



STAFF REPORT

DATE: June 2, 2020

REGULAR

TO: Lake Elmo City Council
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **Zoning Code Amendment – Residential Front Yard Setbacks**
REVIEWED BY: Ben Prchal, City Planner
Sarah Sonsalla, City Attorney

BACKGROUND:

City planning staff is proposing additions and changes to the zoning code about front yard setbacks for the residential zoning districts. The intent of the proposed changes are to allow property owners to build additions or accessory structures on residential properties in locations that meet or exceed the front yard setbacks of existing buildings, even if the proposed setback is less than the front yard setback required by the zoning district for that property.

On May 11, 2020, the Planning Commission held a public hearing about this proposed ordinance amendment. After some discussion, the Planning Commission voted 6-1 to recommend approval of the proposed ordinance.

ISSUE BEFORE THE CITY COUNCIL:

City staff is respectfully requesting the City Council review the proposed code changes and then adopt the proposed amended zoning code language.

REVIEW AND ANALYSIS:

City planning staff is proposing the zoning code changes about front yard setbacks to give more clarity and flexibility for the construction of additions and accessory buildings on lots with existing single-family dwellings. I based this proposed ordinance amendment for Lake Elmo on ordinance language that Maplewood has had in place for at least 14 years. In addition, I had the City Attorney review the proposed ordinance amendment and she offered a few additions and changes to the language that I have included in the version for your consideration. It is my expectation the proposed code change will benefit residential property owners by lessening their needs for front yard setback variances while protecting the character of their neighborhood and the adjacent properties. This proposed ordinance does not change the side or rear yard setback requirements.

Section 154.402, Lot Dimension and Setback Requirements (Rural Districts), Table 9-2, lists all the lot standards and setback requirements for construction in the RT, A, RR, RS and RE zoning districts. For example, the minimum front yard setback in the RE zoning district is 100 feet. Section 154.452, Lot Dimensions and Building Bulk requirements, Table 10-2, lists all the lot standards and setback requirements for construction in the LDR, MDR and HDR zoning districts.

Staff has interpreted all the setback standards listed in the tables as the minimum setbacks for all building on a property – whether the proposal is for new construction on a vacant lot or for an addition to an existing dwelling. The Zoning Code does not now list any exceptions to these setbacks – even on lots with an existing structure. So if there was a single-family dwelling located in the RE zoning district with a front yard setback of 50 feet (instead of 100 feet as now required), the City would consider that building non-conforming and the City now requires any additions to such a building to meet the 100 foot front yard setback (unless the City was

to approve a variance for a different front yard setback). This is a limiting factor for such projects and thus many property owners may not pursue improvement or construction projects on their property.

I have attached a site plan of an existing property that shows this situation. The proposed ordinance amendment would allow this property owner to build an addition or a detached accessory structure that would be in line with (or behind) the front of his existing house instead of having to meet the now-required 100 foot front yard setback (which is behind his existing house).

The attached proposed code amendment lists additional notes to Table 9-2 (rural districts) and to Table 10-2 (urban residential districts). This proposed code language outlines the possible exceptions to the front yard setback standards as set in each table for each zoning district. The proposed change is for the front yard setbacks for additions to existing single-family homes and for accessory structures on lots with single-family homes that have setbacks different than those listed in the Table for that district. For example, the proposed code amendment would allow the owner of an existing single-family home in the RE zoning district with a 50 foot front yard setback to put an addition on to their home if the addition would meet or exceed the existing, established setback of 50 feet without the need for City approval of a setback variance.

This Code change would allow property owners more flexibility to construct additions and accessory structures than they currently have with the existing front yard setback standards. As such, this Code change may encourage more construction of additions and accessory structures on residential properties.

The proposed code language also gives the Planning Director some latitude to allow a different front yard setback for the construction of a new single-family dwelling in all zoning districts under certain circumstances. This includes a staff review of the drainage in the area and the privacy of the existing adjacent homes.

I have included language in the proposed code change about driveways. This language notes the County and City will need to approve the use of the existing driveways or new driveways as part of any such review and approval. The intent of this additional language is to ensure the existing and proposed driveways would be safe to use as part of any building addition or for a new accessory building.

