

ARTICLE IV. ZONING DISTRICTS

Division 4. Neighborhood District Regulations

Sec. 36-161. Purpose of Division

- (a) The provisions of this division deal with the city's neighborhood districts including the appropriate uses of land and the forms of structures for residential and compatible non-residential uses.

Sec. 36-162. District Purpose Statements

- (a) The N-1 district is consistent with the low-density residential land use category in the comprehensive plan. This district is intended to:
 - (1) Provide a compatible mix of housing types at the same scale allowed for a single-unit dwelling.
 - (2) Allow non-residential uses limited to city facilities, educational, childcare, and places of worship. Home occupations are encouraged and required to be consistent with the residential character of the neighborhood.
 - (3) Accommodate a variety of property sizes with housing types properly scaled to the size of the property.
- (b) The N-2 district is consistent with the medium-density residential land use category in the comprehensive plan. It is intended to:
 - (1) Provide a mix of house scale and low-rise housing types beyond those allowed in the N-1 district, such as low-rise multiple-unit buildings that retain compatibility with the scale of housing allowed in the N-1 district.
 - (2) Allow non-residential uses are limited to city facilities, educational, childcare, and places of worship. Home occupations are encouraged and required to be consistent with the residential character of the neighborhood.
 - (3) Support neighborhood commercial businesses and transit by focusing on transit-priority streets and encouraging close proximity to small commercial nodes.
- (c) The N-3 district is consistent with the high-density residential land use category in the comprehensive plan. It is intended to:
 - (1) Provide low-rise and mid-rise multiple-unit housing types.
 - (2) Allow non-residential uses limited to city facilities, educational, childcare, and places of worship. Home occupations are encouraged and required to be consistent with the residential character of the neighborhood.

- (3) Support neighborhood commercial businesses and transit by focusing on transit-priority streets and close proximity to employment areas.
 - (4) Provide access to parks and open spaces. Access can be provided by being located adjacent to large parks and open spaces, schools, or by off-street sidewalk and/or trail access.
- (d) The N-4 district is consistent with the high-density residential land use category in the comprehensive plan. It is intended to:
 - (1) Provide mid-rise and high-rise multiple-unit housing types.
 - (2) Allow non-residential uses limited to city facilities, educational, childcare, and places of worship. Home occupations are encouraged and required to be consistent with the residential character of the neighborhood.
 - (3) Support neighborhood commercial businesses and transit by focusing on transit-priority streets and being adjacent to employment areas.
 - (4) Have access to parks and open spaces. Access can be provided by being located adjacent to large parks and open spaces, schools, or by off-street sidewalk and/or trail access.

Sec. 36-163. Principal Uses

- (a) Table 36-163(a) lists land uses and indicates whether they are permitted, permitted with standards, conditional, or prohibited.
- (b) The following definitions shall be referenced when using Table 36-163(a):
 - (1) Permitted Use: A “P” indicates that a use is allowed by right, subject to compliance with all other applicable provisions of this code.
 - (2) Permitted with Standards Use: A “PS” indicates that a use is allowed when standards identified in section 36-168 “Use-Specific Standards, Principal” are met. Uses permitted with standards are also subject to all other applicable requirements of this chapter. The use-specific standards shall apply when they are contradictory or otherwise inconsistent with other applicable requirements in this chapter. Any request to vary from the standards set forth for a permitted with standards use shall be processed as a variance.
 - (3) Conditional Use: A “C” indicates that a use is allowed only when standards identified in section 36-168 “Use-Specific Standards, Principal” are met, and a conditional use permit is issued by the city. Uses permitted by conditional use permit are also subject to all other applicable requirements of this chapter. The

use-specific conditions shall apply when they are contradictory or otherwise inconsistent with other applicable requirements in this chapter. Any request to vary from the standards set forth for a conditional use permit shall be processed as a variance.

- (4) Prohibited Use: A blank cell in the use table indicates that the land use is prohibited in that zoning district.

Table 36-163(a). Principal Uses in Neighborhood Districts

	Neighborhood Districts			
Use Type	N-1	N-2	N-3	N-4
Residential				
Household Living				
Dwelling, single-unit	PS	PS		
Dwelling, single-unit small	PS	PS		
Dwelling, two-unit (duplex)	PS	PS		
Dwelling, two-unit attached (twinhome)	PS	PS		
Dwelling, detached courtyard cottage/bungalow	PS	PS		
Dwelling, three-unit	PS	PS		
Dwelling, four-unit		PS		
Dwelling, townhouse (small)		PS	PS	PS
Dwelling, apartment (low-rise)		PS	PS	PS
Dwelling, townhouse (large)			PS	PS
Dwelling, apartment (mid-rise)			PS	PS
Dwelling, apartment (high-rise)				PS
Manufactured home park	C	C	C	C
Dwelling, existing single-unit detached	PS	PS	PS	PS
Group Living				
State-licensed residential facility	PS	PS	PS	PS
Roominghouse		P	P	P
Group home	PS	PS	PS	PS
Nursing home		PS	PS	PS
Lodging				

	Neighborhood Districts			
Use Type	N-1	N-2	N-3	N-4
Bed and breakfast establishment	PS	PS		
Hostel			PS	PS
Public, Social, & Institutional				
Community center	PS	PS	PS	PS
Educational (academic) facility with 20 or fewer students	PS	PS	PS	PS
Educational (academic) facility with more than 20 students	C	C	C	C
Library	PS	PS	PS	PS
Park and open space	PS	PS	PS	P
Parks/recreation	PS	PS	PS	PS
Police/fire station	PS	PS	PS	PS
Religious institution	C	C	C	C
Commercial				
Personal Services and Businesses				
Adult day care	PS	PS	PS	PS
Group day care/nursery school	PS	PS	PS	PS
Office less than 2,500 square feet		PS	PS	PS
Office in existence or having received preliminary office development approval by March 1, 1999			P	P
Recreation				
Country club	C			
Golf course	C			
Healthcare				
Hospital			C	C
Transportation and Utilities				
Communication tower that is 45 feet or less in height	PS	PS	PS	PS
Communication tower more than 45 feet in height but does not exceed 70 feet in height	C	C	C	C
Public service structure	PS	PS	PS	PS
Transit station		P	P	P

Sec. 36-164. Accessory Uses

- (a) Table 36-164(a) lists accessory land uses and indicates whether they are permitted, permitted with standards, conditional, or prohibited.
- (b) The following definitions shall be referenced when using Table 36-164(a):
 - (1) Permitted Use: A “P” indicates that a use is allowed by right, subject to compliance with all other applicable provisions of this code.
 - (2) Permitted with Standards Use: A “PS” indicates that a use is allowed when standards identified in section 36-169 “Use-Specific Standards, Accessory” are met. Uses permitted with standards are also subject to all other applicable requirements of this chapter. Any request to vary from the standards set forth for a permitted with standards use shall be processed as a variance.
 - (3) Conditional Use: A “C” indicates that a use is allowed only if a conditional use permit is issued by the city after compliance with the procedure and requirements set forth in section 36-33 “Conditional Use Permit.”
 - (4) Prohibited Use: A blank cell in the use table indicates that the land use is prohibited in that zoning district.

