

# **Zoning Code**

## **Chapter 3**

### **Establishment of Districts, Boundaries, and District Regulations**

#### **Article 1. General Conditions, §§ 3-010--3-040**

##### **Article 1. General Conditions**

#### **Sec. 3-010. Districts.**

For the purpose of the Zoning Code, the City is divided into the districts specified in this Section.

##### **(1) *Residence Districts:***

- A. R-1, Single-Family Residential
- B. R-1A, Single-Family Residential
- C. R-2, Two-Family Residential
- D. R-3A, Multiple-Family Residential (2 1/2 story maximum)
- E. R-3B, Multiple-Family Residential (3-story maximum)
- F. R-4, Manufactured Housing Development

##### **(2) *Business Districts:***

- A. B-1, Limited Business
- B. B-2, Neighborhood Business
- C. B-3, General Business
- D. B-4, Downtown Business
- E. B-5, Office Development

##### **(3) *Industrial Districts:***

- A. I-1, Light Industrial
  - B. I-2, Heavy Industrial
  - C. I-3, Limited Industrial
- (Ord. No. 497, 7-27-82; Code of 2001)

#### **Sec. 3-020. Official Zoning Map.**

(1) The location and boundaries of the districts established by the Zoning Code are hereby set forth on the zoning map which shall consist of 13 sections entitled "New Brighton Zoning Ordinance" dated August 11, 1970. This map is hereby adopted as the official zoning map of the City. The official zoning map shall become part of the Zoning Code as though fully set forth and described herein.

(2) The official zoning map shall be identified by the signature of Mayor and City Manager under the following words: "This is to certify that this is the official zoning map referred to in Section 3 of Ordinance No.188 of the City of New Brighton, State of Minnesota".

(3) Regardless of the existence of the printed copies of the official zoning map which may from time to

time be made or published, the official zoning map located at City Hall shall be the final authority as to the current zoning status of land, platted areas, buildings, and other structures in the City.

(4) All of the lands in the City shown within the district lines on the zoning map and designated as provided in Section 3-010 are hereby zoned as indicated in their respective districts. (Ord. No. 497, 7-27-82; Code of 2001)

### **Sec. 3-030. Boundary Lines.**

District boundary lines recorded on the zoning map are intended to follow lot lines, the center lines of streets or alleys, the center lines of streets or alleys projected, railroad right-of-way lines, the center of watercourses, or the corporate limit lines as they exist at the time of the enactment of the Zoning Code. (Code of 1988; Code of 2001)

### **Sec. 3-040. Application.**

Where uncertainty exists with respect to the boundaries of any of the established districts as shown on the zoning map, the rules of this Section shall apply.

(1) ***Boundaries of Public Right-of-Way.*** Boundaries indicated as approximately following the center lines or street lines of streets, the center lines or alley lines of alleys, or the center lines or right-of-way lines of highways shall be construed to be such district boundaries.

(2) ***Boundaries Parallel to the Right-of-Way.*** Where district boundaries are so indicated that they are approximately parallel to the center lines or right-of-way lines of streets, alleys, highways, railroads, etc., the district boundaries shall be construed as being parallel thereto and distant therefrom as indicated on the zoning map.

(3) ***Boundaries on Shorelines.*** District boundaries following a stream, lake, or other body of water shall be construed to be at the limit of the jurisdiction of the City unless otherwise indicated.

(4) ***Areas Under Water.*** All areas within the corporate limits under water shall be subject to all of the regulations of the district which immediately adjoins the water area.

(5) ***Public or Semi-Public Property.*** Any areas shown on the zoning map as parks, playgrounds, schools, cemeteries, water, etc., shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulations of the most restricted adjoining district shall govern.

(6) ***Vacated Property.*** Whenever any street, alley, or other public way is vacated, the zoning district adjoining the vacated property shall be automatically extended to the center of the vacated area. Further, all area included therein shall be subject to all regulations of the extended district.

(7) ***Boundaries on Lot Lines.*** Boundaries indicated as approximately platted lot lines shall be construed as following such lot lines.

(8) ***Boundaries on City Limit Lines.*** Boundaries indicated as approximately following City limits shall be construed as following City limits. (Code of 2001)

