

RESIDENTIAL DISTRICTS

§ 1007.090 R-1, SINGLE FAMILY RESIDENTIAL DISTRICT.

(1) *Purpose.* This district is intended to provide a residential atmosphere for those persons desiring a single family neighborhood with a suburban density. This district is intended for development of single family detached homes on lots served with public sanitary sewer and water. Land to be zoned R-1 shall be served with public sanitary sewer and water; shall be in a Low Density Residential land use category according to the comprehensive plan; and development density shall be consistent with that land use category.

(2) *Lot and Yard Requirements.*

(a) *Minimum Lot Size.* Ten thousand eight hundred (10,800) square feet contiguous buildable land as defined by §1007.001 (2).

(b) *Minimum Lot Width.*

1. *Interior Lots.* Eighty (80) feet.
2. *Corner Lots.* One hundred (100) feet.
3. Lots of one and one-half (1.5) acres recorded prior to 22 February 1988 may be resubdivided in accordance with the following:

a. *Interior Lots.* Seventy-five (75) feet.

b. *Corner Lots.* Ninety-five (95) feet.

(c) *Minimum Lot Depth.* One hundred thirty-five (135) feet.

1. *Double Frontage Lots.* One hundred forty-five (145) feet.

(d) *Building Setbacks.*

1. *From Streets (Principal and Accessory Buildings)*

a. *Local Street.* Thirty (30) feet.

b. *Collector or Arterial Street.* Forty (40) feet.

2. *Rear Yard.*

- a. *Principal Building.* Thirty (30) feet.
- b. *Accessory Building.* Five (5) feet.

3. *Side Yard.*

- a. *Principal Building.* Ten (10) feet.
- b. *Accessory Building.* Five (5) feet.

(e) *Buffer.* Any property adjacent to a collector or arterial street shall provide a fifteen (15) foot buffer in accordance with §1007.043 (17).

(3) *Impervious Surface Coverage.* The impervious surface of the property shall not exceed forty percent (40%).

(4) *Building Requirements.*

(a) The minimum footprint, less garage area, for a single family dwelling unit shall be as follows:

3 Bedroom Rambler	1,050 square feet
2 Bedroom Rambler	1,010 square feet
1-1/2 Story	980 square feet
Split Foyer/Entry	980 square feet
Split Level - 3 level minimum	980 square feet
Two Story	850 square feet

(b) All dwellings without basements in this district shall be required to provide an additional one hundred (100) square feet of floor area to house utilities.

(c) All dwellings shall have a double garage at a minimum.

(d) All dwellings shall comply with the Design and Construction Standards of §1007.043 (2).

(5) *Height Regulations.* No building shall be erected or structurally altered to exceed thirty-five (35) feet in height except as allowed by §1007.043 (3).

(6) *Sanitary Sewer.* No R-1 subdivision creating a lot less than ten (10) acres shall be permitted in this district without public sanitary sewer and water.

(7) *Permitted Uses.* In the R-1 District, no building or land shall be used and no building shall be erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses:

- (a) Day care facilities serving fourteen (14) or fewer persons.
- (b) Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
- (c) Public parks.
- (d) Single family detached dwellings.
- (e) State licensed residential care facility serving six (6) or fewer persons.
- (f) Community Gardens operated by the city.

(8) *Accessory Uses.* Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-1 District:

- (a) Accessory apartments as regulated by §1007.048 of this Ordinance.
- (b) Accessory buildings including garages, tool houses, sheds and similar buildings for storage of domestic supplies and equipment, as regulated by §1007.043 (4) of this Ordinance.
- (c) Fences, as regulated by §1007.043 (18) of this Ordinance.
- (d) Home occupation Level A as regulated by §1007.047 of this Ordinance.
- (e) Non-commercial greenhouses provided they do not exceed two hundred (200) square feet in area.
- (f) Parking spaces and car ports for licensed and operable passenger cars and trucks.
- (g) Radio and television receiving antennas, satellite dishes, TVROs three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by §1007.054 of this Ordinance.
- (h) Parking of recreational vehicles and equipment per §1007.044 (11) of this Ordinance.
- (i) Signs, as regulated by Chapter 1010 of the City Code.
- (j) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests as regulated by §1007.043 (4). This does not include racing/riding courses for off-road vehicles.

(9) *Conditional Uses.* The following are conditional uses in the R-1 District: These uses require a conditional use permit based on the criteria and procedures outlined in §1007.016 of this Ordinance.

(a) Cemeteries provided that:

1. At minimum, the site accesses on a collector street.
2. Where abutting a rural or residential zoning district, the periphery of the site shall be screened in accordance with §1007.043 (17) of this Ordinance.

(b) Commercial outdoor recreational areas including golf courses, country clubs, driving ranges, swimming pools, and similar facilities provided that:

1. The principal use, function or activity is open, outdoor in character.
2. Not more than five (5) percent of the land area of the site be covered by buildings or structures.
3. When abutting a residential use and a residential use district, the property is screened and landscaped in compliance with §1007.043 (17) of this Ordinance.
4. The site must be accessed via a collector street or arterial street.

(c) Day care facilities serving more than fourteen (14) persons provided that:

1. Day care facility has access to municipal sewer and water.
2. Screening is provided along shared property boundaries. Such required fencing and screening shall comply with the applicable provisions of §1007.043 (17) of this Ordinance.
3. All day care facility operations comply with the minimum requirements of the Minnesota Department of Health and Human Services regulations, as may be amended.

(d) Public, Educational, and Religious Buildings. Public or semi-public recreational buildings and neighborhood or community centers; limited to nursery, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, mosque, and synagogues provided that:

1. Side yards shall not be less than fifty (50) feet.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with §1007.043 (17) of this Ordinance.

