

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 Town of Calabash and its extraterritorial jurisdiction is divided into the following classes of zones:

- (A) R-15 Residential District. This district is intended as a single-family residential area with a low to medium population density. Certain structures and, uses of governmental, educational, religious, and noncommercial recreational natures are either, permitted outright, or are subject to special conditions intended to preserve and protect the residential character of this district.
- (B) R-8 Residential District. The R-8 residential district is established as a district in which the principal use of land is for single-family, two-family, and multi-family residences. The regulations of this district are intended to provide areas of the community for those persons desiring residence and multi-family structures in medium density neighborhoods. The regulations are intended to discourage any use which because of its character would interfere with the residential nature of this district.
- (C) R-6 Residential District. The R-6 residential district is established as a district in which the principal use of land is for single-family, two-family, and multi-family residences. The regulations of this district are intended to provide areas in the community for those persons desiring small residences and multi-family structures in relatively high density neighborhoods. The regulations are intended to discourage any use which because of its character would interfere with the residential nature of this district.
- (D) R/C Residential/Commercial District. The R/C district is established as a mixed use district in which manufactured homes, single-family, two-family, and multi-family residences as well as some commercial uses are permitted, with a pedestrian focus. Buffering requirements may be relaxed for commercial properties maintaining architectural compatibility with surrounding development.
- (E) MFH-II Manufactured Home District II. The Manufactured Home District II is established as a district in which the principal use of land is for Class A and Class B manufactured homes and manufactured home parks.
- (F) PUD Planned Unit Development. The purpose of the PUD district is to encourage the development of desirable, mixed-use living environments which meet the needs of the residents who live in them. Certain development privileges, through diversified land development standards in exchange for pre-planning and innovative design considerations, provide flexibility in utilizing new development concepts that are intended to:
 - (1) Encourage creative development that preserves natural and scenic features.
 - (2) Provide for abundant and accessible open and recreational space.

- (3) Promote the efficient use of land resulting in infrastructure networks that maximize the allocation of fiscal and natural resources.
- (G) O/I Office and Institutional District. A district designed for office/institutional uses at low to moderate densities and multi-family housing.
- (H) CB Central Business District. The regulations for this district are designed to permit a concentrated development of permitted uses.
- (I) HC Highway Commercial District. The HC Highway Commercial District is established primarily for those businesses that serve the traveling public, require large areas for displays of goods, and are not oriented to the pedestrian shopper. Because these districts are generally located adjacent to main thoroughfares where they are subject to public view, they should provide an appropriate appearance, ample parking, and suitable landscaping.
- (J) AD Agriculture District. This district is intended to preserve the present land use as of the date of adoption of the Unified Development Ordinance of the Town.
- (K) ID Industrial District (Light). The ID Industrial District is established as a district in which the principal use of land is for industries which can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential or business districts. The regulations are designed to prohibit the use of land for heavy industry which should be properly segregated and to prohibit any other use which would substantially interfere with the development of industrial establishments in the district.
- (L) CD Conservation Districts. This district is intended to preserve and protect fragile estuarine environments from adverse affects created by incompatible uses.

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 Town of Calabash, 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 Town Clerk, and bearing the official seal of the Town of Calabash 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 Town of Calabash, 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 original zoning map becomes damaged, destroyed, lost, or difficult to interpret, the Board of Commissioners 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 Town 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 Town of Calabash, 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 Commissioners that a zoning change has been made, the Town Administrator shall cause to be made the necessary changes on the official zoning map within 14 (fourteen) business days of notification. The Zoning Administrator shall be responsible for the maintenance and revision of the official zoning map after being notified by the Town Administrator.

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 the R15, R8, R6, and MFH-II, 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 per building and lot. This requirement shall not apply 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 Town of Calabash providing for the installation of required improvements within a designated period of time. Performance of said contract shall be secured by cash, collateral, property, or issuance of an irrevocable letter of credit in a form that is satisfactory to the Board of Commissioners, which will cover the total estimated cost of the improvements as determined by the Town of Calabash; provided, however, that said bond may be waived by the Board of Commissioners 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 Town 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 Town of Calabash code enforcement officer determines that there exists any fixed 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 (fourteen) business 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 Town 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 Town may summarily remove said encroachment or other condition within the right-of-way without notice.