## ARTICLE VI. ZONING DISTRICT PROVISIONS

### DIVISION 1. ZONING DISTRICT PROVISIONS - GENERALLY

#### Sec. 40 – 160. Establishment of Districts.

The following zoning districts are hereby established within the City of Wyoming.

| | |
|---|---|
| A | Agriculture |
| R-1 | Rural Residential I |
| R-2 | Rural Residential II |
| R-3 | Single-Family Residential |
| R-4 | One- and Two-Family Residential |
| R-5 | Manufactured Homes |
| R-6 | Limited Multiple Dwelling |
| CB | Central Business |
| C | Commercial |
| OHC | Office and Health Care |
| MXD | Mixed Use |
| I | Industrial |
| RCA | Residential Clusters in the Agricultural District |
| HO | Highway 8 Corridor Overlay |
| CO | Carlos Avery Wildlife Perimeter Overlay |
| SH | Shoreland Management Overlay |
| FP | Flood Plain Management Overlay |
| CLR | Closed Landfill Restricted District |

#### Sec. 40 – 161. Map.

The location and boundaries of the districts established by this Ordinance are hereby set forth on the zoning map entitled "Zoning Map," a copy of which is on file with the Zoning Administrator. Said maps and all of the notations, references and other information shown thereon shall have the same force and effect as if fully set forth herein and thereby made a part of this Ordinance by reference.

#### Sec. 40 – 162. Alterations of City Boundaries.

In the event of changes in the City limits, adding or removing territory from the City, district boundaries shall be construed as moving with the City limits.

#### Sec. 40 – 163. Zoning District Boundaries.

(1) Boundaries indicated as approximately following the centerlines of roads, highways, alleys, or railroad lines shall be construed to follow such centerline.

(2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(3) Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, lakes, or other bodies of water shall be construed to following such centerlines.

(4) Boundaries indicated as approximately following the City limits shall be construed as following such City limits.

(5) Where a district boundary line divides a lot which was in a single ownership at the time of passage of this Ordinance, the extension of the regulations for either portion of the lot may be interpreted by the Zoning Administrator upon request of the owner.

(6) The exact location of all district boundaries shall be interpreted by the Zoning Administrator, subject to appeal as provided for within this Ordinance.

**Sec. 40 – 164. District Regulations.**

The regulations of this Ordinance within each district shall be minimum regulations, and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

(1) No buildings, structure, or land shall hereafter be used or occupied, and no building structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

(2) No buildings or other structures shall hereafter be erected or altered to: exceed the height or bulk; to accommodate or house a greater number of families; to occupy a greater percentage of lot area, to have narrower or smaller rear yards, or other open spaces, than herein required; or in any other manner contrary to the provisions of this Ordinance.

(3) No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Secs. 40 - 165—40 - 169. Reserved.

## DIVISION 2. AGRICULTURE DISTRICT (A)

### Sec. 40 – 170. Purpose.

The (A) Agricultural District is intended to provide areas to be utilized for agricultural and Rural Residential II uses.

### Sec. 40 – 171. Permitted Uses.

The following are permitted uses in Agricultural districts, except in residential subdivisions that have been conditionally permitted pursuant to, Article VI, Division 19, or subdivisions that have more than eighty percent (80%) of their lots with an area of less than 5 acres, all of which must comply with the permitted uses of the Rural Residential II District (See Article VI, Division 4).

(1) Antennae for amateur radio.

(2) Farm structures which are used for purposes related to the operation of the farm.

(3) Farm production which shall include the raising of crops and animals for sale, profit, or pleasure.

(4) The raising of animals for sale, profit, or pleasure on parcels of five (5) acres or larger. This land area requirement applies to animal kennels, but not to the keeping of dogs, cats and other animals customarily kept as pets. One animal unit is permitted per two acres. The animal units are as follows:

| | | |
|---|---|---|
| (a) | 1 slaughter steer or heifer | = 1 animal unit |
| (b) | 1 horse | = 1 animal unit |
| (c) | 1 dairy cow | = 1 animal unit |
| (d) | 2 swine over 55 lbs. | = 1 animal unit |
| (e) | 5 sheep | = 1 animal unit |
| (f) | 20 turkeys | = 1 animal unit |
| (g) | 20 chickens | = 1 animal unit |
| (h) | 10 ducks | = 1 animal unit |

(5) Single family dwelling subject to the following provisions:

(a) Dwellings shall be allowed on lots of five (5) or more acres provided that the lot upon which the dwelling is located fronts an existing public road.

(b) Dwelling units shall not be permitted in areas classified as wetlands, flood plain, peat and muck areas, or areas of poor drainage. In areas where the standing water table is less than three feet the Zoning Administrator, at the recommendation of the Building Official, may require soil testing and borings, footing and foundation engineering and/or an alternate building design or location.

(6) Greenhouses or nurseries.

(7) Forestry.

(8) Wildlife areas, forest preserves, public parks owned or operated by a government agency or nonprofit organization, and other open space uses.

(9) Daycare as required by MN Statutes Ch 462.357, Subdivision 7.

(10) Residential facilities as required by Minnesota Statutes Ch 462.357, Subdivision 7 under these conditions:

(a) The residence structure shall be occupied by not more than six (6) persons under treatment.

(b) The use shall not be located within 1,500 feet of any other group homes.

(11) When a cluster housing development is proposed in the Agricultural District, the remaining open space can be used for alternative urban agricultural uses such as small crops, tree farms, vegetable farms, small organic dairy, horse farms, and community-supported agriculture.

### Sec. 40 – 172. Conditional Uses.

The following uses may be conditionally permitted in Agricultural districts, except in residential subdivisions that have been conditionally permitted pursuant to Article VI, Division 19, or subdivisions that have more than eighty percent (80%) of their lots with an area of less than 5 acres, all of which must comply with the permitted uses of the Rural Residential II District (See Article VI, Division 4).

(1) One additional, non-rental, farm dwelling as an accessory use to the farm (See Article VII, Division 31).

(2) Agricultural oriented businesses such as grain and feed sales, grain drying and storage, implement sales, and agricultural machinery repair.

(3) Airstrip for personal use.

(4) Animal feedlots and sales.

(5) Athletic fields, illuminated.

(6) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(7) Commercial outdoor recreation areas that are similar to public recreation areas including recreational camping area, golf course, swimming pools, and resorts. Public parks owned and operated by a government agency or nonprofit organization.

(8) Community sewage treatment facilities.

(9) Essential services.

(10) Extraction of minerals, sand, gravel, rock, or any material from the earth and processing operations such as asphalt or concrete batch plants, rock crushing and washing, and recycling of pavement, in accordance with Article VII, Division 17.

(11) Government administration and service buildings.

(12) Heliports or helipads.

(13) Light construction equipment storage areas associated with a legal home occupation.

(14) Livestock feed and poultry lots subject to the requirements of the Minnesota Pollution Control Agency regulations, when any combination of the following animal units are present: 100 dairy animals, or 200 beef animals or 100 sows and boars used for farrowing purposes, or 1,000 pigs being fed for market, or 500 sheep, or 4,000 fowl.

(15) Livestock sales barns and accessory facilities.

(16) Planned Unit Developments in accordance with Article VI, Division 18.

(17) Public parks owned or operated by a government agency or non-profit organization.

(18) Regional pipelines, power transmission lines and relay towers up to fifty (50) feet in accordance with Article VII, Division 28.

(19) Schools or other educational facilities - public and private.

(20) Telecommunication Facility.

(21) Temporary equipment placement and operation.

(22) Other uses determined to be similar to those listed as permitted and conditional uses.

**Sec. 40 – 173. Interim Conditional Uses.**

The following uses may be conditionally permitted as interim uses in Agricultural districts:

(1) Bed and breakfast inns.

(2) Cannabis cultivator.

(3) Cannabis manufacturer.

(4) Cannabis mezzobusiness.

(5) Cannabis microbusiness.

(6) Cannabis wholesale.

(7) Cannabis transportation.

(8) Cannabis delivery.

(9) Commercial kennels, residential kennels, and non-profit animal shelters.

(10) Extraction of minerals, sand, gravel, rock, or any material from the earth and processing operations such as asphalt or concrete batch plants, rock crushing and washing, and recycling of pavement, in accordance with Article VII, Division 17.

(11) Hemp edible manufacturer.

(12) Home occupations which may require additional parking, an accessory building, or an attached garage, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(13) Roadside stands.

(14) Temporary cannabis event.

**Sec. 40 – 174. Accessory Uses.**

The following uses are permitted accessory uses in Agricultural districts:

(1) Any structure or use which is incidental to the permitted principal use including private garages and sheds, fencing, landscaping, playground equipment, non-illuminated athletic fields, and swimming pools.

(2) Farm drainage systems, flood control and watershed structures, and erosion control devices meeting all city, county, state, and Soil Conservation Service minimum standards.

(3) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(4) Operation or storage of vehicles, equipment, and machinery which is incidental to the permitted principal use.

(5) Recreational facilities which serve the residence of the principal use.

(6) Sump type livestock and/or poultry manure storage systems or other systems of manure storage that are of like and similar nature that prevents feed lot runoff provided they meet the standards for feed lots adopted by the Minnesota Pollution Control Agency.

(7) Temporary or seasonal roadside stands for sale of agricultural products - not to exceed one stand per farm, and no more than ninety (90) days per year.