FISCAL IMPACT:

Staff does not foresee a fiscal impact with the proposed code change. If the City Council approves the code change, there would be fewer requests for front yard setback variances and thus fewer variance applications and fees collected by the City.

RECOMMENDATIONS

Staff is recommending that the City Council adopt Ordinance 08 – 237, an ordinance that has amendments to the City Code as they pertain to front yard setbacks in the rural residential and urban residential zoning districts with the following motions:

“Move to adopt Ordinance 08- 237 adding language to the rural residential and urban residential zoning districts about front yard setbacks”

and

“Move to adopt Resolution 2020–059 authorizing summary publication of Ordinance 08-237.”

ATTACHMENTS

1. Section 154.400 – Section 154.402 of the Zoning Code
2. Section 154.450 – Section 154.452 of the Zoning Code
3. Site Plan of an Example Property
4. Proposed Zoning Code Amendment - Ordinance 08-237
5. Resolution 2020 – 059 (Authorizing Summary publication of Ordinance 08-237)

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-237

**AN ORDINANCE AMENDING THE LAKE ELMO CITY ZONING CODE OF
ORDINANCES BY AMENDING THE STANDARDS FOR FRONT YARD SETBACKS
IN THE RURAL AND URBAN RESIDENTIAL DISTRICTS**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV Land Use: Chapter 154 Zoning Code; Article XI Rural District: by amending Section 154.402 Lot Dimensions and Building Bulk Requirements, Table 9-2: Lot Dimension and Setback Requirements, Rural Districts by adding the following underlined language:

Notes to Rural Districts Table 9-2.

j. Each dwelling and accessory structure in the RT, A, RR, RS and RE Zoning district shall have a front yard setback as prescribed in Table 9-2, except that:

1. If each of the lots next to an interior lot have dwellings, the minimum front yard setback for a dwelling or an accessory structure shall be the setback of the dwelling on the adjacent property that is closest to the front property line. The maximum front yard setback shall be the setback of the dwelling on the adjacent property that is farthest from the front property line.

2. Regardless of subsection j. (1) of this section, if the City Council has approved special setbacks for a development, those approved setbacks shall apply. City-approval of a preliminary plat with building pads does not constitute approval of building setbacks by the City.

3. Regardless of subsection j. (1) or (2) of this section, property owners may add on to existing residences if the addition would meet or exceed the existing front yard setback on that property.

4. Driveways and Access. Any owner of a property that has a driveway or vehicle access to a collector or arterial street that is proposing to construct a new building, structure, or addition to an existing structure on the property must receive City and County (if the street is a County road) approval to continue to use the existing driveway or vehicle access or for any new driveway or vehicle access to a collector or arterial street. The City or County (if applicable) may require, as a condition of approval of the building permit for such construction, that the owner change the design or location of an existing driveway or vehicle access or remove an existing driveway or vehicle access if the City or County (if applicable) determines such a change is needed in order to improve traffic safety and would help protect the public, health, safety, and welfare.

k. The Planning Director may allow a different front yard setback for the construction of a new single-family dwelling if the proposed building location and setback would not adversely affect the drainage of surrounding properties and if any of the following conditions apply:

1. The proposed setback would not affect the privacy of existing adjacent homes.
2. The proposed setback would save significant natural features such as wetlands or large trees.
3. The proposed setback is necessary to meet County, State or Federal regulations or easement requirements, such as a pipeline setback or noise regulations.
4. The proposed setback is necessary for energy-saving, health or safety reasons.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV Land Use: Chapter 154 Zoning Code; Article XII Urban Residential Districts: by amending Section 154.452 Lot Dimensions and Building Bulk Requirements, Table 10-2: Lot Dimension and Setback Requirements, Residential Districts by adding the underlined language and deleting the ~~striketrough~~ language as follows:

Note to Urban Residential Districts Table 10-2.

