

## Section 24: Multi-Family District - Medium Density (R-3)

### SECTION 24:

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**24.01 Purpose:** The major purpose of this district is to allow medium-density multifamily dwellings (up to 4 units) in appropriate areas where city sewer and water is available.

#### **24.02 Permitted Uses:**

- Subd. 1.** Single family detached dwellings provided that they are part of a homeowner's association.
- Subd. 2.** Multi-family dwelling units up to 4 units per dwelling.
- Subd. 3.** Public recreation, including parks and playgrounds.
- Subd. 4.** Essential services: Telephone lines, communication lines, and power lines and necessary appurtenant equipment and structures.
- Subd. 5.** State mandated daycare/group homes per Minnesota Statutes Section 462.357, as may be amended.

#### **24.03 Accessory Uses:**

- Subd. 1.** Any incidental structure, building, or machinery necessary to the conduct of single-family residential and other permitted uses including 1 satellite dish not to exceed 2 feet in diameter.
- Subd. 2.** Permitted Home Occupations.
- Subd. 3.** Boarding or renting of rooms to not more than 2 people provided that there are (a) no separate cooking facilities, (b) no separate entrance and (c) such use does not create the need for more than 2 off-street parking spaces. The parking spaces must be provided

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- within the driveway of the principal structure.
- Subd. 4.** Signs subject to the standards in Section #53.
- Subd. 5.** Private garages subject to the requirements in Section #41. (Accessory Buildings).
- Subd. 6.** Tool houses, sheds, and similar buildings for storage of domestic supplies and non-commercial recreational equipment subject to the provisions of Section #41. (Accessory Buildings).
- Subd. 7.** The reasonable exterior storage of recreational vehicles and yard maintenance equipment. The City Council has sole discretion to determine what constitutes reasonable storage.
- Subd. 8.** Exterior Storage as permitted in Section #40. (General Provisions).
- Subd. 9.** Fences, decks, screen houses, swimming pools, and storage buildings for the use of occupants of the principal structures subject to the requirements in this Ordinance.
- Subd. 10.** Parking spaces and carports for licensed and operable passenger cars and trucks subject to the requirements in Section #46. (Off-Street Parking).

### **24.04 Conditional Uses:**

- Subd. 1.** Government buildings such as post offices, city halls, fire and police stations.
- Subd. 2.** Public, Educational, and Religious Buildings: Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to preschools, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, and synagogues.

### **24.05 Interim Uses:**

- Subd. 1.** Interim Home Occupations.
- Subd. 2.** State licensed residential facility serving 16 or fewer persons per Minnesota Statutes section 462.357, subd. 8 as may be amended.

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**Subd. 3.** Commercial or Hobby kennels as defined in Maple Lake City Code Chapter #41.

**24.06 Uses by Administrative Permit:** Subject to the applicable provisions of this Section, performance standards established by this Ordinance, and processing requirements of Section #14 (Administrative Permits) of this Ordinance, the following are uses allowed in an R-3 District by Administrative Permit as may be issued by the Zoning Administrator.

**Subd. 1.** Land Excavation/Grading: Subject to the requirements in Section #48.

**Subd. 2.** Land Filling Operations: Subject to the requirements in Section #49.

**Subd. 3.** Mobile Home as Temporary Construction Office: Subject to the requirements in Section #52.

**Subd. 4.** Mobile Home as a Temporary Dwelling Unit During Construction: Subject to the requirements in Section #52.

### 24.07 Performance Standards:

**Subd. 1.** Lot Area and Density:

- A. The minimum lot area for each dwelling, whether attached or detached, shall be 8,000 square feet.
- B. The minimum lot area for each multi-family dwelling project shall be 5 acres.
- C. The maximum density shall be 4 units per acre.

**Subd. 2.** Minimum Lot Width: 80 feet.

**Subd. 3.** Lot Depth: No minimum.

**Subd. 4.** Front Yard Setback:

Minimum Front Yard Setback from:

State Highway: 125 feet from the center of the proposed

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ultimate right of way section for State Highway 55 or a minimum of 50 feet from the dedicated right of way that fits the ultimate section as defined by MnDOT or Wright County Highway Department.

County Road: 50 feet from Right of Way or Easement

City Street: 30 feet from Right of Way or Easement

Corner Lots: See Section 24.07, Subd. 6.1 Corner Lots.

### **Subd. 5.** Side Yard Setback:

- A. Interior Lots: There shall be a side yard width of at least 10 feet on each side of the building.
- B. Corner Lots: See Section 24.07, Subd. 6.1 Corner Lots
- C. Exceptions:
  - 1. Accessory Buildings: Accessory Buildings 200 square feet or smaller must be at least 5 feet from the side yard and at least not within 20 feet from a public street.
  - 2. Garages: Garages and Accessory Buildings greater than 200 square feet must be at least 10 feet from the side yard property line and at least 20 feet from a public street.
  - 3. Alley: Accessory Buildings or Garages must be at least 15 feet from an alley unless the vehicle entrance of the Garage backs upon a public alley, in which case the Garage must be at least 20 feet from the public alley right of way.