(8) Wind energy conversion system, non-commercial.

**Sec. 40 – 175. Height, Yard Area and Lot Width and Depth Regulations.**

The following dimensional requirements apply in the Agricultural District.

(1) Lot Area Regulations:

(a) The minimum lot size shall be five (5) acres, at least one (1) acre of which must be buildable (See Sec. 40 – 40, (21)), except as provided for in Article VI, Division 19.

(b) Increased Lot Sizes. An increase of the minimum lot size may be required by the City if determined to be necessary by the Zoning Administrator for on-site sewer systems.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of three hundred feet (300), except as provided for in Article VI, Division 19.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Lot Depth Regulations:
Except as provided for in Article VI, Division 19, every lot, or parcel of land shall have a minimum depth of three hundred (300) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all county roads.

(c) Seventy-three (73) feet from the centerline of all city streets or forty (40) feet from the road right-of-way, whichever is more restrictive. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the forty (40) foot setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot.

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Forty (40) feet for principal buildings.

(b) Forty (40) feet for farm buildings.

(c) Three (3) feet for non-farm accessory buildings.

(d) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Fifty (50) feet for principal buildings.

(b) Fifty (50) feet for farm buildings.

(c) Three (3) feet for non-farm accessory buildings.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No height regulation shall be required for agricultural buildings except as established in the General Building and Performance Requirements, Article VII.

(b) No other building erected or altered shall exceed three (3) stories or thirty-five (35) feet in height.

**Sec. 40 – 176. Architectural Standards.**

(1) All new buildings in Agricultural District areas shall be located and sited to preserve the sense of open space in the City and be visually compatible in character and scale with existing residential and agricultural buildings.

(2) See also Article VII, Division 6, Building Requirements.

**Sec. 40 – 177. Landscape Standards.**

All new residential subdivisions shall conform to the following standards:

(1) When new housing is clustered, vegetative buffers of trees, shrubs and herbaceous understory shall be planted in buffer zones of sufficient width from edge of any residential development (as determined by the Planning Commission), to provide privacy screening and minimize views of homes from exterior road and abutting properties. Such vegetated buffers should consist predominantly of hardy indigenous or native species. See Article VII, Division 12, Landscaping / Woodland Preservation.

(2) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 178—40 - 179. Reserved.

## DIVISION 3. RURAL RESIDENTIAL I DISTRICT (R-1)

### Sec. 40 – 180. Purpose.

The Rural Residential I District is intended to provide an area for very low density housing with on-site wastewater systems in locations that are already predominately developed in a pattern similar to that described in this zoning district.

### Sec. 40 – 181. Permitted Uses.

The following are permitted uses in R-1 districts:

(1) Single family dwellings subject to the following provisions: Dwelling units shall not be permitted in areas classified as wetlands, flood plain, peat and muck areas, or areas of poor drainage. In areas where the standing water table is less than three feet, the Zoning Administrator, at the recommendation of the Building Official, may require soil testing and borings, footing and foundation engineering and/or an alternate building design or location.

(2) Daycare as required by MN Statutes Ch 462.357, Subdivision 7.

(3) Residential facilities as required by MN Statutes Ch 462.357, Subdivision 7, under these conditions:

  (a) The residence structure shall be occupied by not more than six persons under treatment.

  (b) The use shall not be located within 1,500 feet of any other residential facilities.

(4) Public parks owned or operated by a government agency or non-profit organization.

### Sec. 40 – 182. Conditional Uses.

The following uses may be conditionally permitted in R-1 districts:

(1) Antennae for amateur radio.

(2) Athletic fields, illuminated.

(3) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(4) Community sewage treatment facilities.

(5) Essential services.

(6) Government administration and service buildings.

(7) Open Space Development where fifty percent (50%) or more of the buildable land area is designated as undivided permanent open space and can be achieved in a density-neutral manner, i.e. the overall number of dwelling units allowed is the same as would be permitted in a conventional layout.

(8) Planned Unit Developments in accordance with Article VI, Division 18.

(9) Schools or other educational facilities - public and private.

(10) Telecommunication Facility.

(11) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 183. Interim Conditional Uses.

The following uses may be conditionally permitted as interim uses in R-1 districts:

(1) Bed and breakfast inns.

(2) Dog Kennel, Residential.

(3) Home occupations which may require additional parking, an accessory building or an attached garage, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

### Sec. 40 – 184. Accessory Uses.

The following uses are permitted accessory uses in R-1 districts:

(1) Any structure or use which is incidental to the permitted principal use including private garages and sheds, television antennae, fencing, playground equipment, landscaping, and swimming pools.

(2) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(3) Wind energy conversion system, non-commercial.

### Sec. 40 – 185. Heights, Yard, Area and Lot Width and Depth Regulation.

The following dimensional requirements apply in the R-1 District.

(1) Lot Area Regulations:

(a) The minimum lot size shall be one (1) acre, at least one (1) acre of which must be buildable. See Sec. 40 – 40, (21).

(b) Increased Lot Sizes. An increase of the minimum lot size may be required by the City if determined to be necessary by the Zoning Administrator for on-site sewer systems.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of two hundred (200) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of two hundred (200) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all county roads.

(c) Seventy-three (73) feet from the centerline of all city streets or forty (40) feet from the road right-of-way, whichever is more restrictive. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the forty (40) foot setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot.

(e) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting thereon within the same block. No building shall be closer than forty (40) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Ten (10) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

(c) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Thirty-five (35) feet for principal building.

(b) Three (3) feet for accessory buildings.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed three (3) stories or thirty-five (35) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

(8) General Regulations:

(a) In subdivisions where municipal water and sewer services are not presently available, the City Planning Commission may require that the developer submit a plan as to how the lots will be resubdivided when services become available as required by the City Subdivision Regulations.

**Sec. 40 – 186. Architectural Standards.**

All new residential developments shall conform to the following standards:

(1) New homes shall be located and sited to preserve the sense of open space in the city and be visually compatible in character and scale with existing residential buildings. See also Article VII, Division 6.

(2) Each living unit must provide space for a future garage with a minimum area of three hundred twenty (320) square feet.

(3) Accessory Buildings, see Article VII, Division 1.

(4) Non-residential buildings, see Article VII, Division 5.

**Sec. 40 – 187. Landscape Standards.**

(1) When new housing is clustered, vegetative buffers of trees, shrubs and herbaceous understory shall be planted in buffer zones of sufficient width from edge of any residential development (as determined by the Planning Commission), to provide privacy screening and minimize views of homes from exterior road and abutting properties. Such vegetated buffers should consist predominantly of hardy indigenous or native species.

(2) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 188—40 - 189. Reserved.

## DIVISION 4. RURAL RESIDENTIAL II DISTRICT (R-2)

### Sec. 40 – 190. Purpose.

The Rural Residential II District is intended to provide for very low density housing with on-site wastewater systems in locations that are already predominately developed in a pattern similar to that described in this zoning district.

### Sec. 40 – 191. Permitted Uses.

The following are permitted uses in R-2 districts:

(1) Single family dwellings subject to the following provisions: Dwelling units shall not be permitted in areas classified as wetlands, flood plain, peat and muck areas, or areas of poor drainage. In areas where the standing water table is less than three feet, the Zoning Administrator, at the recommendation of the Building Official, may require soil testing and borings, footing and foundation engineering and/or an alternate building design or location.

(2) Public parks owned or operated by a government agency or non-profit organization.

(3) Daycare as required by Minnesota Statutes Ch 462.357, Subdivision 7

(4) Residential facilities as required by Minnesota Statutes Ch 462.357, Subdivision 7, under these conditions:

  (a) The residence structure shall be occupied by not more than six (6) persons under treatment.

  (b) The use shall not be located within 1,500 feet of any other residential facilities.

(5) Horsekeeping on parcel five (5) acres or larger at a maximum density of one horse per two (2) acres.

### Sec. 40 – 192. Conditional Uses.

The following uses may be conditionally permitted in R-2 districts:

(1) Antennae, amateur radio.

(2) Athletic fields, illuminated.

(3) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(4) Community sewage treatment facilities.

(5) Essential services.

(6) Government administration and service buildings.

(7) Planned Unit Developments in accordance with Article VI, Division 18.

(8) Schools or other educational facilities - public and private.

(9) Telecommunications facility.

(10) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 193. Interim Conditional Uses.

The following uses may be conditionally permitted as interim uses in R-2 districts:

(1) Bed and breakfast inns.

(2) Residential Dog Kennel.

(3) Home occupations which may require additional parking, an accessory building or an attached garage, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(4) Extraction of minerals, sand, gravel, rock, or any material from the earth and processing operations such as asphalt or concrete batch plants, rock crushing and washing, and recycling of pavement, in accordance with Article VII, Division 17.

(5) Temporary or seasonal roadside stands for sale of agricultural products - not to exceed one stand per farm, and no more than ninety (90) days per year.

### Sec. 40 – 194. Accessory Uses.

The following uses are permitted accessory uses in R-2 districts:

(1) Any structure or use which is incidental to the permitted principal use including private garages and sheds, television antennae, fencing, playground equipment, landscaping, and swimming pools.

(2) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(3) Wind energy conversion system, non-commercial.

**Sec. 40 – 195. Heights, Yard, Area and Lot Width and Depth Regulation.**

The following dimensional requirements apply in the R-2 District.