Table 36-164(a). Accessory Uses

	Neighborhood Districts			
Use Type	N-1	N-2	N-3	N-4
Accessory Uses				
Accessory dwelling unit	PS	PS		
Accessory dwelling unit affiliated with a Religious Institution	PS	PS	PS	PS
Accessory building	PS	PS	PS	PS
Accessory structure	PS	PS	PS	PS
Adult day care in a religious institution, community center, or nursing home	PS	PS	PS	PS
Boarders or roomers	PS	PS	PS	PS
Catering	PS	P		
Community garden	PS	PS	PS	PS
Family day care facility serving 14 or fewer persons	PS	PS	PS	PS
Gardening and other horticultural uses	P	P	P	P
Group day care/nursery school in a religious institution, community center, or educational (academic) institution	PS	PS	PS	PS
Helistop			PS	PS
Home occupation	PS	PS	PS	PS
Living quarters of persons employed for domestic or medical purposes on the premises	PS	PS	PS	PS
Mikvah pool	PS	PS	PS	PS
Parking lot	P	P	P	P
Parking ramp			PS	PS
Residential swimming pool, whirlpool, sport court	PS	PS	PS	PS
Solar energy system	PS	PS	PS	PS
Student housing		PS	PS	
Supportive commercial use			PS	PS
Wind energy conversion system (WECS)	PS	PS	PS	PS

Sec. 36-165. Lot Dimension Standards

- (a) Table 36-165(a) establishes the minimum lot width and lot area standards for the N-1, N-2, N-3, and N-4 districts.

Table 36-165(a). Lot Dimensional Standards

District	Use Type	Lot width minimum with alley (ft) ¹	Lot width minimum without alley (ft) ¹	Net lot area minimum with alley (sq ft) ¹	Net lot area minimum without alley (sq ft) ¹
N-1	Dwelling, single-unit small [only lots with alleys]	30		3,600	
	Dwelling, single-unit	40	50	4,800	6,000
	Dwelling, two-unit (duplex)	40	50	4,800	6,000
	Dwelling, two-unit attached (twinhome)	25 [50]	35 [70]	3,125 [6,250]	4,375 [8,750]
	Dwelling, detached courtyard cottages/bungalows	100	110	13,000	14,300
	Dwelling, three-unit	60	70	7,800	9,100
	All other uses	60	70	7,800	9,100
N-2	Dwelling, single-unit small [only lots with alleys]	30		3,600	
	Dwelling, single-unit	40	50	4,800	6,000
	Dwelling, two-unit (duplex)	40	50	4,800	6,000
	Dwelling, two-unit attached (twinhome)	25 [50]	35 [70]	3,125 [6,250]	4,375 [8,750]
	Dwelling, detached courtyard cottages/bungalows	100	110	13,000	14,300
	Dwelling, three-unit	60	70	7,800	9,100
	Dwelling, four-unit	60	70	7,800	9,100
	Dwelling, townhouse (small)	20	20	2,600	2,600
	Dwelling, apartment (low-rise)	60	70	7,800	9,100
	All other uses	60	70	7,800	9,100
N-3	Dwelling, townhouse (small)	20	20	2,600	2,600
	Dwelling, apartment (low-rise)	60	70	7,800	9,100
	Dwelling, townhouse (large)	20	20	2,600	2,600
	Dwelling, apartment (mid-rise)	60	70	7,800	9,100
	All other uses	60	70	7,800	9,100
N-4	Dwelling, townhouse (small)	20	20	2,600	2,600
	Dwelling, apartment (low-rise)	60	70	7,800	9,100
	Dwelling, townhouse (large)	20	20	2,600	2,600
	Dwelling, apartment (mid-rise)	60	70	7,800	9,100
	Dwelling, apartment (high-rise)	60	70	7,800	9,100

District	Use Type	Lot width minimum with alley (ft) ¹	Lot width minimum without alley (ft) ¹	Net lot area minimum with alley (sq ft) ¹	Net lot area minimum without alley (sq ft) ¹
	All other uses	60	70	7,800	9,100

Table notes:

¹Except where subdivisions for the purpose of establishing condominium ownership result in lot sizes smaller than the established minimum.

Sec. 36-166. Site Dimension Standards

- (a) Table 36-166(a) establishes the minimum yard setback standards for the N-1, N-2, N-3, and N-4 districts

Table 36-166(a). Yard Setback Standards

District	Use Type	Front Yard Minimum (feet) ^{1,2}	Side Yard Abutting a Street Minimum (feet) ^{3,4}	Side Yard Interior Minimum (feet) for Attached Garage or Lot with Alley ^{3, 4}	Side Yard Interior Minimum (feet) for Detached Garage on Lot without Alley ^{3, 4, 5}	Rear Yard Minimum (feet)	Perimeter Yard Minimum (feet)
N-1	Dwelling, single-unit small [only lots with alleys]	25	9	5	9/5	25	
	Dwelling, single-unit			5	9/5	25	
	Dwelling, two-unit (duplex)			5	9/5	25	
	Dwelling, two-unit attached (twinhome)			5	9/5	25	
	Dwelling, three-unit			5	9/5	25	
	Dwelling, detached courtyard cottages/ bungalows						10

District	Use Type	Front Yard Minimum (feet) ^{1,2}	Side Yard Abutting a Street Minimum (feet) ^{3,4}	Side Yard Interior Minimum (feet) for Attached Garage or Lot with Alley ^{3, 4}	Side Yard Interior Minimum (feet) for Detached Garage on Lot without Alley ^{3, 4, 5}	Rear Yard Minimum (feet)	Perimeter Yard Minimum (feet)
N-1	All other uses	25	9	10	10	25	
N-2	Dwelling, single-unit small [only lots with alleys]	25	9	5	9/5	25	
	Dwelling, single-unit			5	9/5	25	
	Dwelling, two-unit (duplex)			5	9/5	25	
	Dwelling, two-unit attached (twinhome)			5	9/5	25	
	Dwelling, detached courtyard cottages/ bungalows						10
	Dwelling, three-unit			5	9/5	25	
	Dwelling, four-unit			5	9/5	25	
	Dwelling, townhouse (small)			10	10	25	20 feet if adjacent to N-1 district
	Dwelling, apartment (low-rise)			10	10	25	
	All other uses			10	10	25	
N-3	Dwelling, townhouse (small)	15	15	10	10	10	20 feet if adjacent to N-1 district

District	Use Type	Front Yard Minimum (feet) ^{1,2}	Side Yard Abutting a Street Minimum (feet) ^{3,4}	Side Yard Interior Minimum (feet) for Attached Garage or Lot with Alley ^{3, 4}	Side Yard Interior Minimum (feet) for Detached Garage on Lot without Alley ^{3, 4, 5}	Rear Yard Minimum (feet)	Perimeter Yard Minimum (feet)
N-3	Dwelling, apartment (low-rise)	15	15	10	10	10	20 feet if adjacent to N-1 district
	Dwelling, townhouse (large)						30 feet if adjacent to N-1 or N-2 districts
	Dwelling, apartment (mid-rise)						30 feet if adjacent to N-1 or N-2 districts
	All other uses						30 feet if adjacent to N-1 or N-2 districts
N-4	Dwelling, townhouse (small)	15	15	10	10	10	20 feet if adjacent to N-1 district
	Dwelling, apartment (low-rise)						20 feet if adjacent to N-1 district
	Dwelling, townhouse (large)						30 feet if adjacent to N-1 or

District	Use Type	Front Yard Minimum (feet) ^{1,2}	Side Yard Abutting a Street Minimum (feet) ^{3,4}	Side Yard Interior Minimum (feet) for Attached Garage or Lot with Alley ^{3, 4}	Side Yard Interior Minimum (feet) for Detached Garage on Lot without Alley ^{3, 4, 5}	Rear Yard Minimum (feet)	Perimeter Yard Minimum (feet)
							N-2 districts
N-4	Dwelling, apartment (mid-rise)	15	15	10	10	10	30 feet if adjacent to N-1 or N-2 districts
	Dwelling, apartment (high-rise)						Half the building height if adjacent to N-1, N-2, or N-3 districts
	All other uses						30 feet if adjacent to N-1 or N-2 districts

Table Notes:

¹For N-1 and N-2 districts, minimum requirement in table for the front wall of the closest house on the block front, whichever is greater. See additional exceptions in Section 36-73.

