

# CHAPTER 17.08. DISTRICTS AND BOUNDARIES

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**17.08.10 General Regulations.** The following general regulations shall apply to all zoning districts and lots within the City:

- A. Except as otherwise provided, a lot shall only be used:
  - 1. For a principal land use authorized in this Ordinance as either a Permitted or Conditional Use in the district in which it is located or proposed to be located;
    - a. Exception: The Authorized Official may determine that a proposed principal land use, while not specifically classified within a district as a Permitted or Conditional Use, is sufficiently similar to another land use so classified that it shall be treated similarly within that district. In reaching such a conclusion, he or she shall first evaluate the nature of the proposed land use, including, but not limited to, its potential generation of traffic, congestion, noise, odors, dust, litter, and similar impacts.
  - 2. In conformance with the minimum lot area, minimum lot width, setback, and maximum structure height requirements; all applicable supplemental regulations; and all other requirements of the district in which the building, structure, or land use is located or proposed to be located; and
  - 3. In conformance with any federal, state, or local laws as may be applicable.
- B. All required permits shall be obtained in conformance with Chapter 17.84 and all other applicable building codes.
- C. One (1) Permitted or Conditional Use is allowed per lot in the AG, R-1, R-2, R-3, R-4, and R-5 Districts, except lots in the AG District may contain both a single-family detached dwelling and agricultural land uses. Each principal building shall meet its zoning district's minimum setback requirements. Accessory buildings, structures, and land uses are allowed in conformance with Chapter 17.68.01.

- D. One (1) or more Permitted and/or Conditional Uses are allowed per lot in the CB-1, CB-2, HC, GB, and I Districts so long as each principal building meets the zoning district's minimum setback requirements. Accessory buildings, structures, and land uses are allowed in conformance with Chapter 17.68.01.
- E. Every building hereafter constructed, erected, or moved onto a lot in the City shall have access to a public street and all structures shall be situated in such a manner as to provide safe and convenient access for servicing, fire protection, and required off-street parking.
- F. Connections to existing City streets shall only be approved by the City Council. No driveway or street shall connect to any existing street within thirty (30) feet of an existing intersection. Wherever possible connections of new streets to existing streets shall align with existing streets. Connections to City collector streets shall occur at intervals of no less than three hundred fifty (350) feet. Current and future collector streets are identified on the Major Street Plan in the City's Comprehensive Plan.
- G. Cooperatives, condominiums, and all other forms of non-traditional property ownership do not uniquely impact upon the provisions of this Ordinance. As such, all requirements shall be observed as though they were under single ownership.

**17.08.20 Districts Designated.** In order to regulate and restrict the height and size of buildings and other structures; the percentage of a lot that may be occupied; the size of required yards, courts, and other open spaces; and the location and use of buildings, structures, and land for trade, industry, residences, and other purposes; the City is hereby divided into the following districts:

- AG Agricultural District
- R-1 Single-Family Residential District
- R-2 Single-Family Lake Residential District
- R-3 Multiple-Family Residential District
- R-4 Multiple-Family Lake Residential District
- R-5 Mobile/Manufactured Home Park District
- CB-1 Military Road Central Business District
- CB-2 River Drive Central Business District
- HC Highway Commercial District
- GB General Business District
- I Industrial District
- FO Floodplain Overlay District
- ARO Airport-Restricted Overlay District
- PD Planned Development District

**17.08.30 Adoption of Official Zoning Map.** The Official Zoning Map for the City of North Sioux City, on record with the Authorized Official, is hereby adopted by reference and declared to be a part of this Ordinance.

**17.08.40 Changes to Official Zoning Map.** Changes to or replacement of the Official Zoning Map shall require amendment of this Ordinance in conformance with Chapter 17.92.

**17.08.50 Interpretation of District Boundaries.** The following rules shall apply where uncertainty exists as to the boundaries of the districts as shown on the Official Zoning Map:

- A. Boundaries indicated as approximately following platted lot lines or corporate limits shall be interpreted to follow such platted lot lines or corporate limits;
- B. Boundaries indicated as approximately following railroad lines shall be interpreted to be midway between the maintracks;
- C. Boundaries indicated as approximately following the center lines of streets or other rights-of-way, or streams or other bodies of water, shall be interpreted to follow such center lines;
- D. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map. Where physical or topographic features existing on the ground differ from those shown on the Official Zoning Map, the Board of Adjustment, as established in Chapter 17.88, shall interpret the district boundaries; and
- E. Where a district boundary line divides a lot that was commonly owned at the time of passage of this Ordinance, the Board of Adjustment may permit, by a conditional use permit, the extension of the regulations for either portion of the lot into the remaining portion of the lot.

**17.08.60 Annexations.** When possible, the City will make every effort to conduct the change of zone of new lots concurrent with the land's annexation into the City. When it is not possible to conduct the change of zone concurrently with the annexation, the properties which may hereafter be annexed into the City shall automatically be assigned the district concurrent with or closest to the existing Union County district classification as determined by the Authorized Official until such time as they undergo a change of zone in conformance with this Ordinance.

**17.08.70 Facilities That Grow, Process, Test or Sell Marijuana and Cannabis Products.** Unless allowed as a permitted use in Chapters 17.12 through 17.64, no facility that grows, processes, tests, or sells marijuana or cannabis products may operate within the City limits.