

ORDINANCE NO. 250

AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING SECTION 13, SUBDIVISION 8 RELATING TO GENERAL BUILDING AND YARD STANDARDS WITHIN THE CITY

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 13 OF ORDINANCE 169 SHALL BE AMENDED TO INCLUDE SUBD. 8 AS FOLLOWS:**

SECTION 13 GENERAL STANDARDS.

SUBDIVISION 8. GENERAL BUILDING AND YARD STANDARDS.

- A. *The purpose of this Subdivision is to protect and preserve property values and the City's tax base, to provide for the general welfare of the City, and to establish reasonable standards for functional and aesthetic aspects of buildings and structures.***
- B. *All single family attached and detached residential dwelling units constructed or moved into the City shall meet the following design standards.***
- 1. *Dwelling units shall be compatible with other dwelling units in the existing locale in terms of structure size, structure massing, structure bulk, and quality of architectural materials.***
 - 2. *The exterior walls shall be similar in appearance to normal wood, vinyl or metal lap siding, cement board, or masonry residential construction. Exterior surfaces made of sheet or corrugated aluminum or unfinished metal such as tin are prohibited.***
 - 3. *Each dwelling unit shall have at least a 4:12 roof pitch and shall be covered with shingles, tiles, or a concealed-fastener metal roof, unless a Conditional Use Permit as provided in Section 13, Subd. 8, (B)(5) and Section 15, as may be amended, of this Ordinance is issued.***
 - 4. *The total square footage of an attached garage(s) shall not exceed sixty percent (60%) of the foundation size (alternately, main floor area) of the dwelling unit to which it is attached, unless a Conditional Use Permit as provided in Section 13, Subd. 8 (B)(5) and Section 15, as may be amended, of this Ordinance is issued.***

5. CUP Requirements.

- a. The purpose of this Subsection is to provide the Planning Commission and City Council with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare and public safety.**
- b. In making the determination whether or not a conditional use permit is to be allowed, the City shall consider the requirements of Section 15 of the Zoning Ordinance and may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises, or on any adjoining streets, and all other or further factors as the City shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.**
- c. In recommending or approving a conditional use permit when required for an accessory structure, the Planning Commission and the Council may impose conditions which are considered necessary to meet the standards of the Zoning Ordinance as set forth in Section 15 of the Zoning Ordinance. In addition, the City may impose additional conditions to protect the best interests of the surrounding area or the City as a whole. Violation of any such condition is a violation of this Section and Ordinance. Additional conditions imposed may include but are not limited to the following:**
 - i. Require the use of trim, wainscoting and lighting or other additional architectural detail to soften the impact of the bulk and height of the proposed structure(s).**
 - ii. Require the structure be designed and placed on a lot so as to reasonably maintain structural orientation and structural setting so as to blend in with the surrounding locale.**
 - iii. Require the visibility of the accessory structure be minimized as viewed from adjacent lots and rights of way through the use of topography, increased setbacks, increased lot size, fencing, existing or proposed vegetative landscaping and the like.**

iv. Require garage door openings are placed so as to reduce their visibility from adjacent lots and rights-of-way

v. Require general compatibility with adjacent and other property in the district.

d. Prior to approving the CUP the City shall consider the action in relation to the specific policies and provisions of Section 15 of the Zoning Ordinance.

II. **EFFECTIVE DATE.** This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the City of Arlington on the ____ day of _____, 2010.

Attest:

James R. Kreft, Mayor

Matthew Jaunich, City Administrator

First Reading: June 7, 2010
Second Reading: June 21, 2010
Adopted: June 21, 2010
Published: June 24, 2010