

ARTICLE IX - Zoning Districts and Zoning Map

Part 1. Zoning Districts.

§ 152-134. Rural Agricultural District Established.

The Rural Agricultural (RA) District is hereby established primarily for agricultural and forest related purposes. The regulations of this district are intended to help maintain the uses of the property in a relative open and minimally developed state.

§ 152-135. Residential Districts Established.

(A) The following residential districts are hereby established: R30-18, R20-16, R18-14, R15-12, R10-10, R6-10, and MH. Each district is designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts.

(B) The R30-18 District is established as a district in which the principal use of land is for low-density residential purposes.

(C) The R20-16 and R18-14 Districts are established as districts in which the principal use of land is for low-density residential and agricultural purposes. The regulations of these districts are intended to protect the agricultural sections of the community from an influx of uses that would likely render them undesirable for farms and future development.

(D) The R15-12 District is established as a district in which the principal use of land is for low to medium-density residential. The regulations of this district are intended to protect the district from uses likely to render it undesirable for future development.

(E) The R10-10 District is established as a district in which the principal use of land is for single-family residences. The regulations of this district are intended to provide areas of the community for those persons wishing to live in medium-density neighborhoods. The regulations are intended to discourage any use that would interfere with the residential nature of the district.

(F) The R6-10 District is established as a district in which the principal use of land is for single-family, two-family residences and multi-family residences. The regulations of this district are intended to provide areas of the community for those persons desiring small residences and multi-family structures in relatively high-density neighborhoods wishing to live in medium-density neighborhoods. The regulations are intended to discourage any use that would interfere with the residential nature of the district.

(G) The MH District (the Manufactured Home District) is established as a district in which the principal use of the land is for manufactured homes and manufactured home parks.

§ 152-136. Commercial Districts Established.

(A) The following commercial districts are hereby established: B-1, HC, GC, B-2, B-3 and O-1.

(B) The B-1 District (the Central Business District) is designed to permit a concentrated development of pedestrian-oriented uses that will result in the most intensive and attractive use of the town's central business district. This district also allows for a limited number of dwelling units as accessory uses to principal commercial uses.

(C) The HC District (the Highway Commercial District) is established primarily for those businesses that serve the travelling public, require large areas for display of goods and are not oriented to the pedestrian shopper. Because this district is generally located adjacent to main thoroughfares where it is subject to public view, uses within the district should provide an appropriate appearance, ample parking, suitable landscaping, and safe pedestrian access and connectivity.

(D) The GC District (the General Commercial District) is established primarily for those businesses that will serve the local public, but have some accommodations for the travelling public. It is a district that is generally located between the HC District and the B-3 District. Because this district is generally located adjacent to main thoroughfares where it is subject to public view, uses within the district should provide an appropriate appearance, adequate parking and moderately extensive landscaping. The GC District accommodates less dense business uses on sites designed to be harmonious with adjacent residential uses.

(E) The B-2 District (the Neighborhood Shopping District) is established as a district in which the principal use of the land is for commercial and service uses to serve the surrounding residential districts, and in which traffic and parking congestion should be reduced to a minimum in order to preserve residential values and to promote the general welfare of the surrounding residential district. The specific intent of this district is:

(1) To encourage the construction of and continued use of the land for neighborhood, commercial and service purposes;

(2) To prohibit residential uses, intense commercial uses, heavy industrial uses and any other use of the land which would substantially interfere with the development or continuation of the commercial structures in the district; and

(3) To discourage any use which, because of character or size, would interfere with the use of the land in the district as a shopping and service center for the surrounding residential districts.

(F) The B-3 District (the Neighborhood Transitional District) is established to create a business district which provides adequate protection for adjacent or nearby established residential neighborhoods. The B-3 District serves to create a buffer of less dense business uses between established residential neighborhoods and areas of heavy commercialization. Uses in this district should be harmonious with nearby residential uses.

(G) The O-I District (the Office and Institutional District) is established primarily for office and institutional uses which have only limited contact with the general public and which have no offensive noises, odors, smoke, fumes or other objectionable conditions. As residences are permitted in this district and as this district is usually adjacent to residential districts, provisions are made for yards, off-street parking, off-street loading areas, and safe pedestrian access and connectivity.

§ 152-137. Planned Unit Development District Established.

The PUD District (Planned Unit Development District) is hereby established. The purpose of the PUD District is to provide opportunities for larger scale, integrated developments and for the opportunity to undertake mixed-use development. See also sections 152-163.15, "Planned Unit Development-Residential," and 152-163.16, "Planned Unit Development-Business and Industrial." This district is a conditional zoning district. See section 152-139, "Conditional Zoning Districts Established."