²For N-1 and N-2 districts, through lots shall have a required front yard on each street.

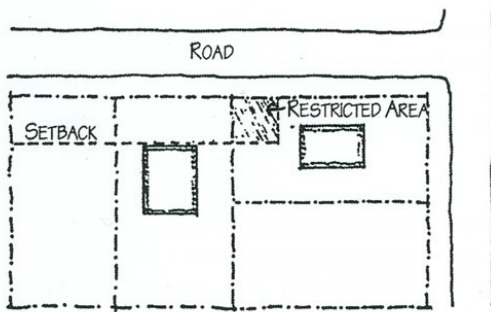
³The width of the side yard abutting a building wall shall be increased two inches for each foot the length of the wall of the building exceeds 40 feet (N-1, N-2) or 50 feet (N-3, N-4).

- a. For the purposes of applying this subsection, a wall includes any building wall within ten degrees of being parallel to and abutting the side lot line of a lot.
- b. Side yard widths may be reduced if the side wall of a building is not parallel by more than ten degrees with the side lot line.
- c. The minimum side yard shall be met by the average depth of the side yard. No side yard shall be less than five feet deep.

District	Use Type	Front Yard Minimum (feet) ^{1,2}	Side Yard Abutting a Street Minimum (feet) ^{3,4}	Side Yard Interior Minimum (feet) for Attached Garage or Lot with Alley ^{3, 4}	Side Yard Interior Minimum (feet) for Detached Garage on Lot without Alley ^{3, 4, 5}	Rear Yard Minimum (feet)	Perimeter Yard Minimum (feet)
----------	----------	--	---	---	---	--------------------------	-------------------------------

- d. No side yard shall be reduced to prevent construction of a driveway from the street into the rear of the lot unless a garage which has access from the street is located on the lot or an alley provides a secondary access to the rear yard of the lot.

⁴For N-1 and N-2 districts, if a corner lot has a rear lot line which is common with the side lot line of another lot, no building shall occupy that portion of the rear yard of the corner lot that abuts the front yard of the other lot for a distance equal to the depth of the front yard of that other lot or 30 feet, whichever is less, measured from the common property line of the two lots extending toward the front lot line of the corner lot on a line perpendicular to the common lot line of the two lots. See the following diagram.



Common Rear / Side Lot Lines

⁵When two numbers are listed as a yard, then both shall apply. One on one side, the other on the other side. In the case of a corner lot, the required side yard abutting a street shall take the place of the greater yard.

- (b) Table 36-166(b) establishes the minimum building, outdoor recreation, and lot coverage for the N-1, N-2, N-3, and N-4 districts.

Table 36-166(b). Building, Outdoor Recreation, and Lot Coverage Standards

District	Housing Type	Building Height Maximum (feet) ¹	Distance Between Buildings Minimum (feet)	DORA Minimum	Principal Building Coverage Maximum	Impervious Surface Coverage Maximum
N-1	Dwelling, single-unit small [only lots with alleys]	30			35%	60%
N-1	Dwelling, single-unit					
	Dwelling, two-unit (duplex)					
	Dwelling, two-unit attached (twinhome)					
	Dwelling, detached courtyard cottages/ bungalows		10		35%	60%
	Dwelling, three-unit					
	All other uses					
N-2	Dwelling, single-unit small [only lots with alleys]	40			35%	60%
	Dwelling, single-unit				35%	60%
	Dwelling, two-unit (duplex)				35%	60%
	Dwelling, two-unit attached (twinhome)				35%	60%
	Dwelling, detached courtyard cottages/ bungalows		10		35%	60%
	Dwelling, three-unit				35%	60%
	Dwelling, four-unit				35%	75%
	Dwelling, townhouse (small)		15	12%		75%

District	Housing Type	Building Height Maximum (feet) ¹	Distance Between Buildings Minimum (feet)	DORA Minimum	Principal Building Coverage Maximum	Impervious Surface Coverage Maximum
N-2	Dwelling, apartment (low-rise)	40	15	12%		80%
	All other uses					80%
N-3	Dwelling, townhouse (small)	75	15	12%		75%
	Dwelling, apartment (low-rise)		1/2 the building height	12%		80%
	Dwelling, townhouse (large)		15	12%		80%
	Dwelling, apartment (mid-rise)		1/2 the building height	12%		85%
	All other uses					85%
N-4	Dwelling, townhouse (small)	More than 75	15	12%		80%
	Dwelling, apartment (low-rise)		1/2 the building height	12%		80%
	Dwelling, townhouse (large)		15	12%		80%
	Dwelling, apartment (mid-rise)		1/2 the building height	12%		85%
	Dwelling, apartment (high-rise)		1/2 the building height	12%		85%
	All other uses					85%

Table Notes:

¹ Building height maximum is subject to exceptions in section 36-78.

Sec. 36-167. District Standards

- (a) All structures or properties in the N districts shall comply with the following regulations:
- (1) All trash, garbage, waste materials, trash containers, and recycling containers stored outdoors shall be screened in accordance with screening regulations provided in this chapter.
 - (2) All utility lines including electric, gas, water, sanitary sewer, telephone, and television cable shall be placed underground when used with all new structures or additions which expand the gross square footage of a structure by more than 50 percent unless used for service to single-unit, two-unit, or three-unit dwellings. In addition, any new service to an existing building other than a single-unit or two-unit dwelling shall be placed underground.
 - (3) All access roads shall have a poured-in-place concrete curb measuring at least six inches above and below the grade in all developments except developments of single-unit, two-unit, or three-unit dwellings.
 - (4) Interior pedestrian circulation and pedestrian linkage to any existing public trails or sidewalks shall be provided where practically possible for all developments except developments of single-unit, two-unit, or three-unit dwellings.
 - (5) All single-unit, two-unit, and three-unit dwellings shall:
 - a. Be built on a permanent foundation;
 - b. Be connected to the city sanitary sewer and water; and
 - c. If the dwelling is a manufactured home, it shall:
 1. Have a permanent, completely enclosed foundation which complies with the state manufactured home building code and which is constructed around the entire circumference of the structure.
 2. Meet the standards and be certified by the U.S. Department of Housing and Urban Development.
 - (6) Any parcels which are subdivided for the purpose of creating condominium ownership are permitted provided that the overall density created within all condominium parcels plus the common lot do not exceed the maximum density permitted within the zoning district. Provisions for designed outdoor recreation area may be provided on a common lot. Any front, rear, and side yard dimensions required by this section 36-166 shall apply from the building face to the property line of the common lot.

