

RESIDENTIAL DISTRICTS

§ 1007.090 R-1, SINGLE FAMILY RESIDENTIAL DISTRICT.

(1) *Purpose.* The purpose of this district is 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 and shall be in a Low Density Residential land use category according to the comprehensive plan. The development density shall be consistent with that land use category.

(2) *Lot and Setback Requirements.*

(a) *Minimum Lot Size.* 10,800 square feet contiguous buildable land as defined by City Code Section 1007.001(2).

(b) *Minimum Lot Width.*

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

a. *Interior Lots.* 75 feet.

b. *Corner Lots.* 95 feet.

(c) *Minimum Lot Depth.* 135 feet.

1. *Double Frontage Lots.* 145 feet.

(d) *Setbacks.*

1. *From Street Right-of Way.*

a. *Local or Minor Collector Street.* 30 feet.

b. *Major Collector or Arterial Street.* 40 feet.

2. *Rear Lot Line.*

a. *Principal Building.* 30 feet.

b. *Accessory Building.* 5 feet.

3. *Side Lot Line.*

a. *Principal Building.* 10 feet.

b. *Accessory Building.* 5 feet.

4. *Parking Lots for Non-Residential Uses.* 15 feet from all lot lines.

(e) *Buffer.* Any property adjacent to a collector or arterial street shall provide a 15-foot-wide buffer in compliance with City Code Section 1007.043(17).

(3) *Maximum Impervious Surface Coverage.* 65 percent of the lot area.

(4) *Building Requirements.*

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

Rambler	1,050 square feet
Split Level	980 square feet
Two Story	850 square feet

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

(5) *Maximum Building Height.* 35 feet except as allowed by City Code Section 1007.043(3).

(6) *Permitted Uses.* The following are permitted uses in the R-1 District:

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

(b) Public parks.

(c) Single family detached dwellings.

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

(e) Community gardens operated by the city.

(7) *Accessory Uses.* The following are permitted accessory uses in the R-1 District:

- (a) Accessory apartments in compliance with City Code Section 1007.049.
- (b) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).
- (c) Carports in compliance with City Code Section 1007.043(4)(c).
- (d) Fences in compliance with City Code Section 1007.043(18).
- (e) Home Occupation Level A in compliance with City Code Section 1007.048.
- (f) Model homes with temporary real estate offices in compliance with City Code Section 1007.062.
- (g) Non-commercial greenhouses not to exceed a footprint of 200 square feet.
- (h) Off-street parking in compliance with City Code Section 1007.044.
- (i) Parking spaces and carports for licensed and operable passenger motor vehicles.
- (j) 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 in compliance with City Code Section 1007.054.
- (k) Signs in compliance with City Code Chapter 1010.
- (l) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests in compliance with City Code Section 1007.043(4). This does not include racing/riding courses for off-road vehicles.

(8) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:

- (a) Cemeteries provided that:
 1. The site shall access on a collector or arterial street.
 2. Where abutting a rural or residential zoning district, the periphery of the site shall be screened in compliance with City Code Section 1007.043(17).
- (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 and 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 City Code Section 1007.043(17).

4. The site shall access on a collector or arterial street.

(c) Day care facilities accessory to Public, Educational, and Religious Uses provided that:

1. Day care facility shall be connected to public sewer and water.

2. Screening is provided in compliance with the applicable provisions of City Code Section 1007.043(17).

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 Uses provided that:

1. Side yards shall not be less than 50 feet.

2. Adequate screening from abutting residential uses and landscaping is provided in compliance with City Code Section 1007.043(17).

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 City Code Section 1007.044 and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with City Code Section 1007.043(17).

(9) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

(a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.

(b) Home Occupation Level B in compliance with City Code Section 1007.048.

(c) Essential Services.

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

(e) Temporary Structures in compliance with City Code Section 1007.063.

(f) Transient Merchants.

(10) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

(a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

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

(1) *Purpose.* The purpose of this district is 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 and shall be in a Low Density Residential land use category according to the comprehensive plan. The development density shall be consistent with that land use category.

