

## Section 25: Multi-Family District - High Density (R-4)

### SECTION 25:

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**25.01 Purpose:** The major purpose of this district is to allow high-density multi-family dwellings adjacent to commercial areas or highways.

#### **25.02 Permitted Uses:**

- Subd. 1.** Apartments or Condominiums up to 24 units.
- Subd. 2.** Public recreation, including parks and playgrounds.
- Subd. 3.** Essential services: Telephone lines, communication lines, and power lines and necessary appurtenant equipment and structures.

#### **25.03 Accessory Uses:**

- Subd. 1.** Any incidental structure, building, or machinery necessary to the conduct of 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 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).

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- 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).

### **25.04 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.

### **25.05 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.
- Subd. 3.** Commercial or Hobby kennels as defined in Maple Lake City Code Chapter #41.

**25.06 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

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following are uses allowed in an R-4 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.

### 25.07 Performance Standards:

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

- A. The minimum lot area for each dwelling in a multi-family dwelling unit shall be 2,900 square feet.
- B. The maximum density shall be 15 units per acre.

**Subd. 2.** Minimum Lot Width: 200 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 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

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Corner Lots: See Section 25.07, Subd. 6.1 Corner Lots.

### Subd. 5. Side Yard Setback:

- A. Interior Lots: There shall be a side yard width of at least 30 feet or the height of the building, whichever is greater, on each side of the building.
- B. Corner Lots: See Section 25.07, 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 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 or the height of the building, whichever is greater.
- B. Exceptions:
  - 1. Accessory Buildings: Accessory buildings 200 square feet or smaller must be at least 5 feet from the property line.
  - 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

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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 of wetland filling or dredging.

### **Subd. 9.** Site Coverage:

A. Maximum site coverage (maximum impervious surface): 80%

B. Exception: In the City's sole discretion, the maximum site coverage

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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 3 stories or 40 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:**

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

**Subd. 12. General Requirements.**

- 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 residential structures shall meet the requirements of the Minnesota State Building Code or the applicable manufactured housing code.
- C. Continuous Perimeter Foundation Required. All residential structures shall be constructed upon a continuous perimeter foundation that meets the requirements of this Ordinance and the Minnesota State Building Code.

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- D. Frost Footings Required. All residential structures shall have frost footings and a permanent foundation consisting of concrete block, concrete, or 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. Garages. The minimum garage area shall be 12 feet x 24 feet (288 square feet).
- 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 owner or property owners' association subject to other applicable provisions 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 20 % open space, that is 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

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structures proposed, the target market for the units, the proximity to public recreation areas and other factors identified by the City.

- 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 and 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 plans. The unit lot shall be configured and sized to include decks or porches.
- O. 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.
- P. Exterior Material Requirements.
  - 1. Appearance. The exterior of residential dwelling structures 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 50% of the combined area of all building facades of a structure shall have an exterior finish of brick, stucco, and/or natural or artificial stone.
  - 3. 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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4. 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, aluminum siding.
5. 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.

### Q. Strongly Encouraged 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.

### R. Recreation Areas. Each multiple family apartment or condominium building of 12 or more dwelling units shall include visually defined or fenced active recreation areas. Said areas need not be contiguous. For senior or physically disabled housing, there must be area reserved for active or passive recreation.

### S. Parking. The parking requirements in Section #46 (Off-Street Parking), including the number of inside parking spots, must be

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complied with.

- T. Interior Placement. Parking, storage, or garage entrance areas of residential structures shall be placed interior to the site rather than by neighboring residential uses.
- U. Lockboxes. Lockboxes as approved by the fire department shall be required at owner's expense.
- V. Maximum Percentage of Efficiency Apartments. Except for elderly (senior citizen) housing, the number of efficiency apartments in a multiple dwelling shall not exceed 20% of the total number of apartments. In the case of elderly (senior citizen) housing, efficiency apartments shall not exceed 30% of the total number of apartments.
- W. Maximum Area Below Ground. No multiple dwelling shall be so constructed as to have more than 40% of the horizontal lineal distance of a unit's exterior wall below ground. Continuous window wells or other selective excavation shall not be used to circumvent this restriction. Areas which do not qualify as dwelling units because of the restriction may be used for recreation, amusement, storage, parking, or as utility areas.

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### Amendment History of this Section

**Amended May 18, 2006 (R2006-18).** Effective Date: February 21, 2007. Amended Section 25.07, Subd. 4, Front setback from state highway.

**Amended February 16, 2016 (R2016-06).** Effective Date: February 24, 2016. Amend Section 25.05 to add "per Minnesota Statutes section 462.357, subd. 8 as may be amended" to subd. 2;

Amend Section 25.07, Revised Corner lot language and move to section 25.07, subd. 6.1; references to

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accessory buildings/garages 120 square feet or smaller is changed to 200 square feet; section 25.07, subd. 6.1 regarding corner lots is added.

Amend Section 25.07 Subd. 13P.3. to clarify that the area devoted to windows, entrance doors, and garage doors counts toward the required minimum exterior finish requirement.

Amend Section 25.07 Subd. 13 U to clarify that lockboxes must be installed at owner's expense.