

CHAPTER 17 - UR, URBAN RESERVE DISTRICT

SECTION:

- 17.01: Purpose
- 17.02: Permitted Uses
- 17.03: Conditional Uses
- 17.04: Interim Uses
- 17.05: Accessory Uses
- 17.06: Lot Area and Setback Requirements
- 17.07: Lot Coverage and Height

17.01: PURPOSE.

The purpose of the UR, Urban Reserve District is to preserve a low density, rural environment in a manner conducive to future urbanization. The district is intended to function as a "holding" zone for future urban development, preventing subdivision of an urban density until such time as suitable infrastructure can be provided.

17.02: PERMITTED USES.

Subject to applicable provisions of this Ordinance, the following are permitted uses in the UR District:

- A. Single family detached dwellings at a density of not more than one (1) dwelling unit per five (5) acres of land, provided that no more than one 5 acre parcel is allowed per 40 acres.
- B. Agricultural Field Crop Production.
- C. Hobby farms.
- D. Nurseries, greenhouses and tree farms, with limited retail sales.
- E. Public parks, playgrounds, recreational uses, wildlife areas and game refuges.
- F. State licensed residential facility or a housing with services establishment registered under Minnesota Statutes Chapter 144D, serving six or fewer persons, noting the following:
 - 1. Special conditions for residential programs: It is the policy of the State and Nation that persons shall not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings.
 - 2. Permitted single-family residential use: Residential programs with a licensed capacity of six or fewer persons shall be considered a permitted single-family residential use of property for the purposes of zoning and other land use regulations, except that a residential program whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use. This exception shall not apply to residential programs licensed before July 1, 1995. Programs otherwise not allowed under this Ordinance shall not be prohibited by operation of restrictive covenants or similar restrictions, regardless of when entered into, which cannot be met because of the nature of the licensed program, including provisions which require the home's occupants be related, and that the home must be occupied by the owner, or similar provisions.
 - 3. Residential program: "Residential program" means a program that provides 24-hour-a-day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside a person's own home, including a nursing home or hospital that receives public funds, administered by the commissioner, to provide services for persons whose primary diagnosis is mental retardation or a related condition or mental illness and who do not have a significant physical or medical problem that necessitates nursing home care; a program in

an intermediate care facility for four or more persons with mental retardation or a related condition; a nursing home or hospital that was licensed by the commissioner on July 1, 1987, to provide a program for persons with a physical handicap that is not the result of the normal aging process and considered to be a chronic condition; and chemical dependency or chemical abuse programs that are located in a hospital or nursing home and receive public funds for providing chemical abuse or chemical dependency treatment services under Chapter 254B. Residential programs include home and community-based services for persons with mental retardation or a related condition that are provided in or outside of a person's own home.

- G. Licensed day care facility serving twelve (12) or fewer persons.
- H. Group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve fourteen (14) or fewer children.
- I. Public parks and playgrounds.
- J. Essential services.

17.03: CONDITIONAL USES.

The following are conditional uses in the UR District and are governed by Chapter 7 (Conditional Use Permits) of this Ordinance:

- A. Bed and breakfast establishments, provided that:
 - 1. A maximum of four (4) bed and breakfast units be established in the structure.
 - 2. The facility shall have a State license (hotel and food), and comply with building and fire codes as may be required or applicable.
 - 3. The facility shall be owner or manager occupied.
 - 4. The principal structure shall have a minimum size of one thousand five hundred (1,500) gross square feet and shall be located on a lot which meets the minimum lot size of the district in which it is located.
 - 5. The bed and breakfast units are located within the principal structure.
 - 6. Not more than one (1) full time person, who is not a resident of the structure, shall be employed by the bed and breakfast facility.
 - 7. Dining and other facilities shall not be open to the general public but shall be used exclusively by the registered guests and residents.
 - 8. Two (2) off-street parking spaces shall be provided for the home plus one (1) off-street parking space for each bed and breakfast unit.
 - 9. Not more than one (1) identification sign not exceeding four (4) square feet in area may be attached to each wall which faces a street. The sign shall be reflective of the architectural features of the structure and may not be internally or externally illuminated.
 - 10. Adequate lighting shall be provided between the principal structure and the parking area for safety purposes. Any additional external lighting is prohibited.
- B. Commercial riding stables, domestic animal kennels and hospitals and similar uses provided that:
 - 1. Minimum lot size shall be ten (10) acres.
 - 2. Any building in which animals are kept, whether roofed shelter or enclosed structure, shall be

located a distance of three hundred (300) feet from any lot line.

3. The animals shall, at a minimum, be kept in an enclosed pen or corral.
4. All applicable MPCA rules are complied with.
5. All other applicable State and local regulations pertaining to nuisance, health and safety conditions are completed with.
6. The provisions of Chapter 31 (General Requirements) of the Ordinance are considered and satisfactorily met.

17.04: INTERIM USES.

Subject to applicable provisions of this Ordinance, the following are interim uses in the UR District and are governed by Section 5 of this Ordinance:

- A. Commercial activities and personal services accessory to a single family use in permitted non-residential facilities, provided that:
 1. The commercial activity and/or personal service is clearly secondary to the principal use of the facility.
 2. Commercial activities are limited to those allowed within a commercial or light industrial zoning classification.
 3. Personal services are limited to those uses and activities which are allowed as a permitted or permitted accessory uses within a Commercial Zoning District.
 4. The area devoted to the retail activity or personal service shall not occupy more than the gross floor area of the principal structure on the lot.

17.05: ACCESSORY USES.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the UR District:

- A. Accessory uses incidental and customary to uses allowed as permitted, conditional and interim uses within this Chapter.
- B. Home occupations as regulated by Chapter 28 (Home Occupations) of this Ordinance.
- C. Fences as regulated by this Ordinance.
- D. Personal or accessory antenna as provided under Chapter 31 this Ordinance.
- E. Off-street parking.
- F. Except as otherwise limited, private recreational facilities, accessory to an existing principal permitted use on the same lot and which is operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.
- G. Recreational vehicles and equipment as regulated by this Ordinance.
- H. Signs as regulated by Chapter 30 of this Ordinance.

17.06: LOT, AREA AND SETBACK REQUIREMENTS.

The following minimum requirements shall be observed in the UR District:

- A. Lot Area: Five (5) Acres
- B. Lot Width: One Hundred Fifty (150) feet
- C. Setbacks:
 - 1. Front Yards: Thirty (30) feet.
 - 2. Rear Yards: Thirty (30) feet.
 - 3. Side Yards: Twenty (20) feet on each side, or thirty (30) feet on the side yard abutting a public right of way.

17.07: LOT COVERAGE AND HEIGHT.

The following requirements shall be observed in the UR District:

- A. The total impervious surface coverage on a lot shall not exceed ten (10) percent.
- B. All residences shall be limited to a maximum height of two and one-half (2 ½) stories or forty-five feet. Accessory farm buildings are not subject to the building height limitations of this Chapter.