(2) *Lot and Setback Requirements.*

(a) *Minimum Lot Size.* 12,825 square feet contiguous buildable land as defined by City Code Section 1007.001(2).

(b) *Minimum Lot Width.*

1. *Interior Lots.* 90 feet.
2. *Corner Lots.* 115 feet.

(c) *Minimum Lot Depth.* 135 feet.

1. *Double Frontage Lots.* 145 feet.

(d) *Setbacks.*

1. *From Street Right-of Way.*
 - a. *Local or Minor Collector Street.* 30 feet.
 - b. *Major Collector or Arterial Street.* 40 feet.
2. *Rear Lot Line.*
 - a. *Principal Building.* 30 feet.
 - b. *Accessory Building.* 5 feet.
3. *Side Lot Line.*
 - a. *Principal Building.* 10 feet.
 - b. *Accessory Building.* 5 feet.
4. *Parking Lots for Non-Residential Uses.* 15 feet from all lot lines.

(e) *Buffer.* Any property adjacent to a collector or arterial street shall provide a 15-foot-wide buffer in compliance with City Code Section 1007.043 (17).

(3) *Maximum Impervious Surface Coverage.* 65 percent of the lot area.

(4) *Building Requirements.*

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

Rambler	1,260 square feet
Split Level	1,248 square feet
Two Story	1,040 square feet

(b) All dwellings shall comply with the Design and Construction Standards of City Code Section 1007.043 (2).

(5) *Maximum Building Height.* 35 feet except as allowed by City Code Section 1007.043(3).

(6) *Permitted Uses.* The following are permitted uses in the R-1X District:

- (a) Day care facilities serving 14 or fewer persons.
- (b) Public parks.
- (c) Single family detached dwellings.
- (d) State licensed residential care facility serving six (6) or fewer persons.
- (e) Community gardens operated by the city.

(7) *Accessory Uses.* The following are permitted accessory uses in the R-1X District:

- (a) Accessory apartments in compliance with City Code Section 1007.049.
- (b) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).
- (c) Carports in compliance with City Code Section 1007.043(4)(c).
- (d) Fences in compliance with City Code Section 1007.043(18).
- (e) Home Occupation Level A in compliance with City Code Section 1007.048.

(f) Model homes with temporary real estate offices in compliance with City Code Section 1007.062.

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

(h) Off-street parking in compliance with City Code Section 1007.044.

(i) Parking spaces and carports for licensed and operable passenger motor vehicles.

(j) 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 in compliance with City Code Section 1007.054.

(k) Signs in compliance with City Code Chapter 1010.

(l) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests in compliance with City Code Section 1007.043(d). This does not include racing/riding courses for off-road vehicles.

(8) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:

(a) Cemeteries provided that:

1. The site shall access on a collector or arterial street.

2. Where abutting a rural or residential zoning district, the periphery of the site shall be screened in compliance with City Code Section 1007.043(17).

(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 and 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 City Code Section 1007.043(17).

4. The site shall access a collector street or arterial street.

(c) Day care facilities serving more than 14 persons accessory to Public, Educational, and Religious Uses provided that:

1. Day care facility shall be connected to public sewer and water.
2. Screening is provided in compliance with the applicable provisions of City Code Section 1007.043(17).
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 provided that:

1. Side yards shall not be less than 50 feet.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with City Code Section 1007.043(17).
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 City Code Section 1007.044 and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with City Code Section 1007.043(17).

(9) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

- (a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.044.
- (b) Home Occupation Level B in compliance with City Code Section 1007.048.
- (c) Essential Services.
- (d) Open Air Market accessory to an institutional use and limited in area to 25 percent of the gross floor area of the principal building.
- (e) Temporary Structures in compliance with City Code Section 1007.063.
- (f) Transient Merchants.

(10) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

- (a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

§ 1007.092 R-2, TWO FAMILY RESIDENTIAL DISTRICT.

