

RESOLUTION 2018-08

Amendment to Sioux County Planning and Zoning Ordinance #1, Articles: III, V, VI, VII, XI, XII, XIII, XIV, XVI, and XVII.

WHEREAS, the Sioux County Planning and Zoning Commission has recommended amendments to the text of the Sioux County Zoning Ordinance to more clearly establish the parameters for parcel divisions and setbacks, fireworks sales, home occupations, and rural commercial business operations and industrial enterprise, *and*

WHEREAS, such recommended amendments will more specifically set forth the requirements pertaining to the Zoning Regulations governing these matters

THEREFORE, it is hereby resolved by the Sioux County Board of Supervisors that the text of the Sioux County Zoning Ordinance shall be amended as follows:

THAT, the following definitions be added to Article III, Section 3.1, Definitions:

EVENTS CENTER: Facility for conducting weddings/receptions, vendor fairs, family reunions, business meetings, etc.

STABLE, COMMERCIAL: Any property, building or commercial establishment in which more than three (3) Equine (horse, donkey, mule) are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.

WINERY/MICRO-BREWERY/TAP ROOM: A use engaged in the preparation and retail sales of alcoholic beverages for consumption on the premises.

AND THAT, Article III, Section 3.2.S. be amended by replacing the following text: 'six (6)', with 'three (3)'

AND THAT, Article III, Section 3.2.T. be amended by adding the following text: 'cocktail lounge'

AND THAT, Article III, Section 3.2. be amended by adding the following text:

FF. WINERY/MICRO-BREWERY/TAP ROOM: A use engaged in the preparation and retail sales of alcoholic beverages for consumption on the premises.

AND THAT, Article V, Agricultural District, be amended as follows:

Section 5.3.5. : Add the following text: Unless otherwise allowed by this Ordinance,

Insert New Section: 5.3.6: Individual agriculturally zoned parcels that include a farm residence may be split for residential purposes once in the lifetime of both the original and resulting parcel provided all of the following criteria are met:

- a. The original parcel is a minimum of four(4), and a maximum of ten(10) net acres in size, and
- b. There is only one existing dwelling on the original parcel, and
- c. There is evidence to support a history of no farming (crop) activity for a minimum of five (5) years prior to the division of the parcel under consideration, and
- d. Each resulting parcel is a minimum of 2 acres net, and
- e. All other pertinent zoning regulations are met by both the original and resulting parcel, including minimum setback requirements, lot/parcel size, septic requirements, etc., and
- f. The properties are otherwise determined by the zoning director to be suitable for residential purposes.
- g. Both parcels are subject to the "Parcel Subdivision" regulations outlined in Section 16.11 of this Ordinance, and

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Amendments to Sioux County Zoning Ordinance # 1
Update Articles: III, Definitions/Use Classifications;
V, Ag Dist.; VI, EC Dist.; VII, Rural Res. Dist.; XI,
Comm. Dist.; XII, Rural Comm. Dist.; XIII, Light Ind.
Dist.; XIV, Heavy Ind. Dist.; XVI, Supplemental
District Regs.; and Article XVII, Additional Use
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- h. All residential dwelling units must be constructed in compliance with the “Minimum Requirements for Residential Structures” regulations outlined in Section 17.7 of this Ordinance. Manufactured or mobile homes must be converted to real property in conformance with section 135D.26 of the Code of Iowa.

Add new text to 5.4 Conditional Uses, Industrial Uses: Fuel Storage, Pesticide/Fertilizer Storage & Processing, Chemical Storage, Renewable Energy/Resources Industries, Sanitary Landfill'

Add new text to 5.4 Conditional Uses, Commercial Uses: Commercial Recreation, Events Center, Farm Business, Retail or Novelty, Fireworks Sales (requires annual renewal & proof of liability insurance and Fire Marshall Inspection or waiver)', ' Stable, Commercial'

Add new text to 5.4 Conditional Uses: Public/Private Uses: As deemed appropriate by the Board

Section 5.6. Site Development Regulations, Agricultural Support Housing, Minimum Side Yard Setback: replace '15' with '25'

AND THAT, Article VI – EC, Environmental Conservation District, be amended as follows:

Add new text to 6.3. Conditional Uses and Structures, Civic/Public Uses, and Private Uses: Other uses deemed appropriate by the Board

Add new text to 6.3. Conditional Uses and Structures, Industrial Uses: Resource Extraction

AND THAT, Article VII RR – Rural Residential District, be amended as follows:

Amend 7.2. Principal Permitted Uses: Replace 'Agricultural Uses' with 'Commercial Uses'

Add to 7.2. Permitted Primary Uses, Agricultural Uses: Animal Husbandry, non-commercial, limited scope; Stable, Private

Add to 7.3. Conditional Uses and Structures: Commercial Uses: Stable, Commercial Events Center, Farm Business, Retail or Novelty, Fireworks Sales (requires annual renewal & proof of liability insurance and Fire Marshall Inspection or waiver) ; Industrial Uses: Fuel Storage, Pesticide/Fertilizer Storage, Chemical Storage, Renewable Energy, Resources Industries, Sanitary Land Fill'; Other Public/Private Uses: As deemed appropriate by the Board.

