

ARTICLE IX

ZONING DISTRICTS AND ZONING MAP

Part 1. Zoning Districts

Section 135 Residential Districts Established.

(a) The following residential districts are hereby established: RA, R-20, R-14, R-10, and R-5. Each of these districts 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. Other objectives of some of these districts are explained in the remainder of this section.

(b) The RA District is established as a district in which the principal use of land is for very low-density, single-family residential and agricultural purposes (1 dwelling unit per 5 acres). The regulations of this district are intended to protect prime agricultural land, as defined by the Soil Conservation Service, from an influx of users likely to render it undesirable for farms and low-density residential development.

(c) The R-20 District is established to allow a variety of single-family residential agricultural land uses, at a low-density of approximately 2.1 dwelling units per acre, which are interspersed with large, undeveloped open areas.

(d) The R-14 District is established to allow principally single-family residences and other compatible uses permitted by conditional use permit at a density of approximately 3.1 dwelling units per acre.

(e) The R-10 District is established as a district in which to allow primarily single-family and two-family residences and other compatible uses permitted by conditional use permit at a density of approximately 4.13 dwelling units per acres.

(f) The R-5 District is established as a district in which to allow primarily single-family, two-family and multi-family residences at a medium density of approximately 8.7 dwelling units per acre.

(g) The R-40 District is established as a district in which to allow primarily single-family residential and agricultural land uses, at a low-density of one dwelling per acre. *(Amended 5/12/92)*

Section 136 Commercial Districts Established.

(a) The following commercial districts are hereby established: MA, CD, CN, CH, OS, and SC. Each of these districts is created to accomplish the purposes and serve the objectives set forth in the remainder of this section.

(b) The MA District is established as a district in which to allow health care facilities including hospitals, medical and dental offices and clinics, and related health care uses.

(c) The CD District is established as a district in which to accommodate a wide variety of commercial activities (particularly those that are pedestrian-oriented) in an intensive development pattern in the town's central business district. The regulations of this district are intended to (i) preserve the general character and integrity of the current development in the central business district; (ii) encourage land uses which provide for a multi-purpose central business district including retail, offices, services, entertainment, and living space; (iii) encourage land uses which do not require large amounts of outdoor use areas; and (iv) encourage common or shared off-street parking.

(d) The CN District is established as a district in which to allow small, limited retail service land uses which provide goods and services primarily to surrounding residential neighborhoods. The major objectives of this district are to (i) encourage the location of convenience retail establishments, professional services, and professional offices so as to be as compatible as possible with surrounding residential uses; (ii) discourage intensive land uses which require large amounts of land area; and (iii) limit large vehicular traffic-generating uses to major streets

(e) The CH District is established as a district in which to accommodate highway-oriented retail and commercial service businesses which generally have as their market area the entire town and surrounding area. The major objectives of this district are to (i) encourage planned commercial and office parks; (ii) discourage small lot development on major highways; (iii) encourage vehicular access from service drives and other local commercial streets rather than directly from arterial streets; and (iv) provide a location for major shopping facilities and land uses requiring large outdoor spaces.

(f) The OS District is designed to accommodate office and service uses as well as medium-density residential uses. The major objectives of this district are to (1) encourage land uses which serve as an adequate buffer between intensive non-residential and residential uses; (2) provide aesthetic controls and dimensional requirements to ensure compatible office and service development with surrounding residential uses; and (3) encourage a mixture of medium-density residential uses with offices and services.

(g) The CS District is designed to accommodate well planned shopping centers serving the community and regional marketplace. The major objectives of this district are to (1) encourage attractive and orderly shopping center development, (2) promote unified site design, pedestrian circulation and traffic control within the shopping center complex, (3) provide opportunities for coordinated transportation planning for ingress and egress, and (4) promote urban design and corridor landscape improvements which are compatible with the Town's comprehensive planning goals. *(Amended 3/99)*

Section 137 Industrial Districts Established.