(1) *Purpose.* This purpose of this district is to provide for development of single family and two family homes. Land to be zoned R-2 shall be served with public sanitary sewer and water and shall be in a Low Density Residential, Low Density Mixed Residential, or Medium Density Residential land use category according to the comprehensive plan. The development density shall be consistent with the applicable land use category.

(2) *Lot and Setback Requirements.*

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

1. *Two Family.*
 - a. *Base Lots.* 15,000 square feet.
 - b. *Unit Lots.* 7,500 square feet.
2. *Single Family.* 7,500 square feet.

(b) *Minimum Lot Width.*

1. *Two Family.*
 - a. *Base Lots.* 100 feet.
 - b. *Unit Lots.* 50 feet.
2. *Single Family.*
 - a. *Interior Lots.* 60 feet.
 - b. *Corner Lots.* 80 feet.

(c) *Minimum Lot Depth.* 125 feet.

1. *Double Frontage Lots.* 135 feet.

(d) *Setbacks.*

1. *From Street Right-of-Way.*
 - a. *Local or Minor Collector Street.* 25 feet.

b. *Major Collector or Arterial Street.* 40 feet.

2. *Rear Lot Line.*

a. *Principal Building.* 25 feet.

b. *Accessory Building.* 5 feet.

3. *Side Lot Line.*

a. *Principal Building.* 10 feet.

b. *Accessory Building.* 5 feet.

4. *Parking Lots for Non-Residential Uses.* 15 feet from all lot lines.

5. *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 15 foot wide buffer shall be provided in compliance with City Code Section 1007.043(17).

(3) *Maximum Impervious Surface Coverage.* 65 percent of the lot area.

(4) *Building Requirements.*

(a) The minimum building footprint, less garage area, for single and two family dwellings shall be as follows:

1. *Single Family Dwellings.*

Rambler	1,050 square feet
Split Level	980 square feet
Two Story	850 square feet

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

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

1. Compliance with the Building Type and Construction Standards of City Code Section 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 six (6) 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 50 percent of the length of the entire front façade 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 (2) stalls shall be broken up so the additional stalls are recessed two (2) feet from the main garage façade; and

d. Garage width does not exceed 32 feet.

(c) All dwellings shall comply with the Design and Construction Standards of City Code Section 1007.043(2).

(5) *Maximum Building Height.* 35 feet except as allowed by City Code Section 1007.043(3).

(6) *Permitted Uses.* The following are permitted uses in the R-2 District:

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

(b) Public parks.

(c) Single family detached dwellings.

(d) State licensed residential care facility serving 16 or fewer persons.

(e) Two family dwellings.

(f) Community Gardens operated by the city.

(7) *Accessory Uses.* The following are permitted accessory uses in the R-2 District:

(a) Accessory apartments within single family homes in compliance with City Code Section 1007.049.

(b) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).

- (c) Carports in compliance with City Code Section 1007.043(4)(c).
 - (d) Fences per City Code Section 1007.043(18).
 - (e) Home Occupation Level A in compliance with City Code Section 1007.048.
 - (f) Model homes with temporary real estate offices in compliance with City Code Section 1007.062.
 - (g) Non-commercial greenhouses provided they do not exceed 200 square feet in area.
 - (h) Off-street parking in compliance with City Code Section 1007.044.
 - (i) Parking and carports for licensed and operable passenger cars and trucks.
 - (j) 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 in compliance with City Code Section 1007.054.
 - (k) Signs in compliance with City Code Chapter 1010 of the City Code.
 - (l) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests in compliance with City Code Section 1007.043(4). This does not include racing/riding courses for off-road vehicles.
- (8) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:
- (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 and 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 City Code Section 1007.043(17).
 4. The site shall access a collector street or arterial street.
 - (b) Day care facilities serving more than 14 persons accessory to Public, Educational, and Religious Uses provided that:

1. Day care facility shall be connected to public sewer and water.
2. Screening is provided in compliance with the applicable provisions of City Code Section 1007.043(17).
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 Uses provided that:

1. The building setback shall be 50 feet from any side lot line.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with City Code Section 1007.043(17).
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 City Code Section 1007.044(4) and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with City Code Section 1007.043(17).