(1) Lot Area Regulations:

(a) The minimum lot size shall be two (2) acres, at least one (1) acre of which must be buildable. See Sec. 40 – 40, (21).

(b) Increased Lot Sizes. An increase of the minimum lot size may be required by the City if determined to be necessary by the Zoning Administrator for on-site sewer systems.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of two hundred (200) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of two hundred (200) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all county roads.

(c) Seventy-three (73) feet from the centerline of all city streets or forty (40) feet from the road right-of-way, whichever is more restrictive. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the forty (40) foot setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot.

(e) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting thereon within the same block. No building shall be closer than forty (40) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Ten (10) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

(c) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Thirty-five (35) feet for principal building.

(b) Three (3) feet for accessory buildings.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed three (3) stories or thirty-five (35) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

(8) General Regulations:

(a) In subdivisions where municipal water and sewer services are not presently available, the City Planning Commission may require that the developer submit a plan as to how the lots will be resubdivided when services become available as required by the City Subdivision Regulations.

**Sec. 40 – 196. Architectural Standards.**

All new residential developments shall conform to the following standards:

(1) New homes shall be located and sited to preserve the sense of open space in the city and be visually compatible in character and scale with existing residential buildings. See also Article VII, Division 6.

(2) Each living unit must provide space for a future garage with a minimum area of three hundred twenty (320) square feet.

(3) Accessory Buildings, see Article VII, Division 1.

(4) Non-residential buildings, see Article VII, Division 5.

**Sec. 40 – 197. Landscape Standards.**

(1) When new housing is clustered, vegetative buffers of trees, shrubs and herbaceous understory shall be planted in buffer zones of sufficient width from edge of any residential development (as determined by the Planning Commission), to provide privacy screening and minimize views of homes from exterior road and abutting properties. Such vegetated buffers should consist predominantly of hardy indigenous or native species.

(2) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 198—40 - 199. Reserved.

## DIVISION 5. SINGLE-FAMILY RESIDENTIAL DISTRICT (R-3)

### Sec. 40 – 200. Purpose.

The R-3 district is intended to establish an area of one-family residential buildings served by public sewer and water lines.

### Sec. 40 – 201. Permitted uses.

The following are permitted uses in R-3 districts:

(1) Single family dwellings subject to the following provisions: Dwelling units shall not be permitted in areas classified as wetlands, flood plain, peat and muck areas, or areas of poor drainage. In areas where the standing water table is less than three feet, the Zoning Administrator, at the recommendation of the Building Official, may require soil testing and borings, footing and foundation engineering and/or an alternate building design or location.

(2) Public parks owned or operated by a government agency or non-profit organization.

(3) Daycare as required by Minnesota Statutes Ch 462.357, Subdivision 7.

(4) Residential facilities as required by Minnesota Statutes Ch 462.357, Subdivision 7 under these conditions:

(a) The residence structure shall be occupied by not more than six (6) persons under treatment.

(b) The use shall not be located within 1,500 feet of any other group homes.

### Sec. 40 – 202. Conditional uses.

The following uses may be conditionally permitted in R-3 districts:

(1) Antennae, amateur radio.

(2) Athletic fields, illuminated.

(3) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(4) Essential services.

(5) Government administration and service buildings.

(6) Planned Unit Developments in accordance with Article VI, Division 18.

(7) Schools or other educational facilities - public and private.

(8) Telecommunications facility.

(9) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 203. Interim conditional uses

The following uses may be conditionally permitted as interim uses in R-3 districts:

(1) Bed and breakfast inns.

(2) Residential dog kennel.

### Sec. 40 – 204. Accessory uses.

The following uses are permitted accessory uses in R-3 districts:

(1) Any structure or use which is incidental to the permitted principal use including private garages and sheds, television antennae, fencing, playground equipment, landscaping, and swimming pools.

(2) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

### Sec. 40 – 205. Heights, Yard, Area and Lot Width and Depth Regulation.

The following dimensional requirements apply in the R-3 District.

(1) Lot Area Regulations:

(a) The minimum lot size shall be fifteen thousand (15,000) square feet.

(b) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of one hundred (100) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(b) The Council may grant a variance from this lot width requirement for lots abutting on a cul-de-sac or curves; however, no variance shall permit lots of less than seventy (70) feet on a cul-de-sac or eighty (80) feet on curves.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of one hundred fifty (150) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all county roads.

(c) Thirty (30) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Forty (40) feet from the road right-of-way of a collector or arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(e) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. The front yard setback may be reduced to the following distances on the non-address road or highway:

1. Twenty (20) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

2. Thirty (30) feet from the road right-of-way of a collector or arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(f) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting thereon within the same block.

(g) No building shall be closer than twenty (20) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Ten (10) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

(c) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Thirty-five (35) feet for principal building.

(b) Three (3) feet for accessory buildings.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed three (3) stories or thirty-five (35) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or eighteen (18) feet in height.

(8) General Regulations:

(a) In subdivisions where municipal water and sewer services are not presently available, the City Planning Commission may require that the developer submit a plan as to how the lots will be resubdivided when services become available as required by the City Subdivision Regulations.

**Sec. 40 – 206. Architectural Standards.**

All new residential developments shall conform to the following standards:

(1) New homes shall be located and sited to preserve the sense of open space in the city and be visually compatible in character and scale with existing residential buildings. See also Article VII, Division 6.

(2) Each living unit must provide space for a future garage with a minimum area of three hundred twenty (320) square feet.

(3) Accessory buildings, see Article VII, Division 1.

(4) Non-residential buildings, see Article VII, Division 5.

**Sec. 40 – 207. Landscape Standards.**

(5) When new housing is clustered, vegetative buffers of trees, shrubs and herbaceous understory shall be planted in buffer zones of sufficient width from edge of any residential development (as determined by the Planning Commission), to provide privacy screening and minimize views of homes from exterior road and abutting properties. Such vegetated buffers should consist predominantly of hardy indigenous or native species.

(6) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 208—40 - 209. Reserved

## DIVISION 6 ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT (R-4)

### Sec. 40 – 210. Purpose.

The R-4 district is intended to establish an area for one- and two-family residential buildings served by public sewer and water facilities.

### Sec. 40 – 211. Permitted uses.

The following are permitted uses in the R-4 district:

(1) One-family dwellings.

(2) Two-family dwellings.

(3) Public parks owned or operated by a government agency or non-profit organization.

(4) Daycare as required by Minnesota Statutes Ch 462.357, Subdivision 7.

(5) Residential facilities as required by Minnesota Statutes Ch 462.357, Subdivision 7 under these conditions:

(a) The residence structure shall be occupied by not more than six persons under treatment.

(b) The use shall not be located within 1,500 feet of any other group homes.

### Sec. 40 – 212. Conditional uses.

The following uses may be conditionally permitted in R-4 districts:

(1) Antennae, amateur radio.

(2) Athletic fields, illuminated.

(3) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(4) Essential services.

(5) Government administration and service buildings.

(6) Planned Unit Developments in accordance with Article VI, Division 18.

(7) Schools or other educational facilities - public and private.

(8) Telecommunications facility.

(9) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 213. Interim Conditional Uses.

The following uses may be conditionally permitted as interim uses in R-4 districts:

(1) Bed and breakfast inns.

(2) Residential dog kennel.

### Sec. 40 – 214. Accessory uses.

The following uses are permitted accessory uses in R-4 districts:

(1) Any structure or use which is incidental to the permitted principal use including private garages and sheds, television antennae, fencing, playground equipment, landscaping, and swimming pools.

(2) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

### Sec. 40 – 215. Heights, Yard, Area and Lot Width and Depth Regulation.

The following dimensional requirements apply in the R-4 District.

(1) Lot Area Regulations:

(a) The minimum lot size for one-family buildings shall be ten thousand (10,000) square feet.

(b) The minimum lot size for two-family buildings shall be twelve thousand (12,000) square feet.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of seventy-five (75) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(b) The Council may grant a variance from this lot width requirement for lots abutting on a cul-de-sac or curves; however, no variance shall permit lots of less than seventy (70) feet on a cul-de-sac or eighty (80) feet on curves.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of one hundred thirty five (135) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all county roads.

(c) Twenty five (25) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Thirty (30) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(e) Forty (40) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(f) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. The front yard setback may be reduced to the following distances on the non-address road or highway:

1. Twenty (20) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

2. Twenty-five (25) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

3. Thirty-five (35) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(g) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting thereon within the same block.

(h) No building shall be closer than twenty (20) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Ten (10) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

(c) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Thirty-five (35) feet for principal building.

(b) Three (3) feet for accessory buildings.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed three (3) stories or thirty-five (35) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or eighteen (18) feet in height.

**Sec. 40 – 216. Architectural Standards.**

All new residential developments shall conform to the following standards:

(1) New homes shall be located and sited to preserve the sense of open space in the city and be visually compatible in character and scale with existing residential buildings. See also Article VII, Division 6.

(2) Each living unit must provide space for a future garage with a minimum area of three hundred twenty (320) square feet.

(3) Accessory buildings, see Article VII, Division 1.

(4) Non-residential buildings, see Article VII, Division 5.

**Sec. 40 – 217. Landscape Standards.**

(1) When new housing is clustered, vegetative buffers of trees, shrubs and herbaceous understory shall be planted in buffer zones of sufficient width from edge of any residential development (as determined by the Planning Commission), to provide privacy screening and minimize views of homes from exterior road and abutting properties. Such vegetated buffers should consist predominantly of hardy indigenous or native species.