~~e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall within the range established by the existing setbacks.~~

i. Each dwelling, residential structure **and** accessory structure in the LDR, MDR and HDR Zoning district shall have a front yard setback as prescribed in Table 10-2, except that:

1. If each of the lots next to an interior lot have dwellings, the minimum front yard setback for a dwelling or an accessory structure shall be setback of the dwelling on the adjacent property that is closest to the front property line. The maximum front yard setback shall be the setback of the dwelling on the adjacent property farthest from the front property line.

2. Regardless of subsection i. (1) of this section, if the City Council has approved special setbacks for a development, those approved setbacks shall apply. City approval of a preliminary plat with building pads does not constitute approval of building setbacks by the City.

3. Regardless of subsection i. (1) or (2) of this section, property owners may add on to an existing residential structure if the addition would meet or exceed the existing front yard setback on that property.

4. Driveways and Access. Any owner of a property that has a driveway or vehicle access to a collector or arterial street that is proposing to construct a new building, structure, or addition to an existing structure on the property must receive City and County (if the street is a County road) approval to continue to use the existing driveway or vehicle access or for any new driveway or vehicle access to a collector or arterial street. The City or County (if applicable) may require, as a condition of approval of the building permit for such construction, that the owner change the design or location of an existing driveway or vehicle access or remove an existing driveway or vehicle access if the City or County (if applicable) determines such a change is needed in order to improve traffic safety and would help protect the public, health, safety, and welfare.

j. The Planning Director may allow a different front yard setback for the construction of a new single-family dwelling or a double dwelling (duplex) if the proposed building location and setback would not adversely affect the drainage of surrounding properties and if any of the following conditions apply:

1. The proposed setback would not affect the privacy of existing adjacent homes or residences.

2. The proposed setback would save significant natural features such as wetlands or large trees.

3. The proposed setback is necessary to meet County, State or Federal regulations or easement requirements, such as a pipeline setback or noise regulations.

4. The proposed setback is necessary for energy-saving, health, or safety reasons.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 5. Adoption Date. This Ordinance 08-237 was adopted on this _____ day of _____ 2020, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-_____ was published on the _____ day of _____, 2020.

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2020-059

RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-237 BY TITLE AND SUMMARY

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-237, an ordinance amending Section 154.402 and Section 154.452 as it pertains to front yard setbacks in the rural residential and urban residential zoning districts within the City; and

WHEREAS, the ordinance contains references to a chart; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-237 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-237 that amends the language in Section 154.402 and in Section 154.452 as it applies to Front Yard Setbacks for lots within the Rural Residential and Urban Residential zoning districts that have existing structures within the City of Lake Elmo. The ordinance allows for the construction of additions or accessory structures on lots in these zoning districts with a front yard setback that meets or exceeds the setback established by an existing structure.

The full text of Ordinance No. 08-237 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: June 2, 2020

Mayor Mike Pearson

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.

(Ord. 2012-073, passed 3-19-2013)

§ 154.401 PERMITTED, CONDITIONAL, AND INTERIM USES.

Table 9-1 lists all permitted, conditional, and interim uses allowed in the rural districts. “P” indicates a permitted use, “C” a conditional use, and “I” an interim use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under “Standards” indicate the location within this Ordinance of specific development standards that apply to the listed use.

