

Washington County, Minnesota Ordinances

Ordinance No. 153

Text Amendment to the Washington County Development Code - Chapter One, Section 2 and Chapter Two, Part 1, Part 2, Part 3, of the Development Code Ordinance No. 127

Date Approved: 05/16/2000

Date Published: 06/07/2000

- Amend Chapter 1, Section 2 by Adding the Following Definitions:(*Definitions: Dwelling Unit, Mixed Residential Development*)
 - Amend Chapter 2, Part 1 by Adding the Following Section:(*Section 10 High Density Residential - HDR*)
 - Amend Chapter 2, Part 3, Section 2 by Adding the Following:(*2.38 High Density Residential District*)
 - Amend Chapter 2, Part 1 by Adding the Following Sections:(*Section 11 Mixed Residential -MXR*)
 - Amend Chapter 2, Part 2 by Adding the Following Section:(*2.7 - Lot Requirements*)
 - Amend Chapter 2, Part 3 by Adding the Following Section:(*2.39 - MXR Developments*)
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Amend Chapter 1, Section 2 of the Washington County Development Code by Adding the Following Definitions:

Dwelling unit

a residential building or portion thereof intended for occupancy by a single family but not including hotels, motels, boarding or rooming houses or tourist homes. There are three (3) principal types:

- 1) Single-family detached: A free-standing residence structure designed for or occupied by one (1) family only.
- 2) Single-family attached: A residential building containing two (2) or more dwelling units with one (1) common wall.
 - a. Duplex: a residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.
 - b. Townhouse: A residential building containing two (2) or more dwelling units with at least one

(1) common wall, each unit so oriented as to have all exits open to the outside.

c. Quadplex: A residential building containing four (4) dwelling units with one at least (1) common wall, each unit so oriented as to have all exits open to the outside.

3) Multiple-family: A residence designed for or occupied by three (3) or more families, either wholly (attached) or partially a part of a large structure (detached), with separate housekeeping and cooking facilities for each.

a. Apartment: A room or suite of rooms, available for rent which is occupied as a residence by a single family, or a group of individuals living together as a single family unit.

b. Condominium: A form of individual ownership within a multi-family building with joint responsibility for maintenance and repairs of the land or other common property.

c. Operative: A multi-unit development operated for and owned by its occupants. Individual occupants do not own their specific housing unit outright as in a condominium, but they own shares in the enterprise.

Mixed Residential Development

A development consisting of single family detached and single family attached dwelling units.

Amend Chapter 2, Part 1 by Adding The Following Section:

Section 10 High Density Residential (HDR)

10.1 Purpose and Scope

The purpose of this district is to provide an area for multiple family residential development either rental or owner occupied in areas capable of supporting multiple family dwellings in terms of public utilities and services.

10.2 Uses in the HDR District

(1) Primary Uses. The following are primary uses in the HDR District:

- (A) Parks
- (B) Single Family Detached
- (C) State mandated day care/group homes

(2) Uses with a Certificate of Compliance

- (A) Multiple Family Residential Development
- (B) Government Uses Building/Storage

(3) Uses With a Conditional Use Permit

- (A) Place of Worship
 - (B) Schools
 - (C) Mixed Residential Developments
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Amend Chapter 2, Part 3, Section 2 by Adding the Following:

2.38

High Density Residential District.

(1) Required Permits. A certificate of compliance is required for all multiple family residential developments.

(2) Performance Standards. Multi-family residential developments must comply with the following standards:

- (A) The property must be served by public sanitary sewer and water.
- (B) Maximum height: three stories or 40 feet.
- (C) Land area requirements - 3,630 square feet per unit.
- (D) Density. (MFR) Multiple Family Residential District, the density of residential dwelling units shall not exceed twelve (12) units per acres. Density is calculated on the basis of net buildable land area (net equals gross area less surface water, wetlands, floodplain and existing road easements).

(3) Setbacks:

- (A) Local Road - 30 feet
- (B) Arterial - 150 feet from centerline or 50 feet from right of way whichever is greater.
- (C) Local Collector - 40 feet
- (D) Sideyard - 30 feet or height of building whichever is greater
- (E) Rear Yard - 30 feet or height of building whichever is greater
- (F) Structure separation (multiple buildings on same parcel) - 30 feet or height of building whichever is greater

(4) Parking Requirements.

- (A) There shall be two (2) spaces per unit one of which must be in an underground parking structure.
- (B) Parking spaces shall not be within twenty (20) feet of the front lot line, ten (10) feet of the rear lot line, or ten (10) feet of the side lot line.
- (C) Driveways shall be a minimum of ten (10) feet from all lot lines.
- (D) Driveways and parking areas must be bituminous or concrete with concrete curb and gutter.
- (E) The minimum width of any two-way driveway shall be twenty-four (24) feet and the minimum width of any one-way shall be sixteen (16) feet.
- (F) The minimum distance between curbs of driveways at the right-of-way shall be fifty (50) feet.
- (G) Every aisle in a parking lot shall be a minimum of twenty-five (25) feet in width.
- (H) No driveway shall be less than one hundred (100) feet from any right-of-way of a local street intersection and shall be consistent with county access spacing guidelines for all other roadways.
- (I) The maximum driveway angle from two-way access street shall be ninety (90) degrees; from a one-way street it shall be thirty (30) degrees.