3. Adequate off-street parking and access is provided on the site or on lots directly abutting directly across a public street or alley to the principal use in compliance with §1007.044 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §1007.043 (17) of this Ordinance.

(e) Home Occupation Level C as regulated by §1007.047 of this Ordinance.

(10) *Uses by Administrative Permit.* Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit, as may be approved by the Zoning Administrator:

(a) Personal wireless service antennas as secondary uses as regulated by §1007.054 of this Ordinance.

(b) Home Occupation Level B as regulated by §1007.047 of this Ordinance.

(c) Open Air Market accessory to an institutional use and limited in area to 25% of the gross floor area of the principal building.

(d) Transient Merchants.

(11) *Interim Uses.* Subject to applicable provisions of this Ordinance, the following are interim uses in the R-1 District and governed by §1007.016 of this Ordinance.

(a) None.

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§ 1007.091 R-1X, SINGLE FAMILY EXECUTIVE RESIDENTIAL DISTRICT.

(1) *Purpose.* This district is intended to provide a residential atmosphere for those persons desiring a single family neighborhood with a suburban density. This district is intended for development of single family detached homes on lots served with public sewer and water. Land to be zoned R-1X shall be served with public sanitary sewer and water; shall be in a Low Density Residential land use category according to the comprehensive plan; and development density shall be consistent with that land use category.

(2) *Lot and Yard Requirements.*

(a) *Minimum Lot Size.* Twelve thousand eight hundred twenty-five (12,825) square feet contiguous buildable land as defined by §1007.001 (2) of this Ordinance.

(b) *Minimum Lot Width.*

1. *Interior Lots.* Ninety (90) feet.
2. *Corner Lots.* One hundred fifteen (115) feet.

(c) *Minimum Lot Depth.* One hundred thirty-five (135) feet.

1. *Double Frontage Lots.* One hundred forty-five (145) feet.

(d) *Building Setbacks.*

1. *From Streets (Principal and Accessory Buildings).*

- a. *Local Street.* Thirty (30) feet.
- b. *Collector or Arterial Street.* Forty (40) feet.

2. *Rear Yard.*

- a. *Principal Building.* Thirty (30) feet.
- b. *Accessory Building.* Five (5) feet.

3. *Side Yard.*

- a. *Principal Building.* Ten (10) feet.
- b. *Accessory Building.* Five (5) feet.

(e) *Buffer.* Any property adjacent to a collector or arterial street shall provide a fifteen (15) foot buffer in accordance with §1007.043 (17).

(3) *Impervious Surface Coverage.* The impervious surface of the property shall not exceed forty percent (40%).

(4) *Building Requirements.*

(a) The minimum footprint, less garage area, for a single family dwelling unit shall be as follows:

Rambler	1,260 square feet
1-1/2 Story	1,092 square feet
Split Foyer/Entry	1,248 square feet
Split Level - 3 level minimum	1,248 square feet
Two Story	1,040 square feet

(b) All dwellings without basements in this district shall be required to provide an additional one hundred (100) square feet of floor area to house utilities.

(c) All dwellings shall have a double garage of a minimum six hundred (600) square feet.

(d) All dwellings shall comply with the Design and Construction Standards of §1007.043 (2).

(5) *Height Regulations.* No building shall be erected or structurally altered to exceed thirty-five (35) feet in height except as allowed by §1007.043 (3).

(6) *Sanitary Sewer.* No R-1X subdivision creating a lot of less than ten (10) acres shall be permitted in this district without public sanitary sewer and water.

(7) *Permitted Uses.* In the R-1X District, no building or land shall be used and no building shall be erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses:

(a) Day care facilities serving fourteen (14) or fewer persons.

(b) Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.

(c) Public parks.

(d) Single family detached dwellings.

(e) State licensed residential care facility serving six (6) or fewer persons.

(f) Community Gardens operated by the city.

(8) *Accessory Uses.* Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-1X District:

(a) Accessory apartments as regulated by §1007.048 of this Ordinance.

(b) Accessory buildings including garages, tool houses, sheds and similar buildings for storage of domestic supplies and equipment, as regulated by §1007.043 (4) of this Ordinance.

(c) Fences, as regulated by §1007.043 (18) of this Ordinance.

(d) Home occupation Level A as regulated by §1007.047 of this Ordinance.

(e) Non-commercial greenhouses provided they do not exceed two hundred (200) square feet in area.

(f) Parking spaces and car ports for licensed and operable passenger cars and trucks.

(g) Radio and television receiving antennas, satellite dishes, TVROs three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by §1007.054 of this Ordinance.

(h) Parking of recreational vehicles and equipment per §1007.044 (11) of this Ordinance.

(i) Signs, as regulated by Chapter 1010 of the City Code.

(j) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests as regulated by §1007.043 (d). This does not include racing/riding courses for off-road vehicles.

(9) *Conditional Uses.* The following are conditional uses in the R-1X District: These uses require a conditional use permit based on the criteria and procedures outlined in §1007.016 of this Ordinance.

(a) Cemeteries provided that:

1. At minimum, the site accesses on a collector street.

2. Where abutting a rural or residential zoning district, the periphery of the site shall be screened in accordance with §1007.043 (17) of this Ordinance.

(b) Commercial outdoor recreational areas including golf courses, country clubs, driving ranges, swimming pools, and similar facilities provided that:

1. The principal use, function or activity is open, outdoor in character.
2. Not more than five (5) percent of the land area of the site be covered by buildings or structures.
3. When abutting a residential use and a residential use district, the property is screened and landscaped in compliance with §1007.043 (17) of this Ordinance.
4. The site must be accessed via a collector street or arterial street.