§ 152-138. Industrial Districts Established.

(A) The following industrial districts are hereby established: C-I and I-H.

(B) The C-I District (the Commercial and Industrial District) is established as a district in which the principal use of land is for industries that can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential or business districts. The regulations of this district are designed to prohibit the use of land by heavy industry, which should be properly segregated, and to prohibit any other use that would substantially interfere with the development of industrial establishments in the district.

(C) The I-H District (the Heavy Industrial District) is established as a district in which the principal use of the land is for heavy industries that, by their nature, may create some nuisance and which are not properly associated with or compatible with residential and commercial establishments.

(D) Performance standards for both the C-I and I-H districts are set forth in article XI, Part 3, "Manufacturing/Processing Performance Standards," of this chapter.

§ 152-139. Conditional Zoning Districts Established.

(A) Conditional zoning districts are hereby established. Conditional zoning districts allow for the establishment of certain uses, which, 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. Instead, these districts are zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property. The process for approval of a Conditional Zoning District is provided in article XX, Part 2, "Conditional Zoning District Rezoning."

(B) The following zoning district categories are conditional zoning districts:

(1) Parallel conditional zoning districts. A parallel conditional zoning district is a conditional zoning district in which the potential permitted use or uses are, except as limited by the conditions imposed on the district, of the same character or type as the use or uses permitted in a general district having a parallel designation or name. These zones are designated on the zoning map with a "C" after the general zoning designation. For example the parallel conditional zoning district for MH is MH-C; and

(2) The PUD District.

§ 152-139.1. Downtown Retail Overlay District Established.

The DROD (Downtown Retail Overlay District) is hereby established. The purpose of the DROD is to preserve a core of the central business district primarily for retail uses, personal services and financial services while promoting an efficient use of space and enhancing the business community. See also section 152-158, "Downtown Retail Overlay District ("DROD") Requirements."

§ 152-139.2. Highway Corridor Overlay District Established.

The HCOD (Highway Corridor Overlay District) is hereby established. The purpose of this district is to conserve and enhance the appearance of the N.C. 5 Highway corridor from the intersection of Pinehurst Street and N.C. 5 Highway west and northwestward along N.C. 5 Highway to the end of the town limits. See also section 152-159, "Highway Corridor Overlay District ("HCOD") Requirements."

§ 152-139.3. Mixed Use Conditional Overlay District Abolished.

Aberdeen Zoning Ordinance § 155.053, "Mixed Use Conditional Overlay District (MUCUO)," is hereby repealed, effective February 9, 2009. Any MUCUOs existing within the town's jurisdiction as of the effective date of this section shall remain in full force and effect and shall continue to subject the properties within the district to the requirements of Aberdeen Zoning Ordinance § 155.053 until such time as the Town Board adopts a Zoning Map amendment that removes the properties from said district. See also, section 152-163.13.1, "Mixed Use Developments as a Separate Use Abolished."

§ 152-140. Flood Damage Prevention District Established.

The Flood Damage Prevention District is hereby established as an overlay district, the purpose of which is to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas. The district is further described in article XVI, Part 1 of this ordinance.

§ 152-141. Water Supply Watershed Overlay District.

The Water Supply Watershed Overlay District is hereby established as an overlay district. The regulations for the district are provided in section 152-160, "Water Supply Watershed Overlay District Regulations."

§ 152-141.1. Historic District.

There is hereby established the Aberdeen Historic Preservation Commission. The regulations governing this commission and any historic district established within the town shall be governed by section 152-161, "Historic District Regulations."

Part 2. Zoning Map.

§ 152-142. Official Zoning Map.

(A) There shall be a map known and designated as the official Zoning Map, which shall show the boundaries of all zoning districts within the town's planning jurisdiction. This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the Planning Department.

(B) The official Zoning Map dated July 10, 2014 is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with section 152-143.

(C) The official Zoning Map shall be interpreted in accordance with section 152-93, "Interpretations."

§ 152-143. Amendments to Official Zoning Map.

(A) Amendments to the official Zoning Map are accomplished using the same procedures that apply to other amendments to this ordinance, as set forth in article XX, "Amendments."

(B) The Administrator shall update the official Zoning Map as soon as possible after amendments to it are adopted by the Board of Commissioners. Upon entering any such amendment on the map, the Administrator shall change the date of the map to indicate its latest revisions. New prints of the updated map may then be issued.

(C) No unauthorized person may alter or modify the official Zoning Map.

(D) The Planning Department shall keep copies of superseded prints of the official Zoning Map for historical reference.

§ 152-144 through 152-145. Reserved.