(5) Landscape/Screening Provisions

(A) The design shall make use of all land contained in the site. All of the site shall be related to the circulation, recreation, screening, building, storage, landscaping, etc.

(B) The landscaping shall be in accordance with a plan approval by the Zoning Administrator.

(C) Screening to a height of at least five (5) feet shall be required when:

a. Any off-street parking area contains more than six (6) parking spaces and is within thirty (30) feet of an adjoining residential zone: and

b. Where the driveway to a parking area of more than six (6) parking spaces is within thirty (30) feet of an adjoining residential zone.

(D) All exterior storage shall be screened. The exterior storage screening required shall consist of a solid fence or wall not less than five (5) feet high, but shall not extend within fifteen (15) feet of any street, driveway, or lot line.

(E) Sidewalks shall be provided from parking areas, loading zones and recreation areas to the entrances of the building.

(F) Outdoor swimming pools or other intensive recreation shall observe setbacks required for the principal structure.

(6) General building or structural requirements.

(A) Requirements for exterior wall surfacing and covering. All multiple family dwelling buildings shall be designed and constructed to have the equivalent of a front appearance on each exterior surface. All structures shall be considered primary with brick, stone, stucco, or other comparable finished masonry surfaces.

(B) No air conditioning unit shall protrude from any exterior wall except to the extent required for proper functioning. A grill designed to appear as an integral part of the wall shall be placed to screen the protruding portion of the air conditioner.

(C) To insure proper footings, soil borings shall be taken. The boring locations shall be submitted and approved by the township engineer and shall be noted in a boring log to be presented to the township building inspector at the time application is made for a building permit. The boring locations and map shall become a part of the building permit file.

(7) Other Standards:

(A) Minimum useable open space - 800 square feet per unit.

(B) Maximum lot coverage - 75 percent.

Amend Chapter 2, Part 1 by Adding the Following Sections:

Section 11

Mixed Residential (MXR)

11.1 Purpose and Scope

"The MXR District is intended to allow a maximum density of three dwelling units Per acre (3 DUA) and a mix of single family detached and single family attached residential dwellings. Total density is calculated by multiplying site acres, excluding of existing roadways, wetlands, surface waters and floodplain areas, by times

three. The mix of detached and attached housing units shall reflect a minimum 70% detached and maximum 30% attached dwelling ratio in any given residential subdivision.

11.2 Uses in the Mixed Residential District

(1) Primary Uses. The following are primary uses in the MXD District:

- (A) Single-family detached.
- (B) Agricultural
- (C) Parks
- (D) State mandated day care/group homes

(2) Uses with the certificate of compliance.

- (A) Mixed residential projects

(3) Uses with a conditional use permit.

- (A) Churches
 - (B) Schools
 - (C) Open space design subdivisions.
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Amend Chapter 2, Part 2 by Adding the Following Section:

2.7 The following lot requirements must be met in the Mixed Residential Zoning District.

(1) Conventional Subdivision

- (A) Minimum lot size - 15,000 square feet with sewer. 10 acres without sewer.

(2) Mixed Residential - 3 units per acres.

(3) Other Standards - See Chapter 2, Part 3, Section 2.39.

Amend Chapter 2, Part 3 by Adding the Following Section:

2.39 Mixed Residential Developments.

(1) Required Permits. Mixed residential developments are allowed with a certificate of compliance in the mixed residential district.

(2) Performance Standards. A mixed residential development must comply with the following standards:

(A) Maximum density: Three (3) units per acre overall average within the MXR development, unless modified according to PUD provisions outlined in (M) below. The maximum density for attached residences within a portion of the development area shall be six (6) units per acres.

(B) Minimum lot area/lot width:

Detached - 15,000 sq. ft. 100 ft. width

Duplex - 7,500 sq. ft. 75 ft. width/unit

Attached - 6,000 sq. ft/unit private or common site area No established minimum lot width

(C) Minimum structure separation:

Detached - 20 feet

Duplex - 20 feet

Attached - 30 feet or height of building, whichever is greater

(D) Maximum site coverage:

Detached - 25%

Duplex - 25%

Attached - 50% (includes private and common ownership areas)

(E) Maximum height: 35 feet

(F) Roadway setbacks:

Arterial - 150 ft. from centerline or 50 ft. from R-O-W, whichever is greater

Collector - 40 feet from R-O-W

Local - 30 feet from R-O-W

Private - 25 feet from curb

(G) Sideyard setbacks:

Detached - 10 feet

Duplex - 10 feet

Attached - 20 feet

(H) Rear yard setback: 30 feet

(I) Garage parking: 2 stalls/unit

(J) Surface parking: 2 stalls/unit

(K) Additional parking: attached residential structures which do not directly abut public streets with on-street parking shall be required to designate common or guest parking areas equal to one-half stall per unit in addition to the garage and surface parking requirements. A modification of the total parking requirements may be made in instances where the surface parking areas are not in tandem with required garage parking.