(c) Day care facilities serving more than fourteen (14) persons provided that:

1. Day care facility has access to municipal sewer and water.
2. Screening is provided along shared property boundaries. Such required fencing and screening shall comply with the applicable provisions of §1007.043 (17) of this Ordinance.
3. All day care facility operations comply with the minimum requirements of the Minnesota Department of Health and Human Services regulations, as may be amended.

(d) Public, Educational and Religious Buildings. Public or semi-public recreational buildings and neighborhood or community centers; limited to nursery, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, mosque, and synagogues provided that:

(e) Side yards shall not be less than fifty (50) feet.

1. Adequate screening from abutting residential uses and landscaping is provided in compliance with §1007.043 (17) of this Ordinance.
2. Adequate off-street parking and access is provided on the site or on lots directly abutting directly across a public street or alley to the principal use in compliance with §1007.044 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §1007.043 (17) of this Ordinance.

(f) Home Occupation Level C as regulated by §1007.047 of this Ordinance.

(10) *Uses by Administrative Permit.* Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit, as may be approved by the Zoning Administrator:

(a) Personal wireless service antennas as secondary uses as regulated by §1007.044 of this Ordinance.

(b) Home Occupation Level B as regulated by §1007.047 of this Ordinance.

(c) Open Air Market accessory to an institutional use and limited in area to 25% of the gross floor area of the principal building.

(d) Transient Merchants.

(11) *Interim Uses.* Subject to applicable provisions of this Ordinance, the following are interim uses in the R-1X District and governed by §1007.001 of this Ordinance.

(a) None.

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§ 1007.093 R-2, TWO FAMILY RESIDENTIAL DISTRICT.

(1) *Purpose.* This district is intended to provide a residential atmosphere for those persons desiring a single family neighborhood with a suburban density. This district is intended for development of single and two family detached homes on lots served with public sewer and water: no land shall be zoned R-2 unless the site is within the MUSA and city sanitary sewer and city water are available. Land to be zoned R-2 shall be served with public sanitary sewer and water; shall be in a Low Density Residential or Medium Density Residential land use category according to the comprehensive plan; and development density shall be consistent with the land use category

(2) *Lot and Yard Requirements.*

(a) *Minimum Lot Size.* Lot size shall consist of contiguous buildable land as defined by §1007.001 (2).

1. *Two Family.*

a. *Base Lots.* Fifteen thousand (15,000) square feet.

b. *Unit Lots.* Seven thousand five hundred (7,500) square feet.

2. *Single Family.* Seven thousand five hundred (7,500) square feet.

(b) *Minimum Lot Width.*

1. *Two Family.*

a. *Base Lots.* One hundred (100) feet.

b. *Unit Lots.* Fifty (50) feet.

2. *Single Family.*

a. *Interior Lots.* Sixty (60) feet.

b. *Corner Lots.* Eighty (80) feet.

(c) *Minimum Lot Depth.* One hundred twenty-five (125) feet.

1. *Double Frontage Lots.* One hundred thirty-five (135) feet.

(d) *Building Setbacks.*

1. *From Streets (Principal and Accessory Buildings).*

- a. *Local Street.* Twenty-five (25) feet.
- b. *Collector or Arterial Street.* Forty (40) feet.

2. *Rear Yard.*

- a. *Principal Building.* Twenty-five (25) feet.
- b. *Accessory Building.* Five (5) feet.

3. *Side Yard.*

- a. *Principal Building.* Ten (10) feet.
- b. *Accessory Building.* Five (5) feet.

4. *Zero Lot Line.* Side yard setback requirements shall not be applied to a common wall of a two family dwelling unit.

(e) *Buffer.* Where a side or rear lot line abuts a collector or arterial street a fifteen (15) foot wide buffer shall be provided in accordance with §1007.043 (17).

(3) *Impervious Surface Coverage Area.* The impervious surface of the property shall not exceed forty percent (40%) in a Low Density Residential land use area, or fifty percent (50%) in a Medium Density Residential land use area.

(4) *Building Design Standards.*

(a) *Floor Area.* The minimum footprint area, less garage area, for single and two family dwelling units shall be as follows:

- 1. *Single Family Dwellings.*

3 Bedroom Rambler	1,050 square feet
2 Bedroom Rambler	1,010 square feet
1-1/2 Story	980 square feet
Split Foyer/Entry	980 square feet
Split Level – 3 level minimum	980 square feet
Two Story	850 square feet

2. *Two Family Dwellings.* Eight hundred (800) square feet first floor above grade, plus one hundred (100) additional square feet for each bedroom.

(b) All dwellings without basements in this district shall be required to provide an additional one hundred (100) square feet of floor area to house utilities.

(c) Garages. All single family dwellings shall have a double garage and shall comply with the following:

1. Compliance with the Building Type and Construction Standards of §1007.043 (2), and

2. All garages, except side or rear loaded garages, shall not protrude forward of the front wall of the house, unless the house includes a front porch that is unenclosed, a minimum of 8 feet in depth, and extends across 100 percent of the front façade of the house. The garage shall then not protrude forward of the front porch, and

3. If the garage door faces the street, the length of the garage wall facing the street shall not be greater than fifty percent (50%) of the length of the entire front facade of the structure; except on houses that comply with all of the following conditions:

a. The second floor living space extends over the two-car portion of the garage; and

b. The garage doors are decorative and have a strip of windows; and

c. Garages in excess of two stalls shall be broken up so the additional stalls are recessed four feet from the main garage façade; and

d. Garage width does not exceed 32 feet.

(d) All dwellings shall comply with the Design and Construction Standards of §1007.043 (2).

(5) *Height Regulations.* No two family dwelling shall hereafter be erected or structurally altered to exceed thirty-five (35) feet in height.

(6) *Sanitary Sewer.* No R-2 subdivision creating a lot of less than ten (10) acres shall be permitted in this district without public sanitary sewer and water.