(9) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

- (a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.
- (b) Home Occupation Level B in compliance with City Code Section 1007.048.
- (c) Essential Services.
- (d) Open Air Market accessory to an institutional use and limited in area to 25 percent of the gross floor area of the principal building.
- (e) Temporary Structures in compliance with City Code Section 1007.063.
- (f) Transient Merchants.

(10) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

- (a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

§ 1007.093 R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT.

(1) *Purpose.* The purpose of this district is to provide setting for multiple family structures of up to eight (8) dwelling units per building. Land to be zoned R-3 shall be served with public sanitary sewer and water and shall be in a Medium or High Density Residential land use category according to the comprehensive plan. The development density shall be consistent with the applicable land use category.

(2) *Lot and Setback Requirements.*

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

1. *Base Lots.*

a. *Two Family Dwellings.* 14,000 square feet.

b. *Townhomes and Other Multiple-Family Dwellings.* 24,000 square feet.

(b) *Minimum Lot Width.*

1. *Base Lots.* 100 feet.

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

(d) *Setbacks.*

1. *From Street Right-of-Way.*

a. *Local or Minor Collector Street.* 30 feet.

b. *Major Collector or Arterial Street.* 40 feet.

c. *Parking Lot.* 15 feet.

2. *Rear Lot Line.*

a. *Principal Building.* 30 feet.

b. *Accessory Building.* 5 feet.

c. *Parking Lot.* 5 feet.

3. *Side Lot Line.*

- a. *Principal Building.* 10 feet.
- b. *Accessory Building.* 5 feet.
- c. *Parking Lot.* 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.* The principal buildings setback shall be 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 20-foot-wide buffer shall be provided in compliance with City Code Section 1007.043(17).

(3) *Maximum Impervious Surface Coverage.* 65 percent of the lot area.

(4) *Building Requirements.*

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

(b) *Utility Area.* Dwellings with dedicated individual access shall be required to provide an additional 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 compliance with City Code Section 1007.044(6).

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

(5) *Maximum Building Height.* The greater of three (3) stories or 40 feet, except as allowed by City Code Section 1007.043(3).

(6) *Permitted Uses.* The following are permitted uses in the R-3 District:

- (a) Day care facilities serving 14 or fewer persons.
- (b) Multiple-family dwellings containing eight (8) units or less.
- (c) Public parks.

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

(7) *Accessory Uses.* The following are permitted accessory uses in the R-3 District:

- (a) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).
- (b) Carports in compliance with City Code Section 1007.043(4)(c).
- (c) Fences per City Code Section 1007.043(18).
- (d) Home Occupation Level A in compliance with City Code Section 1007.048.
- (e) Model homes with temporary real estate offices in compliance with City Code Section 1007.062.
- (f) Non-commercial greenhouses provided they do not exceed 200 square feet in area.
- (g) Off-street parking in compliance with City Code Section 1007.044.
- (h) Parking and carports for licensed and operable passenger motor vehicles.
- (i) 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 in compliance with City Code Section 1007.054.
- (j) Signs in compliance with City Code Chapter 1010.
- (k) Swimming pools, sport courts, and other recreational facilities which are operated for the use of the residents of the principal use and their guests in compliance with City Code Section 1007.043(4). This does not include racing/riding courses for off-road vehicles.

(8) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:

- (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 and 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 City Code Section 1007.043(17).
4. The site shall access on a collector street or arterial street.

(b) Day care facilities accessory to Public, Educational, and Religious Uses provided that:

1. Day care facility shall be connected to public sewer and water.
2. Screening is provided in compliance with the applicable provisions of City Code Section 1007.043(17).
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 Uses, provided that:

1. The building setback shall be 50 feet from any side lot line.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with City Code Section 1007.043(17).
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 City Code Section 1007.044 and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with City Code Section 1007.043(17).

