

## CHAPTER 65

### R-7, HIGH DENSITY RESIDENTIAL DISTRICT

#### SECTION:

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**01-65-1: PURPOSE:** The purpose of the R-7, High Density Residential District is to provide for high density housing in multiple family structures and directly related complementary uses as guided by the Comprehensive Plan.

**01-65-2: PERMITTED USES:** In addition to other permitted uses within this District identified elsewhere in this Article, the following are permitted uses in the R-7 District:

- A. More than one principal building on a base lot.
- B. Multiple family dwellings.
- C. Parks, trails, playfields, playgrounds, and directly related buildings and structures; City of Howard Lake only.
- D. Quadraminiums.
- E. Residential facilities serving sixteen (16) or fewer persons.
- F. Three-plex and four-plex multiple-family units.
- G. Townhomes with no more than six (6) dwelling units per structure if in a row or no more than eight (8) dwelling units if back-to-back.

**01-65-3: PERMITTED ACCESSORY USES:** In addition to other permitted accessory uses within this District identified elsewhere in this Article, the following are permitted accessory uses in the R-7 District:

- A. Accessory uses, buildings and structures customarily incidental and directly related to the uses allowed as permitted, conditional, interim, and administrative permit in this Section, subject to applicable regulation of this Article.
- B. Administrative offices, meeting rooms, classroom, and food preparation and service areas in private and public recreational facilities, and the uses of which are incidental and directly related to the primary use.
- C. Boarding or renting of rooms to not more than two (2) individuals per dwelling unit.
- D. Daycare facilities serving twelve (12) or fewer persons in a single-family detached dwelling.
- E. Fences as regulated by Chapter 20 of this Article.
- F. Home offices.
- G. Keeping of animals subject to Chapter 22 of this Article.
- H. Play and recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, except as otherwise permitted.
- I. Private garages and off-street parking and off-street loading as regulated by Chapter 19 of this Article.
- J. Recreational vehicles and equipment parking and storage as regulated by Chapter 16 of this Article.
- K. Secondary or accessory use antennas as regulated by Chapter 23 of this Article.
- L. Signs as regulated by Chapter 24 of this Article.
- M. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**01-65-4: CONDITIONAL USES:** In addition to other conditional uses in this District identified elsewhere in this Article, the following are conditional uses in an R-7 District and require a conditional use permit based upon procedures set forth in and regulated by Chapter 5 of this Article. Additionally, besides the specific standards and criteria which may be cited below for respective conditional uses, each request for a conditional

use permit shall be evaluated based upon the standards and criteria set forth in Sections 01-05-3 and 01-05-4 of this Article.

- A. Commercial recreation, outdoor such as golf course, swimming pools, etc.
- B. Daycare facilities as a principal or an accessory use, except as provided for by this Chapter, provided that the use complies with the provisions of Chapter 25 of this Article.
- C. Essential services involving transmission pipelines and transmission or substation lines in excess of 35kV and up to 100kV, as regulated by Chapter 26 of this Article.
- D. Government buildings and structures; public or quasi-public or private recreational buildings and neighborhood or community centers; public and private educational institutions limited to accredited elementary, middle or junior high and senior high school; and religious institutions such as churches, chapels, temples, and synagogues provided that the minimum side yards shall be double that required for the district, but no greater than thirty feet (30').
- E. Manufactured home parks, provided that:
  - 1. The minimum area required for a manufactured home park designation shall be twenty (20) acres.
  - 2. The following minimum lot requirements within the manufactured home park are:
    - a. Minimum Lot Area: Ten thousand five hundred (10,500) square feet.
    - b. Minimum Lot Width: Eighty-five feet (85').
    - c. Lot Depth: One hundred twenty-five feet (125').
    - d. Maximum Impervious Surface: Thirty-five percent (35%).
  - 3. The following principal structure setbacks are satisfactorily met:
    - a. Front Yard: Thirty feet (30').
    - b. Rear Yard: Twenty-five feet (25') or thirty feet (30') on double frontage lots abutting a public right-of-way.
    - c. Side Yard: Ten feet (10') on each side, or thirty feet (30') on the side yard abutting a public right-of-way.

4. Accessory buildings, uses and equipment comply with the applicable provisions of Chapter \_\_\_\_\_ of this Article.
5. The total ground floor area of all residential buildings shall not exceed a lot coverage of thirty percent (30%).
6. All residences are limited to a maximum height of one (1) story or twenty-five feet (25').
7. The public improvements within manufactured home parks are developed in accordance with the City's Subdivision Ordinance, which include:
  - a. Street and storm sewer improvements.
  - b. Sanitary sewer improvements.
  - c. Water improvements
  - d. Public utilities (telephone, cable, electric and/or gas service).
- F. Parks and recreational areas owned or operated by public bodies; other than the City of Howard Lake.
- G. Personal wireless service antennas not located on a public structure, or existing tower as regulated by Chapter 23 of this Article.
- H. Social services or other activities which are not directly worship related as an accessory use within a religious institutional building(s).