### **Subd. 6.** Rear Yard Setback:

- A. Minimum Setback: 30 feet.
- B. Exceptions:
  - 1. Accessory Buildings: Accessory Buildings 200 square feet or smaller must be at least 5 feet from the property line.

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2. Garages: Garages and Accessory Buildings greater than 200 square feet must be at least 10 feet from the rear property line.
3. Alley: Accessory Buildings or Garages must be at least 15 feet from an alley unless the vehicle entrance of the Garage backs upon a public alley, in which case the Garage must be at least 20 feet from the public alley right of way.

### **Subd. 6.1** Corner Lots.

Where a lot is located at the intersection of 2 or more roads, the setback for both principal buildings and accessory buildings shall be as follows:

State Highway: 125 feet from the center of the proposed ultimate right of way section for State Highway 55 or a minimum of 50 feet from the dedicated right of way that fits the ultimate section as defined by MnDOT or Wright County Highway Department.

County Road: 50 feet from Right of Way or Easement

City Street: 30 feet from Right of Way or Easement

**Subd. 7.** Lots adjacent to Power Lines, Pipe Lines, and Rail Roads. Lots platted or located adjacent to power lines, pipe lines, and rail road right-of-way shall require additional depth of 20 feet above the minimum requirements of the Zoning District.

**Subd. 8.** Required Buildable Area. Except as may be approved by the City Council and except for lots of record, preliminary platted lots, and residential Planned Unit Development concepts having legal standing on January 1, 2005 (effective date of Ordinance), all lots must contain usable/buildable upland equal to at least 90 percent of the required minimum lot areas. The required upland area shall not contain wetlands, streams, ponds, steep slopes (12% or greater), easements, or any other non-buildable terrain. Lots which involve wetland mitigation practices shall be evaluated for conformance with this requirement based on wetland mitigation plans indicating areas

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of wetland filling or dredging.

**Subd. 9.** Site Coverage:

- A. Maximum site coverage (maximum impervious surface): 75%
- B. Exception: In the City’s sole discretion, the maximum site coverage may be increased if the applicant demonstrates that storm water management issues are adequately addressed.

**Subd. 10.** Building Height:

- A. The maximum height of all buildings shall not conflict with airport zoning regulations and, except as listed below, shall not exceed 2 ½ stories or 35 feet.
  - 1. Church spires shall not exceed 60 feet in height.
  - 2. Rooftop mechanical equipment shall not exceed the building height requirements by more than 10 feet.
  - 3. Water towers are exempt from the building height requirement.

**Subd. 11.** Minimum Floor Area:

There shall be at least three livable rooms contained in each dwelling unit. The following minimum floor area shall be required:

A. Multi-family dwelling of three or more families:

Efficiency	500 square feet
1 Bedroom	600 square feet
2 Bedroom	750 square feet
3 Bedroom	1,000 square feet

B. Townhouses:

Two story with 1 Bedroom	1,344 square feet
Two story with 2 Bedrooms	1,344 square feet
Two story with 3 Bedrooms	1,440 square feet

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One story with basement	800 square feet
One story without basement	1,000 square feet
Split level	960 square feet
Split entry	816 square feet

**Subd. 12. General Requirements-All Permitted Uses.**

- A. Building Permit Application. The application for a building permit in addition to other information required shall indicate the height, size, design, and all elevations of the proposed building and a description of the construction materials proposed to be used.
- B. Compliance with Building Code. All homes shall meet the requirements of the Minnesota State Building Code or the applicable manufactured housing code.
- C. Continuous Perimeter Foundation Required. All homes shall be constructed upon a continuous perimeter foundation that meets the requirements of this Ordinance and the Minnesota State Building Code.
- D. Frost Footings Required. All homes shall have frost footings and a permanent foundation consisting of concrete block, concrete, or an approved equivalent. For the purpose of this Section, a frost footing shall be any footing placed at the required depth to avoid the accepted frost line as determined by an engineer of soil mechanics, and absent an engineer's report, placed at a depth of at least 3 ½ feet.
- E. Roof. All homes shall have an earth covered, composition, shingled, tiled, or interlocking metal roof.
- F. Roof Pitch. Except earth sheltered homes, all homes shall have a roof pitch of at least 4:12.
- G. Garage. Every dwelling unit hereafter erected shall have at least a 484 square feet attached garage.
- H. Outside Storage. Outside storage shall be allowed only in designated areas which are screened in accordance with Section #45 (Screening) of this Ordinance and under the ownership of the property owners' association subject to other applicable provisions

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of this Ordinance.

### I. Utilities.

1. Public Utility Service. Separate public utility services shall be provided to each unit.
2. Water Connection. Individual unit shut-off valves shall be provided.
3. Sewer Connection. Individual unit connections shall be provided.

### J. Open Space. Each site shall include at least 25% open space, (space without buildings, paving, or other impervious surface.)

1. The City Council may require, at its discretion, that open space as required herein be configured in a manner to provide recreation facilities such as a tot lot or playing fields. The need for such facilities shall be based in part on the type of structures proposed, the target market for the units, the proximity to public recreation areas and other factors identified by the City.