(2) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 218—40 - 219. Reserved

## DIVISION 7. MANUFACTURED HOME DISTRICT (R-5)

### Sec. 40 – 220. Purpose.

The purpose of this Division is to provide for manufactured housing and assure quality development by providing a safe, well serviced, and attractive environment.

### Sec. 40 – 221. Conditional Use Permit Required.

It shall be unlawful for any person to construct, enlarge, or operate any manufactured housing park unless they hold a valid conditional use permit issued by the City for the specific manufactured housing park. All conditional uses shall be subject to the requirements of this Division and Article V, Division 6.

### Sec. 40 – 222. Applications.

(1) Each conditional use application shall include the following information:

(a) Legal description and size in acres of the proposed manufactured housing park.

(b) Location and size of all manufactured housing sites, dead storage areas, recreation areas, laundry drying areas, roadways, parking sites, and all setback dimensions (parking spaces, exact manufactured home sites, etc.).

(c) Detailed landscaping plans and specifications.

(d) Location and width of sidewalks, if any.

(e) Plans for sanitary sewage disposal, solid waste disposal, surface drainage, water system, electrical service, gas service, telephone service, other utilities, plumbing and fire protection, the sewage disposal plans to include a detailed report and estimate of projected pollutants entering surface and underground water.

(f) Location and size of all streets abutting the mobile home court and all driveways from such streets to the manufactured housing park.

(g) Road construction plans and specifications for all road construction within the park or directly related to park operation.

(h) Plans for any and all structures, including tornado shelter provisions.

(i) Such other information as required or implied by these manufactured housing park standards or requested by public officials.

(j) Name and address of developer.

(k) Detailed description of maintenance procedures and ground supervisions.

(l) Detailed description of lighting to be installed.

(m) Topographical map, on a meaningful scale.

(n) Proposed rules and regulations promulgated by the owners or operators which set forth the obligation of the owner or operator to the tenants and of the tenants to the owner or operator which shall be approved by the City prior to the occupancy of the manufactured housing park.

(o) A plan for fire protection within the court including volunteer firefighting organizations, drills, alternative water sources, and other planning.

(2) Occupancy Permit Required: After issuance of a conditional use permit, the park may be constructed but may not be occupied until it has been inspected by the Zoning Administrator and an occupancy permit issued. An occupancy permit may be issued by the administrator when it is found that construction is complete and that all the terms thereof have been complied with. A temporary occupancy permit may be issued allowing occupancy of the completed portion if the developer furnished the City with a public contractors performance bond, with corporate surety in an amount equal to the total cost of the uncompleted portion of the project as estimated by the Zoning Administrator. The bond shall be approved by the City Attorney and filed with the Clerk.

(3) Agreements: The City Council requires the operator to enter into an agreement with the City at the time the City Council issues a permit and such agreement with all its terms, conditions, and provisions shall be essential to the permit and shall be enforceable as part of this Ordinance.

(4) Inspections:

(a) Manufactured housing parks permitted under this Ordinance or established prior to the adoption of this Ordinance shall be subject to annual inspections commencing January 1st of the year following adoption of this Ordinance. These inspections will be conducted by the Minnesota Department of Health. A copy of the inspection report will be filed with the Zoning Administrator. Periodic inspections may also be conducted by the Zoning Administrator.

(b) Notification of the City Building Official shall be made twenty-four (24) hours prior to locating or relocating of any manufactured home in the park for purposes of inspection for compliance with plumbing, electrical, and other requirements.

(5) Compliance:
Compliance with the terms of this Ordinance shall be a condition precedent to the issuance of a State license and shall run with the license so as to be an essential part thereof. Upon revocation of a permit by the State, no further occupancy of the homes in the park shall be allowed, but the City may allow a reasonable time for termination of occupancy. This Section shall apply in all respects to any violation of provisions previously in effect that continue to control existing occupied manufactured housing parks.

**Sec. 40 – 223. General Provisions.**

(1) Building Permit Required:
All structures shall require a building permit. The provisions of this Section shall be enforced in addition to and in conjunction with the provisions of the Building Code.

(2) Manufactured Home:
No manufactured homes shall be located in the manufactured housing parks that do not conform to the requirements of the most current Minnesota State Uniform Manufactured Home Standards Code and has the State Seal of Compliance affixed to it. No manufactured home shall be allowed therein which is in an unsanitary condition or which has an exterior in bad repair, or which is structurally unsound, or which fails to protect the inhabitants of said manufactured home against all the elements.

(3) Allowable Land Uses:
Land in the manufactured home park shall be used for residential purposes only.

(4) Access:
Manufactured housing parks shall be located only in such areas as will permit readily available access to a collector or given street as designated by the City Engineer.

(5) Central Sewer:
All manufactured housing parks shall be provided with an approved centralized sewage disposal system and water supply system. If a municipal system exists, the park shall be required to use the public system. The capacity of the water supply shall be sufficient to provide for fire protection in addition to an adequate household supply system for the park.

(6) Central Community Building:
Each manufactured housing park shall have one (1) or more central community buildings with central heating which must be maintained in a safe, clean and sanitary condition. Said buildings shall be adequately lighted during all hours of darkness and shall contain laundry washers, dryers and drying areas, public telephones and public mail boxes, in addition to public toilets, and lavatory. For each one hundred (100) home lots or fractional part thereof, there shall be one (1) flush toilet and one (1) lavatory for each gender.

(7) Tornado Shelter.
A tornado shelter shall be provided within a building or buildings at a convenient site, within the manufactured housing park, or an evacuation plan approved by the State which allows for the expedient movement of residents to nearby places of shelter. Shelter accommodations shall be sufficient for the full population of the development.

(8) Central Fuel Supply:
Each manufactured home lot shall be served by a central fuel supply system such as natural gas or a central LP system. No separate private fuel containers, such as fuel or oil tanks or LP tanks shall be allowed in the park.

(9) Dead Storage:
All manufactured housing parks shall have an area or areas set aside for dead storage. Boats, boat trailers, hauling trailers and all other equipment not generally stored within the home or within the utility enclosure that may be provided, shall be stored in a separate place provided by the park owner. This storage place shall be screened. Such equipment shall not be stored upon a lot which is occupied by a home nor upon the streets within the park.

(10) Safety:
Every structure in the manufactured housing park shall be developed and maintained in a safe, approved and substantial manner. The exterior of every such structure shall be kept in good repair. Portable fire extinguishers rated for electrical and liquid fires shall be kept in all service buildings and other locations conveniently and readily accessible for use by all occupants.

(11) Sales:
No sales lot for new or used manufactured homes shall be permitted within the park.

(12) Advertising:
Advertising shall be limited to one sign not to exceed twenty-five (25) square feet with lighting, height, and location as approved by the governing body. Signs shall be set at least fifteen (15) feet from the front lot line.

(13) Areas Beneath Homes:
The area beneath all manufactured homes shall be enclosed with a fire resistant material that shall be generally uniform throughout the entire park, except that such an enclosure must be so constructed that it is subject to reasonable inspection. No obstruction shall be permitted that impedes the inspection of plumbing, electrical facilities, and related equipment.

(14) State Requirements:
All requirements and specifications of State Statutes, Minnesota Department of Health and the Minnesota Pollution Control Agency, and the City of Wyoming shall be fully met.

**Sec. 40 – 224. Design Standards.**

(1) Site:

(a) Each manufactured home site shall contain at least six thousand (6,000) square feet of land area for the exclusive use of the occupant, and having an average width no less than fifty (50) feet and having an average depth no less than one hundred (100) feet.

(b) Any site to be occupied by a manufactured home wider than fourteen (14) feet shall contain at least nine thousand (9,000) square feet of land area for the exclusive use of the occupant, and having an average width of no less than sixty (60) feet, and having an average depth no less than one hundred (100) feet.

(c) Each manufactured home site shall have frontage on an approved roadway, owned and maintained by the manufactured housing park.

(d) The corners of each manufactured home lot shall be clearly marked and each site shall be numbered.

(e) Each home lot shall be so designed that automobiles may not be parked within five (5) feet of the front or back of the home.

(f) The area occupied by a manufactured home shall not exceed fifty percent (50%) of the total area of a home site; land may be occupied by a home, a vehicle, a building, a carport, an awning, or any structure.

(g) Lot dimensions may be reduced up to a maximum of ten percent (10%) and compensated for by increasing the community recreational area to the same amount.

(2) Setbacks:

(a) No manufactured home shall be parked closer than ten (10) feet to the side lot lines nor closer than twenty (20) feet to the front lot line, nor within ten (10) feet of the rear lot line.

(b) There shall be an open space of at least twenty (20) feet between the sides of adjacent homes, except where units are angled; the minimum distance may be reduced to ten (10) feet.

(c) Automobiles may not be parked nearer than five (5) feet to any side lot line, except where parking spaces of two abutting lots are designated as a single unit.

(d) No manufactured home, off-street parking space, or building shall be located within thirty (30) feet of the exterior boundary of any manufactured housing park.

(e) Manufactured home sites with access to public streets shall conform to all setback and other requirements of the zoning district in which said site is located.

(3) Parking:

(a) Each manufactured home site shall have a hard surfaced off-street parking space for at least two (2) automobiles. Each space shall be ten (10) feet by twenty (20) feet minimum.

