

## **15.1 INTRODUCTION**

### **15.11 Title**

This ordinance shall be known, and may be cited and referred to as the Lisbon Zoning Ordinance.

### **15.12 Authority**

This ordinance is adopted under the authority granted by Chapter 40-47 of the North Dakota Century Code.

### **15.13 Purpose**

- 15.13.1** To protect public health, safety, morals, comfort, convenience, prosperity, and the general welfare of the City of Lisbon, North Dakota.
- 15.13.2** To secure safety from fire, panic, noxious fumes, and other dangers.
- 15.13.3** To facilitate adequate provisions for transportation, water, sewerage, and other customary municipal government services.
- 15.13.4** To promote orderly development of land and water resources and to prevent conflict among land uses and structures.
- 15.13.5** To carry out the goals, objectives, and policies of the City Comprehensive Plan.
- 15.13.6** To regulate the following locational and spatial needs of Lisbon:
  - 15.13.61** Community facilities;
  - 15.13.62** Economic development areas;
  - 15.13.63** Bulk, height, and coverage of structures; and
  - 15.13.64** Residential, commercial, and industrial areas.

### **15.14 Jurisdiction**

This ordinance shall apply to the use and enjoyment of all lands within the City of Lisbon, North Dakota and, if elected by the City in the future, one-half mile outside of the corporate limits of the city known as extraterritorial planning area, as provided by chapter 40-47 of the North Dakota Century Code. The extraterritorial planning area is defined by any quarter section of land in the unincorporated territory, the majority of which is located within one half (1/2) mile of the city limits in any direction.

### **15.15 Interpretation**

This ordinance shall be held to be the minimum requirements adopted for promotion of purposes cited in Section 15.13. Whenever the requirements of this ordinance are at variance

## 15.12 Authority

This ordinance is adopted under the authority granted by Chapter 40-47 of the North Dakota Century Code.

Let it be known that all new construction and remodeling in all zones of the City of Lisbon shall be constructed according to North Dakota State Building Codes. It is the responsibility of the property owners and contractors to be familiar with these codes. If during construction a licensed inspection is required, it is the responsibility of the contractor to contact a licensed inspector. The City Code Administrator may review the progress of construction according to code as time allows but will not provide any licensed inspection services.

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15.13.6 To regulate the following locational and spatial needs of Lisbon:

15.52.27 Day care facilities subject to the requirements of the state of North Dakota.

15.52.3 Conditional Uses

15.52.31 Hospitals and clinics excluding veterinary clinics.

15.52.32 Convalescent and nursing homes.

15.52.33 Condominiums and single family attached dwelling units.

15.52.34 Manufactured home units installed on a permanent foundation, frost free piers or a basement. If the home is placed on piers they must be in accordance to manufacturers' specifications and concrete skirting must be used.

Minimum width for manufactured homes in city limits outside of a mobile home park is 24ft. It must also have a minimum of 3/12 pitch roof and 8-inch roof overhang on sides.

15.52.35 Shouse (Shop/House)

1. Shouses shall be structurally anchored to a permanent foundation that meets local, state and/or international building codes.

2. The ground floor of a shouse shall contain a minimum of 800 square feet for dwelling purposes, exclusively of the ground floor area of the workshop/garage.

3. When the lot is developed with a shouse, construction of the dwelling area and the garage/workshop shall be completed at the same time.

