

FRIDLEY CITY CODE
SECTION 205.07. R-1 ONE-FAMILY DWELLING DISTRICT REGULATIONS
(Ref 1164, 1194; 1251, 1301)

1. USES PERMITTED

A. Principal Uses.

The following are principal uses in R-1 Districts:

- (1) One-family dwellings.
- (2) Single family attached development as per conditions under Section 205.11 of this Code.

B. Accessory Uses. (Ref 1194)

- (1) A private garage is the first accessory building. It shall not exceed 100% of the first floor area of the dwelling unit or a maximum of 1,000 square feet.
- (2) A second garage or accessory building over 120 square feet provided the following criteria are met:
 - (a) The combined total floor area of all accessory buildings shall not exceed 1,400 square feet.
 - (b) The maximum height for all accessory buildings shall not exceed fourteen (14) feet above grade at the midspan of roof. Midspan for purposes of this ordinance shall be described as the midpoint between the eave line and the highest point on the buildings roof, as measured at the front elevation of the structure.
 - (c) Accessory building shall not be used for a home occupation or as living area.
 - (d) Accessory structure shall be architecturally compatible with existing home by matching siding, color schemes, roofing materials, roof type and roof pitch.
 - (e) All drive and parking areas to be hard surfaced.
- (3) Privately owned recreational facilities which are for the enjoyment and convenience of the residents of the principal use and their guests.
- (4) Home occupations (Ref 1301)

Home occupations shall be allowed in the R-1 one-family dwelling district, subject to the following criteria.

- (a) Home occupations must be carried on entirely within the dwelling unit.
- (b) Home occupations are not permitted within a detached or attached accessory building or garage.

- (c) The entrance to the space devoted to such occupation shall be within the dwelling. There shall be no separate entrance into the business area.
- (d) Employees are restricted to occupants of the dwelling and a maximum of one (1) non-occupant employee.
- (e) There shall be no internal or external alterations, which involve construction features not customarily found in dwellings.
- (f) Mechanical equipment that is not customarily found in a home may not be installed within the dwelling.
- (g) Exterior storage of equipment or materials used in the home occupation is prohibited.
- (h) Parking of commercial vehicles must follow regulations set forth in Chapter 506.13 of Fridley City Code.
- (i) There shall be no additional exterior indication of the home occupation, including advertising and/or displays of any kind other than the permitted signage set forth in Chapter 214.
- (j) Parking needs for the home occupation shall not exceed more than two (2) parking spaces at any given time in addition to the spaces required by the occupants.
- (k) A home occupation involving teaching is limited to four (4) or less students at any given time and lessons or classes shall be given within the principal structure only.
- (l) Licensed day care as defined and regulated by state law is considered a permitted accessory use subject to the regulations set forth herein.
- (m) Over the counter retail sales are prohibited except for articles incidental to a permitted commercial service such as shampoo sold by a beautician or barber and sales conducted by mail or the internet.
- (n) No more than three (3) garage sales of no more than three (3) consecutive days per sales event may be conducted on a property in a 12-month period.
- (o) The following activities or those of a similar nature are prohibited:
 - i. Motor vehicle service or repair of any vehicles other than those registered to residents of the property;
 - ii. A commercial food service requiring a State license or inspection by a government entity other than the City;

- iii. Activities that generate significant amounts of customer traffic to the premises, in excess of ten (10) vehicles per day;
- iv. Activities that generate significant amounts of truck traffic to the premises in excess of three (3) deliveries or pick-ups per week. Deliveries and pick-ups by semi-truck/trailer shall be prohibited.

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- (5) The rental of guest rooms to not more than two (2) persons per dwelling unit.
- (6) Solar energy devices as an integral part of the principal structure.
- (7) Farmers Market, if located on a parcel of land that has an institution on it.