- (7) For N-1 and N-2 districts, a single-unit dwelling which legally existed or for which a valid building permit had been granted on or before the effective date of the ordinance from which this chapter is derived, may be expanded by an addition or dormer, provided the addition does not extend into the existing side yard.
 - (8) For N-3 and N-4 districts, all dwelling units shall be at or above the grade of all land abutting the structure within a distance of 25 feet from all faces of the building.
- (b) Parking and storing of vehicles. The parking or storing of any motor vehicle, recreation vehicle, or commercial vehicle in the N districts is subject to all restrictions in this subsection and under section 36-361.
 - (1) Findings. The city council finds that certain standards are desirable in order to preserve neighborhood character, public health and safety, property values, and allow all residents a reasonable use and enjoyment of property. While the city council finds that the use and possession of commercial and recreational vehicles are an important factor in the lives of a substantial number of residents of the city, the council also finds that certain types and sizes of commercial and recreational vehicles, the improper storage of commercial and recreational vehicles, and the parking of and storage of excessive numbers of vehicles can affect the neighborhood character as well as public health and safety, property values, and the reasonable use and enjoyment of neighboring properties. While the ability of recreational vehicle owners to provide for the security of and access to their vehicles is a reasonable expectation, they have a responsibility to respect the rights of residents, owners, and users of neighboring properties and to avoid interference with the purposes of the zoning district in which they are located. The city council further finds that the establishment of these standards furthers the goals in the city's comprehensive plan relative to enhancement of residential neighborhoods and similar goals expressed in Vision St. Louis Park. The city council establishes these standards as a means to balance the interests of the owners of commercial and recreational vehicles, adjacent residents and the public.
 - (2) Except as provided in subsections (e)(3) and (e)(9) of this section, no motor vehicle, recreational vehicle, commercial vehicle, or trailer shall be permitted to stand or park in the N districts which exceeds any of the following:
 - a. Eight feet in height, measured from the ground to the highest point on the vehicle at recommended tire pressure. For the purpose of measuring height, all accessories, attachments, and materials carried upon a vehicle shall be considered part of the vehicle;

- b. Twenty-two feet in length, measured at the longest point of the vehicle or, if a trailer, the horizontal distance between the front and rear edges of the trailer bed. For the purpose of measuring length, all accessories, attachments, and materials carried upon a vehicle shall be considered part of the vehicle or trailer bed; or
 - c. Six thousand five hundred pounds, empty weight including the box.
- (3) One recreational vehicle which exceeds any of the limits set forth in subsection (e)(2) of this section and is owned by the occupant of the premises can be parked behind the rear face of the principal building if:
 - a. The vehicle is parked no closer than five feet from any property line.
 - b. If the property has more than a three-unit dwelling, the vehicle must be stored on a concrete or bituminous surface and the parking space must be in excess of the minimum number of parking spaces required by this chapter.
 - c. The vehicle shall be screened using a 90 percent opaque fence which is six feet high and plant materials which at maturity have the ability to screen 100 percent of the height and 100 percent of the length of the vehicle with a minimum of 50 percent opacity from view from:
 - 1. Any park.
 - 2. Any abutting residentially developed property.
 - 3. Any street which abuts the back yard.

The fence and plant materials shall be located in such a manner that visibility is maintained as required in section 36-76. A six-foot-high gate may be placed in the fence to allow for ingress and egress. Plant materials may be omitted at points of ingress and egress but the gap in landscaping may not exceed the width of the vehicle plus two feet.

- (4) The following provisions shall apply to the parking and storage of vehicles on residential parcels in the N-1 and N-2 districts:
 - a. No more than four vehicles can be parked or stored outside an enclosed building on a lot that contains a single-unit dwelling. For a two-unit dwelling (duplex), each dwelling may have up to four vehicles parked or stored outside. This regulation shall not apply during snow emergencies.
 - b. No more than two non-passenger vehicles can be parked on a residential lot outside of an enclosed building. Except as permitted in subsection (e)(3) of this section, vehicles shall be stored on a designated parking space. Non-

passenger vehicles cannot be parked or stored in front of the front face of the principal building or between the front and rear face of the principal building when abutting a street except as allowed under subsection (e)(3) of this section.

- c. Only commercial vehicles which do not exceed any of the size requirements under subsection (e)(2) of this section and are designed exclusively for on-street use can be parked on residential lots outside an enclosed building. Commercial vehicles shall be parked only within a garage or on a designated parking space and cannot be parked or stored in front of the front face of the principal building or between the front and rear face of the principal building when abutting a street except as permitted under subsection (e)(4) of this section.
- d. Except as permitted in subsection (e)(3) of this section, all vehicles must be stored on a surface improved for driveway purposes with an approved paving surface.
- e. No more than one recreational vehicle which exceeds the size requirements in subsection (e)(3) of this section can be parked on a residential lot outside an enclosed building.
- f. No non-passenger vehicle can be parked within five feet of an interior side lot line or rear lot line.
- g. No non-passenger vehicle can be parked in front of the front face of the principal building or between the front and rear face of the principal building when abutting a street except where designated parking space is permitted under subsection 36-361(m)(11). Under no circumstances can a non-passenger vehicle which exceeds the size limitations in subsection (e)(2) of this section be parked in a front yard.
- h. No non-passenger vehicle can be parked on a residential lot if the vehicle is not owned or leased by the occupant of the premises where it is parked or is a commercial vehicle owned by the employer of an occupant who is using the vehicle for business purposes.
- i. Only one tow truck can be parked on a residential property.
- j. Parking is not permitted on a driveway within five feet of the curb of a public street. In the absence of a curb, parking shall not be permitted within five feet of the traveled public roadway, in no event can a vehicle be parked in such a manner as to block a public sidewalk.

- k. Recreational vehicles six feet in height or less at their highest points may be parked in one non-driveway area between the front and rear face of the principal building on a neighborhood zoned lot provided that they are ten feet or more from the adjacent residence, do not extend beyond the front face of the principal building, and are screened from the street and from the adjacent neighbor with a 90 percent opaque fence with a height at least equal to the height of the highest point of the vehicle to be screened. A fence-height gate may be placed in the fence to allow for ingress and egress.
- (5) One vehicle with an attached snowplow can be parked outside of an enclosed building between November 1 or the first two-inch snowfall, whichever occurs first, and April 30. This vehicle will be considered to be a commercial vehicle when applying this chapter.
 - (6) Snowplows and other commercial equipment must be stored within an enclosed structure when not attached to a vehicle.
 - (7) Outdoor storage of fish houses is not permitted on a residential lot
 - (8) On-street parking of non-passenger vehicles is not permitted in the N districts.
 - (9) The following are exempt from the provisions in this subsection:
 - a. Any vehicle being used in conjunction with a temporary service benefiting the property.
 - b. Vehicles used in conjunction with authorized construction sites between 7:00 a.m. and 10:00 p.m. Monday through Friday and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.
 - c. Vehicles used in conjunction with authorized public works construction.
 - d. Recreational vehicles can be parked temporarily while being loaded or unloaded or during routine maintenance and servicing not exceeding 48 consecutive hours.
 - (10) Driveway and parking areas. The following provisions shall apply to driveway and parking areas for single-unit, two-unit, and three-unit dwellings:
 - a. Permit required. A driveway permit shall be issued prior to the installation, replacement, or expansion of any driveway or parking area.
 - b. Width.
 - 1. The maximum width for the driveway apron shall not exceed 22 feet.