The City Council shall determine on a case by case basis whether the required open space shall be a credit towards the City's park dedication requirements.

### K. Setback Requirements for Intensive Recreation Uses. Outdoor swimming pools or other intensive recreation uses shall observe setbacks as required for the principal structure.

### L. Streets. All streets shall comply with design standards and specifications as governed by the City Subdivision Ordinance. Section #10 (Design Standards/Required Basic Improvements).

### M. Sidewalks. Sidewalks shall be provided from parking areas, loading zones, and recreation areas to the entrances of the building(s).

### N. Decks or porches. Provision shall be made for possible decks, porches, or additions as part of the initial dwelling unit building

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plans. The unit lot shall be configured and sized to include decks or porches.

### O. Required Architectural Details.

1. The front of all new construction single-family homes shall contain a minimum of 2 architectural features such as a front porch, dormer, attached decks, gazebo, architectural recesses, decorative cornices, bay/bow windows, pilasters, columns, cantilevers, built-in planter/window boxes, formal pediment and trim emphasizing front door entry, or other significant architectural detail. Variations of color alone shall not be sufficient to comply with this condition.

### Subd. 13. Additional General Requirements-Multi-Family Dwelling Units.

- A. Number of Units and Building Length. An attached residential dwelling shall not have more than 4 units and shall have no single wall greater than 48 feet in length without an offset of 4 feet or more, or an angle of 22.5 degrees, or more.
- B. Exterior Material Requirements.
  1. Variation. The exterior of attached dwelling units shall include a variation in building materials which are to be distributed throughout the building facades and coordinated into the architectural design of the structure to create an architecturally balanced appearance.
  2. Brick, Stucco, or Stone Required. A minimum of 25% of the combined area of the front building facades of a structure shall have an exterior finish of brick, stucco, and/or artificial stone.
  3. More than One Type of Exterior Finish Required. Except for brick, stucco, and/or natural or artificial stone, no single building facade shall have more than 75% of one type of exterior finish.
  4. Areas that count toward required exterior finish. The area devoted to windows, entrance doors, and garage doors counts towards the exterior finish requirement.

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5. Permitted Exterior Finish Materials. The primary exterior building facade finished for residential uses shall consist of materials comparable in grade to the following:
  - a. Brick.
  - b. Stone (natural or artificial).
  - c. Integral colored split face (rock face) concrete block.
  - d. Wood, natural or composite, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood, or cypress.
  - e. Stucco (natural or artificial).
  - f. Vinyl, steel, or aluminum siding.
6. Building Areas Not Subject to These Requirements. Building foundations not exceeding 2 feet and other such portions of a building's facade need not comply with the requirements for the primary facade treatment or materials.

- C. Minimum overhang. A minimum roof overhang of 12 inches shall be provided on the front and back of all attached dwellings.

### **Subd. 14.** Additional General Requirements- Detached Single Family Dwellings.

- A. Dimensions. All homes shall not be less than 24 feet in width over that entire minimum length. Width measurements shall not include overhangs and other projections beyond the principal walls. Dwellings shall also meet the minimum floor area requirements as set out in this Section.
- B. Minimum overhang. In the case of a gable or hip roof, a minimum 12 inch overhang is required. Soffit shall be required for all residential structures.
- C. Exterior Materials. Permitted exterior materials include: brick, stone, integral colored split face (rock face) concrete block, wood,

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(natural or composite, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood, or cypress), stucco, vinyl, steel, fiber cement, and aluminum siding.

1. Compatibility. The exterior architectural design of a proposed dwelling may not be so at variance with, nor so similar to, the exterior architectural design of any structure or structures already constructed, or in the course of construction, in the immediate neighborhood, nor so at variance with the character of the surrounding neighborhood as to cause a significant depreciation in the property values of the neighborhood or adversely affect the public health, safety, or general welfare.
2. Exterior Building Finish. The exterior shall include a variation in building materials which are to be distributed throughout the building facades and coordinated into the architectural design of the structure to create an architecturally balanced appearance.
3. Exception. Building foundations not exceeding 2 feet and other such portions of a building's facade need not comply with the requirements for the primary facade treatment or materials.

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### Amendment History of this Section

**Amended May 18, 2006 (R2006-18). Effective Date: February 21, 2007.** Amended Section 24.07, Subd. 4, Front setback from state highway.

**Amended February 16, 2016 (R2016-06). Effective Date: February 24, 2016.** Amend Section 24.05 to add “per Minnesota Statutes section 462.357, subd. 8 as may be amended” to subd. 2;

Amend Section 24.07, Revised Corner lot language and move to section 24.07, subd. 6.1; references to accessory buildings/garages 120 square feet or smaller is changed to 200 square feet; section 24.07, subd.

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6.1 regarding corner lots is added.

Amend Section 24.07 Subd. 13B. 4. to clarify that the area devoted to windows, entrance doors, and garage doors counts toward the required minimum exterior finish requirement