A Farmers Market shall meet the following requirements:

- (a) Shall be a member of the Minnesota Farmers Market Association or other similar recognized association of farmers markets and meet all of their respective requirements;
- (b) Shall identify a market manager that facilitates the requirements of the City;
- (c) Shall have General Liability insurance including Products and Completed Operations coverage with a minimum Limit of Liability of \$1,500,000 per occurrence;
- (d) Shall have applied for and received all required county and state licenses and have complied with all applicable City of Fridley regulations and city codes;
- (e) A majority of the products sold shall be grown or produced in Minnesota;
- (f) The sale of live animals and alcoholic beverages is prohibited;
- (g) Any advertising or directional signs displayed either off premise or on premises shall only be displayed on the day of the event, with the exception of one 4 ft. by 8 ft. sign that can be displayed on the premises for the duration of the farmers market season;
- (h) The location of the event shall have written authorization from the property owner;
- (i) An established schedule shall be submitted as to the dates and times of the market;

- (j) Any temporary structure used for the farmers market shall be erected and removed on the day of the event;
- (k) A site plan shall be submitted showing tent and vendor locations, vehicle circulation and parking prior to commencement of event. Site plan to be approved by the Community Development Director;
- (l) A Farmers Market Event Permit Application shall be completed, approved and on file with the Community Development Director prior to commencement of event; providing proof that all above requirements are being met;
- (m) The City reserves their right to revoke any Farmers Market Event Permit issued for failure of compliance with the above requirements. The City will process any such permit revocation according to the procedures listed in City Code Section 11.08.
- (n) All State Building Code requirements, including but not limited to, the requirements for assembly use are met for indoor markets.

C. Uses Permitted With a Special Use Permit (Ref 1194)

The following are uses permitted with a Special Use Permit in R-1 Districts:

(1) Churches.

- (a) Building and site requirements and performance standards shall be equal to or greater than those outlined in the following, CR-1 sections of the Code; 205.16.3, 205.16.4, 205.16.6 and 205.16.7.
- (b) A parking requirement of at least one (1) off-street parking space shall be provided for every three (3) fixed seats or for every five (5) feet of pew length in the main assembly hall. Additional parking may be required for additional church activities, such as day care, classroom and recreational activities. (Ref. 888)

(2) Private Schools.

- (3) Day Care Centers provided they are to be located in places of worship, schools or in other buildings located on an arterial or collector street. (Ref. 1121)
 - (a) At least one (1) off-street parking space shall be provided for each 100 square feet of useable day care floor area.

- (b) Reduction of parking spaces may be allowed when provision of space required for parking stalls, due to the particular nature of the proposed use or other considerations, would be an unnecessary hardship. Adequate open space shall be provided to satisfy the total number of required parking spaces.
- (c) When the provisions for required parking space is inadequate, the City may require additional off-street parking be provided. (Ref. 864)
- (d) The minimum lot size is 12,000 square feet. (Ref. 1121)
- (4) Private nonprofit golf courses, country clubs, yacht clubs, tennis courts, swimming pools and additional recreational uses, not an accessory use to the principal uses.
- (5) Utility companies having transformers, pumping stations and sub-stations subject to the following minimum requirements:
 - (a) There must be conformity with the surrounding neighborhood with respect to setbacks, open spaces and architectural design.
 - (b) It must be screened.
 - (c) It must not have any regular employees.
 - (d) The equipment must be completely enclosed in a structure.
- (6) Automobile parking lots for off-street parking spaces for any use on adjacent land, when the following minimum requirements have been met:
 - (a) The minimum front yard setback is thirty-five (35) feet, except where adjacent property has existing front yard setbacks exceeding thirty-five (35) feet; additional front yard depth may be required. A side yard and rear yard minimum setback of ten (10) feet is required.
 - (b) Proper screening, which includes a planting strip, fence or wall shall be provided on the property. This must be substantial enough to create a physical separation between the parking lot and the adjoining properties involved and considered acceptable to the City
- (7) Hospitals, clinics, nursing homes as defined in Section 205.03.55, convalescent homes, and homes for the elderly as defined:
 - (a) Independent Living Facilities: Residential living facilities for the elderly which provide limited services; i.e., beauty salons, limited dining, and medical assistance, etc.