(7) *Permitted Uses.* In the R-2 District, no building or land shall be used and no building shall be erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses:

(a) Day care facilities serving sixteen (16) or fewer persons.

(b) Governmental and public regulated utility buildings and structures necessary for the health, safety, and general welfare of the City.

(c) Public parks.

- (d) Single family detached dwellings.
- (e) State licensed residential care facility serving sixteen (16) or fewer persons.
- (f) Two family dwellings.
- (g) Community Gardens operated by the city.

(8) *Accessory Uses.* Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-2 District:

- (a) Accessory buildings including garages, tool houses, sheds and similar buildings for storage of domestic supplies and equipment, as regulated by §1007.043 (4) of this Ordinance.
- (b) Accessory apartments within single family homes as regulated by §1007.048 of this Ordinance.
- (c) Fences per §1007.043 (18) of this Ordinance.
- (d) Home occupation Level A as regulated by §1007.047 of this Ordinance.
- (e) Non-commercial greenhouses provided they do not exceed two hundred (200) square feet in area.
- (f) Parking and car ports for licensed and operable passenger cars and trucks.
- (g) Radio and television receiving antennas, satellite dishes, TVROs three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by §1007.054 of this Ordinance.
- (h) Parking of recreational vehicles and equipment per §1007.044 (11) of this Ordinance.
- (i) Signs as regulated by Chapter 1010 of the City Code.
- (j) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests as regulated by §1007.043 (4). This does not include racing/riding courses for off-road vehicles.

(9) *Conditional Uses.* The following are conditional uses in the R-2 District: These uses require a conditional use permit based on the criteria and procedures outlines in §1007.001 of this Ordinance.

- (a) Commercial outdoor recreational areas including golf courses, country clubs, driving ranges, swimming pools, and similar facilities provided that:

1. The principal use, function or activity is open, outdoor in character.
2. Not more than five (5) percent of the land area of the site be covered by buildings or structures.
3. When abutting a residential use and a residential use district, the property is screened and landscaped in compliance with §1007.043 (17) of this Ordinance.
4. The site shall be accessed via a collector street or arterial street.

(b) Day care facilities serving more than sixteen (16) persons provided that:

1. Such day care facility has access to municipal sewer and water or has adequate private sewer and water to protect the health and safety of all persons who occupy the facility.
2. Screening is provided along shared property boundaries. Such required fencing and screening shall comply with the applicable provisions of §1007.043 (17) of this Ordinance.
3. All day care facility operations comply with the minimum requirements of the Minnesota Department of Health and Human Services regulations, as may be amended.

(c) Public, educational, and religious buildings, public or semi-public recreational buildings and neighborhood or community centers limited to nursery, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, mosques, and synagogues provided that:

1. Side yard setbacks shall not be less than fifty (50) feet.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with §1007.043 (17) of this Ordinance.
3. Adequate off-street parking and access is provided on the site or on lots directly abutting directly across a public street or alley to the principal use in compliance with §1007.044 (4) of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §1007.043 (17) of this Ordinance.

(d) Home Occupation Level C as regulated by §1007.047 of this Ordinance.

(10) *Uses by Administrative Permit.* Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit, as may be approved by the Zoning Administrator:

(a) Personal wireless service antennas as secondary uses as regulated by §1007.054 of this Ordinance.

(b) Home Occupation Level B as regulated by §1007.047 of this Ordinance.

(c) Open Air Market accessory to an institutional use and limited in area to 25% of the gross floor area of the principal building.

(d) Transient Merchants.

(11) *Interim Uses.* Subject to applicable provisions of this Ordinance, the following are interim uses in the R-2 District and governed by §1007.016 of this Ordinance:

(a) None.

§ 1007.094 R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT.

(1) *Purpose.* This district is intended to provide setting for multiple family structures of up to eight (8) dwelling units per building in areas that have good thoroughfare access, have proper relationship to other uses, and are accessible to major activity centers, recreation areas and shopping areas. Land to be zoned R-3 shall be served with public sanitary sewer and water; shall be in a Medium Density Residential land use category according to the comprehensive plan; and development density shall be consistent with that land use category.

(2) *Lot and Yard Requirements.*

(a) *Minimum Lot Size.* Lot size shall consist of contiguous buildable land as defined by §1007.001 (2).

1. *Base Lots.*

a. *Two Family Dwellings.* Fourteen thousand (14,000) square feet.

(b) *Townhomes and Other Multiple Family Dwellings.* Twenty four thousand (24,000) square feet.

(c) *Minimum Lot Width.*

1. *Base Lots.* One hundred (100) feet.

(d) *Minimum Lot Depth.* There is no minimum lot depth in the R-3 zoning district.

(e) *Building Setbacks.*

1. *From Streets (Principal and Accessory Buildings).*

a. *Residential Street.* Thirty (30) feet.

b. *Collector or Arterial Street.* Forty (40) feet.

c. *Parking Lot from street.* Fifteen (15) feet.

2. *Rear Yard.*

a. *Principal Building.* Thirty (30) feet.

b. *Accessory Building.* Five (5) feet.

c. *Parking Lot.* Five (5) feet.

3. *Side Yard.*

- a. *Principal Building.* Ten (10) feet.
- b. *Accessory Building.* Five (5) feet.
- c. *Parking Lot.* Five (5) feet.

4. *Zero Lot Line.* Side yard setback requirements shall not be applied to a common wall of multi-family dwelling units.

5. *From Low Density Residential.* Principal buildings shall be a minimum of thirty-five (35) feet from any land guided for low density residential.

(f) *Buffer.* Where a side or rear lot line abuts land guided for low density residential, a collector street, or an arterial street a twenty (20) foot wide buffer shall be provided in accordance with §1007.043 (17).