(b) Each home site shall maintain hard surfaced off-street parking spaces for guests of occupants in the amount of one (1) space for each three (3) home sites, in addition to requirements of above.

(c) Access drives off roads to all parking spaces and home sites shall be hard surfaced.

(4) Utilities:

(a) All manufactured homes shall be connected to a central water supply and central sanitary sewer system that shall meet the minimum standards as set forth by the Minnesota Department of Health, Pollution Control Agency, and the City of Wyoming. An engineering report shall be submitted giving an analysis of the system and including a detailed report of estimate of all projected pollutants entering surface and underground waters.

(b) Storm water drainage shall be handled under a system separate from the sanitary sewer with design of facilities based on local rainfall curves and the five (5) year storm frequency. Natural drainageways, streams, ponding, and other holding areas shall be preserved for recharge of ground water resource.

(c) All utilities, such as sewer, water, fuel, electric, telephone and television antenna lead-ins, shall be buried to a depth specified by the City and there shall be no overhead wires or support poles except those essential for street or other lighting purposes. All utility connections shall be approved by the Zoning Administrator prior to connection and electrical service shall be at least one hundred ten (110) volt, fifty (50) ampere capacity. Plans for the disposal of surface storm water shall be approved by the City.

(d) Fire hydrants shall be placed within three hundred (300) feet of any manufactured home unit.

(5) Access, Internal Roads and Streets:

(a) Each manufactured housing park shall have at least two (2) access roadways, one of which shall be a paved primary roadway to serve the entire park.

(b) Roads and access drives to parking spaces shall be hard surfaced, as approved by the governing body.

(c) All internal roads shall have a hard surfaced (mountable, roll type) curb and gutter.

(d) Right-of-ways shall be no less than forty (40) feet in width.

(e) All streets shall be developed with a minimum of a twenty-four (24) foot roadbed. Wider roadbeds may be required for collector streets within the park.

(6) Landscaping:

(a) All lot area not utilized for structures or designated parking facilities shall be adequately landscaped, with sodding or seeding programs completed before occupancy of the manufactured home unit.

(b) Trees shall be planted to provide shading and aesthetic value to the residential area at a ratio of not less than two (2) trees per home site.

(c) Screening and buffering of the manufactured housing park with plantings shall be required where the park fronts on a major highway or abuts developed property.

(7) Lighting:

(a) Artificial light shall be maintained during all hours of darkness in all community service buildings containing public toilets, laundry equipment, and the like.

(b) Lighting plans shall include light standards at all roadway intersections, but not more than three hundred (300) feet apart. All parking areas and occupant used facility buildings within the court shall be properly lighted to insure safe pedestrian and vehicular movements.

(8) Recreation:

(a) All manufactured housing parks shall have one (1) or more recreational areas which shall be easily accessible to all park residents. Recreational areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located. The size of such recreational area shall be based upon a minimum of fifteen percent (15%) of the land area (exclusive of street), but no outdoor recreational area shall contain less than two thousand (2,000) square feet. All equipment installed in such an area shall be owned and maintained by the owner or operator at their own expense

**Sec. 40 – 225. Operating Conditions.**

(1) Lighting:
The manufactured housing park office shall be clearly marked and illuminated during all hours of darkness. An illuminated map of the park noting all roads and location of each unit shall be displayed outside and adjacent to the office.

(2) Caretaker:
An adult caretaker must be on duty at all times in the park.

(3) Register:
The operator of every manufactured housing park shall maintain a register in the office of the park indicating the name and address of each permanent resident.

(4) Refuse:
All land areas shall be adequately drained and properly maintained free of dust, refuse, garbage, rubbish or debris. The proposed method of garbage, waste and trash disposal must be approved by the community and must conform to the regulations of the State Pollution Control Agency. Refuse collection stands shall be provided for all refuse containers. Such stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them. The storage, collections and disposal of refuse in the park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.

(5) Structure Permits:
No person shall erect, place, construct, relocate, alter, maintain, use or occupy a structure in a manufactured housing park without the written consent of the owner or operator of said park.

(6) Animals:
Dogs and animals shall not be permitted to run at large within the park.

(7) Loudspeakers:
No public address or loudspeaker system shall be permitted.

(8) Tents:
No tents shall be erected or occupied, and there shall be no outdoor camping anywhere in the park.

(9) Laundry:
Laundry and clothes shall be hung out to dry only on lines located in approved areas established and maintained exclusively for that purpose.

(10) Inoperable Automobiles:
No person shall bring or keep an automobile into the manufactured housing park that does not have a current license and is not in operable condition.

(11) Fire Extinguishers:
Each home shall be equipped with an approved fire extinguisher.

(12) Open Fires:
No open fires shall be permitted within the park and no fires in burners or incinerators shall be left unattended at any time. The operator shall provide safe, adequate incinerator service in full compliance with any state laws or local ordinances pertaining thereto.

Secs. 40 - 226—40 - 229. Reserved

## DIVISION 8. MEDIUM- AND HIGH-DENSITY HOUSING DISTRICT (R-6)

### Sec. 40 – 230. Purpose.

The R-6 district is intended to establish an area for attached housing units and narrow-lot detached housing units.

### Sec. 40 – 231. Permitted uses.

The following are permitted uses in the R-6 district:

(1) Buildings with two or more housing units.

(2) Buildings with one housing unit.

(3) Buildings or complexes that combine age-restricted housing with health care services and facilities.

(4) Public parks owned or operated by a government agency or non-profit organization.

(5) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(6) Daycare as required by Minnesota Statutes Ch 462.357, Subdivision 7

(7) Residential facilities as required by Minnesota Statutes Ch 462.357, Subdivision 8, under these conditions:

(a) The residence structure shall be occupied by not more than sixteen (16) persons under treatment.

(b) The use shall not be located within 1,500 feet of any other group homes.

### Sec. 40 – 232. Conditional uses.

The following uses may be conditionally permitted in the R-6 district:

(1) Amateur radio antennae.

(2) Apartments in existing single-family buildings.

(3) Athletic fields, illuminated.

(4) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(5) Essential services.

(6) Government administration and service buildings.

(7) Planned Unit Developments in accordance with Article VI, Division 18.

(8) Schools or other educational facilities - public and private.

(9) Telecommunications facility.

(10) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 233. Accessory uses.

The following uses are permitted accessory uses in R-6 districts:

(1) Any structure or use which is incidental to the permitted principal use including private garages and sheds, television antennae, fencing, playground equipment, landscaping, and swimming pools.

(2) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

### Sec. 40 – 234. Heights, Yard, Area and Lot Width and Depth Regulation.

The following dimensional requirements apply in the R-6 District.

(1) Lot Area Regulations:

(a) The minimum lot size for one-family buildings shall be five thousand (5,000) square feet.

(b) The minimum lot size for two-family buildings shall be four thousand five hundred (4,500) square feet, per unit.

(c) The minimum lot size for a rowhouse shall be four thousand (4,000) square feet per unit.

(d) The minimum lot size for an apartment building shall be two thousand five hundred (2,500) square feet. Not more than twenty (20) dwelling units per net acre are permitted.

1. Add 500 square feet for each bedroom over one.

2. Subtract 400 square feet for each parking stall in or under the building; the total subtracted may not exceed 800 square feet per unit.

3. Subtract 200 square feet for each unit with a balcony of not less than 50 square feet.

4. Wetlands, floodplains and soils where the water table is less than 3 feet from the surface may not be counted as part of the minimum lot size for purpose of these calculations.

(e) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of one hundred (100) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(b) The Council may grant a variance from this lot width requirement for lots abutting on a cul-de-sac or curves; however, no variance shall permit lots of less than seventy (70) feet on a cul-de-sac or eighty (80) feet on curves.

(c) The minimum unit width shall be thirty-five (35) feet for single-family, thirty-three (33) feet for two-family, and twenty-five (25) feet for rowhouses.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of one hundred thirty five (135) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all county roads.

(c) Twenty five (25) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Thirty (30) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(e) Forty (40) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(f) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. The front yard setback may be reduced to the following distances on the non-address road or highway:

1. Fifteen (15) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

2. Twenty (20) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

3. Thirty (30) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(g) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting within the same block.

(h) No building shall be closer than fifteen (15) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) One-half the height of the building.

(b) If there is no lot line between buildings, the average distance between buildings may not be less than 2/3 the height of the taller building (measured to the top of the wall)

(c) Three (3) feet for accessory buildings.

(d) Fifteen (15) feet for parking and driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Thirty-five (35) feet for principal building.

(b) Three (3) feet for accessory buildings.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed three (3) stories or forty-five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or eighteen (18) feet in height.

**Sec. 40 – 235. Architectural Standards.**

All new residential developments shall conform to the following standards:

(1) New homes shall be located and sited to preserve the sense of open space in the city and be visually compatible in character and scale with existing residential buildings. See also Article VII, Division 6.

(2) Each living unit must provide space for a future garage with a minimum area of three hundred twenty (320) square feet. Parking for apartment buildings shall be in accordance with Article VII, Division 23.

(3) Accessory buildings, see Article VII, Division 1.

(4) Non-residential buildings, see Article VII, Division 4.