- (b) Assisted Living Facilities: A residential living facility for the elderly with more intensive assistance to residents. (Ref. Ord. 1086)
- (8) Private radio or television antennas exceeding a height of twenty (20) feet above the dwelling roof.
- (9) Wind generators and other tower mounted energy devices exceeding a height of twenty (20) feet above the dwelling roof.
- (10) Solar energy devices NOT an integral part of the principal structure.
- (11) Exterior storage of materials.

D. Additional Restrictions.

For uses other than principal uses, requirements as to lot size, setbacks, building, parking, landscaping, screening, etc., shall be at least comparable to similar uses in other districts, but also subject to additional provisions as provided by the City.

2. USES EXCLUDED

Any use allowed or excluded in any other district unless specifically allowed under Uses Permitted of this district are excluded in R-1 Districts.

3. LOT REQUIREMENTS AND SETBACKS

A. Lot Area

A minimum lot area of 9,000 square feet is required for a one-family dwelling unit, except:

- (1) Where a lot is without City sanitary sewer, the minimum required lot area is 18,000 square feet.
- (2) Where a lot is one on a subdivision or plat recorded before December 29, 1955, the minimum required lot area is 7,500 square feet.
- (3) As allowed under Special District Regulations or Planned Unit Development District Regulations.

B. Lot Width.

The width of a lot shall not be less than seventy-five (75) feet at the required setback, except:

- (1) On a subdivision or plat recorded before December 29, 1955, the minimum width of a lot is fifty (50) feet.
- (2) If lot splits are permitted with the lot width less than the required seventy-five (75) feet, the lot must still meet the most restrictive lot requirements and setbacks; except for the lot area and lot width.
- (3) As allowed under Special District Regulations or Planned Development District Regulations.

C. Lot Coverage.

Not more than twenty-five percent (25%) of the area of a lot shall be covered by the main building and all accessory buildings.

D. Setbacks.

(1) Front Yard:

A front yard with a depth of not less than twenty-five (25) feet is required, except as noted in Section 205.04.4G. In no case may a garage extend more than five (5) feet in front of the home.

(2) Side Yard:

- (a) A side yard of ten (10) feet is required between any living area and side property lines.

(b) A side yard of five (5) feet is required between an attached accessory building or use and a side property line except as stated in Section 205.04.5.B (2) and (3). (Ref. 888)

(c) Corner Lots:

((1)) The side yard width on a street side of a corner lot shall not be less than seventeen and one-half (17.5) feet.

((2)) When the lot to the rear of a corner lot has frontage along a side street, no accessory building on the corner lot within twenty-five (25) feet of the common property line shall be closer to said side street than thirty (30) feet; provided however, that this regulation shall not be interpreted as to reduce the buildable width of a corner lot to less than twenty-five (25) feet.

((3)) Any attached or unattached accessory building which opens on the side street, shall be at least twenty-five (25) feet from the property line of a side street.

(3) Rear Yard:

(a) A rear yard with a depth of not less than twenty-five percent (25%) of the lot depth is required with not less than twenty-five (25) feet permitted or more than forty (40) feet required for the main building.

(b) Detached accessory buildings may be built not less than three (3) feet from any lot line in the rear yard not adjacent to a street.

(4) Double Frontage:

(a) The building lines will prevail in lieu of rear yard requirements.

(b) The setback for garages and accessory buildings in the rear yard will be the same as for a front yard.

4. BUILDING REQUIREMENTS

A. Height.

No building shall hereafter be erected, constructed, reconstructed, altered, enlarged, or moved so as to exceed the building height limit of thirty (30) feet from finished grade level.