(3) *Impervious Surface Coverage Area.* The impervious surface of the property shall not exceed fifty percent (50%) in a Medium Density Residential land use area, or sixty-five percent (65%) in a High Density Residential land use area.

(4) *Building Design Standards.*

(a) *Floor Area.* The minimum livable floor area for each multiple family dwelling unit shall be seven hundred (700) square feet plus one hundred (100) additional square feet for each bedroom.

(b) *Utility Area.* Dwellings with dedicated individual access shall be required to provide an additional one hundred (100) square feet of floor area to house utilities, unless a basement is present. Dwellings with shared access shall be required to provide adequate floor area within the building to house utilities.

(c) All dwelling units shall have parking provided in accordance with §1007.044 (6).

(d) All dwellings shall comply with the Design and Construction Standards of §1007.043 (2).

(5) *Height Regulations.* No building shall be erected or structurally altered to exceed the height of the greater of three stories or thirty-six (36) feet in height except as allowed by §1007.043 (3).

(6) *Sanitary Sewer.* No R-3 subdivision creating a lot of less than ten (10) acres shall be permitted in this district without public sanitary sewer and water.

(7) *Permitted Uses.* In the R-3 District, no building or land shall be used and no building shall be erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses:

- (a) Day care facilities serving sixteen (16) or fewer persons.
- (b) Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
- (c) Multiple dwellings containing eight (8) units or less.
- (d) Public parks.
- (e) State licensed residential care facility serving sixteen (16) or fewer persons.
- (f) Townhomes and quadraminiums.
- (g) Two family dwellings.
- (h) Community Gardens operated by the city.

(8) *Accessory Uses.* Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-3 District:

- (a) Accessory buildings including garages, tool houses, sheds and similar buildings for storage of domestic supplies and equipment, as regulated by §1007.043 (4) of this Ordinance.
- (b) Fences per §1007.043 (18) of this Ordinance.
- (c) Home occupation Level A as regulated by §1007.047 of this Ordinance.
- (d) Non-commercial greenhouses provided they do not exceed two hundred (200) square feet in area.
- (e) Parking and car ports for licensed and operable passenger cars and trucks.
- (f) Radio and television receiving antennas, satellite dishes, TVROs three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by §1007.054 of this Ordinance.
- (g) Parking of recreational vehicles and equipment per §1007.044 (11) of this Ordinance.
- (h) Signs as regulated by Chapter 1010 of the City Code.

(i) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests as regulated by §1007.043 (4). This does not include racing/riding courses for off-road vehicles.

(9) *Conditional Uses.* The following are conditional uses in the R-3 District: These uses require a conditional use permit based upon the criteria and procedures outlined in §1007.001 of this Ordinance.

(a) Commercial outdoor recreational areas including golf courses, country clubs, driving ranges, swimming pools, and similar facilities provided that:

1. The principal use, function or activity is open, outdoor in character.
2. Not more than five (5) percent of the land area of the site be covered by buildings or structures.
3. When abutting a residential use and a residential use district, the property is screened and landscaped in compliance with §1007.043 (17) of this Ordinance.
4. The site shall be accessed via a collector street or arterial street.

(b) Day care facilities serving more than sixteen (16) persons provided that:

1. Such day care facility has access to municipal sewer and water or has adequate private sewer and water to protect the health and safety of all persons who occupy the facility.
2. Screening is provided along shared property boundaries. Such required fencing and screening shall comply with the applicable provisions of §1007.043 (17) of this Ordinance.
3. All day care facility operations comply with the minimum requirements of the Minnesota Department of Health and Human Services regulations, as may be amended.

(c) Public, educational and religious buildings, public or semi-public recreational buildings and neighborhood or community centers limited to nursery, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, mosques, and synagogues provided that:

1. Side yard setbacks shall not be less than fifty (50) feet.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with §1007.043 (17) of this Ordinance.
3. Adequate off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use in compliance with §1007.044

of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §1007.043 (17) of this Ordinance.

(d) Home Occupation Level C as regulated by §1007.047 of this Ordinance.

(10) *Uses by Administrative Permit.* Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit, as may be approved by the Zoning Administrator:

(a) Personal wireless service antennas as secondary uses as regulated by §1007.054 of this Ordinance.

(b) Home Occupation Level B as regulated by §1007.047 of this Ordinance.

(c) Open Air Market accessory to an institutional use and limited in area to 25% of the gross floor area of the principal building.

(d) Transient Merchants.

(11) *Interim Uses.* Subject to applicable provisions of this Ordinance, the following are interim uses in the R-3 District and governed by §1007.017 of this Ordinance.

(a) None.

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§ 1007.095 R-4, HIGH DENSITY RESIDENTIAL DISTRICT.

(1) *Purpose.* This district is intended to provide setting for multiple family housing in areas that have good thoroughfare access, have proper relationship to other uses, and are accessible to major activity centers, recreation areas and shopping areas. Land to be zoned R-4 shall be served with public sanitary sewer and water; shall be in a High Density Residential land use category according to the comprehensive plan; and development density shall be consistent with that land use category.

(2) *Lot and Yard Requirements.*

(a) *Minimum Lot Size.* Lot size shall consist of contiguous buildable land as defined by §1007.001 (2).

1. *Base Lots.*

a. *Two Family.* Twelve thousand (12,000) square feet.

b. *Townhome/Quadraminium and Other Multiple Family Dwellings.* Twenty thousand (20,000) square feet.

(b) *Minimum Lot Width.*

1. *Base Lots.* One hundred (100) feet.

(c) *Minimum Lot Depth.* There is no minimum lot depth in the R-4 zoning district.