2. The maximum cumulative width for driveways, parking areas, and turnarounds shall not exceed 36 feet for single-unit, and 44 feet for two- and three-unit dwellings.
3. Horseshoe driveways are permitted when additional driveway accesses are allowed. The secondary driveway width shall be deducted from the maximum driveway width allowed and shall not exceed 12 feet in width.

c. Setbacks.

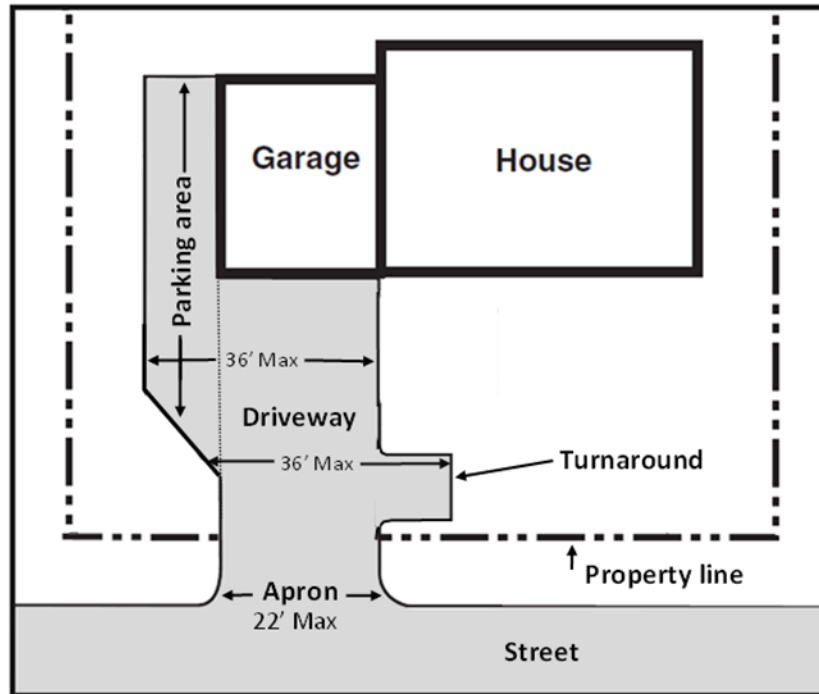
1. No side setbacks are required for driveways, parking areas, and turnarounds.
2. The start of the transition to a driveway or parking area that is wider than the driveway apron may start immediately after the driveway apron and cannot exceed 45 degrees.
3. Turnarounds must be located on private property.

d. Driveway access.

1. One access to a street and/or alley is allowed for single-unit dwellings on lots less than 80 feet wide.
2. Two accesses to a street and/or alley is allowed for two- and three-unit dwellings, or single-unit dwellings on lots greater than or equal to 80 feet wide.
3. Two street accesses are allowed for corner lots with the condition that one access is allowed per street frontage for lots less than 80 feet in width.

e. Miscellaneous.

1. The maximum slope on the driveway shall not exceed 10%.
2. The surface of the driveway shall be paved with asphalt, concrete, or pavers. Permeable pavers and ribbon driveways may be used on private property if vegetation is maintained between the ribbons of the driveway and the open areas of the permeable pavers.



Sec. 36-168. Use Specific Standards, Principal

- (a) Adult day care.
 - (1) At least 12% of the lot area shall be developed as designed outdoor recreation area.
 - (2) Within the N-1 and N-2 districts, the facility can serve 16 or fewer persons.
- (b) Bed and breakfast establishment.
 - (1) The facility shall be owner occupied.
 - (2) The total number of guestrooms shall be limited to three.
 - (3) Not more than 50 percent of the gross floor area of the residence shall be used for the guesthouse operation.
 - (4) Accommodations may be provided to a guest for a period not exceeding 14 days.
 - (5) Food service shall be limited to breakfast.
 - (6) Rented rooms shall not contain cooking facilities.
 - (7) Rooms used for sleeping shall be part of the primary residential structure and shall not have been constructed specifically for rental purposes.

- (c) Communication tower that is 45 feet or less.
 - (1) The tower must meet the standards of Section 368 (Communication Towers and Antennas).
- (d) Communication tower that is more than 45 feet in height but does not exceed 70 feet in height.
 - (1) The tower must meet the standards of Section 368 (Communication Towers and Antennas).
- (e) Community center.
 - (1) The property shall be designated as civic in the comprehensive plan.
 - (2) Unless a redevelopment plan for the area has been adopted as part of the city comprehensive plan, the following standards shall apply:
 - a. The principal building shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.
 - b. Outdoor areas improved for group activities shall be located at least 25 feet from any parcel that is zoned N and used for dwelling purposes.
- (f) Country club.
 - (1) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.
- (g) Dwelling
 - (1) Dwelling, single unit
 - a. Lot access
 - 1. If a lot is adjacent to an alley, driveway access shall be off the alley.
 - 2. If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the side street with the lower functional class as defined by the comprehensive plan.
 - 3. If a lot is not adjacent to an alley nor a corner lot, driveway access can be from the street.
 - 4. A driveway existing as of [insert date this ordinance is adopted] that does not meet the above lot access standards can continue in the same location until the property is redeveloped. Such driveway may be expanded as long as it is in conformance with the City Code.

- b. The maximum garage width facing a public right-of-way shall not exceed 50% of the principal building's front facade.
- (2) Dwelling, single unit small
 - a. The dwelling shall be no more than 1,200 square feet in size.
 - b. The dwelling footprint shall be no more than 800 square feet
 - c. The maximum height of the dwelling unit shall be 25 feet.
- (3) Dwelling, two-unit (duplex)
 - a. Any two-unit (duplex) dwelling shall abide by the standards required for dwelling, single-unit above.
- (4) Dwelling, two-unit attached (twinhome)
 - a. Any two-unit attached (twinhome) dwelling shall abide by the standards required for dwelling, single-unit above.
- (5) Dwelling, detached courtyard cottages/bungalows
 - a. A cottage courtyard development shall consist of at least four and no more than 12 dwelling units located around a shared, centrally located courtyard.
 - b. The cottage courtyard development shall provide a minimum of 300 square feet of common open space per dwelling unit. This common open space includes the required shared courtyard, which shall be at least 20 feet in width and depth.
 - c. A cottage courtyard development may have more than one courtyard.
 - d. Each dwelling unit shall have a maximum height of 25 feet.
 - e. Each dwelling unit shall have a maximum ground floor area of 900 square feet.
 - f. Each dwelling unit shall have the primary entrance oriented to the shared courtyard.
 - g. Each dwelling unit abutting a public street shall have windows on the facade oriented to the public street.
 - h. Each dwelling unit shall have no more than a one-stall attached garage.
 - i. Accessory buildings. No accessory buildings shall be allowed except for a one-stall detached garage for each dwelling unit and accessory buildings for use by the homeowners association.

