

ORDINANCE NO. 316

AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING CERTAIN DEFINITIONS TO SECTION 2, SUBDIVISION 2 (DEFINITIONS), AMENDING SECTION 5 RELATING TO THE R-1 ONE AND TWO FAMILY RESIDENCE DISTRICT, AND AMENDING SECTION 6 RELATING TO THE R-2 MULTIPLE FAMILY RESIDENCE DISTRICT

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SHALL BE AMENDED BY ADDING THE FOLLOWING TERMS AND DEFINITIONS TO SECTION 2, SUBDIVISION 2:

Accessory Dwelling Unit. A room or set of rooms with cooking, sleeping, and sanitation facilities located on the same lot as a single family detached dwelling or twin home. Accessory dwelling units are smaller in area and intensity as compared to the main (principal) dwelling to which it is accessory.

Dwelling. Any building or portion thereof which is designed or used exclusively for residential purposes including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Dwelling, Apartment. See Dwelling, Multiple Family.

Dwelling, Duplex. A structure containing two separate dwelling units sharing a common entry.

Dwelling, Multiple Family. A structure containing more than four separate dwelling units sharing a common entry and hallways.

Dwelling, Quadraplex. A structure containing four separate dwelling units sharing a common entry.

Dwelling, Single Family Attached. A single family dwelling attached to two or more one-family dwellings by common roof, wall, or floor. This definition includes twin homes and townhomes. Single Family Attached Dwellings may have a common lot line or may be a common interest community with common spaces and individually owned dwelling units.

Dwelling, Single Family Detached. A dwelling unit that is not attached to any other dwelling unit by any means and which does not have any roof, wall, or floor in common with any other dwelling unit.

Dwelling, Triplex. A structure containing three separate dwelling units sharing a common entry.

Dwelling, Townhome. Two or more dwelling units within one structure sharing a common roof, vertical wall, or floor with each unit having separate ingress and egress.

Dwelling, Twin Home. A single family attached dwelling with two dwelling units within one structure divided by a common vertical wall.

Dwelling, Two Family. See Dwelling, Duplex.

- II. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SECTION 5 (ONE AND TWO FAMILY RESIDENCE DISTRICT) SHALL BE RE-TITLED AS FOLLOWS:

SECTION 5: R-1-~~ONE and TWO~~ SINGLE FAMILY RESIDENCE DISTRICT.

- III. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SECTION 5, SUBD. 2(A) SHALL BE AMENDED AS FOLLOWS:

A. ~~Single One (1) and two (2)~~ family **detached** dwellings.

- IV. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SECTION 5, SHALL BE AMENDED BY REMOVING SUBD. 3(E) AS FOLLOWS:

~~E. Apartment buildings housing no more than three (3) or four (4) families.~~

- V. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SECTION 5 SHALL BE AMENDED BY ADDING SUBD. 3.5 PERTAINING TO INTERIM USES AS FOLLOWS:

SUBDIVISION 3.5 USES BY INTERIM USE PERMIT WITHIN AN R-1 DISTRICT.

Buildings or land may be used for the following if granted an interim use permit:

A. Accessory Dwelling Unit, provided:

1. A maximum of one (1) accessory dwelling unit per lot is allowed within the R-1 District.
2. The subject property maintains homestead classification status for property tax purposes and is occupied by the fee owner of the property.
3. The accessory dwelling unit is accessory to a detached single family dwelling or twin home.

4. The accessory dwelling unit is not accessory to a duplex (two-family dwelling), an apartment, or a single family attached structure containing more than two units per structure.
5. The accessory dwelling unit is attached or contained within the principal structure and/or an attached garage. Detached accessory dwelling units are prohibited.
6. The accessory dwelling unit is at least 250 square feet in area.
7. The accessory dwelling unit does not exceed thirty (30) percent of the ground-floor area of the principal structure or 400 square feet, whichever is greater.
8. The accessory dwelling unit shall not alter the basic single-family appearance of the principal structure.
9. If the accessory dwelling unit has separate ingress/egress, a separate street address and separate shutoffs for water and electrical service are required.
10. One (1) off-street parking space shall be provided exclusively for the accessory dwelling unit.

VI. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SECTION 6 (MULTIPLE FAMILY RESIDENCE DISTRICT) SHALL BE RE-TITLED AS FOLLOWS:

SECTION 6: R-3 R-2 MULTIPLE FAMILY RESIDENCE DISTRICT.

VII. EFFECTIVE DATE.

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

Adopted by the City of Arlington on the 20th day of November, 2017.

For City of Arlington:

By Richard Nagel
It's Mayor

First Reading: November 6, 2017
Second Reading: November 20, 2017
Adopted: November 20, 2017
Published: November 23, 2017

By Patrick Melvin
It's Administrator