

Sec. 113-88. - Single-Family Residential (R-1) Zoning District.

(a) *Purpose.* The purpose of the Single-Family Residential (R-1) Zoning District is to provide for detached single-family dwelling units at a low density along with directly related and complementary uses.

(b) *District Established.* Lots shall be established within the R-1 Zoning District in the manner provided for in [Section 113-29](#). The district established and/or any subsequent changes to such district shall be reflected in the Official Zoning Map of the City as provided in [Section 113-56](#).

(c) *Principal Uses.* The following principal uses shall be permitted in the R-1 Zoning District:

- (1) Single-family dwellings, consistent with the City's Mixed-Income Housing Policy
- (2) Residential facilities serving six or fewer persons
- (3) Foster family homes; and
- (4) Essential services, Class I.

(d) *Accessory Uses.* The following accessory uses shall be permitted in the R-1 Zoning District:

- (1) When the property owner resides in the dwelling, rental of single sleeping rooms to not more than two people for lodging purposes only; and
- (2) In-home child care licensed by the State.
- (3) Home occupations, as governed by the following requirements:
 - a. The use of the dwelling for the occupation or profession shall be incidental and secondary to the use of the dwelling for residential purposes.
 - b. The exterior appearance of the structure shall not be altered for the operation of the home occupation.
 - c. There shall be no outside storage or display of signage or anything related to or indicative of the home occupation.
 - d. An accessory structure, including a garage, shall not be used for a home occupation.
 - e. A permitted home occupation shall not result in noise, fumes, traffic, lights, odor, excessive sewage or water use or garbage service, electrical, radio, or TV interference in a manner detrimental to the health, safety, enjoyment, and general welfare of the surrounding residential neighborhood.
 - f. No physical products shall be displayed or sold on the premises those incidental to the permitted home occupation.
 - g. No signs or symbols shall be displayed other than those permitted for residential purposes.
 - h. Clients, deliveries, and other business activity where persons come to the home shall be limited to the hours of 9:00 a.m. to 9:00 p.m.
 - i. No more than 20 percent of the gross floor area of the dwelling shall be used for the home occupation.
 - j. Parking related to the home occupation shall be provided only on the driveway of the property where the home occupation operates.
 - k. A home occupation shall not generate more than eight client trips per day and serve no more than two clients or customers at a time.
 - l. There shall only be one outside employee allowed on the premises at which a home occupation is located.
 - m. All other applicable City, State, and Federal licenses, codes and regulations shall be met.
 - n. The following uses are prohibited home occupations:

1. Repair, service, building, rebuilding or painting of autos, trucks, boats, and other vehicles
2. Repair and service of items that cannot be carried by one person and repair and service of any item involving an internal combustion engine or motor
3. Retail sales
4. Medical/dental clinic or similar
5. Restaurants or cafes
6. Animal hospital
7. Veterinary clinic
8. Stable or kennel
9. Funeral home, mortuary, or columbarium; and
10. Sale or repair of firearms.

(e) *Conditional Uses.* The following conditional uses may be allowed after review by the Planning Commission and approval by the City Council in accordance with the standards and procedures set forth in this chapter:

- (1) Residential facilities serving from seven to 25 persons; and
- (2) Group foster family homes.

(f) *Principal Structures.* Principal structures in the R-1 Zoning District shall be governed by the following requirements:

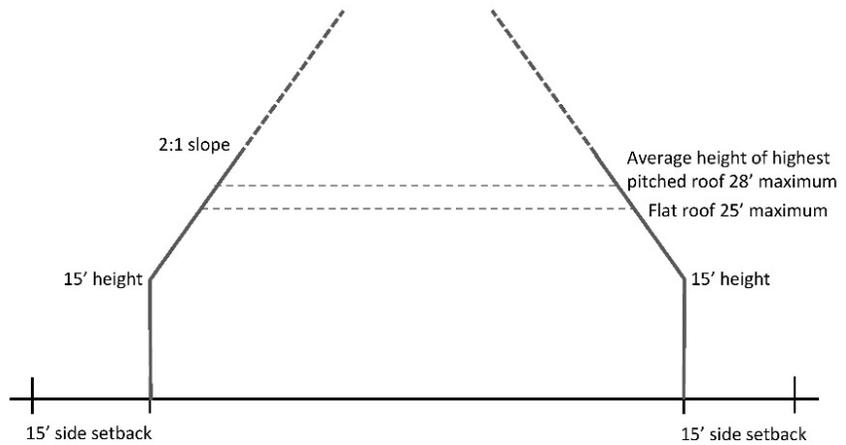
(1) *Setback Requirements.* The following setbacks shall be required for principal structures in the R-1 Zoning District. Garages or other accessory structures which are attached to the dwelling or main structure shall also be governed by these setback requirements, except for stairs and stair landings of up to 25 square feet in size and for accessible ramps.