- j. Parking areas shall not be located in any required yard abutting a public street.
 - k. Accessory dwelling units are prohibited.
 - l. Dwelling units may be located on one parcel or on individual parcels for each dwelling unit with a separate parcel for common open spaces and facilities.
- (6) Dwelling, three-unit
- a. Any three-unit dwelling shall abide by the standards required for dwelling, single-unit above.
- (7) Dwelling, four-unit
- a. Driveway access shall be off the alley if present. If a lot is on a corner, then the driveway shall be off the side street if an alley is not present. If there is not an alley or the lot is not a corner lot, the driveway access may be from the front of the property.
 - b. On the public street-facing facade, no garage shall occupy more than 50 percent of any street-facing individual unit facade.
- (8) Dwelling, townhouse
- a. Lot access
 - 1. If a lot is adjacent to an alley, driveway access shall be off the alley.
 - 2. If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the side street with the lower functional class as defined by the comprehensive plan.
 - 3. If a lot is not adjacent to an alley nor a corner lot, driveway access can be from the street.
 - 4. A driveway existing as of [insert date] that does not meet the above lot access standards can continue in the same location until the property is redeveloped. Such driveway may be expanded as long as it is in conformance with the City Code.
 - b. The maximum number of dwellings per structure shall be as follows:
 - 1. Small townhouse dwelling shall have no more than four units
 - 2. Large townhouse dwelling shall have no more than eight units The orientation of the structure(s) shall match the orientation of other existing principal structures along the block on which it is located.

- c. On the public street-facing facade, no garage shall extend more than 50 percent of any individual unit.
- d. Buildings shall be designed with significant variation in the façade every 60 feet and minor variations at least every 20 feet. Variation can be achieved with articulation, texture, materials, doors, windows, roof dormers, gables, and covered porches. Any architectural projection or recess used to accomplish this change shall be a minimum of six feet wide and two feet deep.

(9) Dwelling, apartment (low-rise)

- a. Lot access
 - 1. Lot access for any low-rise apartment dwelling shall abide by the lot access standards as required for dwelling, townhouse above.
 - 2. If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the street with the lower functional class as defined by the comprehensive plan.
 - 3. A driveway existing as of [insert date] that does not meet the above lot access standards can continue in the same location until the property is redeveloped. Such driveway may be expanded as long as it is in conformance with the City Code.
- b. Individual dwelling unit entrances for ground floor units may be interior or exterior entrances.
- c. Any driveways or parking areas within 30 feet of a property zoned N-1 or N-2 shall be screened. Such screening may consist of a solid hedge, an architectural compatible opaque wall, fence, berm or combination thereof.
- d. To qualify as age-restricted housing, it must provide the following:
 - 1. A minimum of 1,000 square feet of lot area for each dwelling unit.
 - 2. A lounge or other inside community rooms equal in aggregate size to a minimum of 15 square feet for each unit.
 - 3. A recorded covenant to run with the land, executed in a form approved by the city, which restricts the use of the property to occupancy by age.

(10) Dwelling, apartment (mid-rise)

- a. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial, or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
 - b. Any mid-rise apartment dwelling shall abide by the standards as required for dwelling, apartment (low-rise) above.
- (11) Dwelling, apartment (high-rise)
 - a. Any high-rise apartment dwelling shall abide by the standards as required for dwelling, apartment (mid-rise) above.
- (h) Educational (academic) facilities with 20 or fewer students.
 - (1) The school shall be limited to preschool through eighth grade.
 - (2) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial, or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
 - (3) Student drop-off and loading areas shall not interfere with traffic and pedestrian movements.
 - (4) An outdoor play area shall be provided that contains at least 40 square feet per student enrolled at the school, or be located adjacent to a public park.
- (i) Educational (academic) facility with more than 20 students.
 - (1) The principal buildings shall be located a minimum of 30 feet from any parcel zoned N and used for a dwelling.
 - (2) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
 - (3) Outdoor recreational and play areas shall be located at least 25 feet from any parcel that is zoned N and used for a dwelling.
 - (4) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial, or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (j) Golf course.
 - (1) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.

(k) Group day care/nursery school.

- (1) The principal buildings shall be located a minimum of 30 feet from any parcel zoned N and used for a dwelling.
- (2) Outdoor recreational and play areas shall be located at least 25 feet from any parcel zoned N and used for a dwelling.
- (3) The on-site outdoor activity area shall be enclosed by a fence.
- (4) As allowed for by state licensing, city parks may be utilized to meet up to 50 percent of the required outdoor activity areas with the following conditions:
 - a. The park must have age-appropriate play equipment.
 - b. There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.
- (5) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.

(l) Group home.

- (1) The use shall not be located within 1,500 feet of any other group home or state-licensed residential facility.
- (2) The maximum occupancy of a facility shall not exceed six people in the N-1 and N-2 district, 30 people in the N-3 district, and 50 people in the N-4 district. A minimum of 300 square feet of gross building area shall be provided for each resident.
- (3) At least 12% of the lot area shall be developed as designed outdoor recreation area.
- (4) At least 800 square feet of lot area shall be provided for each person, including resident staff, housed on the site.
- (5) The building structure shall not be modified or converted for the specific purpose of accommodating the group home use except to comply with Americans with Disabilities Act requirements or other normal maintenance and repair.
- (6) The following shall also be required for facilities located in the N-1 and N-2 districts:
 - a. No more than two people shall occupy one bedroom
 - b. One bathroom shall be provided for every three persons living at the facility.

(m) Hospital.

- (1) Buildings located within 100 feet of a property zoned N-1 or N-2 shall be limited to the lesser of four stories or 45 feet. The height of all other buildings more than 100 feet away in N-1 or N-2, or located in the N-3 or N-4 districts, shall be regulated by yard and floor area ratio requirements.
- (2) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial.
- (3) Internal traffic circulation shall be designed to minimize traffic within 100 feet of any property abutting a N district.
- (4) Screening and a six foot privacy fence shall be installed and maintained along any abutting N district.
- (5) The property shall be designated for office use in the comprehensive plan.

(n) Hostel.

- (1) The hostel shall be affiliated with a national or international hostel organization and shall be subject to the operating procedures of such organization.
- (2) The hostel shall be available for occupancy only by members of the affiliate or the parent organization.
- (3) The hours for check-in/check-out shall be limited to 6:00 a.m. to 1:00 a.m.
- (4) Overnight parking of vehicles whose passenger capacity exceeds 15 shall be prohibited on the site.
- (5) Outdoor recreational and play areas shall be located at least 25 feet from any lot zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
- (6) No room shall contain more than four beds.

(o) Library.

- (1) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.

(p) Manufactured home park.

- (1) The manufactured home park, and all manufactured homes sited within it, must meet all requirements set forth in state statutes.