A. *Combinations of Uses.* Principal and accessory uses may be combined on a single parcel.

Table 9-1: Permitted, Conditional, and Interim Uses, Rural Districts

	RT	A	RR	RS	RE	Standard
Residential Uses						
Household Living						
Single-Family Detached Dwelling	P	P	P	P	P	154.404 (A)
Secondary Dwelling	-	P	-	-	-	154.404 (D)
Services						
Self Service Storage Facility	I ^a	I ^a	-	-	-	154.404 (G)
Outdoor Recreation						
Outdoor Recreation Facility	-	C	-	-	-	154.306 (C)
Parks and Open Areas	P	P	P	P	P	154.012 (B) (7)
Restricted Recreation	-	C	-	-	-	154.306 (B)
Agricultural and Related Uses						
Agricultural Entertainment Business	I	I	I	-	-	154.914
Agricultural Production	P	P	P	-	-	154.012 (B) (9)
Agricultural Sales Business	I	I	I	-	-	154.913
Agricultural Services	C	C	-	-	-	154.404 (J)
Forestry Operations	-	P	-	-	-	154.012 (B) (9)
Greenhouses, Non Retail	C	C	C	-	-	154.012 (B) (9)
Wayside Stand	P	P	P	-	-	154.012 (B) (9)
Industrial and Extractive Uses						
Motor Freight and Warehousing	I ^a	-	-	-	-	154.404 (G)
Alternative Energy						
Solar Farm	I	C	C	-	-	154.308 (A)
Wind Generator – Ground Mounted	C	C	C	C	C	154.308 (B)
Wind Generator – Roof/Structure Mounted	C	C	C	C	C	154.308 (B)
Accessory Uses						
Bed and Breakfast	P	P	P	P	P	154.310 (A)
Domestic Pets	P	P	P	P	P	154.012 (B) (12)
Family Day Care	P	P	P	P	P	154.012 (B) (12)
Home Occupation	P	P	P	P	P	154.310 (E)
Kennel, Private	C	C	C	-	-	154.012 (B) (12) (13)

Table 9-1: Permitted, Conditional, and Interim Uses, Rural Districts

	RT	A	RR	RS	RE	Standard
Solar Energy Systems	P	P	P	P	P	154.310 (C)
Stable, Private	C	C	C	-	-	154.012 (B) (12)
Swimming Pools, Hot Tubs, Etc.	P	P	P	P	P	154.012 (B) (12)
Temporary Sales	P	P	P	P	P	154.012 (B) (12)
Water-Oriented Accessory Structures	P	P	P	P	P	154.800
Wind Generator – Ground Mounted	C	C	C	C	C	154.308 (B)
Wind Generator – Roof/Structure Mounted	C	C	C	C	C	154.308 (B)
Other Structures Typically Incidental and Clearly Subordinate to Permitted Uses	P	P	P	P	P	
Commercial Wedding Ceremony Venue	I	I	I			154.310 (D)
Open Space Preservation Development						
OP Development	-	C	C	-	-	Article 16

Notes to Rural Districts Table 9-1

- a. Non-Agricultural Low Impact Use (see 154.404 (G))

Note: Standards listed in Table 9-1 are listed by Article, Section and Subsection.

(Ord. 2012-073, passed 3-19-2013) (Ord. 08-136, passed 6-14-16)

(Ord. 08-107, passed 5-6-2014) (Am. Ord. 08-198, passed 2-7-2018) (Am. Ord. 08-199, passed 2-7-2018) (Am. Ord. 08-197, passed 2-7-2018)

§ 154.402 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 9-2, Lot Dimension and Setback Requirements.

Table 9-2: Lot Dimension and Setback Requirements, Rural Districts

	RT	A	RR	RS	RE
Minimum Lot Area (acres)					
Single Family Detached Dwelling	20	40 ^{a,b}	10 ^c	1.5 ^d	2.5 ^{e,f}
Minimum Lot Width (feet)					
Single Family Detached Dwelling	300	300	300	125	NA ^f
Maximum Principal Structure Height (feet)ⁱ	35	35	35	35	35

Table 9-2: Lot Dimension and Setback Requirements, Rural Districts

	RT	A	RR	RS	RE
Maximum Impervious Coverage	-	-	-	25%	15%

Minimum Principal Building Setbacks (feet)^{h,i}	RT	A	RR	RS	RE
Front Yard	30	200	30	30	100
Interior Side Yard	10	200	10	10	50
Corner Side Yard ^g	25	200	25	25	80
Rear Yard	40	200	40	40	100
Minimum Accessory Building Setbacks (feet)^{h,i}					
Front Yard	30	200	30	30	100
Interior Side Yard	10	200	10	10	15
Corner Side Yard	25	200	25	25	30
Rear Yard	40	200	40	10	15
Minimum Agricultural Related Setbacks (Animal buildings, feedlots or manure storage sites)					
Any Property Line	200	200	200	-	-
Any Existing Well or Residential Structure	50	50	50	-	-
Any Body of Seasonal or Year-round Surface Water	200	200	200	-	-