(9) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

- (a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.
- (b) Home Occupation Level B in compliance with City Code Section 1007.048.
- (c) Essential Services.
- (d) Open Air Market accessory to an institutional use and limited in area to 25 percent of the gross floor area of the principal building.

(e) Temporary Structures in compliance with City Code Section 1007.063.

(f) Transient Merchants.

(10) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

(a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

§ 1007.094 R-4, HIGH DENSITY RESIDENTIAL DISTRICT.

(1) *Purpose.* The purpose of this district is to provide a setting for multiple-family housing in areas that have good thoroughfare access. Land to be zoned R-4 shall be served with public sanitary sewer and water and shall be in a High Density Residential land use category according to the comprehensive plan. The development density shall be consistent with that land use category.

(2) *Lot and Setback Requirements.*

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

1. *Base Lots.*

a. *Two Family.* 12,000 square feet.

b. *Townhome and Other Multiple-Family Dwellings.* 20,000 square feet.

(b) *Minimum Lot Width.*

1. *Base Lots.* 100 feet.

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

(d) *Setbacks.*

1. *From Street Right-of-Way.*

a. *Local or Minor Collector Street.* 30 feet.

b. *Major Collector or Arterial Street.* 40 feet.

c. *Parking Lot.* 15 feet.

2. *Rear Lot Line.*

a. *Principal Building.* 30 feet.

b. *Accessory Building.* 5 feet.

c. *Parking Lot.* 5 feet.

3. *Side Lot Line.*

- a. *Principal Building.* 20 feet.
- b. *Accessory Building.* 5 feet.
- c. *Parking Lot.* 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.* The principal buildings setback shall be 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 20 foot wide buffer shall be provided in compliance with City Code Section 1007.043(17).

(3) *Maximum Impervious Surface Coverage.* 65 percent of the lot area.

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

(5) *Utility Area.* Dwellings with dedicated individual access shall be required to provide an additional 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.

(6) All dwellings shall provide parking in compliance with City Code Section 1007.044 (11).

(7) All dwellings shall comply with the Design and Construction Standards of City Code Section 1007.043(2).

(8) *Maximum Building Height.* The greater of three (3) stories or 40 feet, except as allowed by City Code Section 1007.043(3).

(9) *Permitted Uses.* The following are permitted uses in the R-4 District:

- (a) Day care facilities serving 14 or fewer persons.
- (b) Multiple-family dwellings.
- (c) Public parks.
- (d) State licensed residential care facility serving 16 or fewer persons.
- (e) Townhomes.

- (f) Two family dwellings.
- (g) Community Gardens operated by the city.

(10) *Accessory Uses.* The following are permitted accessory uses in the R-4 District:

- (a) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).
- (b) Carports in compliance with City Code Section 1007.043(4)(c).
- (c) Fences per City Code Section 1007.043(18).
- (d) Home occupation Level A in compliance with City Code Section 1007.048.
- (e) Model homes with temporary real estate offices in compliance with City Code Section 1007.062.
- (f) Off-street parking in compliance with City Code Section 1007.044.
- (g) Parking and carports for licensed and operable passenger motor vehicles.
- (h) 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 in compliance with City Code Section 1007.054.
- (i) Signs in compliance with City Code Chapter 1010.
- (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 in compliance with City Code Section 1007.043(4). This does not include racing/riding courses for off-road vehicles.

(11) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:

- (a) Assisted living facilities and nursing homes provided that:
 - 1. Side yards are double the minimum requirements established for this district and are screened in compliance with City Code Section 1007.043(17).
 - 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 City Code Section 1007.043(17).

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 City Code Chapter 1010.

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 City Code Section 1007.044.

7. Adequate off-street loading space is provided in compliance with City Code Section 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 and 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 City Code Section 1007.043(17).
4. The site shall access on a collector street or arterial street.

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

1. Day care facility shall be connected to public sewer and water.
2. Screening is provided in compliance with the applicable provisions of City Code Section 1007.043(17).
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 Uses provided that:

1. The building setback shall be 50 feet from any side lot line.
2. Adequate screening from abutting residential uses and landscaping is provided in compliance with City Code Section 1007.043(17).