**Sec. 40 – 236. Landscape Standards.**

(1) When new housing is clustered, vegetative buffers of trees, shrubs and herbaceous understory shall be planted in buffer zones of sufficient width from edge of any residential development (as determined by the Planning Commission), to provide privacy screening and minimize views of homes from exterior road and abutting properties. Such vegetated buffers should consist predominantly of hardy indigenous or native species.

(2) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 237—40 - 239. Reserved.

## DIVISION 9. CENTRAL BUSINESS DISTRICT (CBD)

### Sec. 40 – 240. Purpose.

The Central Business district is designed and intended as a specialized district directed to serve the pedestrian in a compact central area of the city. The CBD district will provide for high-density shopping and stressing interaction of people and businesses rather than being heavily oriented toward the use of automobiles.

### Sec. 40 – 241. Special requirements; enclosure of uses.

Every use, unless expressly exempted by this division or allowed by a conditional use permit, shall operate in its entirety within a completely enclosed structure. The exemption of a use from the requirement of enclosure will be indicated by the phrase "need not be enclosed" appearing after any use exempted or in the case of a permitted establishment by the granting of a conditional use permit, subject to the conditions in article VII of this chapter.

### Sec. 40 – 242. Permitted uses.

The following are permitted uses in the CBD district:

(1) Bars.

(2) Breweries and small breweries with a taproom or a brew pub.

(3) Clinics, health.

(4) Convenience stores with fuel sales.

(5) Day care.

(6) Eating and drinking establishments.

(7) Funeral homes.

(8) Government administration and service buildings.

(9) Hotels and motels.

(10) Microdistilleries with a cocktail room.

(11) Motor vehicle fuel sales; need not be enclosed.

(12) Office buildings.

(13) Personal services.

(14) Professional service businesses.

(15) Restaurants.

(16) Retail sales or service businesses.

(17) Tutoring services.

### Sec. 40 – 243. Conditional uses.

The following uses may be conditionally permitted in the CBD district:

(1) Car wash.

(2) Essential services.

(3) Heliports or helipads.

(4) Planned Unit Developments in accordance with Article VI, Division 18.

(5) Restaurants, drive-in, or drive-through.

(6) Shoreland Districts: The permitted uses listed in Sec. 40 – 242 shall be conditional uses in shoreland districts.

(7) Telecommunication towers and antennas.

(8) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 244. Interim conditional uses.

The following uses may be conditionally permitted as interim uses in the CBD district:

(1) Cannabis retailer.

(2) Cannabis delivery.

(3) Hemp Edible Retailer for businesses without a valid liquor license.

**Sec. 40 – 245. Accessory uses.**

The following uses are permitted accessory uses in CBD districts:

(1) Antennas; amateur radio and television.

(2) Automatic teller, freestanding.

(3) Donation drop-off containers.

(4) Drive-through services.

(5) Fences or walls.

(6) Garages, private.

(7) Hemp Edible Retailer for businesses with a valid liquor license.

(8) Incidental light industrial uses.

(9) Minor accessory structures (under 120 square feet).

(10) Playground equipment.

(11) Sexually Oriented Uses, Accessory, in accordance with Article VII, Division 2.

(12) Retail sales.

(13) Storm shelters.

(14) Swimming Pools.

**Sec. 40 – 246. Heights, Yard, Area and Lot Width and Depth Regulation.**

The following dimensional requirements apply in the CBD District.

(1) Lot Area Regulations:

(a) The minimum lot size shall be six thousand five hundred (6,500) square feet.

(b) All planned unit developments shall only be permitted on an area of at least one acre.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of fifty (50) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than zero (0) feet.

(4) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Zero (0) feet for principal and accessory buildings.

1. Five (5) feet for principal and accessory buildings adjacent to a residential district.

(5) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Zero (0) feet for principal and accessory buildings.

1. Five (5) feet for principal and accessory buildings adjacent to a residential district.

(6) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed four (4) stories or forty-five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty five (25) feet in height.

**Sec. 40 – 247. Architectural Standards.**

All buildings shall conform to the standards contained in Article VII, Division 5.

(1) In addition to other restrictions of Article VII, Division 5, pole buildings, metal-sided buildings, agricultural buildings or similar structures are not permitted as principal or accessory uses in the CBD district.

**Sec. 40 – 248. Landscape Standards.**

(1) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 248—40 - 249. Reserved

## DIVISION 10. COMMERCIAL DISTRICT (C)

### Sec. 40 – 250. Purpose.

The Commercial (C) district is designed and intended to promote the development of retail and service business that require volumes of automobile traffic. This district encourages many uses that reinforce and complement uses permitted in the CBD district.

### Sec. 40 – 251. Permitted uses.

The following are permitted uses in the C district:

(1) Bars.

(2) Breweries and small breweries with a taproom or a brew pub.

(3) Business that provides goods or services on a retail basis to individual customers except those limited by Sec. 40-252, Conditional Uses, or Article VII, Division 2, Adult Uses.

(4) Car washes.

(5) Clinics, health.

(6) Convenience stores with fuel sales.

(7) Day care.

(8) Funeral homes.

(9) Government administration and service buildings.

(10) Hotels or motels.

(11) Microdistilleries with a cocktail room.

(12) Motor vehicle fuel sales.

(13) Motor vehicle mechanical or body repair.

(14) Nursing or convalescent homes.

(15) Office buildings.

(16) Personal services.

(17) Restaurants.

(18) Restaurants, drive-in, or drive-through.

(19) Retail sales or service businesses.

(20) Tutoring services.

(21) Veterinary facilities (neighborhood).

### Sec. 40 – 252. Conditional uses.

The following uses may be conditionally permitted in the C district:

(1) Antennas, Amateur Radio.

(2) Dog Kennels.

(3) Churches, chapels, temples, synagogues, cemeteries with normal accessory buildings for education and living quarters.

(4) Clubs and Lodges.

(5) Essential Services.

(6) Motor vehicle sales or rental.

(7) Planned Unit Developments in accordance with Article VI, Division 18.

(8) Shoreland Districts: The permitted uses listed in Sec. 40 – 251 shall be conditional uses in shoreland districts.

(9) Telecommunication towers and antennas.

(10) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 253. Interim conditional uses.

The following uses may be conditionally permitted as interim uses in the C district:

(1) Cannabis delivery.

(2) Cannabis retailer.

(3) Hemp edible retailer for businesses without a valid liquor license.

**Sec. 40 – 254. Accessory uses.**

The following uses are permitted accessory uses in the C district:

(1) Antennas, amateur radio, television.

(2) Automatic teller, freestanding.

(3) Donation drop-off containers.

(4) Drive-through services.

(5) Fences or walls.

(6) Garages, private.

(7) Hemp edible retailer for businesses with a valid liquor license.

(8) Incidental light industrial uses.

(9) Minor accessory structures (under 120 square feet).

(10) Retail sales.

(11) Storm shelters.

(12) Swimming Pools.

(13) Sexually Oriented Uses, Accessory, in accordance with Article VII, Division 2.

(14) Wind energy conversion system, non-commercial.

**Sec. 40 – 255. Dimensional Requirements for Uses with Public Sewer Service**

The following dimensional requirements apply in the C District for buildings with public sewer and water service.

(1) Lot Area Regulations:

(a) The minimum lot size shall be twenty thousand (20,000) square feet.

(b) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of one hundred (100) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) Twenty (20) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(c) Twenty (20) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Thirty-five (35) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(e) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. The front yard setback may be reduced to the following distances on the non-address road or highway.

1. Twenty (20) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

2. Twenty (20) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

3. Twenty-five (25) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(f) Parking areas shall be setback a minimum of ten (10) feet from all right-of-ways.

(4) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Zero (0) feet for principal buildings.

1. Twenty (20) feet for principal buildings adjacent to a residential district.

(b) Three (3) feet for accessory structures.

1. Six (6) feet for accessory structures adjacent to a residential district.

(c) Ten (10) feet for parking areas.

1. Twenty (20) feet for parking areas adjacent to residential districts.

(d) Five (5) feet for driveways.

(5) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Twenty (20) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Ten (10) feet for parking areas.

1. Twenty (20) feet for parking areas adjacent to residential districts.

(6) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed four (4) stories or forty-five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

**Sec. 40 – 256. Dimensional Requirements for Uses without Public Sewer Service**

The following dimensional requirements apply in the C District for buildings without public sewer and water service.

(1) Lot Area Regulations:

(a) The minimum lot size shall be two and one-half (2.5) acres, at least one (1) acre of which must be buildable. See Sec. 40 – 40, (21).

(b) Increased Lot Sizes. An increase of the minimum lot size may be required by the City if determined to be necessary by the Zoning Administrator for on-site sewer systems.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of two hundred (200) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of two hundred (200) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all arterial streets. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in

addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(c) Seventy-three (73) feet from the centerline of all local and collector streets or forty (40) feet from the right-of-way, whichever is more restrictive. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the forty (40) foot setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot.

(e) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting thereon within the same block. No building shall be closer than forty (40) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(f) Parking areas shall be setback a minimum of ten (10) feet from all right-of-ways.

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Ten (10) feet for principal buildings.

1. Twenty (20) feet for principal buildings adjacent to residential districts.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Ten (10) feet for parking areas.

1. Twenty (20) feet for parking areas adjacent to residential districts.

(d) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Twenty (20) feet for principal buildings.

1. Forty (40) feet for principal buildings adjacent to residential districts.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Ten (10) feet for parking areas.