- (2) A responsible attendant or caretaker must be in charge at all times and shall be responsible for ensuring the maintenance of the park, its facilities, and its equipment in clean, ordinary, and sanitary condition.
 - (3) The manufactured home park must be at least 5 acres in size.
 - (4) The manufactured home park shall meet the density requirement set forth in the comprehensive plan.
 - (5) Uses permitted within the park shall include only manufactured homes, storm shelters, recreational facilities, and accessory uses to the manufactured homes, including common laundering facilities, garages, sheds, and similar structures necessary for the operation and maintenance of the park.
 - (6) All manufactured homes shall be equipped with an anchoring system approved by the Minnesota Department of Administration (Building Code division). The frame, wheels, crawl space, storage areas, and utility connections of all manufactured homes shall be concealed from view by skirting made of durable all-weather construction material that is consistent with the exterior of the manufactured home. Installation of the skirting must be completed within 60 days of the placement of the manufactured home on the pad. No obstruction shall be permitted that impedes the inspection of plumbing and electrical facilities.
 - (7) The maximum coverage on individual manufactured home sites for the manufactured home, any accessory structures, and driveway shall be 50%.
 - (8) Except for public, community, and utility structures, the maximum height of principal and accessory structures shall not exceed 20 feet.
- (q) Nursing home.
- (1) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
 - (2) At least 12% of the lot area shall be developed as designed outdoor recreation area.
- (r) Office less than 2,500 square feet.
- (1) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial, or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.

- (2) The materials used in and placement of all signs shall be integrated with the building design and architecture.
 - (3) The architecture of the building shall be residential in character.
 - (4) The parking areas shall be set back at least five feet from any parcel that is zoned N.
- (s) Park/recreation.
 - (1) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and either used for residential or as an institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
 - (2) Areas designated for group activities shall be located a minimum of 25 feet from any parcel that is zoned N and either used for residential or as an institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
 - (3) Facilities which serve a regional function shall not be permitted.
- (t) Police/fire station.
 - (1) All buildings shall be located a minimum of 30 feet from any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
 - (2) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial
- (u) Public service structure.
 - (1) All structures shall be located a minimum of 15 feet from any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
 - (2) All service drives shall be paved.
- (v) Religious institution.
 - (1) All buildings shall be located a minimum of 30 feet from any parcel that is zoned N and used for a dwelling.
 - (2) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.

- (3) Outdoor recreational and play areas shall be located at least 25 feet from any lot zoned N and used for a dwelling.
 - (4) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial, or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (w) State-licensed residential facility.
 - (1) The facility shall serve no more than six persons.
 - (2) The use shall have a valid state license authorizing the housing service. The license shall be issued specifically for the property where the residential facility is being conducted.

Sec. 36-169. Use Specific Standards, Accessory

- (a) Accessory dwelling unit.
 - (1) Accessory dwelling units shall only be permitted on single-unit dwelling lots.
 - (2) There shall be no more than one accessory dwelling unit permitted per lot.
 - (3) Occupancy of the single-unit dwelling lot, including both the principal dwelling unit and the accessory dwelling unit, shall be limited to no more than one household and up to two persons who are boarders/roomers or reside in one of the dwelling units.
 - (4) The initial construction of an accessory dwelling unit shall only occur on a property that is occupied by the property owner as their primary residence.
 - (5) The accessory dwelling unit shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.
 - (6) Accessory dwelling units that are attached to the principal dwelling unit shall be no more than 40% of the gross floor area of the single-unit dwelling.
 - (7) Accessory dwelling units that are detached from the principal residential structure shall comply with the regulations for accessory structures and must comply with the following additional requirements:
 - a. Detached accessory dwelling units shall be located a minimum of five feet from any rear lot line unless the rear lot line is adjacent to an alley, in which case it may be located five feet from the rear lot line.
 - b. Detached accessory dwelling units located less than six feet from the principal dwelling is subject to the same side yard as required for the principal dwelling. Detached accessory dwelling units located six feet or more

from the principal dwelling shall be located a minimum of five feet from any side property line.

- c. Detached accessory dwelling units shall have a floor area greater than 200 square feet.
- d. Balconies and decks above the ground floor shall be located a minimum of 15 feet from a side yard or a rear yard. Rooftop decks for an accessory dwelling unit shall not be allowed.

(8) Accessory dwellings may not be used for short term rental purposes.

(b) Accessory dwelling unit affiliated with religious institution.

- (1) The dwelling units/living quarters shall be on the same property as the religious institution.
- (2) The dwelling units/living quarters shall at a minimum have access to on-site facilities for cooking, sleeping, and bathing.
- (3) At least 12% of the lot area shall be developed as a designed outdoor recreation area.
- (4) The persons living/staying on-site must be clergy, employees, or similarly associated with the religious institution.
- (5) The residential density of the accessory dwelling units/living quarters shall not exceed the residential density that would otherwise be allowed on the property, and in no case shall it exceed 15 persons.
- (6) The combined gross floor area of the accessory dwelling units/living quarters shall be less than the gross building area of the principal building and principal use.
- (7) If the dwelling units/living quarters are not within the principal building:
 - a. The buildings shall be built on a permanent foundation and connected to city sanitary sewer and water.
 - b. The accessory dwelling units/living quarters shall be exempt from the accessory building size limitations.
 - c. The accessory building(s) shall be architecturally compatible with the principal building.
 - d. The accessory building(s) shall not be taller or otherwise larger in scale than the principal building.

- (8) All required licenses or permits to establish and maintain the dwelling units/living quarters shall be obtained.
- (c) Accessory building.
 - (1) Accessory buildings located less than six feet from a principal building on the same lot, measured from the nearest projection of each building, shall be considered part of the principal building and shall follow principal building standards.
 - (2) All accessory buildings shall obtain a zoning or building permit prior to installation and must be anchored in a manner approved by the city.
 - (3) Accessory buildings shall not be located in a drainage or utility easement without first obtaining approval of an encroachment agreement
 - (4) Location.
 - a. Shall not be located in front of the principal building's front face.
 - b. Accessory buildings located behind the principal building's rear face shall meet the following requirements:
 - 1. Accessory buildings shall be located a minimum of two feet from any lot line, except when the side of the building accessed by the vehicle is less than 30 degrees to the property line adjacent to an alley, then the building shall be at least five feet from the lot line.
 - 2. Eaves, overhangs, or other extensions from the roof shall be located a minimum of two feet from the lot line.
 - c. Detached garages when located between the front and rear faces of the principal building shall meet the following requirements:
 - 1. It shall meet the same side yards as required for the principal building.
 - 2. Eaves shall meet the same yard requirements as required for the principal building.
 - d. Accessory buildings on through lots shall be subject to the front and side yard requirements of the principal building if the accessory building is located within 60 feet of the rear lot line.
 - (5) Size.
 - a. The total cumulative ground floor area of all accessory buildings on lots improved with single-unit dwellings shall not exceed the smaller of 800 square feet or 25 percent of the area behind the rear face of the principal

building. This provision shall not prohibit the construction of either a detached garage or a detached accessory dwelling unit, or a combination thereof, that is no greater than 576 square feet in area provided there are no other accessory buildings. This exception does not allow more impervious surface than allowed for the principal use.

- b. The total cumulative ground floor area of all accessory buildings on lots improved with two, three, or four-unit dwellings shall not exceed the smaller of 1200 square feet or 25 percent of the area behind the rear face of the principal building. This provision shall not prohibit the construction of either a detached garage or a detached accessory dwelling unit, or a combination thereof, that is no greater than 576 square feet in area provided there are no other accessory buildings. This exception does not allow more impervious surface than allowed for the principal use.

(6) Height.