a. *Front Setback.* The required minimum front setback shall be 35 feet from any front lot line along a street right-of-way line. Decks and open front porches, with no screens, may be built to within 30 feet of a front lot line along a street right-of-way line. This requirement shall not reduce the building envelope on any corner lot to less than 27 feet in width.

b. *Rear Setback.* The required rear setback shall be 25 feet.

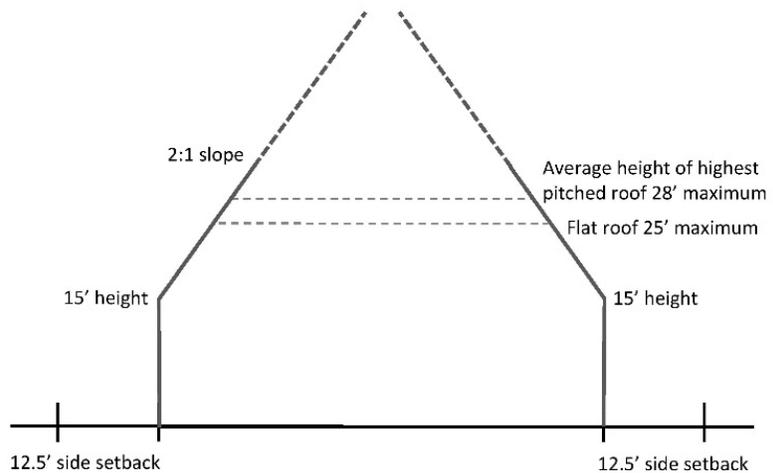
c. *Side Setbacks.* Side yard setbacks are determined by the lot width at the minimum required front setback line. The distance between a structure and the side lot lines shall be governed by the following requirements:

1. In the case of lots having a width of 100 feet or greater, the side setbacks for any portion of a structure 15 feet or less in height shall be 15 feet. The side setbacks for any portion of a structure greater than 15 feet in height shall be measured to an inwardly sloping plane at a ratio of 2:1 beginning at a point 15 feet directly above the side setback line (see figure below).



