

ARTICLE 9. ZONING DISTRICTS AND ZONING MAP

PART I. ZONING DISTRICTS

Section 9-1: Establishment of Zoning Districts, and the Purpose Thereof

For the purpose of this Ordinance, the City of Southport and its extraterritorial jurisdiction is divided into the following classes of zones:

- (A) R-10 Residential District. Single and two-family residential district with 10,000 square foot minimum lot area.
- (B) R-20 Residential Agricultural District. Single and two-family residences with 20,000 square foot minimum lots without public water and sewer, and 15,000 square foot with either public water or sewer.
- (C) MF Multi-Family District. A district designed to accommodate a variety of attached single-family dwellings up to a density of eleven (11) units per acre.
- (D) MH Manufactured Housing. A district established to offer affordable housing alternatives and to ensure the orderly development of such establishments.
- (E) PUD Planned Unit Development District. A special district where multiple residential and commercial uses may be proposed and density and lot dimensions may be different from that stated above in trade-off for significant dedication of open space, alternative housing types, and affordable development.
- (F) O/I Office/Institutional District. A district designed for office/institutional uses at low to moderate densities and multi-family housing. This district should be used as a transitional zone between areas of conflicting land uses.
- (G) CBD Central Business District. Restricted district in which commercial uses are densely developed with off-street parking and minimum lot size.
- (H) BD Business District. A commercial related district with lot and setback requirements suitable for placement abutting residential areas.
- (I) HC Highway Commercial District. A district established for the retailing of durable goods, provision of commercial services to industrial areas, and the provision of services to transients.
- (J) LI Light Industrial District. A district established to accommodate

commercial warehousing and light industrial uses.

- (K) HI Heavy Industrial District. A district designed for commercial, warehousing, and industrial uses.
- (L) OS Open Space District. Areas of special public interest that should be placed in a zone protected from any development other than improvements or uses undertaken by the City of Southport. (Revised 5-10-07)
- (M) EC Entry Corridor Overlay District. A district established to provide development standards for particular roadway corridor areas which are in addition to those provided by the other zoning districts established by the Unified Development Ordinance.

PART II. OFFICIAL ZONING MAP

Section 9-2: Zoning Map is a Part of this Ordinance

The planning area is hereby divided into districts whose locations and boundaries are shown on the official zoning map for the City of Southport, which is hereby adopted by reference and declared to be a part of this Ordinance.

The map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the official seal of the City of Southport under the following words: "This is to certify that this is the official zoning map referred to in Article 9, Part II of the Unified Development Ordinance for the City of Southport, North Carolina." The date of adoption and subsequent amendments shall also be shown.

Section 9-3: Replacement of the Official Zoning Map

In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret, the Board of Aldermen may, by ordinance, adopt a new official zoning map which shall be the same in every detail as the map it supersedes. The new map shall bear the seal of the city under the following words: "This is to certify that this official zoning map supersedes and replaces the official zoning map adopted and referred to in Article 9, Part II of the Unified Development Ordinance for the City of Southport, North Carolina." The date of adoption of the new official zoning map shall also be shown.

Section 9-4: Maintenance of the Official Zoning Map

Upon notification by the Board of Aldermen that a zoning change has been made, the city manager shall cause to be made the necessary changes on the official zoning map within fourteen (14) calendar days of notification. The planning director shall be responsible for the maintenance and revision of the official zoning map after being notified by the city manager.

NOTE: See Article 4 for Amendment Criteria.

PART III. APPLICATION OF GENERAL REGULATIONS

Section 9-5: Only One Main Building, One Main Use on Lot, and Orientation of a Building

In all districts, every main building hereafter erected or altered shall be located on a separate lot, as defined in this Ordinance, and in no case shall there be more than one main building and permitted accessory building on the lot nor more than one main use (e.g., commercial, industrial or residential) per building and lot. This requirement shall not apply to uses that are permitted in the Table of Permitted Uses within the same zoning district and located in the same building, nor to motels or manufactured home parks, nor to planned building groups approved by the Planning Board, nor to a bona fide farm use.

Section 9-6: Minimum Yards

The minimum yards or other open spaces required by this Ordinance, including those provisions regulating intensity of use, for each and every building hereafter erected or structurally altered shall not be encroached upon or considered as meeting the yard or open space requirements or the intensity of use provisions for any other building.

Section 9-7: Lot Subdivision

No lot shall hereafter be so reduced in area as to cause any open space required by this Ordinance to be less in any dimension than is herein required by the minimum yard requirements of the zone in which the lot in question is situated.

Section 9-8: Improvements Bond

No final certificate of occupancy/compliance for a commercial, residential, or manufactured home park or planned building group will be issued until all required site improvements have been completed. In lieu of completion of required site improvements, the developer of the planned group may enter into a contract with the City of Southport providing for the installation of required improvements within a designated period of time. Performance of said contract shall be secured by a cash or surety bond which will cover the total estimated cost of the improvements as determined by the City of Southport; provided, however, that said bond may be waived by the City Board of Aldermen within its discretion.

Section 9-9: Obstruction of Public Rights-of-Way

It shall be unlawful for any person to place or cause to be placed on any public street, road, alley, sidewalk, or other public right-of-way within the City any wall, fence, gate, brick, stone, wood, rock, vegetation, or other structure, material, or substance above the horizontal plane of the existing ground. In addition, it shall be unlawful for any person to take any action whatsoever within any public right-of-way which creates a hazardous condition or safety hazard or which otherwise interferes with or obstructs in any manner the passage of persons or vehicles upon or within said public rights-of-way or which obstructs, interferes with, or hinders lawful parking within any public right-of-way.

Section 9-10: Existing Encroachments on Rights-of-Way

In the event that the Southport code enforcement officer determines that there exists any encroachment, obstacle, vegetation, or other condition within a public right-of-way which interferes with the free passage of persons or vehicles within said right-of-way, or which interferes with or hinders lawful parking within said right-of-way, or which otherwise creates a hazard to the public, said code enforcement officer shall attempt to identify the person(s) responsible for said obstacle or encroachment. Upon identification, the code enforcement officer shall notify in writing said responsible person(s) who shall have 14 days from the date of notification to remove said encroachment or condition. In the event that the responsible party fails to remove said obstacle or encroachment within the time allowed, the City shall promptly remove said obstacle or encroachment and shall charge the cost of said removal to the party responsible for said obstacle, encroachment, or condition. In the event that the code enforcement officer is not able to identify the responsible party, or if the condition or

encroachment creates an imminent and immediate danger to the public, the City may summarily remove said encroachment or other condition within the right-of-way without notice.