(d) *Building Setbacks.*

1. *From Streets.*

a. *Residential Street.* Thirty (30) feet.

b. *Collector or Arterial Street.* Forty (40) feet.

c. *Parking Lot From Street.* Fifteen (15) feet.

2. *Rear Yard.*

a. *Principal Building.* Thirty (30) feet.

b. *Accessory Building.* Five (5) feet.

c. *Parking Lot.* Five (5) feet.

3. *Side Yard.*

- a. *Principal Building.* Twenty (20) feet.
- b. *Accessory Building.* Five (5) feet.
- c. *Parking Lot.* Five (5) feet.

4. *Zero Lot Line.* Side yard setback requirements shall not be applied to a common wall of multi-family dwelling units.

5. *From Low Density Residential District.* Principal buildings shall be a minimum of thirty-five (35) feet from any land guided for low density residential.

(e) *Buffer.* Where a side or rear lot line abuts land guided for low density residential, a collector street, or an arterial street a fifteen (20) foot wide buffer shall be provided in accordance with §1007.043 (17).

(3) *Impervious Surface Coverage Area.* The impervious surface of the property shall not exceed sixty-five percent (65%).

(4) *Building Design Standards.*

(5) *Floor Area.* The minimum livable floor area for each multiple family dwelling unit shall be seven hundred (700) square feet plus one hundred (100) additional square feet for each bedroom.

(6) *Utility Area.* Dwellings with dedicated individual access shall be required to provide an additional one hundred (100) square feet of floor area to house utilities, unless a basement is present. Dwellings with shared access shall be required to provide adequate floor area within the building to house utilities.

(7) All dwellings shall provide parking in accordance with §1007.044 (11).

(8) All dwellings shall comply with the Design and Construction Standards of §1007.043 (2).

(9) *Height Regulation.* No building shall be erected or structurally altered to exceed forty-five (45) feet in height—or, for a multiple dwelling building, the greater of four (4) stories or forty-five (45) feet—except as allowed by §1007.043 (3).

(10) *Sanitary Sewer.* No R-4 subdivision creating a lot less than ten (10) acres shall be permitted in this district without public sanitary sewer and water.

(11) *Permitted Uses.* In the R-4 District, no building or land shall be used and no building shall be erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses:

- (a) Day care facilities serving sixteen (16) or fewer persons.
- (b) Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
- (c) Multiple family dwellings.
- (d) Public parks.
- (e) State licensed residential care facility serving sixteen (16) or fewer persons.
- (f) Townhomes and quadraminiums.
- (g) Two family dwellings.
- (h) Community Gardens operated by the city.

(12) *Accessory Uses.* Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-4 District:

- (a) Accessory buildings including garages, tool houses, sheds and similar buildings for storage of domestic supplies and equipment, as regulated by §1007.043 (4) of this Ordinance.
- (b) Fences per §1007.043 (18) of this Ordinance.
- (c) Home occupation Level A as regulated by §1007.047 of this Ordinance.
- (d) Non-commercial greenhouses provided they do not exceed two hundred (200) square feet in area.
- (e) Parking and car ports for licensed and operable passenger cars and trucks.
- (f) Radio and television receiving antennas, satellite dishes, TVROs three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by §1007.054 of this Ordinance.
- (g) Parking of recreational vehicles and equipment per §1007.044 (11) of this Ordinance.
- (h) Signs as regulated by Chapter 1010 of the City Code.
- (i) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests as regulated by §1007.043 (4). This does not include racing/riding courses for off-road vehicles.

(13) *Conditional Uses.* The following are conditional uses in the R-4 District: These uses require a conditional use permit based upon the criteria and procedures outlined in §1007.016 of this Ordinance.

(a) Clinics, hospitals and nursing homes provided that:

1. Side yards are double the minimum requirements established for this district and are screened in compliance with §1007.043 (17) of this Ordinance.

2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with §1007.043 (17) of this Ordinance.

3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.

4. All signing and informational or visual communication devices shall be in compliance with Appendix C of the City Code.

5. All State Statutes and regulations governing such use are strictly adhered to and all required operating permits are secured.

6. Adequate off-street parking is provided in compliance with §1007.044 of this Ordinance.

7. Adequate off-street loading space is provided in compliance with §1007.045 this Ordinance.

(b) Commercial outdoor recreational areas including golf courses, country clubs, driving ranges, swimming pools, and similar facilities provided that:

1. The principal use, function or activity is open, outdoor in character.

2. Not more than five (5) percent of the land area of the site be covered by buildings or structures.

3. When abutting a residential use and a residential use district, the property is screened and landscaped in compliance with §1007.043 (17) of this Ordinance.

4. The site shall be accessed via a collector street or arterial street.

(c) Day care facilities serving more than sixteen (16) persons provided that:

1. Such day care facility has access to municipal sewer and water or has adequate private sewer and water to protect the health and safety of all persons who occupy the facility.

2. Screening is provided along shared property boundaries. Such required fencing and screening shall comply with the applicable provisions of §1007.043 (17) of this Ordinance.

3. All day care facility operations comply with the minimum requirements of the Minnesota Department of Health and Human Services regulations, as may be amended.

(d) Funeral homes and mortuaries provided that:

1. The site and related parking and service entrances are served by an arterial or collector street or sufficient capacity to accommodate the traffic which will be generated.

2. Adequate off-street parking is provided in compliance with §1007.044 of this Ordinance.

3. Adequate off-street loading is provided in compliance with §1007.045 of this Ordinance.

4. Vehicular entrances to parking or service areas shall create a minimum of conflict with through traffic movement.

5. When abutting residential zoning districts, a buffer area with screening and landscaping in compliance with §1007.043 (17) of this Ordinance shall be provided.

