufacturing District.** The LM Light Manufacturing District is established for industry assembly, fabrication and warehousing located on planned sites with access to major highways and streets and with adequate utility facilities. This district is intended to allow a lower density of manufacturing and warehousing operations which create a more desirable appearance and less environmental pollution than a denser manufacturing zone. These uses by their nature may create some nuisance which is not properly associated with residential institutional, commercial, and/or service establishments. These uses normally seek outlying locations on large tracts of land where the operations involved do not detract from the development potential of nearby development property. The purpose of these regulations is to control building and traffic congestion and to provide an appropriate community appearance.

Amended July 11, 2022

12. **HM Heavy Manufacturing District.** The HM Heavy Manufacturing District is established for those areas of the community where the principle use of land is for manufacturing, industrial, and warehousing uses. These uses, by their nature, may create some nuisances which are not properly associated with residential, institutional, commercial and/or service establishments. These uses normally seek outlying locations on large tracts of land where the operations involved do not detract from the development potential of nearby undeveloped properties.

Amended July 11, 2022

B. Conditional Zoning Districts

1. In addition to the general use zoning districts established in Section 3-1, A, a corresponding conditional zoning district, bearing the designation 'CD', may be established in accordance with the provisions of Section 9-7. Accordingly, the following conditional zoning districts may be designated upon approval by the City Council of a petition by the property owners to establish a conditional zoning district:

(a) R-20(CD) Residential Conditional Zoning District

(b) R-15(CD) Residential Conditional Zoning District

- (c) R-12(CD) Residential Conditional Zoning District
 - (d) R-10(CD) Residential Conditional Zoning District
 - (e) R-8(CD) Residential Conditional Zoning District
 - (f) R-6(CD) Residential Conditional Zoning District
 - (g) O&I(CD) Office and Institutional Conditional Zoning District
 - (h) B-1(CD) Central Business Conditional Zoning District
 - (i) B-2(CD) General Business Conditional Zoning District
 - (j) B-3(CD) Neighborhood Business Conditional Zoning District
 - (k) LM(CD) Light Manufacturing Conditional Zoning District
 - (l) HM(CD) Heavy Manufacturing Conditional Zoning District
2. The development and use of property within a conditional zoning district is subject to specific, stated rules, regulations, and conditions imposed as part of the legislative decision creating the district. All descriptions and definitions which apply to a general use zoning district also apply to the corresponding conditional zoning district, and modification of specific general use zoning district provisions may be permitted through the legislative decisions of City Council. Conditional zones are not intended to avoid site conditions that are appropriately addressed by a variance. All other rules, regulations, and conditions which may be offered by the property owner and approved by the City Council as part of the rezoning process shall also apply. Property may be placed in a conditional zoning district only in response to a petition by the owners of all of the property proposed to be included in the conditional zoning district. Requirements for conditional zoning districts are delineated in Section 9-7.

Amended November 5, 2018; June 7, 2021; June 6, 2022; July 11, 2022

C. Overlay Zoning Districts

1. Overlay districts establish certain regulations that are in addition to those of the underlying general use or conditional zoning districts. Property within a designated overlay district may be used in a manner permitted in the underlying general use or conditional zoning districts only if and to the extent such use is also permitted in the applicable overlay district.
2. The following overlay districts are established:
 - (a) **MH Manufactured Housing Overlay District.**
The Manufactured Housing Overlay District is intended to provide for alternative housing opportunities by allowing the placement of manufactured homes on individual lots within specific defined areas which overlay the R-10, Residential general zoning districts. The

Manufactured Housing Overlay District is established pursuant to Article 9, Section 160D of the North Carolina General Statutes and this Ordinance.-These regulations are specified in Article 4, Section 7-3.A.

Amended June 6, 2022

- (b) **WCA Watershed Critical Area Overlay District.** The WCA Watershed Critical Area Overlay District, establishes regulations for protecting the Critical Area portion of the Graham-Mebane Lake Public Water Supply Watershed as designated by the NC Environmental Management Commission. These regulations are specified in Article 5, Section 3.