Notes to Rural Districts Table 9-2

- a. 1 dwelling unit per 40 acres applies to all non-farm dwellings. In addition to non-farm dwellings (1 per 40 acres), each farm is allowed one farm dwelling per farm.
- b. Nominal 40 acres: a 40-acre parcel not reduced by more than 10% due to road rights-of-way and survey variations.
- c. Nominal 10 acres: a 10-acre parcel not reduced by more than 10% and/or a 10-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road rights-of-way and survey variations.
- d. The minimum lot size for lots served by public sanitary sewer shall be 24,000 square feet per residential unit.
- e. A minimum of 1.25 acres of land above the flood plain or free of any drainage easements is required.
- f. Lots must be configured to contain a circle with a diameter of 250 feet minimum; the ratio of lot length to width shall be a maximum of 3:1 – Flag lots are prohibited.
- g. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.
- h. Setback standards do not apply to solar farms. 154.915 should be referenced for these specific standards.

ADD NEW NOTE J, TK

ARTICLE XII. URBAN RESIDENTIAL DISTRICTS

§ 154.450 PURPOSE AND DISTRICT DESCRIPTIONS.

The urban residential districts are established to provide areas for residential development that are served by public sewer and water services in accordance with the city's Comprehensive Plan. The objectives of these districts are to preserve and enhance the quality of living in residential neighborhoods, to regulate structures and uses which may affect the character or desirability of residential areas, to encourage a variety of dwelling types and locations and a range of population densities consistent with the city's Comprehensive Plan, and to ensure adequate light, air, privacy and open space. The residential districts and their purposes are as follows:

- A. *GCC Golf Course Community District.* The GCC district is intended to permit urban residential developments in conjunction with a golf course and its accessory uses. Development in this district will be enhanced by coordinated site planning; open space and environmental resources; and provision of a safe and efficient system for pedestrian and vehicle traffic. The GCC district is intended to provide areas for densities lower than other Urban Residential Districts, ranging from 1.4 to 1.65 units per acre, with adequate open space buffers to provide a transition between denser, sewer development and rural areas. Residential development within the GCC district will consist of an environment of predominantly single-family dwellings with lots slightly larger on average than those in most Urban Residential Districts.
- B. *LDR Urban Low Density Residential District.* The LDR district provides an environment of predominantly single-family dwellings on moderately sized lots, and is designed to be the most restrictive of the urban residential districts. The LDR district is intended to provide areas for lower density residential development within the city's planned sewer development areas, and may be used to provide a transition between rural development areas and the city's urban development and districts. Densities shall range from two to 4 units per acre; however, the overall density for a specific development area must be consistent with the net densities specified in the Comprehensive Plan. The lot size and other district standards allow for the creation of smaller lots with the expectation that common open space will be provided within developments that exceed the base densities (at low end of the land use density range) within the Comprehensive Plan.
- C. *MDR Urban Medium Density Residential District.* The MDR district is established to provide for a diversity of housing types in those areas where such development is consistent with the medium density residential designation of the comprehensive plan and compatible with the development pattern of the surrounding area. Clustering of buildings to permit more orderly development and to preserve open space within new developments is encouraged. Development within the district shall occur at densities in the range of 4 to 7 dwelling units per acre, with two-family dwellings and townhouses permitted. The city will determine the allowed density for a piece of property at the time of the development application, and this determination will be based upon the site-specific characteristics of the property and the requested development. Factors to be considered in increasing or decreasing the allowed density include the existing environmental conditions such as wetlands, floodplains, steep slopes, significant trees; the specific site plan; the amount of open space preserved, and the type of housing units

proposed, including whether greater density is desirable because the development contains housing that is consistent with the city's housing goals. The burden of establishing the appropriateness of the high end of the density range will be on the applicant.

- D. *HDR Urban High Density Residential District.* The HDR district is established to provide for an environment of moderate to high-density attached and multi-family housing, designed to present an attractive appearance to neighboring streets and adjacent uses, to include sufficient private and semi-private outdoor space, and to be well integrated into their surroundings. Small office and service businesses of limited size and extent may be allowed as conditional uses. The HDR district is appropriate as a transition between commercial or industrial districts and surrounding neighborhoods, and in already developed higher-density areas. Development within the district may occur at densities in excess of 7 dwelling units per acre, provided the overall densities for within a development area are consistent with the net densities specified in the Comprehensive Plan and that a density analysis is used consistent with the purpose statement for the MDR district.