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 City Code Section 1007.044 and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with City Code Section 1007.043(17).

(12) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

(a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.

(b) Home Occupation Level B in compliance with City Code Section 1007.048.

(c) Essential Services.

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

(e) Temporary Structures in compliance with City Code Section 1007.063.

(f) Transient Merchants.

(13) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

(a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

§ 1007.095 R-5, HIGH DENSITY RESIDENTIAL AND BUSINESS DISTRICT.

(1) *Purpose.* The purpose of this district is to provide a setting for multiple-family housing and commercial in areas that have good thoroughfare access. Land to be zoned R-5 shall be served with public sanitary sewer and water and shall be in a Planned Residential/Commercial land use category according to the comprehensive plan. The development density shall be consistent with the land use category.

(2) *Lot and Setback Requirements.*

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

1. *Base Lots.*

- a. *Townhomes.* 14,000 square feet.
- b. *Multiple-Family Dwellings.* 20,000 square feet.
- c. *Commercial.* 20,000 square feet.

(b) *Minimum Lot Width.*

- 1. *Base Lots for All Buildings.* 100 feet.

(c) *Minimum Lot Depth.* There is no minimum lot depth in the R-5 zoning district.

(d) *Setbacks for All Buildings.*

1. *From Street Right-of-Way.*

- a. *Local or Minor Collector Street.* 30 feet.
- b. *Major Collector or Arterial Street.* 40 feet.
- c. *Parking Lot.* 15 feet.

2. *Rear Lot Line.*

- a. *Principal Building.* 30 feet.
- b. *Accessory Building.* 10 feet.
- c. *Parking Lot.* 10 feet.

3. *Side Lot Line.*

- a. *Principal Building.* 20 feet.
- b. *Accessory Building.* 10 feet.
- c. *Parking Lot.* 10 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.* The principal building setback shall be 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 20 foot wide buffer shall be provided in compliance with City Code Section 1007.043(17).

(3) *Maximum Impervious Surface Coverage.* 75 percent of the lot area.

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

(5) *Utility Area.* Dwellings with dedicated individual access shall be required to provide an additional 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.

(6) All dwellings shall provide parking in compliance with City Code Section 1007.044 (11).

(7) All dwellings shall comply with the Design and Construction Standards of City Code Section 1007.043(2).

(8) *Maximum Building Height.* The greater of three (3) stories or 40 feet, except as allowed by City Code Section 1007.043(3).

(9) *Permitted Uses.* The following are permitted uses in the R-5 District:

- (a) Day care facilities serving 14 or fewer persons.
- (b) Multiple-family dwellings.
- (c) Public parks.
- (d) State licensed residential care facilities serving 16 or fewer persons.

- (e) Townhouse dwellings.
- (f) Two family dwellings.
- (g) Community gardens operated by the City.

(10) *Accessory Uses.* The following are permitted accessory uses in the R-5 District:

- (a) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).
- (b) Fences per City Code Section 1007.043(18).
- (c) Home Occupation Level A in compliance with City Code Section 1007.048.
- (d) Model homes with temporary real estate offices in compliance with City Code Section 1007.062.
- (e) Off-street parking in compliance with City Code Section 1007.044.
- (f) Parking and carports for licensed and operable passenger motor vehicles.
- (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 in compliance with City Code Section 1007.054.
- (h) Signs in compliance with City Code Chapter 1010.
- (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 in compliance with City Code Section 1007.043(4). This does not include racing/riding courses for off-road vehicles.

(11) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:

- (a) All permitted and conditional uses listed in City Code Section 1007.111.
- (b) Assisted living facilities, clinics, and nursing homes provided that:
 - 1. Side yards are double the minimum requirements established for this district and are screened in compliance with City Code Section 1007.043(17).
 - 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 City Code Section 1007.043(17).