The IW District is established as a district in which to allow primarily light manufacturing, assembly, research, warehousing, and intensive commercial uses. The regulations of this district are intended to (i) encourage light manufacturing and intensive commercial uses as well as accessory land uses incidental to and in support of manufacturing uses; (ii) exclude heavy industry, major retail, and residences as acceptable land uses; and (iii) preserve locations that are best suited for industrial development. Land uses in the IW District are limited to those determined to be compatible with the character of the community. Uses permitted in the IW Districts are restricted to the SIC code-designated uses delineated in Section 166.

Section 138 Overlay Districts Established

(a) Four special control overlay districts are hereby established: FHO (Flood Hazard Overlay), AHO (Airport Hazard Overlay) HO (Historic Overlay) and BSR (South Broad Street Residential Overlay). These special control overlay districts are intended to be superimposed over the underlying general zoning district and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use is also permitted in the applicable overlay district. The specific objectives of each of these overlay districts are explained in the remainder of this section.

(b) The FHO District is established as an overlay district of all general zoning districts for the purpose of protecting people and property from the hazards of flooding. The flood hazard districts are further described in Part I of Article XVI of this ordinance.

(c) The AHO District is established as an overlay district of all general zoning districts in the vicinity of the Edenton Municipal Airport. The purpose of the AHO is to protect the airport environs from encroachment of incompatible land uses which present hazards to users of the airport as well as to persons residing or working in the airport vicinity. The additional regulations imposed in the AHO are designed to (i) place additional height restrictions on buildings and trees; (ii) control the above-ground storage of flammable materials; and (iii) control the locations of high-density residential uses and places of assembly. The additional regulations governing land development in the AHO district are delineated in Section 167.

(d) The HO District is established as an overlay district for all general zoning districts that contain structures or other facilities of historic significance. The purpose of the HO is to protect and conserve the heritage and character of the Edenton community by providing for the preservation of designated areas within the planning jurisdiction. No new historic districts nor any change to the boundaries of any existing historic district shall be designated until the North Carolina Department of Cultural Resources shall have been given an opportunity, in accordance with Chapter 160A, Article 19, Part 3A of the N.C. General Statutes, to make recommendations with respect to the establishment of such new district or change in the boundaries of an existing district. The additional regulations governing land development in the HO district are delineated in Section 168.

(e) The RCO District is established as an overlay district of all general zoning districts for the purpose of establishing streetscape appearance and pedestrian and bicycle circulation

recommendations along six main road corridors that lead into downtown Edenton. The additional regulations governing land development in the RCO districts are delineated in Section 180.8.

(ee) The BSR overlay district is established as an overlay district for an area of Broad Street located in the CD (Downtown Commercial) zoning district. The purpose of the overlay district is to prohibit residential uses in the first floor of structures fronting on South Broad Street.

Section 139 Conditional Use District Zoning District Established (Amended 1/14/03)

The conditional Use District rezoning process is hereby established to recognize that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. Where the applicant for rezoning desires property to be rezoned to such a district in such situations, the Conditional Use District Classification will be considered only on request/acceptance of the applicant for rezoning. Conditional Use Districts (bearing the designation C.U.) correspond to an identical district, for example Conditional Use Highway Commercial District shall be labeled C.U.CH. However, any use or development in the Conditional Use District shall require a Conditional Use Permit. If for any reason any condition imposed pursuant to the regulations is found to be illegal or invalid, or if the applicant should fail to accept any condition, it is the intent of this article that the authorization of such conditional use Permit shall be null and void and of no effect and that proceedings be instituted to rezone the property to its previous zoning classification. The procedure of approval of Conditional Use Districts is outlined in Section 27 of Article XX.

Section 140 through 141 Reserved.

Part II. Zoning Map

Section 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 office of the Edenton Building Inspector and Edenton Town Clerk.

(b) The Official Zoning Map dated November 14, 1989 is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section 143.

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the administrator may have a new map drawn on acetate or other durable material from which prints can be made. No further Council authorization or action is required so long as no district boundaries are changed in this process.

Section 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.

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

(c) No unauthorized person may alter or modify the Official Zoning Map.

(d) The building inspection department shall keep copies of superseded prints of the zoning map for historical reference.

Sections 144 and 145 Reserved.