

## **Section 13. Zones and Boundaries**

A. In order to regulate and limit the height and size of buildings; to regulate and limit the intensity of the use of lot areas; to regulate and limit the location and number of driveway accesses; to regulate and determine the areas of open space surrounding buildings; to classify, regulate, and restrict the location of trades and industries; and to regulate the location of buildings designed for specified industrial, business, residential, and other uses, the City is hereby divided into zones of which there shall be thirty-nine (39) in number as listed below:

1. **RA-20 Residential Agricultural Zone**
2. **CU-RA-20 Residential Agricultural Zone** - Identical to the RA-20 Residential Agricultural Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
3. **RS-15 Residential Single-Family Zone** *(Amended 12/8/98)*
4. **RS-12 Residential Single-Family Zone** *(Amended 5/6/98)*
5. **CU-RS-12 Residential Single-Family Zone** - Identical to the RS-12 Residential Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
6. **RS-10 Residential Single-Family Zone** *(Amended 12/8/98)*
7. **R-7 Residential Zone**
8. **CU-R-7 Residential Zone** - Identical to the R-7 Residential Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
9. **RS-7 Residential Single Family Zone** *(Amended 8/5/97)*
10. **RM-6 Residential Multi-Family Zone** *(Amended 5/6/98)*
11. **CU-RM-6 Residential Multi-Family Zone** - Identical to the RM-6 Residential Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
12. **RS-6 Residential Single Family Zone** *(Amended 3/4/97)*
13. **RM-5 Residential Multi-Family Zone** *(Amended 2/3/98)*
14. **CU-RM-5 Residential Multi-Family Zone** - Identical to the RM-5 Residential Multi-Family Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.

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- (Amended 2/3/98)*
15. **RD-5 Residential Downtown Zone** *(Amended 4/8/97)*
16. **RS-5 Residential Single-Family Zone** *(Amended 2/3/98)*
17. **CU-RS-5 Residential Single-Family Zone** - Identical to the RS-5 Residential Single-Family Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance. *(Amended 2/3/98)*
18. **RD-3 Residential Downtown Zone** *(Amended 4/8/97)*
19. **Townhouses, Condominiums, and Apartments**
20. **CU-TCA-Zone** - Identical to the Townhouses, Condominiums, and Apartments except that a conditional use permit is required as a pre-requisite to any use or development. *(Amended 3/18/86) (Amended 5/7/08)*
21. **Residential-Office Zone**
22. **CU-RO Zone** - Identical to the Residential-Office Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
23. **Office and Institutional Zone**
24. **CU-O&I Zone** - Identical to the Office and Institutional Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
25. **Neighborhood Business Zone**
26. **CU-NB Zone** - Identical to the Neighborhood Business Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
27. **Central Business District** *(Amended 5/18/99)*
28. **Office/Mixed Use Zone** *(Amended 8/17/99)*
29. **Business Zone**
30. **CU-Business Zone** - Identical to the Business Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.

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31. **Business 1 Zone**
32. **CU-B-1 Zone** - Identical to the Business 1 Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
33. **Business 2 Zone**
34. **CU-B-2 Zone** - Identical to the Business 2 Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
35. **Industrial Zone**
36. **CU-IND Zone** - Identical to the Industrial Zone except that a conditional use permit is required as a pre-requisite to any use or development, as provided in this ordinance.
37. **Military Reservation (MR) Zone** *(Amended 5/18/99)*
38. **Adult Business Overlay Zone** *(Amended 3/17/98)*
39. **Billboard Overlay Zone** *(Amended 3/17/98)*

For each zoning district hereinabove described, there are hereby established parallel conditional use districts pursuant to North Carolina General Statutes Section 160A-382. Under each conditional use district, all uses allowed as a permitted use or special use under the parallel district are permitted only upon issuance of a conditional use permit by City Council. *(Amended 10/8/91)*

- B. The boundaries of the zones are shown upon the map entitled "Town of Jacksonville, North Carolina, Zoning Map, dated April 15, 1951," and subsequent maps as zones were changed. The Zoning Map and all the notations, references, and all amendments thereto, and other information shown thereon is hereby made a part of this ordinance the same as if such information set forth on the map were all fully described and set out herein. The Zoning Map properly attested is on file in the office of the Building Inspector and is available for inspection by the public. In the creation, by this ordinance of the respective zones, the City Council has given due and careful consideration to the peculiar suitability of each zone for the particular regulations applied thereto, and the necessary, proper, and comprehensive groupings and arrangements of various uses and densities of population in accordance with a well-considered comprehensive plan for the development of the City.
- C. The boundaries of such zones shown upon the map adopted by this ordinance are hereby adopted, and the provisions of this ordinance governing the use of land and buildings, the height of buildings, building site areas, the size of yards about buildings and other matters

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the boundaries of each and as hereinafter set forth, are hereby established and declared to be in effect upon all and included within every zone shown upon such map.

Where uncertainty exists as to boundaries of any zone shown on such map the following rules shall apply:

1. Where such zone boundaries are indicated as approximately following street lines, alley lines, and lot lines, such lines shall be construed to be such boundaries.
  2. In un-subdivided property or where a zone boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the map.
  3. In case any further uncertainty exists, the Board of Adjustment shall interpret the intent of the map as to location of such boundaries.
  4. Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
- D. Except as provided, no building shall be erected, reconstructed, or structurally altered, nor shall any building or land be used which does not comply with all the zone regulations established by this ordinance for the zone in which the building or land is located.
- E. The minimum yards and other open spaces including the intensity of use provisions contained in this ordinance for each building erected or structurally altered, shall not be encroached upon or considered as yard or open space requirements or intensity of use requirements for any other building.
1. Every building erected or structurally altered shall be located on a lot and must conform to all setbacks, side yards, and front yard requirements.
  2. No shrubbery, tree, fence, or any other obstruction shall be placed, or maintained in the street right-of-way, or nearer to the street curb line than 7½ feet. On a corner lot, no plantings, shrubbery, or other obstructions may be placed or maintained within the site triangle pursuant to the Manual of Specifications, Standards and Design which will impede vision between 2 ½ feet and 8 feet in height from grade of the street center line. This does not include public utilities or street markers, traffic signs and controls. *(Amended 8/22/06)*
  3. No electric fence or barbed wire fence shall be maintained within the City of Jacksonville unless it is properly protected from public contact and is not a nuisance to the neighbors.

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4. The zoning classification of street and railroad rights-of-way area shall be the same, on each side of the right-of-way centerline, as the zoning of the adjoining properties on each side, except that if railroad and street rights-of-way are parallel and adjoining, all of the railroad right-of-way shall be classified the same as the property on the side not adjoining the street. Public street uses and railroad operations shall be permitted within their respective rights-of-way in all districts.  
*(Amended 12/16/80)*
  
5. Nonresidential condominiums (unit ownerships) are allowed in any district where the actual use is permitted (e.g. office unit ownerships in an office zone), provided that they comply with the Unit Ownership Act and any applicable provisions of City law. In structures containing nonresidential condominium ownerships, the dimensional requirements of this ordinance (yard spaces, setbacks, etc.) apply to the structure and not to the unit.  
*(Amended 4/5/83)*

**Sections 14-15. Reserved**