B. Minimum Floor Area.

- (1) For lots having a 9,000 square foot lot area and a seventy-five(75) foot lot width, and for lots resulting from lot splits having less than 9,000 square feet and/or less than the seventy-five (75) foot lot width, the minimum gross floor area of a single family dwelling shall not be less than 1,020 square feet of finished floor area per dwelling unit, provided that:
 - (a) A one (1) level one-family dwelling unit of three (3) bedrooms or less shall have a minimum of 1,020 square feet of living area.
 - (b) A one-family dwelling unit consisting of two (2) full levels above grade shall have a minimum of 1,020 square feet of first floor area, at least 768 square feet of which shall be living area and the dwelling shall have a garage attached thereto having a floor area not less than 396 square feet.
 - (c) A one-family dwelling unit of a split level design of three (3) bedrooms or less shall have a minimum of 1,020 square feet of living area in the upper two levels.
 - (d) A two (2) level dwelling unit of the split entry design of three (3) bedrooms or less shall have a minimum of 768 square feet of gross floor area in each level provided:
 - ((1)) The dwelling shall have a garage attached thereto having a floor area not less than 396 square feet.
 - ((2)) The finished floor level of the upper level is not more than six (6) feet above grade.
 - (e) A two (2) level dwelling unit having the upper level situated wholly or partly in the roof space provided:
 - ((1)) The gross floor area of the first level above grade shall be not less than 864 square feet.
 - ((2)) Each bedroom located in the upper level shall have a minimum of 120 square feet of floor area.
 - ((3)) The dwelling shall have a garage attached thereto having a floor area not less than 396 square feet.
- (2) For lots less than 9,000 square feet, the dwelling shall have a first floor area of not less than 768 square feet of accessory buildings or an attached garage.

C. Basement.

All one-family dwellings constructed on vacant lots, as of January 1, 1983 shall have a basement except if located in a flood plain area.

5. PARKING REQUIREMENTS

A. General Provisions.

- (1) A minimum of two (2) off-street parking stalls shall be provided for each dwelling unit.
- (2) The required parking stalls shall not be located in any portion of the required front yard except on a driveway or hardsurfaced parking space approved by the City.
- (3) All driveways and parking stalls shall be set back three (3) feet from any property line except as agreed to in writing by adjacent property owners and filed with the City.
- (4) For nursing homes and homes for the elderly, parking shall be provided at the following rates:
 - (a) Nursing Homes: One space for every four (4) beds and three (3) spaces for every four (4) employees on the largest shift.
 - (b) Independent Living Facilities: One space per dwelling unit, with 50% of the stalls enclosed. If the building is convertible to market rate, the number of stalls provided shall be as in Section 205.09.05.C.(1).
 - (c) Assisted Living Facilities: One-half (1/2) space per unit. (Ref. Ord. 1086)

B. Garage Requirements.

- (1) All lots having a minimum lot area of 9,000 square feet or resulting from a lot split shall have a double garage.
- (2) All lots having a lot area less than 9,000 square feet and greater than 7,500 square feet shall have a single garage.
- (3) The above requirements shall satisfy the off-street parking stall requirement.

6. PERFORMANCE STANDARDS

A. Parking Requirements.

(1) Existing Facilities:

- (a) At least one (1) off-street parking stall shall be provided for each dwelling unit.
 - (b) The required parking stall shall not be located in any portion of the required front yard, except on a driveway or hardsurfaced parking space approved by the City, and set back a minimum of three (3) feet from the side property line, except as agreed to by adjacent property owners.
 - (c) A garage shall satisfy the off-street parking stall requirement.
- (2) All driveways and parking stalls shall be surfaced with blacktop, concrete or other hard surface material approved by the City.

B. Prohibited Parking.

No outside parking or storage of motor vehicles shall occur except on approved hardsurface driveways and parking stalls. (Ref. 1017)

C. Exterior Storage.

- (1) Nothing shall be stored in the required front yard, with the exception of boats, non-motorized camping trailers, and utility trailers provided they are located on an approved hard surface and no portion of said trailer extends closer than 15' to the back of the curb. In no case shall said trailer encroach on the public right of way. (Ord 1164)
- (2) All materials shall be kept in a building or shall be fully screened, so as not to be visible from any public right of way except for stacked firewood, in the side or rear yard. Boats, non-motorized camping trailers, and utility trailers stored in the side or rear yard are not required to be located on a hard surface drive. (Ord 1164)
- (3) The City shall require a Special Use Permit for any exterior storage of materials, except for C (1) and (2) above. (Ord 1164)

D. Refuse.

All waste materials, refuse or garbage shall be contained in closed containers as required under the chapter entitled "Waste Disposal" of the Fridley City Code.