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

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

5. Adequate off-street parking is provided in compliance with City Code Section 1007.044.

6. Adequate off-street loading space is provided in compliance with City Code Section 1007.045 this ordinance.

(c) 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 and 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 City Code Section 1007.043(17).

4. The site shall access on a collector street or arterial street.

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

1. Day care facility shall be connected to public sewer and water.

2. Screening is provided in compliance with the applicable provisions of City Code Section 1007.043(17).

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.

(e) 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 City Code Section 1007.044.

3. Adequate off-street loading is provided in compliance with City Code Section 1007.045.

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 City Code Section 1007.043(17) shall be provided.

(f) Public, Educational, and Religious Uses provided that:

1. The building setback shall be 50 feet from any side lot line.

2. Adequate screening from abutting residential uses and landscaping is provided in compliance with City Code Section 1007.043(17).

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 City Code Section 1007.044 and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with City Code Section 1007.043(17).

(12) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

(a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.

(b) Home Occupation Level B in compliance with City Code Section 1007.048.

(c) Essential Services.

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

(e) Temporary Structures in compliance with City Code Section 1007.063.

(f) Transient Merchants.

(13) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

(a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

§ 1007.096 R-6, MANUFACTURED HOME PARK DISTRICT.

(1) *Purpose.* The purpose of this district is to provide opportunities where 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 Setback Requirements.*

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

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

(c) *Minimum Lot or Site Width.* 60 feet.

(d) *Setbacks.*

1. *From Public Street Right-of-Way.*

a. *Local or Minor Collector Street.* 30 feet.

b. *Major Collector or Arterial Street.* 40 feet.

2. *Front Lot Line.*

a. *Private Street.* 20 feet.

b. *Common Park Walk.* 10 feet.

3. *Rear Lot Line.* 10 feet.

4. *Side Lot Line.* 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 30 feet in distance.

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

6. *From Low Density Residential.* The principal building setback shall be 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 20-foot-wide buffer shall be provided in compliance with City Code Section 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 compliance 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 M. S. §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 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 located 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 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. 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) passenger motor vehicles.

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 street and shall be fenced and screened from view of public street 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 outdoor 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 July 1, 1993 shall comply with emergency room protections as required by Minnesota Statutes. A new manufactured home park established after July 1, 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 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 City Code Section 1007.043(5). 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.* The following are permitted uses in the R-6 District:

(a) Community/recreation buildings.

(b) Manufactured homes.

(c) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.

(d) Community gardens operated by the City.

(e) Day care facilities serving 14 or fewer persons.

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

(5) *Accessory Uses.* The following are permitted accessory uses in the R-6 District:

(a) Accessory buildings, structures, and uses in compliance with City Code Section 1007.043(4).

(b) Carports in compliance with City Code Section 1007.043(4)(c).

(c) Civil defense buildings/storm shelters.

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

(e) Fences per City Code Section 1007.043(18).

(f) Model homes/temporary real estate offices in compliance with City Code Section 1007.062.

(g) Off-street parking in compliance with City Code Section 1007.044.

(h) 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 in compliance with City Code Section 1007.054.

(i) Signs in compliance with City Code Chapter 1010.

(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 in compliance with City Code Section 1007.043(4). This does not include racing/riding courses for off-road vehicles.

(6) *Conditional Uses.* The following uses require a conditional use permit in compliance with City Code Section 1007.016:

(a) None.

(7) *Uses by Administrative Permit.* The following uses require an administrative permit in compliance with City Code Section 1007.019:

(a) Personal wireless service antennas as secondary uses in compliance with City Code Section 1007.054.

(b) Temporary Structures in compliance with City Code Section 1007.063.

(c) Transient Merchants.

(8) *Interim Uses.* The following uses require an interim use permit in compliance with City Code Section 1007.017:

(a) Earth Moving and Land Reclamation in compliance with City Code Section 1007.051.

(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 City Code Section 1007.015 through Section 1007.024 as amended. If the site is to be subdivided, the submittal also must comply with the requirements of City Code Chapter 1001.

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 Official free access to all lots at reasonable times for the purposes of inspection.