Lot width 100' or greater

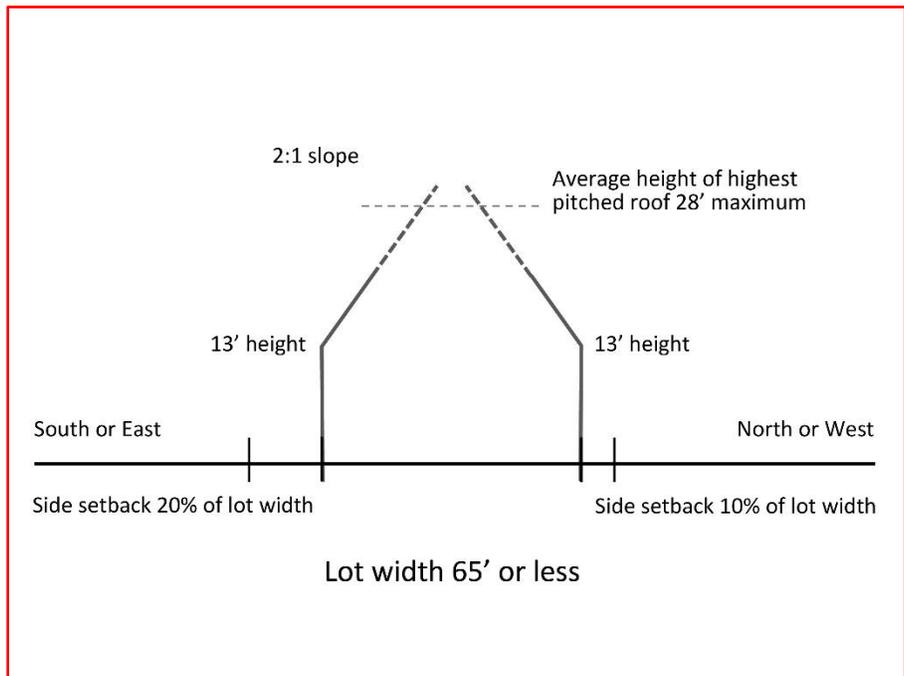
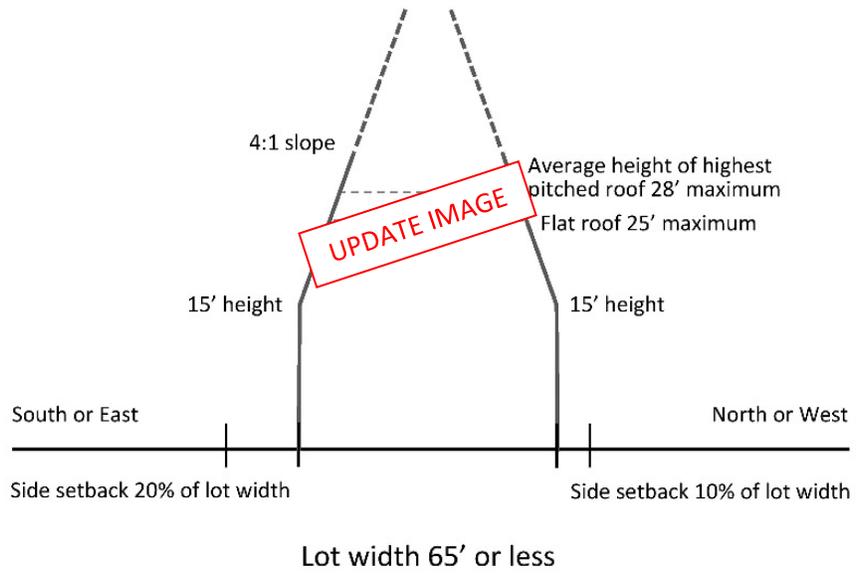
2. In the case of lots having a width greater than 65 feet and less than 100 feet, the side setbacks for any portion of a structure 15 feet or less in height shall be 12.5 feet. The side setbacks for any portion of a structure greater than 15 feet in height shall be measured to an inwardly sloping plane at a ratio of 2:1 beginning at a point 15 feet directly above the side setback line (see figure below).



Lot width greater than 65' & less than 100'

3. In the case of lots having a width of 65 feet or less, the side setbacks for any portion of a structure 45¹³ feet or less in height along the north or west side shall be 10 percent of the lot width and along the south or east side shall be 20 percent of the lot width (up to 12.5 feet). **In no case shall a side setback be less than 5 feet.** The side setback for any portion of a structure greater than 45¹³ feet in height measured to an inwardly sloping

plane at a ratio of 4:1 beginning at a point 45¹³ feet directly above the side setback line (see figure below).



d. *Corner Lot Setbacks.* To determine the side yard setback, use the shorter front lot line.

e. *Building Envelope.* Taken together, the front, rear, and side setbacks and the height limitation shall constitute the building envelope (see figures below). No portion of a structure may extend outside the building envelope, except for:

1. Cornices and eaves, no more than 30 inches

2. For lots greater than 50 feet in width, Bay windows or chimney chases, no more than 24 inches but no closer than 5 feet from the side property line

3. Chimneys, vents, or antennas

4. Stairs and stair landings up to 25 square feet in size; ~~or~~

5. Accessible ramps; or

6. For lots 65 feet in width or less, dormers, subject to the following requirements:

a. In general. The total dormer length along one side of a structure may be broken into more than one section. No portion of any dormer shall extend above the ridge line of the roof.

b. Shed dormer. A dormer with a flat eave line that runs parallel to the primary roof line.

i. The total length of all shed dormers along one side of a structure is limited to 40 percent of the length of the main wall below.

ii. The front wall of a shed dormer shall be set back a minimum of two feet from the plane of the main wall below.

iii. The side walls of a shed dormer shall be set back a minimum of four feet from the plane of the main wall below on each end of the structure.

iv. The maximum height of a shed dormer shall be 20 feet as measured from the average grade to the front eave line of the dormer.

