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ARTICLE IV ZONING DISTRICTS AND ZONING MAP

4.01 Zoning Districts and Zoning Map

In order to achieve the purposes of this Ordinance as set forth, all property within the Chowan County planning and zoning jurisdiction is divided into districts with the designations and purposes listed in [Sections 4.02 through 4.04](#). The minimum lot sizes and dimensional requirements for each zoning district are provided in [Article VI, Density and Dimensional Requirements](#).

4.02 General Use Zoning Districts

- A. R-5, Residential District.** This district is defined as medium-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 5,000 square feet for one unit and 4,100 for each additional unit. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations. The district is intended to accommodate moderate density single-family residential uses, multifamily residential uses, and supporting public and institutional uses in areas that have the necessary utilities and road systems to support such development. Mobile homes are not permitted. (See Article V for permitted uses and Article VI for specific area and yard requirements.)
- B. R-15, Residential District.** This district is defined as low-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 15,000 square feet. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations. Mobile homes are not permitted. (See Article V for permitted uses and Article VI for specific area and yard requirements.)
- C. R-25, Residential District.** This district is defined as low-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 25,000 square feet. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations. Mobile homes on individual lots are permitted. (See Article V for permitted uses and Article VI for specific area and yard requirements.)
- D. RMH-25, Residential District.** This district is defined as low-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 25,000 square feet. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations. Mobile homes on individual lots are

permitted. (See Article V for permitted uses and Article VI for specific area and yard requirements.)

E. R-40, Rural Residential District. This district is defined as very low-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 40,000 square feet. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations. Mobile homes on individual lots are permitted. (See Article V for permitted uses and Article VI for specific area and yard requirements.)

F. A-1, Agricultural District. This district is primarily intended to accommodate very low density residential uses as well as associated public and institutional uses, low intensity commercial uses, and agricultural-related industrial uses which are interspersed throughout areas that are principally characterized as rural in nature. This district reflects the diverse nature of land uses within predominantly rural areas and, therefore, permits a wide array of land uses. However, those intensive land uses, which could have an adverse impact on the rural nature, are not permitted or are allowed only on a special use permit basis following a formal review and approval process. The district is specifically established for the following purposes:

1. To preserve and encourage the continued use of land for agricultural, forestry, and open space purposes;
2. To encourage small-scale and low intensity commercial uses that primarily provide goods and services to residents of the surrounding rural areas;
3. To encourage only those industries which are agricultural-related;
4. To encourage the concentration of more intensive urban land uses in and around identified growth areas that have the capacity to accommodate the utility and traffic demands of such development, thereby avoiding premature conversion of farmland to urban uses; and
5. To discourage any use which, because of its character, would create premature or extraordinary public infrastructure and service demands.

(See Article V for permitted uses and Article VI for specific area and yard requirements.)

G. B-1, General Business District. This district is defined as certain areas that are designed to serve both non-residents and residents using the major state and county roads that run through the areas zoned. This district is designed to accommodate retail or service establishments customarily patronized by transient traffic as well as non-transient traffic. This district allows a range of retail, service, office, limited wholesale, and moderate density residential uses that have access to major roads and the necessary utilities to support such development. (See Article V for permitted uses and Article VI for specific area and yard requirements.)

- H. **B-2, Highway Commercial District.** This district is defined as certain areas that are designed to serve both non-residents and residents using the major state and county roads that run through the areas zoned. This district is designed to accommodate retail or service establishments customarily patronized by transient traffic as well as non-transient traffic. (See Article V for permitted uses and Article VI for specific area and yard requirements.)
- I. **B-3, Neighborhood Commercial District.** This district is defined as certain areas that are designed to serve limited retail, office, service, and moderate density residential uses. Neighborhood Commercial districts are typically located in the intersection area of rural roads and are intended to provide moderate intensity shopping and personal services. (See Article V for permitted uses and Article VI for specific area and yard requirements.)
- J. **I-1, Light Industrial District.** This district is defined as an area where manufacturing establishments may be developed. The purpose of this district is to permit the normal operations of almost all industries except those that would be detrimental to adjoining properties. Excluded from this district are those industries which deal primarily in hazardous products such as explosives. This district is intended to serve limited manufacturing, warehousing, wholesaling, and related commercial and service activities that have little or no adverse impact upon adjoining properties. This district is intended for areas that have access to major thoroughfares and the necessary utilities to support such development. (See Article V for permitted uses and Article VI for specific area and yard requirements.)
- K. **I-2, Heavy Industrial District.** This district is defined as an area to serve a wide range of assembling, fabricating, manufacturing, warehousing, wholesaling, and support retail and service uses. The Heavy Industrial District is established for the purpose of providing appropriate locations and development regulations for uses which may require special measures to ensure compatibility with adjoining properties. This district is intended for areas that have access to major thoroughfares and the necessary utilities to support such development. (See Article V for permitted uses and Article VI for specific area and yard requirements.)