6. All signing and information or visual communications devices shall be in compliance with Appendix C of the City Code.

(e) Public, educational and religious buildings, public or semi-public recreational buildings and neighborhood or community centers limited to nursery, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, mosques, and synagogues provided that:

1. Side yard setbacks shall not be less than fifty (50) feet.

2. Adequate screening from abutting residential uses and landscaping is provided in compliance with §1007.043 (17) of this Ordinance.

3. Adequate off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use in compliance with §1007.044 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §1007.043 (17) of this Ordinance.

(f) Home Occupation Level C as regulated by §1007.047 of this Ordinance.

(14) *Uses by Administrative Permit.* Subject to applicable provisions of this Ordinance, the following uses are allowed in the R-4 District by administrative permit, as may be approved by the Zoning Administrator:

(a) Personal wireless service antennas as secondary uses as regulated by §1007.054 of this Ordinance.

(b) Home Occupation Level B as regulated by §1007.047 of this Ordinance.

(c) Open Air Market accessory to an institutional use and limited in area to 25% of the gross floor area of the principal building.

(d) Transient Merchants.

(15) *Interim Uses.* Subject to applicable provisions of this Ordinance, the following are interim uses in the R-4 District and governed by §1007.017 of this Ordinance.

(a) None.

§ 1007.096 R-6, MANUFACTURED HOME PARK DISTRICT.

(1) *Purpose.* This district is intended to provide opportunities whereby manufactured housing may be located on a leased or rented site in a planned community. This district is intended to provide opportunities for almost all types of manufactured homes including those which may not be able to meet the design standards established in other residential districts. All manufactured home parks are required to conform to the provisions of this section and other appropriate sections of this Ordinance. Land to be zoned R-6 and any new manufactured home park shall be served with public sanitary sewer and water; and the density of the park shall be consistent with the land use category according to the Comprehensive Plan.

(2) *Lot and Yard Requirements.*

(a) *Minimum Park Size.* Five (5) acres.

(b) *Minimum Lot or Site Size.* Six thousand (6,000) square feet per unit exclusive of roadways, walkways or other property used for park purposes.

(c) *Minimum Lot or Site Width.* Sixty (60) feet measured at right angles to its side lines.

(d) *Setbacks.* (The greater of the following:)

1. *From Public Streets.*

a. *Local Street.* Thirty (30) feet.

b. *Collector Street.* Forty (40) feet.

2. *Front Yard.*

a. *Private Park Street.* Twenty (20) feet.

b. *Common Park Walk.* Ten (10) feet.

3. *Rear Yard.* Ten (10) feet.

4. *Side Yard.* Ten (10) feet. Side yard setback for interior lot lines may be reduced to zero, if it is part of an overall park plan to maximize private yard space for each unit. This zero side yard setback allowance will only be permitted if the distance to the manufactured home that shares that side lot line is at least thirty (30) feet in distance.

5. There shall not be less than twenty (20) feet of space between manufactured homes in all directions.

6. *From Low Density Residential.* Principal buildings shall be a minimum of thirty-five (35) feet from any land guided for low density residential.

(e) *Buffer.* Where a side or rear lot line abuts land guided for low density residential, a collector street, or an arterial street a twenty (20) foot wide buffer shall be provided in accordance with §1007.043 (17).

(3) *Park Requirements.*

(a) *Skirt.* All manufactured homes shall have skirts around the entire unit made of metal, plastic, fiberglass or comparable, non-combustible material approved by the Building Official and shall be finished to be harmonious with the manufactured home so that it will enhance the general appearance thereof.

(b) *Parking.* The parking of more than one (1) manufactured home on any single lot shall not be permitted.

(c) *Fire Protection.* Fire protection shall be in accordance with Minnesota Health Department Rule 187 Fire Protection Regulations. Each occupied manufactured home shall be equipped with a Fire Marshal approved type extinguisher in usable condition. The occupant of a manufactured home shall be responsible for providing such extinguisher.

(d) *Support and Tie Down Systems.* The Minnesota Department of Administration Building Code Division Rules for Manufactured Home Support and Tie Down Systems, authorized by Minnesota Statutes Section 327.31 to 327.34, are hereby adopted by reference and made a part of this Ordinance as if fully set forth herein. All new and relocated manufactured homes shall be equipped with an anchoring and support system as defined and approved by state rules.

(e) *Construction Material Storage.* All construction materials not currently in use for construction shall be stored indoors, or totally screened from the eye level view from public streets and adjacent properties.

(f) *Drainage.* Every manufactured home park shall be located on a well drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters.

(g) *Common Walks.* Where deemed necessary, common walks shall be provided. Such walks shall be a minimum width of three (3) feet.

(h) *Individual Walks.* All manufactured homes shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two (2) feet.

(i) *Patio.* A patio may be constructed on the ground beside each manufactured home parking space; this patio shall be not greater than one hundred fifty (150) square feet in area and constructed of concrete with a minimum thickness of four (4) inches or approved equal.

(j) *Shade Tree.* At least one (1) shade tree (minimum diameter two (2) inches at time of planting) shall be placed and maintained on each site or lot.

(k) *Landscaping.* Except for the areas used for the manufactured home, patio, walkways and off-street parking space, the entire site or lot shall be sodded, seeded or adequately landscaped.

(l) *Street Access.* Each unit shall abut on and have access to a street. This street shall be constructed according to standards approved by the City.

(m) *Curbing.* A concrete curb and gutter shall be constructed on each side of the street and the face of its curb shall be at least fifteen (15) feet from the centerline of said street; the design shall be of a type approved by the City.

(n) *Speed Limit.* Speed limit signs shall be clearly posted throughout the manufactured home park. Ten (10) miles per hour shall be the maximum speed posted.

(o) *Parking.*

1. Each manufactured home site shall have off-street parking space paved with concrete and/or bituminous for two (2) automobiles.