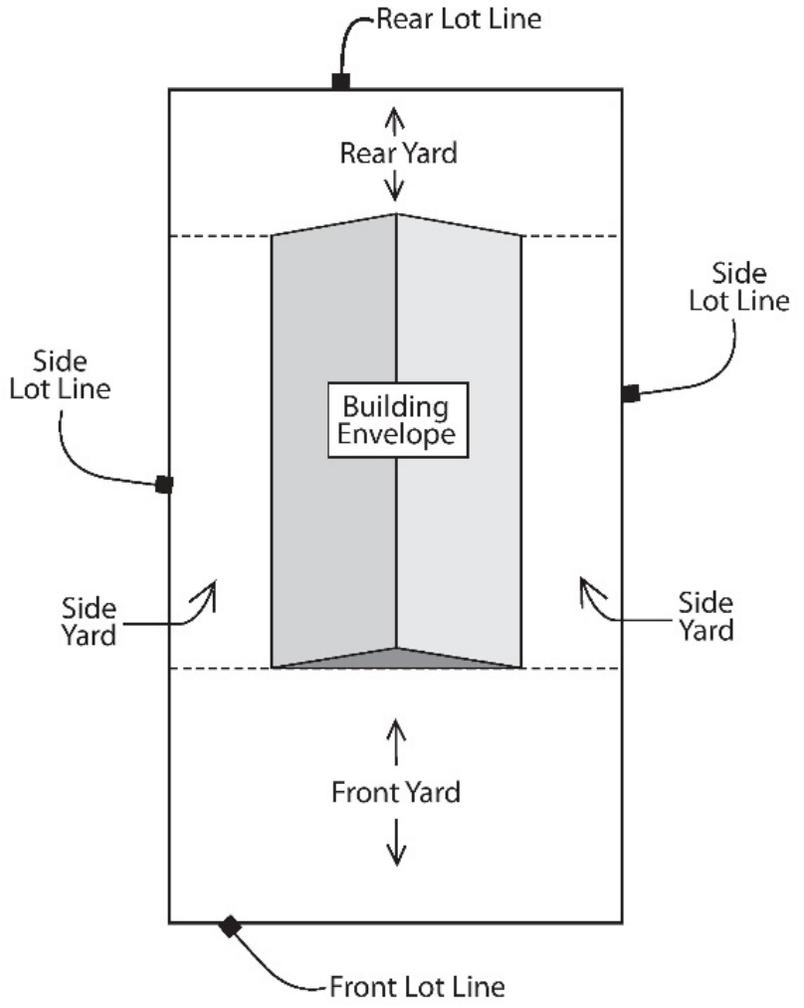
c. Gable dormer. A dormer with a peaked roof.

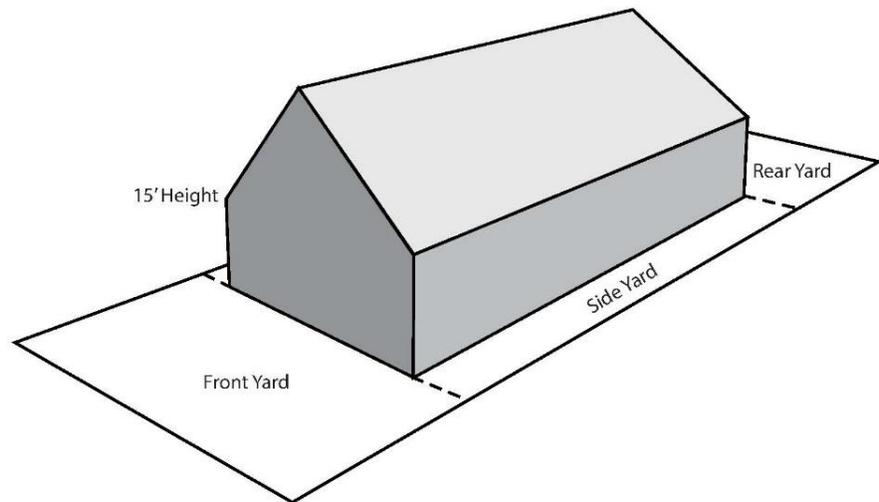
i. The total length of all gable dormers along one side of a structure is limited to 40 percent of the length of the main wall below.

ii. The front wall of a gable dormer shall be set back a minimum of two feet from the plane of the main wall below.

iii. The side walls or furthest extent of a gable dormer shall be set back a minimum of four feet from the plane of the main wall below on each end of the structure.

iv. The maximum height of a gable dormer shall be 25 feet as measured from the average grade to the dormer peak.