(Ord. 2012-062, passed 9-18-2012; Am. Ord. 08-167, passed 2-7-2017)

§ 154.451 PERMITTED AND CONDITIONAL USES.

Table 10-1 lists all permitted and conditional uses allowed in the urban residential districts. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this chapter of specific development standards that apply to the listed use.

- A. *Combinations of Uses.* Principal and accessory uses may be combined on a single parcel. A principal and secondary dwelling unit may be combined according to the standards of § 154.454 (C). Single-family attached or multi-family complexes designed for rental or condominium occupancy, typically include multiple units and buildings on a single parcel.

Table 10-1: Permitted and Conditional Uses, Residential Districts

	<i>GCC</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>	<i>Standard</i>
<i>Residential Uses</i>					
Household Living					
Single-family detached dwelling	P*	P	P	P	154.174 (B), (E), *(O)
Two-family dwelling	-	-	P	P	154.174 (F)
Single-family attached dwelling	-	-	P*	P**	154.154 *(G),**(J)

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	GCC	IDR	MDR	HDR	Standards
Multifamily dwelling (rental or condominium)	-	-	C*	P**	154.454 *(H),**(K)
Secondary dwelling	C	C	C	C	154.454 (C)
Live-work unit	-	-	-	C	154.454 (L)
Manufactured home park	-	-	C	-	151.035- 151.150
Group Living					
Group Home	-	P	P	P	154.301 (C)
Group residential facility	-	-	C	C	154.301 (B)
Halfway House	-	-	-	C	154.301 (B)
Congregate Housing	-	-	C	C	154.301 (C)
Semi-transient accommodations	-	-	C	C	154.301 (D)
Public and Civic Uses					
Community services	-	-	-	C	
Day care center	-	-	C	C	154.012 (2) (d)
Schools, public and private	-	C	C	C	154.303 (A)
Services					
Offices		-	-	C	154.454 (M)
Funeral home		-	-	C	154.454 (I)
Personal services		-	-	C	154.454 (I)
Nursing and personal care		-	-	C	154.303 (C)
Sales of Merchandise					
Neighborhood convenience store		-	-	C	154.454 (N)
Wayside stand		P	P	P	154.454 (D)
Outdoor Recreation					
Golf course	P	C	-	-	154.306 (A)
Outdoor recreation facility	C	-	-	-	154.306 (C)
Indoor recreation facility	C	-	-	-	154.307, 154.454 (Q)
Parks and open areas	P	P	P	P	

	GCC	EDR	MDR	HDR	Standards
<i>Transportation and Communications</i>					
Broadcasting or communication facility	-	C	C	C	
<i>Accessory Uses</i>					
Home occupation	P	P	P	P	154.310 (E)
Bed and breakfast	P	P	P	P	154.310 (A)
Domestic pets	P	P	P	P	
Family day care	P	P	P	P	154.012 (12) (b)
Group family day care	-	C	C	C	154.012 (12) (b)
Temporary sales	P	P	P	P	154.456 (I)
Parking facility	-	-	-	C	
Solar equipment	P	P	P	P	154.456 (I)
Swimming pools, hot tubs, and the like	P	P	P	P	154.310 (C)
Water-oriented accessory structures	P	P	P	P	154.800
Restaurant	C	-	-	-	154.454 (P)
Drinking and Entertaining	C	-	-	-	154.454 (P)
Semi-transient accommodations	C	-	-	-	154.454 (R)
Other structures typically incidental and clearly subordinate to permitted uses	P	P	P	P	

Note: Standards listed in Table 10-1 are listed by Article, Section and Subsection.

(Ord. 2012-062, passed 9-18-2012; Am. Ord. 08-157, passed 2-7-2017; Am. Ord. 08-197, passed 2-7-2018)

§ 154.452 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 10-2, Lot Dimension and Setback Requirements.