E. Drainage and Grade Requirements.

A finished ground grade shall be established such that natural drainage away from all buildings is provided. The following minimum criteria shall apply:

- (1) The minimum elevation of finished grade shall comply with the State Building Code requirements.

- (2) The City may specify a minimum finished ground grade for any structure in order to allow proper drainage and a minimum top of footing elevation to allow for connection to City utilities. The maximum slope (grade) on a driveway shall not exceed 1:10 (10%) above established curb grade.

F. Landscaping.

The following shall be minimum criteria for landscaping:

- (1) Sodding and landscaping shall extend across the entire front yard and side yards, including the boulevard.
- (2) All open areas of any site, except for areas used for parking, driveways or storage, shall be sodded, seeded or have vegetative cover.
- (3) All uses shall provide water facilities to yard areas for maintenance of landscaping.
- (4) All vacant lots, tracts or parcels shall be properly maintained in an orderly manner free of litter and junk.

G. Maintenance.

It shall be the responsibility of the property owner to ensure that:

- (1) Every exterior wall, foundation and roof of any building or structure shall be reasonably watertight, weather tight and rodent proof and shall be kept in a good state of maintenance and repair.
- (2) The protective surface on exterior walls of a building shall be maintained in good repair and provide a sufficient covering and protection of the structural surface against its deterioration. Without limiting the generality of this Section, a protective surface of a building shall be deemed to be out of repair if:
 - (a) More than twenty-five percent (25%) of the area of any plane or wall on which the protective surface paint is blistered, cracked, flaked, scaled or chalked away, or
 - (b) More than twenty-five percent (25%) of the pointing of any brick or stone wall is loose or has fallen out.
- (3) Doors, windows, and screens shall be maintained free from extensive dilapidation due to cracks, tears or breaks. All openings intended for windows and doors, shall have windows and doors placed in said openings. A door or window shall be deemed to be out of repair if:
 - (a) More than twenty-five percent (25%) of the area of any plane or surface has paint or stain that is blistered, cracked, flaked, scaled or chalked away, or

- (b) More than twenty-five percent (25%) of the area of any door or window has evident delaminating of wood, discoloration of permanent finish or warping, or
 - (c) Any garage door which fails to close entirely or is missing a panel.
- (4) Roof surfaces of a building shall be maintained in good repair and provide sufficient covering and protection of the structural surface against its deterioration. Without limiting the generality of this Section, a protective roof surface of a building shall be deemed to be out of repair if the roof surface has more than ten percent (10%) of any plane or surface with broken, torn or missing shingles.
- (5) Eaves and Soffits shall be maintained in good repair and provide a sufficient covering and protection of the structural surface against its deterioration. Without limiting the generality of this Section, eaves or soffits of a building shall be deemed to be out of repair if:
 - (a) More than twenty-five percent (25%) of the area of any plane or surface has paint or stain that is blistered, cracked, flaked, scaled or chalked away, or
 - (b) Pieces of the wood, metal, or other approved protective cover is missing.
- (6) Gutters and downspouts shall be installed properly and shall be maintained so to avoid unsightly appearance by virtue of sagging, collapsed sections, or missing pieces.
- (7) Every yard and all structures, walls, fences, walks, steps, driveways, landscaping and other exterior development shall be maintained in an attractive, well kept condition.
- (8) The boulevard area of a premises shall be properly maintained, groomed and cared for by the abutting property owner.

H. Essential Services.

- (1) Connection is required on each lot served by City sanitary sewer.
- (2) Connection is required on each lot served by a City water line.