(2) *Height Restrictions.* No principal structure shall be erected in the R-1 Zoning District with a building height exceeding 28 feet as measured from the average grade at the front building line. The average grade for a new structure shall be no more than one foot higher than the average grade that previously existed on the lot.

(3) *Structure Width Requirement.* No principal structure shall be less than 22 feet in width as measured from the exterior of the exterior walls.

(4) *Side Wall Articulation.* For any new construction, whether a new dwelling, addition, or replacement through a tear-down, any resulting side wall longer than 32 feet in length must be articulated, with a shift of at least two feet in depth, for at least eight feet in length, for every 32 feet of wall.

(5) *Decks.* Decks over eight inches from ground level shall meet the same setbacks as the principal structure in the side and rear yards.

(6) *Kitchens.* No more than one kitchen and one kitchenette shall be permitted in each dwelling unit.

(7) *Manufactured Homes.* All manufactured or modular homes must meet the provisions of the zoning and building codes.

(g) *Accessory Structures.* Accessory structures in the R-1 Zoning District shall be governed by the following requirements:

(1) *Location and Setback Requirements.* The following location regulations and setbacks shall be required for accessory structures in the R-1 Zoning District:

a. *Location.* A detached accessory structure shall be located completely to the rear of the principal structure, unless it is built with frost footings. In that case, an accessory structure may be built no closer to the front setback than the principal structure.

b. *Front Setback.* Accessory structures shall be located no less than 35 feet from the front lot line.

c. *Side and Rear Setbacks.* Accessory structures shall be located no less than five feet from a side or rear lot line.

d. *Cornices and Eaves.* Cornices and eaves may not project more than 30 inches into a required setback.

e. *Separation Between Structures.* Accessory structures shall be located no less than 10 feet from any principal structure and from any other accessory structure.

f. *Alleys*. Accessory structures shall be located no less than five feet from an alley.

g. *Fences*. For the purposes of setbacks, fences are not considered structures.

(2) *Height Restrictions*. No accessory structure shall be erected in the R-1 Zoning District with a height in excess of one story, which is 10 feet from the floor to the top horizontal component of a frame building to which the rafters are fastened (known as the "top plate"). For the purposes of this regulation, the height of a shed roof shall be measured to the top plate.

(3) *Area Limitations*. Each lot is limited to a total of 1,000 square feet of the following accessory structures: detached and attached garages, detached sheds, greenhouses, and gazebos. Swimming pools are not included in this requirement. No one detached accessory structure may be larger than 800 square feet in area and any accessory structure over 200 square feet in area requires a building permit. No accessory structure shall occupy a footprint larger than that of the principal structure.

(4) *Zoning Permits*. The following shall require a zoning permit to ensure a conforming location on the lot:

a. Fences

b. Patios

c. Any accessory structures less than 200 square feet in area; and

d. Decks and platforms that do not require a building permit.

(5) *Garage Provisions*. Garages in the R-1 Zoning District shall be governed by the following requirements:

a. *Minimum Garage Stalls*. For lots greater than 50 feet wide, no building permit shall be issued for a single-family dwelling not having a two-stall garage unless the registered survey submitted at the time of the application for the building permit reflects the necessary area and setback requirements for a future two-stall (minimum) garage. Lots 50 feet in width or less may be constructed with one garage stall.

b. *Maximum Garage Width*. For lots 50 feet in width or less, the width of the front wall of an attached garage shall not exceed 75 percent of the width of the dwelling's front facade. For purposes of this subsection, a dwelling's front facade means that portion of the dwelling's building facing a front lot line that includes any front wall of a garage and provides vehicular access to the garage.

1. *Measurement of Front Facade*. The width of the front facade shall be the direct, linear, horizontal distance between the dwelling's exterior side walls at the front facade's widest point.

2. *Measurement of Front Garage Wall*. For purposes of this subsection, the front wall of a garage shall be the wall of the garage facing the front lot line, including any door providing vehicular access to the garage. The width of the front wall shall be the direct, linear, horizontal distance between the exterior or outermost location of the garage's two side walls at their intersection with the garage's front wall.