1. Twenty (20) feet for parking areas adjacent to residential districts.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed four (4) stories or forty-five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

**Sec. 40 – 257. Architectural Standards.**

All buildings shall conform to the standards contained in Article VII, Division 5.

(1) In addition to other restrictions of Article VII, Division 5, pole buildings, metal-sided buildings, agricultural buildings or similar structures are not permitted as principal or accessory uses in the C district.

**Sec. 40 – 258. Landscape Standards.**

(1) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 258—40 - 259. Reserved

## DIVISION 11. OFFICE AND HEALTH CARE DISTRICT (OHC)

### Sec. 40 – 260. Purpose.

The OHC District is established to promote the development of regional health, wellness, and related community services by creating a localized district in which to locate uses to carry out these goals. The district regulations are also designed to provide detailed standards for appearance and landscaping.

### Sec. 40 – 261. Services Agreement.

(1) All nonprofit or other organizations or other entities which are exempt from the payment of real estate taxes must, as a condition to the operation of a permitted or conditional use in the OHC District, enter into a services agreement with the City whereby such organization will agree to pay for various services provided by the City out of its general fund, including without limitation police, fire, park, maintenance and administrative services.

(2) The City may refuse to issue a building permit, conditional use permit, certificate of occupancy, or other permit required by the City or may refuse to sign a development or other agreement with such organization or other entity until such time as a services agreement has been negotiated and signed by the City and the nonprofit organization or other entity.

(3) If such nonprofit organization or other entity acquires ownership of improved property within the OHC District after the construction of improvements on the property then, notwithstanding any other requirement under this article, the City shall require that such organization or other entity execute a services agreement as a condition to the organization's ownership or use of such property in the OHC District. The services agreement referred to in this subsection shall be in a form approved by the City and, without limiting any other terms required by the City, shall:

(a) Provide a mechanism for reimbursement to the City of increases in the cost of services provided by the City.

(b) Provide that in no event will the payments required under the services agreement be higher than the amount which would have been paid by such organization or entity except for its tax-exempt status regarding the payment of real estate taxes

(c) Provide that if the organization or entity loses its tax-exempt status regarding the payment of real estate taxes, such services agreement shall terminate effective as of the date the organization or entity actually begins paying real estate taxes with respect to such property.

### Sec. 40 – 262. Permitted uses.

The following are permitted uses in the OHC District:

(1) Clinic, health.

(2) Day care.

(3) Fitness center open to the public.

(4) Funeral home.

(5) Hospital.

(6) Hotel or motel.

(7) House of worship.

(8) Housing restricted to the elderly including independent living, assisted living, memory care, and convalescent (nursing) care.

(9) Office building.

(10) Personal services.

(11) Restaurant.

(12) Tutoring service.

### Sec. 40 – 263. Conditional uses.

The following uses may be conditionally permitted in the OHC District:

(1) Ambulance service.

(2) Antennas, amateur radio.

(3) Essential services.

(4) Heliports or helipads.

(5) Planned Unit Developments in accordance with Article VI, Division 18.

(6) Schools, public or private.

(7) Shoreland Districts: The permitted uses listed in Sec. 40 – 262 shall be conditional uses in shoreland districts.

(8) Other uses determined to be similar to those listed as permitted and conditional uses.

**Sec. 40 – 264. Interim conditional uses.**

The following uses may be conditionally permitted as interim uses in the OHC district:

(1) Cannabis delivery.

(2) Cannabis retailer.

(3) Hemp edible retailer for businesses without a valid liquor license.

**Sec. 40 – 265. Accessory uses.**

The following uses are permitted accessory uses in the OHC district:

(1) Accessory uses incidental to and on the same lot as the principal use in the OHC District are allowed (in a hospital, for example, food services, florist, drug store, medical supply stores, ambulance services, helipad operations and radio transmission towers would be deemed to be accessory uses) subject to the following conditions:

(a) Accessory uses shall not be located in any required side or front yard.

(b) Accessory uses not located in the building out of which the primary use is conducted may only be located at a location approved by the City, which shall consider the location's potential impact on the City's overall plan of development and alternative sites for locating the accessory use.

(2) Antennas; amateur radio and television.

(3) Automatic teller, freestanding.

(4) Donation drop-off containers.

(5) Drive-through services.

(6) Fences or walls.

(7) Garages, private.

(8) Hemp edible retailer for businesses with a valid liquor license.

(9) Minor accessory structures (under 120 square feet).

(10) Retail sales.

(11) Sexually Oriented Uses, Accessory, in accordance with Article VII, Division 2.

(12) Storm shelters.

(13) Swimming Pools.

**Sec. 40 – 266. Heights, Yard, Area and Lot Width and Depth Regulation.**

The following dimensional requirements apply to the OHC district.

(1) Lot Area Regulations:

(a) The minimum lot size shall be twenty thousand (20,000) square feet.

(b) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of one hundred (100) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways.

(b) Forty (40) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(c) Forty (40) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Forty (40) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(e) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot.

(f) Parking areas shall be setback a minimum of fifteen (15) feet from all right-of-ways.

(4) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Fifteen (15) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Fifteen (15) feet for parking areas.

(5) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Twenty (20) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Fifteen (15) feet for parking areas.

(6) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed four (4) stories or forty-five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

**Sec. 40 – 267. Architectural Standards.**

All buildings shall conform to the standards contained in Article VII, Division 5.

(1) In addition to other restrictions of Article VII, Division 4, pole buildings, metal-sided buildings, agricultural buildings or similar structures are not permitted as principal or accessory buildings in the OHC district.

**Sec. 40 – 268. Landscape Standards.**

(1) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Secs. 40 - 268—40 - 269. Reserved

## DIVISION 12. MIXED USE DISTRICT (MXD)

### Sec. 40 – 270. Purpose.

The purpose of the Mixed-Use District is to accommodate two or more types of land use, which may include office buildings, single family residential, multiple-family housing, retail businesses, or service businesses. Developers will be required to negotiate with the City a unified and comprehensively design plan of high quality. Any development in this category is required to obtain a conditional use permit. See also Article V, Division 5.

### Sec. 40 – 271. Permitted uses.

There are no permitted uses in the Mixed-Use District.

### Sec. 40 – 272. Conditional uses.

The following uses may be conditionally permitted in the MXD district:

(1) Antennas, amateur radio.

(2) Attached (multiple-family) housing.

(3) Bars.

(4) Breweries and small breweries with a taproom or a brew pub.

(5) Churches, chapels, temples, synagogues, with normal accessory buildings for education and living quarters.

(6) Clinics, medical or dental.

(7) Convenience stores with fuel sales.

(8) Day care.

(9) Detached (single-family) housing.

(10) Essential services.

(11) Funeral Homes.

(12) Hotels or motels.

(13) Housing restricted to the elderly including independent living, assisted living, memory care, and convalescent (nursing) care.

(14) Microdistilleries with a cocktail room.

(15) Motor Vehicle fuel sales.

(16) Office buildings.

(17) Personal services.

(18) Public parks owned or operated by a government agency or non-profit organization.

(19) Restaurants.

(20) Restaurants, drive-in, or drive-through.

(21) Retail or service businesses.

(22) Schools, public or private.

(23) Social, fraternal, or charitable organizations.

(24) Tutoring service.

(25) Wind energy conversion system, non-commercial.

(26) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 273. Interim conditional uses.

The following uses may be conditionally permitted as interim uses in MXD districts:

(1) Bed and breakfast inns.

(2) Cannabis delivery.

(3) Cannabis retailer.

(4) Cannabis transportation.

(5) Hemp edible retailer for businesses without a valid liquor license.

**Sec. 40 – 274. Accessory uses.**

(1) The following uses are permitted accessory uses in the MXD district:

(a) Hemp edible retailer for businesses with a valid liquor license.

(b) Home Occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

(2) The following uses may be conditionally permitted accessory uses in the MXD district:

(a) Antennas; amateur radio and television.

(b) Automatic teller, freestanding.

(c) Donation drop-off containers.

(d) Drive-through services.

(e) Fences or walls.

(f) Garages, private.

(g) Minor accessory structures (under 120 square feet).

(h) Non-illuminated athletic fields.

(i) Playground equipment

(j) Retail sales.

(k) Storm shelters.

(l) Swimming pools.

(m) Sexually Oriented Uses, Accessory, in accordance with Article VII, Division 2.

**Sec. 40 – 275. Design and review process.**

Any application for development in a Mixed-Use District shall follow this process:

(1) Staff Meeting. Meet with City staff to discuss site conditions and the requirements of the Comprehensive Plan, the Zoning Ordinance, and the Subdivision Ordinance.

(2) Sketch Plan. Review with the City staff a preliminary (sketch) plan for the site. Review of this plan with the Planning Commission is optional but recommended.

(3) Master Plan. Submit to City staff and review with the Planning Commission and City Council an overall master plan for site development. Requirements for a master plan submittal are presented in Article V, Division 5.

(4) Preliminary Plat. Submit to City staff and review with the Planning Commission a preliminary plat creating two or more building parcels plus necessary public rights-of-way and drainage or utility easements. Large outlots may be created for subsequent resubdivision. The preliminary plat may be reviewed at the same time as the master plan.

