

**ORDINANCE NO. 279**

**AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE  
BY ADDING SECTION 4.25 ESTABLISHING AN UR URBAN RESERVE DISTRICT**

THE CITY COUNCIL OF THE CITY OF ARLINGTON ORDAINS AS FOLLOWS:

**Section 1**

Arlington Zoning Ordinance (Ordinance 169) shall be amended to include Section 4.25 as follows:

**SECTION 4.25: UR URBAN RESERVE DISTRICT:**

**SUBDIVISION 1. PURPOSE**

The UR Urban Reserve District is established for the following purposes:

- A. To preserve a low density, rural environment in a manner conducive to future urbanization.
- B. To protect the integrity, viability, and potential for expansion of existing agricultural uses.
- C. To allow for an orderly transition from agricultural to urban uses through implementation of the orderly annexation agreement, rezoning, and development when in compliance with the Comprehensive Plan.
- D. To defer urban development in areas adjacent to municipal boundaries until it is determined it is economically and financially feasible to extend public utilities and services to the area.
- E. To prevent premature residential subdivision of property.

**SUBDIVISION 2. INTENT**

- A. The UR Urban Reserve District is intended:
  - 1. To apply to lands within the Orderly Annexation Area but external to the corporate limits which are guided toward future urban use within the City's Comprehensive Plan.
  - 2. To implement the City's growth management strategy by prohibiting premature urban development within portions of the City's future land use area, while still allowing reasonable interim uses of these properties. Land within the Urban Reserve is intended to be preserved in current uses/densities until capital funds for the extension of urban facilities and services are committed in an either an adopted capital improvement plan or as a result of a petition for extension of urban services. This implements the City's growth management goals and objectives by protecting

these areas against interim subdivision that will hinder future urban development and the provision of adequate streets, water, sanitary sewer and other urban services in a cost-effective and efficient manner.

- B. The UR, Urban Reserve is intended to be an interim zone until such time as these areas can be developed at urban densities and can be provided with urban services.
- C. Land within the UR Urban Reserve shall only be rezoned upon annexation into the city. Once annexed, these areas shall be zoned in conformance with the Future Land Use Plan contained in the City's Comprehensive Plan.

### **SUBDIVISION 3. PERMITTED USES**

- A. Farming, dairying, pasturage, agriculture, horticulture, and animal and poultry husbandry subject to state pollution control standards, but not including animal feedlots or other commercial operations.
- B. New non-farm dwellings at a density of no less than one (1) unit per forty (40) acres, except as provided under Subd. 7(A) of this Section.
- C. Continuation and maintenance of existing nonfarm uses.
- D. State Licensed Residential Facility serving six (6) or fewer persons in a single family detached dwelling which is connected to municipal sewer and water.
- E. Day care facilities serving twelve (12) or fewer persons in a single family detached dwelling which is connected to municipal sewer and water.
- F. Field crop production.
- G. Nurseries, greenhouses, and tree farms with limited public sales.
- H. Public parks, playgrounds, recreational uses, wildlife areas, and game refuges.

### **SUBDIVISION 4. CONDITIONAL USES**

The following uses require a Conditional Use Permit. Conditional use permits shall be issued as provided for in Section 15 of the Arlington Zoning Ordinance. Uses as identified below or reasonably similar to those listed below that are existing at the time this Section becomes effective shall be considered as having a conditional use permit; however, any expansion of such existing use shall require the issuance of a conditional use permit.

- A. Governmental and public utility buildings and structures.
- B. Retail or wholesale trade related to agricultural operations and services.
- C. Dwellings used for farmers or farm families providing such farm dwelling
  1. Exists on a parcel or tract of record as of the establishment of this Section; or,

2. Exists on a lot comprised of at least forty (40) acres and that factual evidence is submitted which establishes the dwelling as farm related (i.e. assessor's tax classification of agricultural, farm management plan, testimony by local experts, etc).
- D. Any use in the allowed in the R1/R2 Agricultural Residence District, B-1 Highway Service District, B-2 Central Business District, I-1 Light Industrial District, or I-2 General Industrial District under the Arlington Zoning Ordinance provided such use is located on a lot of record in existence on the effective date of this ordinance.
  - E. Extraction of soil, minerals, and the like.
  - F. Essential services.
  - G. Commercial riding stables, domestic animal kennels, and similar uses.