4.03 Conditional Zoning Districts

- A. In addition to the general use zoning districts established in [Section 4.02](#), a corresponding conditional zoning district, bearing the designation 'CD', may be established in accordance with the provisions of [Section 14.07](#). Accordingly, the following conditional zoning districts may be designated upon approval by the Board of County Commissioners of a petition by the property owners to establish a conditional zoning district:
 - 1. R-5 (CD), Residential Conditional Zoning District
 - 2. R-15 (CD), Residential Conditional Zoning District
 - 3. R-25 (CD), Residential Conditional Zoning District

4. RMH-25 (CD), Residential Conditional Zoning District
5. R-40 (CD), Rural Residential Conditional Zoning District
6. A-1 (CD), Agricultural Conditional Zoning District
7. B-1 (CD), General Business Conditional Zoning District
8. B-2 (CD), Highway Commercial Conditional Zoning District
9. B-3 (CD), Neighborhood Commercial Conditional Zoning District
10. I-1 (CD), Light Industrial Conditional Zoning District
11. I-2 (CD), Heavy Industrial Conditional Zoning District

- B.** The development and use of property within a conditional zoning district is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district. All regulations which apply to a general use zoning district also apply to the corresponding conditional zoning district. All other rules, regulations, and conditions which may be offered by the property owner and approved by the Board of County Commissioners 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 14.07](#).

4.04 Overlay Zoning Districts

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.

- A. AP, Airport Protection Overlay District.** This district is intended to protect the Edenton Municipal Airport environs from encroachment of incompatible land uses which present hazards to users of the airport as well as persons residing or working in the airport vicinity. The Airport Protection Overlay District consists of four subdistricts: APA, Approach Zone; APT, Transitional Zone; APH, Horizontal Zone; and APC, Conical Zone. The regulations governing development within the AP District are specified in [Article 7. 01](#).
- B. FHO, Flood Hazard Overlay District.** This district is intended to set 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 Chowan County 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 Edenton-Chowan County Planning and Inspections Department. The regulations applicable to the Flood Hazard Overlay District are specified in [Section 7.02](#).

C. HCO, Highway Corridor Overlay District. The Highway Corridor Overlay District is established to provide specific appearance and operational standards for major highway corridors in Chowan County 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. Designated thoroughfare corridors include the following as delineated on the official zoning map:

1. **US Highway 17:** From the Edenton ETJ east and west to Chowan County line.
2. **NC Highway 32:** From the Edenton ETJ north to the Hancock Lane/NC 32 intersection, from the Edenton ETJ south to the NC32/NC37 intersection, and a within a 500-foot diameter from the intersection of the centerlines of
 - (a) Center Hill Road (SR 1312) and Sandy Ridge Road (SR 1303),
 - (b) Center Hill Road (SR1312) and Virginia Road (NC 32),
 - (c) Cannon Ferry Road (SR 1231) and Virginia Road (NC 32),
 - (d) Virginia Road (NC 32) and Rocky Hock Road (SR 1222),
 - (e) Virginia Road (NC 32) and Gliden Road (NC 37), and
 - (f) Virginia Road (NC 32) and Sandy Ridge Road (SR 1303),
 - (g) Rocky Hock Road (SR 1222) and River Road (SR 1218),
 - (h) Haughton Road (NC 32) and NC 37,
3. **NC 94 (Soundside Road):** From the Edenton ETJ south to NC 32 intersection

Reduction of the depth of district boundaries may be granted, at the discretion of the Planning Board, when:

1. Intervening topography or other permanent natural features preclude adjacent development from being visible from the designated highway corridor; or
2. 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 7.03](#).

4.05 Establishment of Official Zoning Map

- A. Official Zoning Map.** The Chowan County planning and zoning jurisdiction is hereby divided into zones, or districts, as established in [Sections 4.02 through 4.04](#). The official zoning map is the most recent copy of the digitized zoning map as produced and maintained by the Edenton-Chowan County Planning and Inspections 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 XIV](#). Specific public hearing notice requirements are, however, delineated in [Section 14.05](#) 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 Edenton-Chowan County Planning and Inspections Department, shall be the final authority as to the current zoning of property within the county's planning and zoning jurisdiction.
- E. Map Damage and Replacement.** In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of County Commissioners may by resolution adopt a replacement Official Zoning Map, which shall supersede the prior Official Zoning Map. Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant remaining parts thereof, shall be preserved, together with all available records pertaining to its adoption or amendment.
- F. 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 Chairman of the Board of County Commissioners, be attested by the Clerk to the Board, and bear the seal of Chowan County.
- G. Interpretation of Zoning District Boundaries.** Guidelines regarding the interpretation of zoning district boundaries are provided in [Section 15.03](#). The Board of Adjustment, in accordance with the provisions of [Section 13.03](#), is authorized to make interpretations regarding the zoning map and to pass upon disputed questions of zoning district boundaries.