

## Section 27: Residential Business Transition (RB-1)

### SECTION 27:

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**27.01 Purpose:** The purpose of this district is to allow the continuation of existing residential and commercial development in an older area of the city adjacent to a major transportation corridor where municipal sewer and water systems are available and where existing development is mixed residential and commercial.

#### **27.02 Permitted Uses:**

- Subd. 1.** Single family detached dwellings.
- 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.
- Subd. 4.** State mandated daycare/group homes per Minnesota Statutes Section 462.357, as may be amended.

#### **27.03 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 within the driveway of the principal structure.

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- 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).
- Subd. 11.** Loading and unloading areas subject to the requirements in Section #47 (Off-Street Loading).

### **27.03 Conditional Use**

- 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.
- Subd. 4.** Apartments.
- Subd. 5.** Any allowed (Permitted, Conditional, Interim) use allowed in B1 (Central Business District) provided that they have limited hours of operation, limited vehicle traffic, limited noise and lighting

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emissions, and have limited impact on residential uses.

### **27.04 Interim Use**

- Subd. 1.** Interim Home Occupations.
- Subd. 2.** Commercial or Hobby kennels as defined in Maple Lake City Code Chapter #41.
- Subd. 3.** Communication towers or antennas.
- Subd. 4.** Non-commercial greenhouses, nurseries, or conservatories.

**27.05 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 RB-1 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.

### **27.06 Performance Standards**

- Subd. 1.** Minimum Lot Area: 6,000 square feet.
- Subd. 2.** Minimum Lot Width: 50 feet.
- Subd. 3.** Minimum Lot Depth: 120 feet.
- Subd. 4.** Front Yard Setback:

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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

Corner Lot: See Section 22.07, subd. 6.1 Corner Lots.

The exception for County Roads and City Street setback requirements is in a block where 2 or more residences have already been constructed facing the same street, the setbacks for the remaining lots in that block fronting on the same street shall be determined by the average setback of the existing buildings.

### **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 22.07, Subd. 6.1. Corner Lots.
- C. Exceptions:
  1. Accessory Buildings / Garages 200 square feet or smaller: Accessory Buildings / Garages 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. 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.

The exception for alley setback requirements is in a block where 2 or

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more buildings have already been constructed along the alley, the alley setback for the remaining lots in that block shall be determined by the average setback of the existing buildings along the alley.

### Subd. 6. Rear Yard Setback:

A. Minimum Setback: 30 feet.

B. Exceptions:

1. Accessory Buildings / Garages 200 square feet or smaller: Accessory Buildings / Garages 200 square feet or smaller must be at least 5 feet from the property line.

2. 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.

The exception for alley setback requirements is in a block where 2 or more buildings have already been constructed along the alley, the alley setback for the remaining lots in that block shall be determined by the average setback of the existing buildings along the alley.

### Subd. 6.1 Corner Lots.

A. 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

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The exception for County Road and City Street setback requirements is in a block where 2 or more residences have already been constructed facing the same street, the setbacks for the remaining lots in that block fronting on the same street shall be determined by the average setback of the existing buildings.

- B. Alley: 20 feet from edge of improved alley

The exception for alley setback requirements is in a block where 2 or more buildings have already been constructed along the alley, the alley setback for the remaining lots in that block shall be determined by the average setback of the existing buildings along the alley.

**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.** Building Height:

- A. The maximum height of all buildings shall not conflict with airport zoning regulations and, except as listed below, shall not exceed 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.

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3. Water towers are exempt from the building height requirement.

### Subd. 10. 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 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. 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.
- H. Garage. Every single family dwelling unit hereafter erected shall have at least a 484 square feet attached garage.
- I. Location on Lot. Provisions shall be made for possible future decks, porches or additions that meet setback standards, as part of the initial building plans and survey.

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- J. Public Sewer and Water. All dwellings shall be served by public sanitary sewer and water.
- K. Exterior Materials. Permitted exterior materials include: brick, stone, integral colored split face (rock face) concrete block, 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), 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.
- L. 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.

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### Amendment History of this Section

**Amended May 18, 2006 (R2006-18). Effective Date: February 21, 2007.** Amended Section 27.06, Subd. 4, Front setback from state highway.

**Amended February 16, 2016 (R2016-06). Effective Date: February 24, 2016.** Amended Section 27.03 and 27.04, Move communication towers and non-commercial greenhouses, nurseries or conservatories from 27.03 Conditional Uses to 27.05 Interim Uses.

Amend Section 27.06, Revised Corner lot language and move to section 27.06, subd. 6.1; references to accessory buildings/garages 120 square feet or smaller is changed to 200 square feet; section 27.06, subd. 6.1 regarding corner lots is added.