(5) Site Plans. Submit to City staff and review with the Planning Commission and the City Council a site plan for one or more buildings. A site plan may be reviewed at the same time as a preliminary plat. Individual site plans and plats may be submitted for subsequent development stages and must conform with the approved master plan. Requirements for a site plan submittal are presented in Article V, Division 4.

**Sec. 40 – 276. Design requirements.**

(1) Developments in the Mixed-Use District should result in combination of two or more land uses that are compatibly related either horizontally and/or vertically to one another and adjacent, off-site properties.

(2) The site design must result in a higher quality of development, increased density, and greater benefit to the community than might be possible if the site were developed under individual applications for the various land uses.

(3) The development application must include overall, unified plans for external architecture, access, internal circulation, grading, surface water management, signs, landscaping, lighting, and parking. Photos and sketches must be submitted to illustrate the proposed appearance of the completed project. The Planning Commission and City Council will decide whether individual site plans are consistent with the master plan.

(4) Space devoted to surface parking should be minimized through shared use of parking.

(5) If a proposed development in a location planned Mixed Use abuts an area either planned or developed as housing, the design for the Mixed Use site must be compatible with the nearby residential site.

(6) The site design must indicate how the project can be built in stages and how each stage can be sustainable if subsequent stages are not built in a timely fashion or abandoned.

**Sec. 40 – 277. Dimensional requirements.**

Developments in the Mixed-Use District shall conform with the dimensional requirements established in other Divisions of this Article for residential or commercial land uses unless exceptions are negotiated with the City during the review process.

Secs. 40 - 278—40 - 279. Reserved

## DIVISION 13. INDUSTRIAL DISTRICT (I)

### Sec. 40 – 280. Purpose.

The Industrial district is established to provide standards of development for certain industrial or manufacturing uses that prefer to be located in choice or strategic sites and to prevent serious problems of compatibility with other non-industrial types of land uses.

### Sec. 40 – 281. Permitted uses.

The following are permitted uses in I districts:

(1) Antenna, amateur radio.

(2) Breweries and small breweries without a taproom or a brew pub.

(3) Day care.

(4) Distilleries and Microdistilleries without a cocktail room.

(5) Dog kennels.

(6) Manufacturing, light.

(7) Motor vehicle fuel sales.

(8) Motor vehicle, mechanical or body repair.

(9) Office buildings.

(10) Self-storage facilities.

(11) Veterinary facilities (rural).

(12) Veterinary facilities (neighborhood).

(13) Warehousing.

(14) Wholesale sales.

### Sec. 40 – 282. Conditional uses.

The following uses may be conditionally permitted in I districts:

(1) Adult-oriented businesses in accordance with Article VII, Division 2.

(2) Athletic field, illuminated.

(3) Essential services.

(4) Heliports or helipads.

(5) Manufacturing, heavy.

(6) Planned Unit Developments in accordance with Article VI, Division 18.

(7) Recycling collection center.

(8) Shoreland Districts: The permitted uses listed in Sec. 40 – 281 shall be conditional uses in shoreland districts.

(9) Telecommunication towers and antennas.

(10) Other uses determined to be similar to those listed as permitted and conditional uses.

### Sec. 40 – 283. Interim conditional uses.

The following uses may be conditionally permitted as interim uses in I districts:

(1) Cannabis cultivator.

(2) Cannabis manufacturer.

(3) Cannabis mezzobusiness.

(4) Cannabis microbusiness.

(5) Cannabis wholesale.

(6) Cannabis transportation.

(7) Cannabis delivery.

(8) Hemp edible manufacturer.

(9) Motor vehicle reduction / salvage yards.

**Sec. 40 – 284. Accessory Uses.**

The following uses are permitted accessory uses in I districts:

(1) Retail sales which are ancillary to the primary use are allowed at the primary use location so long as such retail sales do not create substantial traffic or safety problems as determined in the City's reasonable discretion. Businesses whose primary use involves the sale of products to the public at any location within the Industrial district shall not be permitted.

(2) Antennas; amateur radio and television.

(3) Automatic teller, freestanding.

(4) Donation drop-off containers.

(5) Drive-through services.

(6) Fences or walls.

(7) Garages, private.

(8) Incidental light industrial use.

(9) Minor accessory structures (under 120 square feet).

(10) Retail sales.

(11) Storm shelters.

(12) Sexually Oriented Uses, Accessory, in accordance with Article VII, Division 2.

(13) Wind energy conversion system, non-commercial.

**Sec. 40 – 285. Dimensional Requirements for Uses with Public Sewer Service**

The following dimensional requirements apply in the I District for buildings with public sewer and water service.

(1) Lot Area Regulations:

(a) The minimum lot size shall be twenty thousand (20,000) square feet.

(b) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land shall have a minimum width at the building setback line and frontage on a public road of one hundred (100) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) Twenty-five (25) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(c) Thirty-five (35) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Thirty-five (35) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(e) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. The front yard setback may be reduced to the following distances on the non-address road or highway.

1. Twenty (20) feet from the road right-of-way of a local street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

2. Twenty (20) feet from the road right-of-way of a collector street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or

walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

3. Twenty-five (25) feet from the road right-of-way of an arterial street. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(f) Parking areas shall be setback a minimum of ten (10) feet from all right-of-ways.

(4) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Fifteen (15) feet for principal buildings.

1. Thirty (30) feet for principal buildings adjacent to a residential district.

(b) Three (3) feet for accessory structures.

1. Six (6) feet for accessory structures adjacent to a residential district.

(c) Fifteen (15) feet for parking areas.

1. Twenty (20) feet for parking areas adjacent to residential districts.

(d) Five (5) feet for driveways.

(5) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Fifteen (15) feet for principal buildings.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Fifteen (15) feet for parking areas.

1. Twenty (20) feet for parking areas adjacent to residential districts.

(6) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed four (4) stories or forty-five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

**Sec. 40 – 286. Dimensional Requirements for Uses without Public Sewer Service**

The following dimensional requirements apply in the I District for buildings without public sewer and water service.

(1) Lot Area Regulations:

(a) The minimum lot size shall be two and one-half (2.5) acres, at least one (1) acre of which must be buildable. See Sec. 40 – 40, (21).

(b) Increased Lot Sizes. An increase of the minimum lot size may be required by the City if determined to be necessary by the Zoning Administrator for on-site sewer systems.

(c) If any portion of the lot area falls into any Shoreland District, Article VI, Division 16, will prevail where more restrictive.

(2) Lot Width Regulations:
Every lot or parcel of land on which a residential dwelling is erected shall have a minimum width at the building setback line and frontage on a public road of two hundred (200) feet.

(a) Corner lots shall be platted at least fifteen (15) feet wider than interior lots.

(3) Lot Depth Regulations:
Every lot or parcel of land shall have a minimum depth of two hundred (200) feet. The depth of the lot shall not be greater than four (4) times the lot width.

(4) Front Yard Regulations: (See also Article VII, Division 34)
There shall be a front yard setback of not less than:

(a) One hundred thirty-five (135) feet from the centerline of expressways, four lane highways, U.S. and State Highways, and County-State Aid Highways and one hundred fifty (150) feet from the right-of-way of Trunk Highway 8.

(b) One hundred thirty-five (135) feet from the centerline of all arterial streets. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the front yard setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(c) Seventy-three (73) feet from the centerline of all local and collector streets or forty (40) feet from the right-of-way, whichever is more restrictive. If a utility easement exists along the front of the property, and that easement is specifically intended to be used for pedestrian trails or walkways in addition to utilities, then the forty (40) foot setback shall be measured from the easement. See also Sec. 40 – 40, (159).

(d) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot.

(e) No building shall be erected, reconstructed, altered or moved nearer to the street line on which it faces than the average setback observed by the adjacent residential buildings on the same side of the street and fronting thereon within the same block. No building shall be closer than forty (40) feet to the edge of any street lot line, or utility/pedestrian easement if applicable. See also Sec. 40 – 40, (159).

(f) Parking areas shall be setback a minimum of ten (10) feet from all right-of-ways.

(5) Side Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum interior side yard setback of not less than:

(a) Twenty (20) feet for principal buildings.

1. Forty (40) feet for principal buildings adjacent to a residential district.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Fifteen (15) feet for parking areas.

(d) Five (5) feet for driveways.

(6) Rear Yard Regulations: (See also Article VII, Division 34)
There shall be a minimum rear yard setback of not less than:

(a) Thirty-five (35) feet for principal buildings.

1. Seventy (70) feet for principal buildings adjacent to residential districts.

(b) Three (3) feet for accessory buildings.

1. Six (6) feet for accessory buildings adjacent to a residential district.

(c) Fifteen (15) feet for parking areas.

(7) Height Regulations: (See also Article VII, Division 6)

(a) No principal building erected or altered shall exceed four (4) stories or forty -five (45) feet in height.

(b) No accessory building erected or altered shall exceed one (1) story or twenty-five (25) feet in height.

**Sec. 40 – 287. Architectural Standards.**

All buildings shall conform to the standards contained in Article VII, Division 5.

(1) In addition to other restrictions of Article VII, Division 5, pole buildings, metal-sided buildings, agricultural buildings or similar structures are not permitted as principal or accessory uses in the I district.

**Sec. 40 – 288. Landscape Standards.**

(1) See also Article VI, Divisions 14 -17, Overlay Management Areas. See also Article VII, Division 14, Landscaping / Woodland Preservation; and Article VII, Division 26, Screening.

Sec. 40 - 289. Reserved