2. Each manufactured home park shall maintain a hard surfaced off-street parking lot for guests of occupants of at least one (1) space for each five (5) manufactured home lots.

3. Access drives off roads to all parking spaces and manufactured home lots shall be surfaced with concrete or bituminous according to specifications established by the City.

4. There shall be a separate area of storage provided for boats, boat trailers, travel trailers, etc. The area shall be located away from any public road and shall be fenced and screened from view of public road and adjacent properties.

(p) *Utilities.*

1. All manufactured homes shall be served by a central water and sanitary sewer system.

2. All utilities shall be underground. There shall be no overhead wires or supporting poles except those essential for street or other lighting purposes.

3. Access in the skirting shall be provided to allow the inspection of plumbing, electrical facilities and related manufactured home equipment.

4. Water facilities, sewage disposal and street lighting shall be installed and maintained by the owner of the manufactured home park and shall meet all appropriate standards established by the City.

(q) *Street Lighting.* The park shall have a street lighting plan approved by the City.

(r) *Accessory Buildings.* Any accessory building for outside storage of equipment or refuse shall be constructed of weather resistant material and be finished in a manner conforming with the appearance of the principal dwelling and shall be consistent in appearance with the other accessory buildings in the manufactured home park.

(s) *Community Building.* All manufactured home parks may have a central community building with laundry drying areas and washing machines.

(t) *Emergency Storm Protections.* Manufactured home parks established prior to 1 July 1993 shall comply with emergency room protections as required by Minnesota Statutes. A new manufactured home park established after 1 July 1993 shall have storm shelters in compliance with Minnesota Statutes. Additionally, all emergency storm protection measures shall be subject to the approval of the City Council.

(u) *Recreational Space.* All manufactured home parks shall have at least ten (10) percent of the land area developed for recreational use (sport courts, children's play equipment, swimming pool, golf green, etc.) developed and maintained at the owner's expense.

(v) *Refuse Handling.* The handling of refuse shall be in compliance with the applicable provisions of §1007.043 (5) of this Ordinance. The refuse handling shall be allowed provided such equipment is screened from adjacent uses, and all public and private street rights-of-way.

(4) *Permitted Uses.* In the R-6 District, unless otherwise provided in this Ordinance, no building or land shall be used and no building shall be erected or structurally altered except for one or more of the following uses:

- (a) Community/recreation buildings.
- (b) Manufactured homes.
- (c) Personal wireless service antennas as secondary uses as regulated by §1007.054 of this Ordinance.
- (d) Community Gardens operated by the city.
- (e) Day care facilities serving fourteen (14) or fewer persons.
- (f) State licensed residential care facility serving six (6) or fewer persons.

(5) *Accessory Uses.* Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the R-6 District:

(a) Accessory buildings, including garages, tool houses, sheds and similar buildings for storage of domestic supplies and equipment, as regulated by §1007.043 (4) of this Ordinance.

(b) Civil defense buildings/storm shelters.

(c) Community laundry facilities, park office, recreational building(s) provided such structures are of a permanent nature and comply with the provisions of the State Building Code.

(d) Fences per §1007.043 (18) of this Ordinance.

(e) Radio and television receiving antennas, satellite dishes, TVROs three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by §1007.054 of this Ordinance.

(f) Signs as regulated by Chapter 1010 of the City Code.

(g) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests as regulated by §1007.043 (4). This does not include racing/riding courses for off-road vehicles.

(6) *Conditional Uses.* The following are conditional uses in the R-6 District: These uses require a conditional use permit based on the criteria and procedures outlined in §1007.016 of this Ordinance.

(a) Day care facilities serving more than fourteen (14) persons provided that:

1. Day care facility has access to municipal sewer and water.

2. Screening is provided along shared property boundaries. Such required fencing and screening shall comply with the applicable provisions of §1007.043 (17) of this Ordinance.

3. All day care facility operations comply with the minimum requirements of the Minnesota Department of Health and Human Services regulations, as may be amended.

(7) *Uses by Administrative Permit.* Subject to applicable provisions of this Ordinance, the following uses are allowed in the R-6 District by administrative permit, as may be approved by the Zoning Administrator:

(a) Personal wireless service antennas as secondary uses as regulated by §1007.054 of this Ordinance.

(b) Transient Merchants.

(8) *Interim Uses.* Subject to applicable provisions of this Ordinance, the following are interim uses in the R-6 District and governed by §1007.017 of this Ordinance.

(a) None.

(9) *Review and Approval Procedures.* No person shall establish, develop, extend or enlarge a manufactured home park within the City of Lino Lakes without first obtaining approval from the City Council with review by the Planning and Zoning Board. Approval shall be granted only upon compliance with all of the following:

(a) *Planning and Zoning Board Review.* The Planning and Zoning Board shall review all applications for manufactured home parks and shall hold public hearings as deemed necessary or proper. The findings and recommendations of the Planning and Zoning Board shall be forwarded to the City Council for action.

(b) *Approval or Denial.* The City Council shall consider and act on the application. Approval shall be granted only upon compliance with all of the procedures and requirements established in this ordinance.

(c) *Submission Requirements.* Submission for manufactured home park approval shall include the following:

1. All submittal requirements for a zoning amendment and/or conditional use permit, as appropriate, required by §1007.015 through §1007.024 as amended. If the site is to be subdivided, the submittal also must comply with the requirements of Chapter 1001 of the City Code.

2. *Proof of Agency Review.* The applicant shall provide proof that the plans submitted have been approved by the State of Minnesota Department of Health, and have satisfied all other federal, state, county, city and watershed district laws and regulations.

(d) *Access.* It shall be the duty of the park owner to give the Building Inspector free access to all lots at reasonable times for the purposes of inspection.