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	<i>GCC</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>
Minimum Lot Area (sq. ft.)				
Single family detached dwelling	9,000	8,000	7,000	5,000
Two-family dwelling (per unit) ^a	-	-	4,000	3,000
Single-family attached (per unit) ^b	-	-	4,000	2,500
Multi-family dwelling (per unit)	-	-	4,000	1,800
Secondary dwelling	See 154.454 (C)			
Live-work unit	-	-	-	3,600
Congregate housing	-	-	154.301 (C)	
Manufactured home park	-	-	151.035-151.150	
Minimum Lot Width (feet)				
Single family detached dwelling	70	60	50	50
Two-family dwelling (per unit) ^a	-	35	30	20
Single-family attached (per unit) ^b	-	-	25	20
Multi-family dwelling (per building)	-	-	75	60
Live-work unit	-	-	-	25
Maximum Height (feet)	35	35	35	50
Maximum Impervious Coverage	30%	40%	50%	75%
Minimum Building Setbacks (feet)				
Front yard	25	25 ^c	25 ^c	20 ^e
Interior side yard ^e				
Principal Buildings ^{f,g}	10	10	10	10 ^d
Attached Garage or Accessory Structures ^{f,g}	5	5	5	10 ^d
Corner side yard ^{g,h}	15	15	15	15
Rear yard	20	20	20	20

Notes to Urban Residential Districts Table

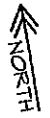
- a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.
- b. Two-family units may be side-by-side with a party wall between them (“twin”) or located on separate floors in a building on a single lot (“duplex”). The per-unit measurements in this table apply to “twin” units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a “duplex” containing two vertically-separated units on a single lot.
- c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard is also used for multifamily dwellings.
- d. Single family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.
- ~~e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.~~
- f. In situations where a garage or accessory building is set back less than 7 feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in Section 154.081) will be two (2) feet.
- g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.
- h. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

DELETE
+ REPLACE
w/
MWD
LANO.

(Ord. 2012-062, passed 9-18-2012; Am. Ord. 08-071, passed 3-5-2013; Am. Ord 08-167, passed 2-7-2017)