#### **SUBDIVISION 5. PERMITTED ACCESSORY USES**

- A. Operation and storage of vehicles, machinery, and equipment which is incidental to permitted or conditional uses allowed in this district.
- B. Home occupations as regulated by this Ordinance.
- C. Detached garages and accessory structures.
- D. Vehicle Parking. No vehicles may be parked or stored on the premises which are inoperable or unlicensed, unless such vehicles are kept in a fully enclosed structure or fully enclosed licensed trailer, so that no part of the vehicle can be viewed by the public. No vehicles may be parked or stored on the premises which are advertised for sale or rent, except that one vehicle may be advertised for sale or rent as an isolated personal transaction, and not in the ordinary course of business of sale or rent of vehicles, and such vehicle advertised for sale or rent must be operable and licensed.
- E. Accessory uses incidental and customary to uses allowed as permitted and conditional allowed within this Section.
- F. Signs:
  1. A nameplate sign identifying the owner or occupant of a building or dwelling unit, provided such sign does not exceed two (2) square feet in surface area.
  2. One additional sign not to exceed thirty-two (32) square feet in area.

#### **SUBDIVISION 6. PROHIBITED USES**

- A. New or expanded agriculture feedlots.

- B. Non-farm uses on new created parcels/tracts of less than 40 acres, except as provided under Subd. 7(A) of this Section.

**SUBDIVISION 7. LOT/DIMENSIONAL REQUIREMENTS**

- A. Rezoning, subdividing, or re-subdivision of property for the purpose of expanding existing nonfarm uses or for developing new nonfarm uses shall be prohibited, except that a one-time split of an existing parcel of record as of the adoption of this Section which results in two (2) lots each being not less than five (5) acres may be allowed provided: soil and water conditions allow a well and an on-site sewer system, access is allowed from an existing public road, approval of such lot split is contingent upon no further division of parcels resulting from said split, and the lot split is filed with each resulting property records at the Sibley County Recorder's Office.
- B. Minimum lot area:
  - 1. Parcels created after adoption of this Section: Forty (40) acres, except as provided in Subdivision 7(A) of this Section.
  - 2. Lots of record existing prior to adoption of this Section: 15,250 square feet (.35 acre)
- C. Minimum lot width:
  - 1. Parcels created after adoption of this Section: 200 feet.
  - 2. Lots of record existing prior to adoption of this Section: 40 feet.
- D. Setback Requirements.
  - 1. Front yard setbacks of not less than 30 feet from all other public right-of-ways, unless subject site is a lot of record as of the date of adoption of this ordinance and said lot abuts a lot with buildings that have observed a smaller front yard in which instance the observed smaller front yard setback shall be the minimum distance the existing structures are setback. A viewing triangle measuring 25 feet from the intersection of the front/side property line at street intersections shall be maintained free of structures at all times.
  - 2. Side yard setback shall be thirty (30) feet, except existing lots of record less than 100 feet in width shall have minimum side yard setbacks of ten (10) feet.
  - 3. Minimum rear yard setback shall be thirty (30) feet.
- E. Maximum Building Height: Two stories or thirty (30) feet. Heights in excess of thirty (30) feet may be allowed provided a conditional use permit is issued.
- F. Site Coverage. No structure or combination of structures shall occupy more than twenty (20) percent of the lot area.

**SUBDIVISION 8. RIGHT TO FARM.**

Minnesota Statute 561.19, as may be amended, is hereby incorporated by reference and shall be applicable to this district as agricultural uses are allowed within this district.

**Section 2**

Effective Date: This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the City of Arlington on the 4<sup>th</sup> day of February, 2013.

Attest:

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James Kreft, Mayor

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Matthew Jaunich, City Administrator

First Reading: January 22, 2013  
Seconded Reading: February 4, 2013  
Adopted: February 4, 2013  
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