AND THAT, Article XI C- Commercial District, be amended as follows:

Section 11.2. Principal Permitted Uses: Move 'Outdoor Sports and Recreation' to Section 11.3. Conditional Uses and Structures

Add to 11.2. Principal Permitted Uses, Commercial: Fireworks Sales (requires annual renewal & proof of liability insurance and Fire Marshall Inspection or waiver)

Add to 11.3 Conditional Uses and Structures: Public/Private Uses, Other uses as deemed appropriate by the Board

AND THAT, Article XII RC – Rural Commercial District, be amended as follows:

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Add to 12.2. Principal Permitted Uses, Commercial: Fireworks Sales (requires annual renewal & proof of liability insurance and Fire Marshall Inspection or waiver)

Add to 12.3 Conditional Uses and Structures: Public/Private Uses, Other uses as deemed appropriate by the Board

AND THAT, Article XIII LI – Light Industrial District, be amended as follows:

Add to 13.2. Principal Permitted Uses, Commercial: Fireworks Sales (requires annual renewal & proof of liability insurance and Fire Marshall Inspection or waiver)

Add to 13.3 Conditional Uses and Structures: Public/Private Uses, Other uses as deemed appropriate by the Board

AND THAT, Article XIV HI – Heavy Industrial District, be amended as follows:

Add to 14.2. Principal Permitted Uses, Commercial: Fireworks Sales (requires annual renewal & proof of liability insurance and Fire Marshall Inspection or waiver)

Add to 14.3 Conditional Uses and Structures: Public/Private Uses, Other uses as deemed appropriate by the Board

AND THAT, Article XVI Supplemental District Regulations, be amended as follows:

Section 16.10.5. Insert: If the pond/lake abuts residential development

Section 16.11 – Add text to paragraph one: for residential purposes; Insert second paragraph: All parcel subdivisions created for purposes other than those regulated elsewhere by this Ordinance, shall retain the original parcel's zoning classification, and must meet the minimum site development regulation requirements for the zoning district classification of the original parcel.

AND THAT, Article XVII Additional Use Regulations, be amended as follows:

Section 17.4. Section subtitle HOME OCCUPATIONS, insert text: AND OFF PREMISES BUSINESSES

Section 17.4.1 Residential Home Occupations, replace paragraph two with the following text: Permits for home occupations issued as an accessory to residential uses shall be renewed every three (3) years and conducted in accordance with the following limitations:

17.4.1.B, Replace text: members of the immediate family, with: family members

17.4.2 Agricultural Home Occupations, replace paragraph two with the following text: Permits for home occupations issued as an accessory to residential uses shall be renewed every three (3) years and conducted in accordance with the following limitations:

17.4.2.B, Replace text: members of the immediate family, with: family members

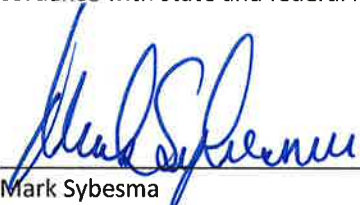
ADD Section: 17.4.3. Off-Premises Businesses are uses that typically carry on a commercial type use off premises, with only equipment being stored on the premises, for example: construction, excavation, plumbing & electrical,

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and similar enterprises that are not typically conducted on the premises. Permits for off- premises businesses shall be issued and renewed every three (3) years, when conducted in accordance with the following limitations:

- A. Equipment or materials associated with the off premises business may be displayed or stored where visible from off the premises, in a neat and orderly fashion. However, the off premises business shall not use the principle use property as a sales lot or display area for products such as automobiles, recreational vehicles or farm machinery and equipment, and
- B. May have no more than one (1) flush-mounted non-illuminated wall sign not exceeding twelve (12) square feet, and one ((1) non-illuminated yard sign not exceeding twenty (20) square feet and ten (10) feet in height, and
- C. The storage of equipment related to the business shall not produce external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference or waste run-off outside of property of the principal use or elsewhere that would be a nuisance to neighboring properties, and
- D. Shall be permitted only when the business is conducted in accordance with state and federal regulations.

Resolved this 20th day of March, 2018



Mark Sybesma
Chairman, Sioux County Board of Supervisors

ATTEST:



Ryan Dokter, Sioux County Auditor