4. All shouses, shall have bathroom facilities, including a toilet, sink and a bathtub or shower.



5. All shouses shall have a kitchen and dining area with a sink.
6. All shouses shall have a minimum of one bedroom and separate living space.
7. All shouses shall provide heating and cooling systems as required by local, state and/or international codes.
8. All electrical systems shall comply with all local, state and/or international electrical codes.
9. All shouses shall comply with all egress requirements in local, state and/or international codes.
10. All structural changes to a Shouse, as well as any structural changes needed to convert an existing accessory structure (i.e., a garage, workshop or barn) to a Shouse with dwelling, shall be stamped and signed by a structural engineer and shall comply with the current adopted international residential code (IRC).
11. The total floor area of a Shouse and any accessory structure(s) shall not exceed the maximum lot coverage for the permitting district.
12. Each side of the Shouse shall include some form of visual relief. Visual relief includes the incorporation of design features such as windows, horizontal and vertical patterns, contrasting colors or varying wall depths.
13. Architectural metal is permitted. Architectural metal as defined herein, is factory-fabricated metal that is finished with a durable non-fade surface and corrosion-resistant fasteners. Pre-weathered metal is acceptable. Non-painted galvanized finish is prohibited.
14. No overhead door facing the front street will be larger than a standard garage. Door 9 feet high, or 16 feet wide.
15. If there is no full 2nd floor there will be a maximum of 10-foot sidewall.

15.52.36      Hoop Buildings/Tarp Buildings  
See (15.64.1)

15.52.4        Lot Area and Lot Width

15.52.41       The minimum lot area shall be no less than eight thousand (8,000) square feet for single family units and twelve thousand (12,000) square feet for two (2) family units.

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**15.52.3 Conditional Uses**

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**15.52.34** Manufactured home units installed on a permanent foundation or basement.

**15.52.4 Lot Area and Lot Width**

**15.52.41** The minimum lot area shall be no less than eight thousand (8,000) square feet for single family units and twelve thousand (12,000) square feet for two (2) family units.

**15.52.42** The minimum interior lot width shall be no less than sixty (60) feet for a single family and ninety (90) feet for two-family structures. The corner lots shall be no less than seventy (70) feet wide.

**15.52.5 Yard Requirements**

**15.52.51** The minimum front yard, measured from the front lot line shall be no less than twenty (20) feet. For lots abutting major thoroughfares, the Planning Commission may require larger setbacks not exceeding fifty (50) feet.

**15.52.52** The minimum rear yard, measured from the rear lot line, shall be no less than twenty (20) feet.

**15.52.53** The minimum side yard, measured from the side lot line, shall be no less than eight (8) feet.

**15.52.6 Building Height**

No building shall be more than two and one-half (2½) stories or thirty-five (35) feet high except institutional buildings and church steeples approved by the Planning Commission.

No accessory buildings shall have a side wall which is higher than ten (10) feet. (Ordinance No. 97-4).

**15.52.7 Parking Requirements**

**15.52.71** There shall be a minimum of two (2) off-street parking spaces provided for each residential dwelling unit.

15.52.9 Building Requirements.

All residences placed or constructed on property in the R-1 Single Family Residential District shall conform to the following minimum requirements:

15.52.91 Must be placed on a permanent foundation or basement, and blocking upon the pilings will be acceptable as a permanent foundation if placed according to the manufacturer's specifications.

15.52.92 Must have a roof pitch of no less than three/twelve (3/12).

15.52.93 Roofing materials shall consist of shingles or other material customarily used for conventional dwelling units.

15.52.94 Must be constructed with acceptable skirting and siding that is approved by the Planning Commission.

15.52.95 Must have a main entrance facing the public street.

15.52.96 Must be 24 feet or wider as measured on the outside of a building between its two longest sides. (Ordinance No. 2012-4)

15.52.97 Fences

It shall be unlawful for any person to install, erect, construct, relocate or alter events within the city without first obtaining a permit, therefore, from the City Code Administrator.

No permit shall be issued if the building official determines that the proposed fence does not



meet the requirements of this section. A sketch or design of the proposed fence, including a description of materials to be used and specification of height, shall be submitted with the application for a permit. All fences except security fences shall be of a decorative nature.

Fences and hedges shall be no less than three (3) feet from the lot line without a signed agreement from neighboring property owner.

All fences must be kept in good condition, not broken, bent, poor stain or paint. Fence should always remain in good visual acceptance.

Height Restriction: it shall be unlawful for any person to erect or construct a fence exceeding six feet (6') in height on any residential property within the city.