Amended June 7, 2021

- (c) **GWA General Watershed Area Overlay District.** The GWA General Watershed Area Overlay District establishes regulations for protecting the portion of the Graham-Mebane Lake Public Water Supply Watershed outside of the watershed Critical Area (also known as the Balance of Watershed Area) as designated by the NC Environmental Management Commission. These regulations are specified in Article 5, Section 3.

Amended June 7, 2021

- (d) **FHO Flood Hazard Overlay District.** The FHO Flood Hazard Overlay District sets forth regulations that will protect people and property from the hazards of flooding. The FHO shall include the land in the floodplain within the zoning jurisdictional area of the City of Mebane that is subject to a one percent or greater chance of flooding in any given year. As used in this Ordinance, the term refers to that area designated as subject to flood from the one hundred year flood on the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency; copies of which are on file in the City of Mebane Planning and Zoning Department. The regulations applicable to the Flood Hazard Overlay District are specified in Article 5, Section 6.

Amended June 7, 2021

- (e) **HCO, Highway Corridor Overlay District.** The Highway Corridor Overlay District is established to provide specific appearance and operational standards for major highway corridors and other gateway entrances into the City of Mebane while accommodating development along the corridors. The manner in which land uses impact interchanges, intersections, and feeder roads is of particular concern in this overlay district.

The Highway Corridor Overlay District boundaries shall encompass land located within a buffer extending five hundred feet in depth on

either side of the designated highway right-of-way or as specifically delineated on the official zoning map. Designated thoroughfare corridors include the following:

- (1) **(Reserved)** [*deleted April 7, 2008*]

Reduction of the depth of district boundaries may be granted, at the discretion of the City Council, when:

- a. Intervening topography or other permanent natural features preclude adjacent development from being visible from the designated highway corridor; or
- b. The adjacent underlying zoning is classified as residential and existing or approved residential development has already defined or substantially altered the natural character of the adjacent land.

Within the HCO, specific standards have been developed regarding buffers between incompatible uses, landscaping, unified architectural design, maximum building height, pedestrian access, traffic impact analyses, signage, outdoor lighting, and vehicular access/driveways. Supplementary Highway Corridor Overlay District standards are delineated in Section 4-7.14.E.

Amended June 7, 2021

- 3. Any general use or conditional district may also be zoned one of the overlay districts. In such case, the land is subject to not only the requirements of the underlying general use or conditional district but also the additional requirements of the overlay district. In all such cases, the most restrictive requirements shall prevail.

3-2 Establishment of Official Zoning Map

A. Official Zoning Map

The City of Mebane planning and zoning jurisdiction is hereby divided into zones, or districts, as established in Section 3-1, subsections A through C. The official zoning map is the most recent copy of the electronic zoning map as produced and maintained by the Planning and Zoning Department.

B. Map Changes

If changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map. Amendments to the Official Zoning Map shall be made utilizing the same procedures that apply to text amendments, as set forth in Article 9. Specific public hearing notice requirements are, however, delineated in Section 9-5, F for zoning map amendments.

C. Unauthorized Changes

No changes in zoning district boundaries shall be made on the Official Zoning Map, except in conformance with the procedures set forth in this Ordinance. Any unauthorized change shall be considered a violation of this Ordinance.

D. Map Location

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the City of Mebane Planning and Zoning Department, shall be the final authority as to the current zoning of property within the city's planning and zoning jurisdiction.

E. Replacement of Official Zoning Map

The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The replacement Official Zoning Map shall be identified by the signature of the Mayor, be attested by the City Clerk, and bear the seal of the City of Mebane.

F. Interpretation of Zoning District Boundaries

Guidelines regarding the interpretation of zoning district boundaries are provided in Section 12-3. The Board of Adjustment, in accordance with the provisions of Section 12-3.2, is authorized to make interpretations regarding the zoning map and to pass upon disputed questions of zoning district boundaries.

Amended June 7, 2021