**01-65-5: INTERIM USES:** In addition to other interim uses in this District identified elsewhere in this Article, and subject to applicable provisions of this Article, the following are interim uses in the R-7 District and are governed by Chapter 6 of this Article:

- A. Satellite TVROs greater than one meter (1 m) in diameter as regulated by Chapter 23 of this Article.
- B. Temporary classroom type structure for use by public or private institutions.
- C. WECS, as regulated by Chapter 29 of this Article.

**01-65-6: USES BY ADMINISTRATIVE PERMIT:** In addition to other uses allowed by administrative permit in this District identified elsewhere in this Article, and subject to applicable provisions of this Section, performance standards established by this Chapter, and processing requirements of Chapter 8 of this Article, the following are uses allowed in an R-7 District by administrative permit:

- A. Essential services, except transmission pipelines and transmission or substation lines in excess of 35kV and up to 100kV, as regulated by Chapter 26 of this Article.
- B. Home occupations, as regulated by Chapter 21 of this Article.
- C. Model homes as regulated by Chapter 17 of this Article.
- D. Personal wireless service antennas located upon a public or quasi-public structure or existing tower, as regulated by Chapter 23 of this Article.
- E. Temporary structures as regulated by Chapter 17 of this Article

**01-65-7: DEVELOPMENT DENSITY:** The maximum development density shall be determined by the following lot area per unit standards:

- A. Two Family Dwellings, Three Family Dwellings, Four Family Dwellings, Manor Homes, Quadraminiums, Townhomes: Four thousand five hundred (4,500) square feet per unit.
- B. Multiple Family Dwellings: Two thousand five hundred (2,500) square feet per unit.
- C. Senior Housing: One thousand (1,000) square feet per unit.

**01-65-8: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in an R-7 District subject to additional requirements, exceptions and modifications set forth in this Article:

- A. Base Lot Minimums: Within the R-7 District, the following minimum base lot requirements shall be imposed. The base lot shall represent the smallest lot or parcel which may accommodate development within the framework of the permitted density of Section 01-65-7 of this Article prior to subdivision of unit lots.
  - 1. Lot Area: Fifteen thousand (15,000) square feet.
  - 2. Lot Width: Eight-five feet (85').
- B. Unit Lots, Two Family, Townhomes, Quadraminium Units: The following minimum unit lot requirements shall be applied to the subdivision of two family dwellings, quadraminiums, or townhomes to permit individual private ownership of a single dwelling within such a structure:

1. Lot Area: Twinhome, quadraminium, or townhome unit lots shall have sufficient lot area to include the living area, garages, decks, patios or porches of the individual dwelling units.
  2. Lot Width:
    - a. Two Family Dwelling: Fifty feet (50').
    - b. Quadraminium: Fifty feet (50').
    - c. Townhome: Twenty-five feet (25).
- C. Base Lot Setbacks:
1. A minimum setback of thirty feet (30') shall be required at the periphery of the base lot development.
  2. Yards Bordering a Major Collector or Arterial Street: An additional twenty feet (20') of setback to the side yard or rear yard requirements noted above is required to support a landscaped buffer yard.
- D. Building Setbacks: The following minimum internal setbacks shall be imposed on medium density developments that include more than one principal structure on a base lot:
- 1 Setback between buildings within the same base lot shall maintain a minimum separation of twenty feet (20').
  - 2 Buildings shall be set back a minimum of thirty feet (30') from the back of curb line of private drives, guest parking areas, and public rights-of-way.
  - 3 Buildings shall be set back a minimum of thirty-three feet (33') from the designated wetland boundary.

**01-65-9 COMMON AREAS:** The following minimum requirements shall be observed in the R-7 District governing common areas:

A. Ownership: All common areas within an R-7 development including, but not limited to, open space, wetlands, greenways, drainage ponds, driveways, private drives, parking areas, play areas, etc., shall be owned in one of the following manners:

1. Condominium ownership pursuant to Minnesota Statutes 515A.1-106.

2. Twinhome, quadraminium and townhome subdivision common areas shall be owned by the owners of each unit lot, with each owner of a unit having an equal and undivided interest in the common area.

B. Homeowners' Association: A homeowners' association shall be established for all quadraminium, three- and four-plex multiple-family and townhome developments within the R-7 District, subject to review and approval of the City Attorney, and shall be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of private driveways and other areas owned in common when there is more than one individual property owner having interest within the development.

#### **01-65-10 DESIGN AND CONSTRUCTION STANDARDS:**

- A. Design and construction standards for townhomes shall be as specified in Section 01-60-9 of this Article.
- B. The exterior of multiple family dwelling structures shall include a variation in building materials which are to be distributed throughout the building facades and coordinated into the architectural design of the structure to create an architecturally balanced appearance. In addition, multiple family dwelling structures shall comply with the following requirements:
  1. A minimum of twenty-five percent (25%) of the combined area of all building facades facing a public right-of-way of a structure shall have an exterior finish of brick, stucco and/or natural or artificial stone.
  2. For the purposes of this Section, the area of the building facade shall not include area devoted to windows, entrance doors, garage doors, or roof areas.