Fences exceeding 6 feet in height in zoning where it is permitted, and fences to be placed around school grounds, construction sites, etc., Shall be constructed as required in the Uniform Building Code.

Prohibited: Electric fence shall be unlawful within the city. Barbed wire shall be unlawful except 1 course of wire above a 6-foot chain link fence in industrial zone or approved commercial areas for security.

Pallets, chicken wire, livestock fencing are other examples of non-compliant materials for fence. Approval for all fence with be at the discretion of the City Code Administrator.

All fences will be constructed with the beauty side out, meaning post or poles are to the inside of the fence.

Chain link fence is allowed and must be erected with proper accessory materials, any variance must be free approved by the City Code Administrator. Chain link fence must be maintained on both sides, around poles and under the fence. Chain-like fence that becomes bent or damaged will need to be replaced or repaired.

## 15.53 R-2 Multi Family Residential District

### 15.53.1 Purpose

The R-2 multi-family residential district is primarily established to promote a suitable residential environment and to accommodate multi-family density residential uses largely consisting of multi family dwelling units.

- 15.54.91** Must be placed on a permanent foundation or basement, and blocking upon the pilings will be acceptable as a permanent foundation if placed according to the manufacturer's specifications.
- 15.54.92** Must have a roof pitch of no less than three/twelve (3/12).
- 15.54.93** Roofing materials shall consist of shingles or other material customarily used for conventional dwelling units.
- 15.54.94** Must be constructed with acceptable skirting and siding that is approved by the Planning Commission.
- 15.54.95** Must have a main entrance facing the public street.
- 15.54.96** Must be 24 feet or wider as measured on the outside of a building between its two longest sides. (Ordinance No. 2012-4)

## **15.55 C-2 Highway Commercial District**

### **15.55.1 Purpose**

The C-2 highway commercial district is primarily established to accommodate those highway oriented and heavy commercial uses which by nature and operational characteristics, such as direct access and large number of parking spaces, require separation from other uses because of the intensity and frequency of consumer travel.

### **15.55.2 Permitted Uses**

The uses permitted in the C-2 highway commercial district consist of large traffic generators and commercial uses generally placed along major streets, highways, and railroads, although certain retail and service uses are found in this district.

#### **15.55.21 Uses and Services Include**

- (a) Accessory uses
- (b) Advertising signs and billboards
- (c) Amusement places such as bowling alleys, miniature golf courses, theaters and similar facilities.
- (d) Automotive sale and service
- (e) Animal hospitals and kennels provided that the outdoor pens are not located closer than two hundred (200) feet from any residential district
- (f) Bakeries and confectioneries



- (d) Each unit shall be placed on a stand and anchored to provide a firm foundation and prevent accidental movement or overturning.
- (e) Each unit shall have a minimum setback of twenty (20) feet within the parks and thirty (30) feet from the public streets.
- (f) Each unit shall have a minimum side yard of ten (10) feet and a rear yard of twenty (20) feet.
- (g) The design and construction of the private streets within the park shall conform to the design standards used by the City of Lisbon.
- (h) All units shall be served by underground utilities unless waived by the Planning Commission.
- (i) There shall be two (2) off-street parking spaces per unit.

#### 15.53.34 Shouse ( Shop/House )

1. Shouses shall be structurally anchored to a permanent foundation that meets local, state and/or international building codes.
2. The ground floor of a shouse shall contain a minimum of 800 square feet for the dwelling purposes, exclusive of the ground floor area of the workshop/garage.
3. When lot is developed with a shouse, construction of the dwelling area and the garage/workshop shall be completed at the same time.
4. All shouses, shall have bathroom facilities, including a toilet, sink and a bathtub or shower.