(6) *Roof Style*. Gambrel and mansard roofs are not permitted on any accessory structure with a footprint of more than 200 square feet.

(7) *Decks*. Freestanding decks or decks attached to accessory structures shall meet the same setback requirements for accessory structures.

(8) *Garden Structures*. Garden structures shall be located no closer than five feet to any lot line. Garden structures shall not exceed 10 feet in height.

(9) *Play Structures*. Play structures shall be located no closer than five feet to any lot line. Play structures shall not exceed 10 feet in height.

(10) *Swimming Pools*. Swimming pools shall meet the same setback and location requirements for accessory structures. Setbacks shall be measured from the lot line to the pool's edge. Decks surrounding above-ground pools shall meet setback requirements.

(11) *Photovoltaic Modules*. Freestanding photovoltaic modules, including solar panels and other photovoltaic energy receivers, which are in excess of three square feet shall meet the same setback, location, and height requirements for accessory structures.

(12) *Central Air Conditioning Units*. Central air conditioning units shall be prohibited in a front yard.

(h) *Temporary Storage Units*. Temporary storage units in the R-1 Zoning District shall be governed by the following requirements:

(1) *Duration*. Temporary storage units shall not be stored on a lot for more than 14 days.

(2) *Location*. Temporary storage units shall be stored on a hard surface and be located completely on private property.

(i) *Pre-1982 Structures*. For all existing structures constructed in the R-1 Zoning District prior to January 1, 1982, the following structure setbacks shall be in effect:

(1) *Front Yard*. The structure setback for principal structures shall be no closer than 25 feet to the front lot line.

(2) *Side Yard*. The structure setback for principal structures shall be no closer than three feet to the side lot line.

(3) *Rear Yard*. The structure setback for principal structures shall be no closer than 10 feet to the rear lot line.

(4) *Accessory structures*. The structure setback for accessory structures shall be no closer than three feet to the side or rear Lot lines. At the discretion of the City Manager or his/her designee, a property owner may be required to move an accessory structure if it is located in a public easement area.

(j) *Pre-April 15, 2015, Structures, Building Permits and Applications*. For all structures constructed and building permits issued or applied therefor in the R-1 Zoning District prior to April 15, 2015, if the height and side setbacks were deemed by the City to be compliant with the zoning code at the time a building permit was issued or applied therefor, the height and location shall be deemed conforming to current zoning code. However, in all cases, new construction and additions to such properties must comply with current requirements of the zoning code.

(k) *Buildable Lots*. No dwelling or accessory structure shall be erected for use or occupancy as a residential dwelling on any tract of unplatted land which does not conform with the requirements of this section, except on those lots located within an approved plat. In the R-1 Zoning District a platted lot of a minimum area of 10,000 square feet and a minimum width of 80 feet at the front setback line shall be required for one single-family dwelling.

(l) *Lot Coverage*. No lot or parcel in the R-1 Zoning District shall have lot coverage of more than 30 percent for a lot or parcel ~~over~~ 10,000 square feet or greater in area, 35 percent for a lot or parcel ~~between~~ greater than 56,000 square feet and less than 9,999 10,000 square feet in area and ~~43~~ 30 percent for a lot or parcel ~~less than~~ 56,000 square feet or less in area. This requirement excludes swimming pools.

(m) *Impervious Surfaces*. The total amount of impervious surfaces on any lot shall not exceed 50 percent of the area.

(n) *Paved Areas*. Paved areas in the R-1 Zoning District, including those constructed of concrete, bituminous pavement, or pavers, are governed by the following provisions:

(1) *Driveways*. Driveways built or reconstructed on or after January 1, 2005, shall be paved.

(2) *Setbacks*. Paved areas shall be set back three feet from a lot line, except for shared driveways used by multiple property owners pursuant to a private easement.

(3) *Coverage*. No more than 40 percent of the front yard may be covered with concrete, bituminous pavement, or pavers.

(4) *Street Access*. Each lot may have only one street curb cut access, except the following lots may have up to two street curb cut accesses:

a. A lot that contains two legally constructed garages.

b. A lot of a resident who requires additional driveway access qualifying for a reduced class rate for homestead property as defined by Minn. Stats. § 273.13, subd. 22, Class 1b.