# CITY OF SOUTHPORT
## UNIFIED DEVELOPMENT ORDINANCE
### TABLE OF CONTENTS

#### ARTICLE 1. GENERAL PROVISIONS.

- **Section 1-1** Title ........................................................................................................ 1
- **Section 1-2** Authority ................................................................................................. 1
- **Section 1-3** Jurisdiction ............................................................................................. 1
- **Section 1-4** Effective Date ......................................................................................... 1
- **Section 1-5** Relationship to Existing Zoning and Subdivision Ordinances .......... 2
- **Section 1-6** Relationship to Coastal Area Management Act (CAMA) Land Use Plan. 2
- **Section 1-7** No Use or Sale of Land or Buildings Except in Conformity With Ordinance Provisions ................................................................. 2
- **Section 1-8** Fees ........................................................................................................ 2
- **Section 1-9** Severability ............................................................................................ 3
- **Section 1-10** Computation of Time ........................................................................... 3
- **Section 1-11** Land Disturbing Activities .................................................................. 3

#### ARTICLE 2. BASIC DEFINITIONS AND INTERPRETATIONS.

- **Section 2-1** Word Interpretation ............................................................................. 2-1
- **Section 2-2** Definitions of Basic Terms .................................................................. 2-2
- **Section 2-3** Interpretation of Zoning District Boundaries ...................................... 2-60

#### ARTICLE 3. ADMINISTRATIVE MECHANISMS.

- **PART I. PLANNING AND ZONING BOARD.** ......................................................... 3-1
  - **Section 3-1** Membership and Vacancies ................................................................. 3-1
  - **Section 3-2** Rules of Conduct .............................................................................. 3-1
  - **Section 3-3** Meetings ............................................................................................ 3-2
  - **Section 3-4** General Powers and Duties ................................................................. 3-3
  - **Section 3-5** Basic Studies ..................................................................................... 3-4
  - **Section 3-6** Comprehensive Plan ....................................................................... 3-4
  - **Section 3-7** Zoning Ordinance .......................................................................... 3-5
  - **Section 3-8** Subdivision Regulations ................................................................ 3-5
  - **Section 3-9** Urban Renewal ................................................................................ 3-5
  - **Section 3-10** Public Facilities .............................................................................. 3-5
  - **Section 3-11** Miscellaneous Powers and Duties .................................................. 3-6
  - **Section 3-12** Planning Board Procedures for Reporting to the Board of Aldermen 3-6
  - **Section 3-13** Advisory Council and Special Committees .................................... 3-6
- **PART II. BOARD OF ADJUSTMENT.** ................................................................. 3-7
  - **Section 3-14** Creating the Zoning Board of Adjustment ....................................... 3-7
  - **Section 3-15** Meetings ......................................................................................... 3-7
  - **Section 3-16** Filing and Notice for an Appeal ....................................................... 3-8
  - **Section 3-17** Power and Duties .......................................................................... 3-9
- **PART III. ADMINISTRATOR.** ................................................................. 3-10
  - **Section 3-18** Administrator ............................................................................... 3-10
Section 9-2  Zoning Map is a Part of this Ordinance. 80
Section 9-3  Replacement of the Official Zoning Map. 80
Section 9-4  Maintenance of the Official Zoning Map. 81
PART III. APPLICATION OF GENERAL REGULATIONS. 81
Section 9-5  Only One Main Building, One Main Use on Lot, and Orientation of a Building. 81
Section 9-6  Minimum Yards. 81
Section 9-7  Lot Subdivision. 81
Section 9-8  Improvements Bond. 82
Section 9-9  Obstruction of Public Rights-of-Way. 82
Section 9-10  Existing Encroachments on Rights-of-Way. 82

ARTICLE 10. TABLE OF PERMITTED USES. 10-1
Section 10-1  Notes to the Table of Permitted Uses. 10-22

ARTICLE 11. TABLE OF AREA, YARD, DENSITY, AND HEIGHT REQUIREMENTS. 11-1
Section 11-1  Notes to the Table of Area, Yard, Density, and Height Requirements. 11-2

ARTICLE 12. ZONING & CONDITIONAL USE PERMIT APPROVAL. 12-1
Section 12-1  Permits Required. 12-1
Section 12-2  No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled. 12-2
Section 12-3  Who May Submit Permit Applications. 12-2
Section 12-4  Applications To Be Complete. 12-2
Section 12-5  Application Review Procedure. 12-3
Section 12-6  Zoning Permits. 12-4
Section 12-7  Authorizing Use or Occupancy Before Completion of Development Under Zoning Permit. 12-5
Section 12-8  Authorizing Use, Occupancy, or Sale Before Completion of Development Under Conditional-Use Permits. 12-5
Section 12-9  Completing Developments in Phases. 12-6
Section 12-10  Expiration of Permits. 12-7
Section 12-11  Effect of Permit on Successors and Assigns. 12-7
Section 12-12  Amendments to and Modifications of Permits. 12-8
Section 12-13  Reconsideration of Board Action. 12-9
Section 12-14  Applications to be Processed Expeditiously. 12-9
Section 12-15  Maintenance of Common Areas, Improvements, and Facilities. 12-10
Section 12-16  Conditional-Use Permits Objectives and Purpose. 12-10
Section 12-17  Procedure for Conditional Use Permit Granted by the City Board of Aldermen on Recommendation of the Planning Board. 12-10
Section 12-18  Table of Regulations for Conditional Uses. 12-12
Section 12-19  Supplemental Regulations. 12-15