(3) Mixed Residential District - PUD

The purpose of the PUD provisions is to encourage high development design standards and alternative design opportunities. In exchange for higher design standards, site preservation techniques and other unique development considerations, conventional dimensional criteria may be modified or varied. A certificate of compliance is required for projects proposed under the provisions of this section. Examples of variations to dimensional standards include reductions in minimum lot areas and lot widths; modifications in the ratio of single family attached and detached homes; and modifications to the density of residential dwelling types. The PUD provisions are not intended to modify minimum open space requirements, landscaping requirements, minimum structure separation or average site density limitations.

The PUD provisions may allow for bonuses to the maximum average site density of three dwelling units per acre (3 DUA), based upon the inclusion of any of the following considerations. The Township and County shall have complete discretion in approving or denying bonuses on the basis of the following considerations. In no case shall the total cumulative bonuses awarded exceed twenty (20) per cent in any development.

Bonus Criteria

- Balance of life cycle housing opportunities and range of housing values - 0-8%
- Additional open space/natural amenity preservation. - 0-5%
- Additional public parkland dedication. - 0-5%
- Addition of public recreation amenities, such as picnic shelters, pavilions and playground equipment.- 0-5%
- Unique trail and pedestrian circulation within the developments and connection adjacent properties and facilities. - 0-5%
- The preservation and restoration of historic structures and landmarks. - 0-5%
- Absorbing the costs of public core utilities and limited access collector streets that exceed typical cost sharing. - 0-8%
- Construction landscaped boulevards within public streets or landscaped islands within cul de sacs, according to Township standards. - 0-5%
- Constructing additional garage parking in attached residential units. - 0-5%
- Additional design criteria, determined by the Township, to warrant density bonus consideration. - 0-5%

(4) Private Streets.

Whenever it does not contradict the provisions of this Ordinance as it relates to an adopted transportation plan or the protection of opportunities for reasonable development of surrounding land adjacent to a development proposed in the application, streets which are intended to be kept continuously closed to public travel or are at all times posted as private streets may be retained as private streets and so reflected upon the final plat made a part of the permit; provided an agreement is entered into between the owner of said private streets and the community assuring that the construction, operation and maintenance of said street will be accomplished in accordance with the approved standards.

(5) Application Materials.

All requests for townhouse developments and multi-family developments shall be accompanied by a series of site plans and data showing:

- (A) Complete details of the proposed site development, including location of buildings, driveways, parking spaces, dimensions of the parking spaces, dimensions of the lots, lot area and yard dimensions, sidewalks and trails.
 - (B) Complete recreation plans illustrating all recreational facilities and structures including trails.
 - (C) Complete circulation plans for proposed pedestrian and vehicle traffic.
 - (D) Population and services required (kind and amount).
 - (E) Complete plans for screening, fencing devices, and landscaping.
 - (F) Preliminary architectural plans showing the floor plan and elevations of the proposed buildings.
 - (G) Complete plans and specifications for exterior wall finishes proposed for all principal and accessory structures.
 - (H) Complete data as to dwelling unit sizes and ratios of dwelling units to total lot space.
 - (I) A two (2) foot contour topographic map of the existing site. All wetlands must be delineated.
 - (J) A grading plan illustrating the proposed grade changes from the original topographic map. All site areas, when fully developed, shall be completely graded so as to adequately drain and dispose of all surface water, storm water and groundwater in such a manner as to preclude large scale erosion, and unwanted ponding and surface chemical run-off. An erosion control plan consistent with best management practices must also be submitted.
 - (K) Estimates of solid waste disposal and provisions and facility plans for such disposal.
 - (L) Complete plans and documents of the homeowners association, which explain:
 - 1. Ownership and membership requirements.
 - 2. Organization of the association.
 - 3. Time at which the developer turns the association over to the homeowners.
 - 4. Approximate monthly or yearly association fee for homeowners.
 - 5. Specific listing of items owned in common, including such items as roads, recreational facilities, parking, common open space grounds and utilities.
 - (M) Services and facilities plan. A services and facilities plan shall contain a map or maps setting forth the general location and extent of any and all existing and proposed systems for sewage, domestic water supply and distribution, refuse disposal, drainage, local utilities and rights-of-way, easements, facilities and appurtenances necessary therefor.
 - (N) Fire fighting and other public safety facilities and provisions, such as hydrant locations and fire lanes.
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