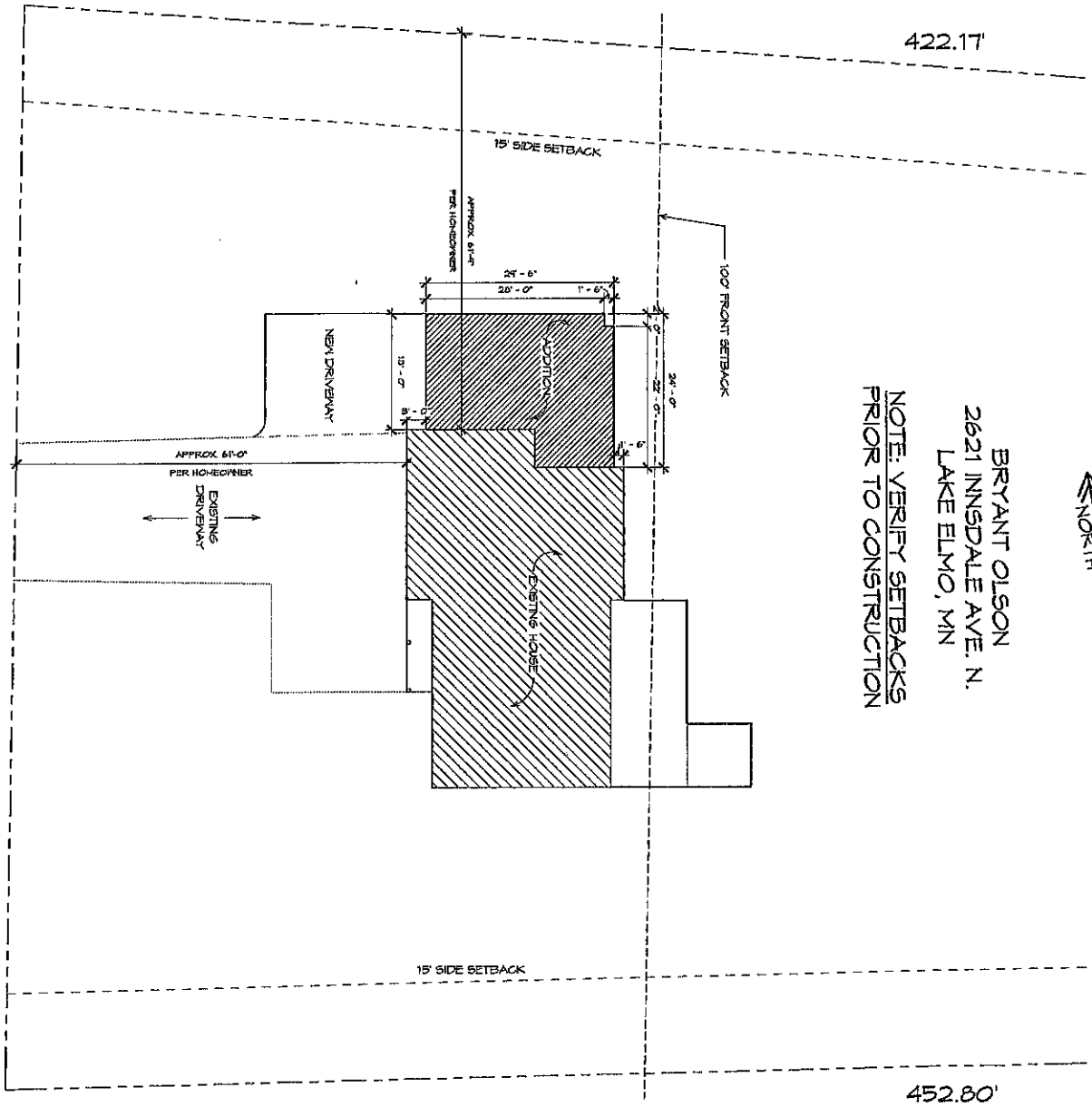
§ 154.453 DIMENSIONAL REQUIREMENTS AND PRESERVATION OF OPEN SPACE.

- A. *Averaging of Lot Area.* When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.
- B. *Lot Dimension Reductions.* Other reductions in dimensional standards may be considered as part of a planned unit development if these reductions provide for common open space within a development.

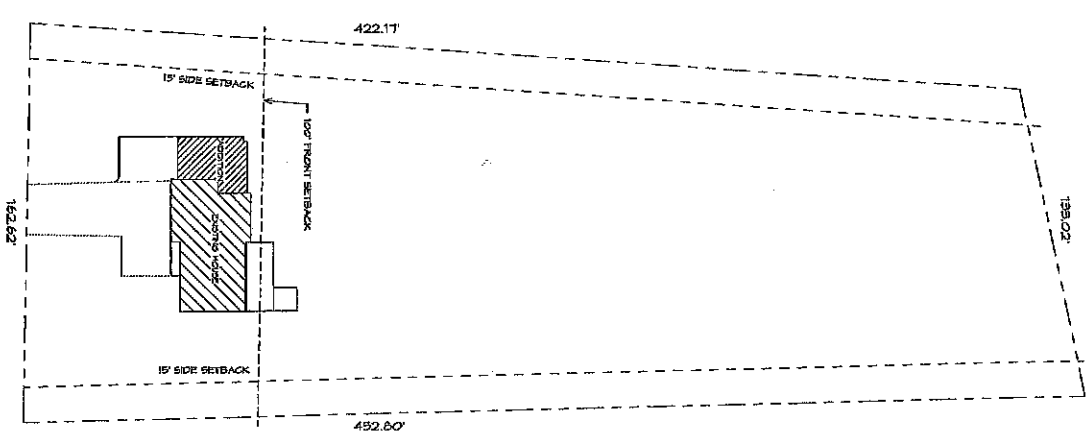


BRYANT OLSON
2621 INNSDALE AVE. N.
LAKE ELMO, MN

**NOTE: VERIFY SETBACKS
PRIOR TO CONSTRUCTION**



① SITE PLAN
1" = 10'-0"



② SITE PLAN OVERALL
1" = 30'-0"