5. All shouses shall have a kitchen and dining area with a sink.
6. All shouses shall have a minimum of one bedroom and separate living space.
7. All shouses shall provide heating and cooling systems as required by local, state and/or international codes.
8. All electrical systems shall comply with all local, state and/or international electrical codes.
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13. Architectural metal is permitted. Architectural metal as defined herein, is factory-fabricated metal that is finished with a durable non-fade surface and corrosion-resistant fasteners. Pre-weathered metal is acceptable. Non-painted galvanized finish is prohibited.
14. No overhead door facing the front street will be larger than a standard size garage. Door 9 feet high, or 16 feet wide.
15. If there is no full 2nd floor there will be a maximum of 10 foot sidewall.

#### 15.53.4 Lot Area and Lot Width

15.53.41 The minimum lot area in R-2 residential district for residential uses shall be:

- 15.53.96** Must be 24 feet or wider as measured on the outside of a building between its two longest sides. (Ordinance No. 2012-4)

## **15.54 C-1 General Commercial District**

### **15.54.1 Purpose**

The C-1 general commercial district is primarily established to accommodate a cohesive and compact range of retail, office and commercial uses traditionally found in the downtown area.

### **15.54.2 Permitted Uses**

The uses permitted in C-1 general commercial district consist of retail uses and services, and professional services which serve the city and its neighborhood, but not including highway commercial uses which because of the high traffic volume or other characteristics are more suited elsewhere.

#### **15.54.21 Retail Uses:**

- (a) Antique shops, art and craft stores
- (b) Automobile accessories and automobile dealerships
- (c) Clothing and department stores
- (d) Dry good stores
- (e) Flower shops
- (f) Furniture stores
- (g) Grocery stores
- (h) Hotels and motels
- (i) Household appliance stores
- (j) Jewelry stores
- (k) Musical instruments sales and service
- (l) Optical, orthopedic and medical supply stores
- (m) Paint and wallpaper stores
- (n) Restaurants
- (o) Rugs and floor covering stores



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It shall be unlawful for any person to install, erect, construct, relocate or alter events within the city without first obtaining a permit therefore from the City Code Administrator.

No permit shall be issued if the building official determines that the proposed fence does not meet the requirements of this section. A sketch or design of the proposed fence, including a description of materials to be used and specification of height, shall be submitted with the application for a permit. All fence except security fence shall be of a decorative nature.

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#### 15.54 C-1 General Commercial District

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Any improvement on the interior or exterior of any commercial structure costing \$500 or more requires and building permit to be found online at the City Website, City Auditor Office or City Code Administrator. The Fee shall be Five (\$5) per Thousand with a minimum of Fifty (\$50) and a maximum of Four Hundred (\$400). This fee will be reviewed from time to time set by the City Council.

##### 15.54.2 Permitted Uses

The uses permitted in C-1 general commercial district consist of retail uses and services, and professional services which serve the city and its neighborhood, but not including highway commercial uses which because of the high traffic volume or other characteristics are more suited elsewhere.

R-1 and R-2 ordinances apply regarding setbacks, fence, building requirements etc... when building residential single or dual family dwellings on a commercial zoned parcel . Planning and Zoning can review on specific circumstances for alignment of buildings etc...

##### 15.54.21 Retail Uses:

#### 15.64 Accessory Buildings in Rear Yard

Accessory buildings may be built in a required rear yard but shall not occupy more than thirty percent (30%) of a required rear yard and shall not be nearer than five (5) feet to any side lot line or rear lot line, except that when a garage is entered from an alley at right angle, it shall not be located closer than sixteen (16) feet to the alley line.

If a garage is located closer than ten (10) feet from the main building, the garage shall be regarded as a part of the main building for the purposes of determining side yards and rear yards.

No storage containers, truck boxes, semi-trailers shall be used as permanent storage in residential zones.

No residential properties will be allowed to have a standalone garage or storage shed. A residential home must be present. In the event of a newly developed residential building. The house will be built before any outbuildings.

A maximum of Three (3) Accessory Buildings will be allowed on any single and or adjoining lot or lots

Condemnation - ~~Sit~~ Asbestos removed  
Fire Dept  
Dalen no quote yet  
Landing along river above dam  
Bobby Keopplin