ARTICLE 13. PLANNED BUILDING GROUP REGULATION. 130
Section 13-1  Planned Building Group Regulations for Apartments, Townhouses, and Condominiums. 130
Section 13-2  Manufactured Home Park Regulations. 134
ARTICLE 18. BUFFER STRIPS AND LANDSCAPING
Section 18-1 Buffer Strips
Section 18-2 Landscaping on Public Property
Section 18-3 Trees and Shrubbery in or along Streets and Sidewalks
Section 18-4 Parking Facilities Landscaping
Section 18-5 Tree Protection During Construction
Section 18-6 Maintenance
Section 18-7 Authority of Public Works Director to Treat or Remove Trees on Private Property
Section 18-8 Pruning Requirements
Section 18-9 Exemptions

ARTICLE 19. TELECOMMUNICATION FACILITIES
Section 19-1 Purpose
Section 19-2 Facilities Permitted
Section 19-3 Telecommunications Facility Plans

ARTICLE 20. ADULT AND SEXUALLY ORIENTED ESTABLISHMENTS
Section 20-1 Purpose
Section 20-2 Definitions
Section 20-3 Application for Licenses
Section 20-4 Application Procedures
Section 20-5 Prohibited Acts and Conduct
Section 20-6 License, Posting and Display
Section 20-7 Inspections
Section 20-8 Suspension or Revocation of Licenses
Section 20-9 License Renewal
Section 20-10 Transfer of License
Section 20-11 Locational Restrictions
Section 20-12 Nonconforming Uses
Section 20-13 Additional Regulations for Adult Motels
Section 20-14 Additional Regulations for Escort Agencies
Section 20-15 Additional Regulations for Nude Model Studios
Section 20-16 Regulations Pertaining to Exhibition of Sexually Explicit Films, Videos, and Live Performances
Section 20-17 Exterior Portions of Sexually Oriented Businesses
Section 20-18 Signage
Section 20-19 Parking
Section 20-20 Massages or Baths Administered by a Person of the Opposite Sex
Section 20-21 Hours of Operation
Section 20-22 Exemptions
Section 20-23 Notices

ARTICLE 21. FLOOD DAMAGE PREVENTION ORDINANCE
PART I. IN GENERAL
Section 21-1 Statutory Authorization
Section 23-5 Termination .................................................. 267
Section 23-6 Voluntary Annexation .................................... 268
Section 23-7 Limitations .................................................. 268
Section 23-8 Repealer ..................................................... 268

ARTICLE 24. STORMWATER DISCHARGE CONTROL ORDINANCE .......... 269
Section 24-1: General Provisions ....................................... 269
Section 24-2: Stormwater Discharge Control Preliminary and Design Plans . 273
Section 24-3: Ownership, Inspection, and Maintenance ..................... 279
Section 24-4: Miscellaneous Provisions .................................. 281
Section 24-5: Sedimentation Pollution Control ............................ 284
Section 24-6: Stormwater Drainage ..................................... 284
Section 24-7: Retention Pond or Subsurface Facility Requirements .......... 285
Section 24-8: Detention and Wet Retention Facilities ...................... 286
Section 24-9: Performance Bond/Security ................................ 287
Section 24-10: Post-Construction Maintenance/Warranty Bond .......... 288

ARTICLE 25. MAJOR AND MINOR SUBDIVISIONS ................................ 289
Section 25-1 Plat Shall be Required on Any Subdivision of Land .......... 289
Section 25-2 Approval Prerequisite to Plat Recordation .................... 289
Section 25-3 Procedures for Review of Major and Minor Subdivisions ...... 289
Section 25-4 Procedure for Review of Minor Subdivisions .................. 289
Section 25-5 Major Subdivision Sketch Design Submission and Review ... 293
Section 25-6 Major Subdivision Preliminary Plat Submission and Review .. 293
Section 25-7 Major Subdivision Final Plat Submission and Review ........ 294
Section 25-8 Information to be Contained in or Depicted on Major Preliminary and All Final Plats ............................................ 302
Section 25-9 Recombination of Land ..................................... 306
Section 25-10 Resubdivision Procedures ................................... 306
Section 25-11 Streets ..................................................... 307
Section 25-12 Traffic Impact Study ...................................... 316
Section 25-13 Lot Standards .............................................. 320
Section 25-14 Exceptions ................................................. 321
Section 25-15 Construction Procedures ................................... 321
Section 25-16 Enforcement ............................................... 322

ARTICLE 26. RECREATION SITES ........................................ 323
Section 26-1 Applicability ............................................... 323
Section 26-2 Exceptions .................................................. 323
Section 26-3 Dimensional Requirements ................................... 323
Section 26-4 Site Suitability .............................................. 324
Section 26-5 Site Improvements ......................................... 325
Section 26-6 Method of Provision or Dedication ............................ 328
Section 26-7 Payments in Lieu of Dedication ............................... 339