- a. Shall not exceed 15 feet in height.
- b. The maximum height may be increased to 24 feet where the primary exterior materials of the accessory building match the primary exterior materials of the principal building and the roof pitch matches a roof pitch of the principal building, and provided the wall height shall not exceed 9 feet from the building ground floor to the highest top plate of the exterior non-gable end walls. Dormers are exempt from the height measurement if the combined width of the dormers is less than 50% of the side of the building they are located on.
- c. The height of all accessory buildings shall be lower than the highest roof line of the principal building.

(7) Design.

- a. All detached garages and other accessory buildings shall be compatible in design and materials to the principal building on the parcel.
- b. No plumbing for kitchen or bathroom facilities (including but not limited to toilets and showers) is allowed in any detached garage or other accessory building unless it is determined to be an accessory dwelling unit. Hose bibs and utility sinks are allowed.
- c. Floor drains in garages and other accessory buildings must be connected to sanitary sewer as approved by the city.
- d. Windows, doors, and similar openings may be located in the second story of an accessory building if the wall or dormer in which it is located faces a lot

line that abuts a public right-of-way or is at least 15 feet from any property that is zoned residential and used or subdivided for residential use.

e. Accessory buildings used for dwelling purposes shall also comply with the regulations set forth for accessory dwelling units above.

(8) Garages below grade level. Where the natural grade of a lot at the building line of a house is eight feet or more above the established curb level, a private garage may be erected within any yard provided one-half or more of its height is below grade level and it is located a minimum of ten feet from any lot line adjacent to a street and five feet from any side lot line.

(d) Accessory structure.

(1) Shall not be located in a drainage or utility easement without first obtaining approval of an encroachment agreement.

(2) Accessory structures located behind the principal building's front face shall be a minimum of three feet from the lot line if over six feet in height.

(3) Accessory structures that are located in front of the principal building's front face and are over four feet in height shall be located:

a. At least 15 feet from the street lot line.

b. At least three feet from internal side lot lines.

c. At least nine feet from all other lot lines abutting a street when there is more than one street frontage.

(4) Arbors, pergolas, arches, gateways, or similar open structures over purposeful pedestrian walkways that extend between properties, between front and back yard areas, or from the public right-of-way to a house or garage may be located up to the property line as long as:

a. There is no more than one such structure per lot line.

b. The structure is not more than 10 feet in height, 10 feet in width, and three feet in depth.

(5) All accessory structures shall be no more than 15 feet in height and lower than the highest roofline of the principal building.

(6) All detached decks shall obtain a zoning or building permit prior to installation and must be anchored in a manner approved by the city.

(e) Adult day care in a religious institution, community center, or nursing home.

- (1) There shall be at least 150 square feet of outdoor sitting and exercise area per person under care at peak periods.
- (f) Boarders or roomers.
 - (1) Up to two boarders or roomers shall be allowed per resident household provided the living area for the boarders/roomers is within the principal building and does not constitute a separate dwelling unit.
- (g) Catering.
 - (1) Allowed only as accessory to community centers, educational (academic) facilities, country clubs, and religious institutions.
 - (2) Vehicles used to receive and/or deliver food shall not be stored outside.
- (h) Community garden.
 - (1) Allowed only as accessory to community centers, educational (academic) facilities, country clubs, and religious institutions.
- (i) Family day care facility serving 14 or fewer persons.
 - (1) Only one employee who does not live within the dwelling unit is allowed.
- (j) Group day care/nursery school in a religious institution, community center, or educational (academic) institution.
 - (1) The on-site outdoor activity area shall be enclosed with a fence.
 - (2) Outdoor activity areas shall be located at least 25 feet from any lot zoned N and used for a dwelling.
 - (3) As allowed for by state licensing, city parks may be utilized to meet up to 50 percent of the required outdoor activity areas with the following conditions:
 - a. The park must have age-appropriate play equipment.
 - b. There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.
 - (4) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
- (k) Helistop.
 - (1) Helistops shall be used exclusively in connection with a hospital and is subordinate to the hospital in area, extent, and purpose.

- (2) The helicopter pad must be dust free and screened from view and takeoff and landings shall not be over residential areas.
 - (3) Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m., excluding emergency operations.
- (l) Home occupation.
 - (1) See section 36-83.
- (m) Living quarters of persons employed for domestic or medical purposes.
 - (1) The living area for the domestic/medical household staff shall be within the principal building and does not constitute a separate dwelling unit.
- (n) Mikvah pool.
 - (1) Shall be accessory to a single-unit dwelling or religious institution.
 - (2) Shall be allowed within an occupied single-unit dwelling if there are three additional off-street parking spaces.
- (o) Parking ramp.
 - (1) The height of any parking ramp located within 200 feet of any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers may not penetrate the height of a line commencing at and perpendicular to said parcel line and extending upward and away from said parcel at a slope of five horizontal feet for each vertical foot.
 - (2) The minimum required yard for any parking ramp located within 200 feet of any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers shall be 50 feet.
 - (3) The parking ramp shall be screened from view from any abutting property located within an N district. The screening shall include a six-foot berm where the parking ramp is above ground.
 - (4) If the parking ramp is located within 400 feet of any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers, all light sources on the top deck of a parking ramp shall be below the sight lines drawn from a point one foot above the light source to any point within said parcel ten feet lower than the maximum structure height of

that use at a distance of 400 feet from the wall of the parking ramp nearest to said parcel.

- (p) Residential swimming pool, whirlpool, or sport court.
 - (1) Shall only be permitted behind the front face of the principal building.
 - (2) Shall be a minimum of five feet from the rear lot line.
 - (3) Shall meet the same side yard setbacks as required for the principal building.
 - (4) A six-foot privacy fence shall be required to screen the portion of the swimming pool, whirlpool, or sport court located within 25 feet of the rear lot line.
 - (5) Mechanical equipment shall meet the same setback required for the swimming pool or whirlpool unless it is contained within an accessory building.
 - (6) Residential swimming pools shall be in conformance with section 36-73 and section 12-3 of the City Ordinance;
 - (7) A pool house is an accessory building and shall be in conformance with the following conditions:
 - a. Property must have an in-ground swimming pool that is larger in area than the pool house building.
 - b. The pool house cannot exceed 400 square feet in area and one story in height.
 - c. The building design and materials shall be consistent with the principal building.
 - d. The building may include a bathroom but shall not include kitchen facilities.
 - e. The building cannot be designed or used as a dwelling unit or for any business use.
- (q) Solar energy system.
 - (1) Solar energy systems shall be in conformance with the standards for solar energy systems in Article V, Special Provisions.
- (r) Student housing.
 - (1) Student housing may be allowed as an accessory use to educational facilities within the N-2 and N-3 districts with the following conditions:
 - a. No more than 50 students may live on-site in the N-2 district, while no more than 200 students may live on-site in the N-3 district.

- b. An outdoor recreation area shall be provided that contains at least 40 square feet per student living at the educational (academic) facility.
 - c. The housing must be supervised 24 hours a day, seven days a week by an adult living on-site.
 - d. The students living on-site must be actively enrolled in the educational (academic) facility as full-time students.
 - e. The student housing must be located on the same parcel as the educational (academic) facility.
- (s) Supportive commercial use.
 - (1) Shall not exceed ten percent of the gross floor area of the development.
- (t) Wind energy conversion system (WECS).
 - (1) WECSs shall be in conformance with the standards for WECS in Article V, Special Provisions.

Sec. 36-170. – 36-190. Reserved