

Section 530 - Zoning: residential districts

530.01. Residential districts. Within the R districts no structure or land shall be used except for one or more of the uses so indicated as a permitted use, an accessory use or after having received a conditional use permit if required.

530.03. Manufactured single family homes. Subdivision 1. Defined. A manufactured single family home is a structure transportable in one or more sections which in the traveling mode is eight body feet or more in width and 40 feet or more in length or when erected on a site in the proper residential district will have an area of 320 or more square feet and which is built on a permanent foundation or chassis and designed to be used as a dwelling for one family, and is connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein and complies with all of the provisions of the manufactured homes building code adopted in section 400 of the city code.

Subd. 2. Permitted location. Manufactured single family homes may be permitted, erected, located or relocated in the following residential districts under the following conditions:

- a) in R-1 and R-2 zoning districts, any and all dwellings of any kind shall be subject to and governed by all of the provisions of the Minnesota state building code;
- b) in all other R districts manufactured single family homes may be permitted or relocated provided they include permanent foundations and are governed by all of the building code and other general regulations which may be from time to time established;
- c) in R-1 and R-2 zoning districts, any and all dwellings of any kind must have a minimum width of 20 feet and a minimum height of 14 feet.

530.04. Zero Lot Line Dwellings. Subdivision 1. Twin homes shall be subject to the following regulations:

- a) the required lot area for each dwelling in a twin home shall be at a minimum one-half (1/2) of the minimum lot area for two single family attached dwellings in the relevant zoning district.
- b) every lot or plot upon which there is erected a dwelling as part of a twin home shall have a minimum width of forty (40) feet at the building setback line.
- c) dwellings in a twin home shall be governed by the regulations for single family attached dwellings in the relevant zoning district.
(Added Ord. No:87-601)
- d) permitted in all R-1 Districts.
(Added Ord. 87-601)

530.05. Standards in R Districts. The table below lists permitted uses and minimum standards in R Districts.

PERMITTED USES:	R-1-A	R-1-B	R-1-C	R-1-D	R-1-E	R-2	R-3	R-4	R-5	R-6
1 Family Detached Dwelling	P	P	P	P	P					
2 Family Dwelling	P					P				
2-4 Family Dwelling						P	P			
Townhouse						P	P			P
Multiple Dwelling							P	P	P	P
Hopkins Owned Park & Rec	P	P	P	P	P	P	P	P	P	P

THE FOLLOWING ARE MINIMUMS REQUIRED:

Lot Area (Sq. Ft.)	6,000	8,000	12,000	20,000	40,000	12,000	16,000	20,000	24,000	16,000
Non Residential Use	20,000	20,000	20,000	20,000	40,000	20,000	20,000	20,000	20,000	20,000
Lot Area 1 Family (Sq. Ft.)	3,500	8,000	12,000	20,000	40,000	3,500	2,600	1,600	1,000	2,600
Lot Width (Ft.)	50	60	80	100	100	100	150	150	150	150
Front Yard (Ft.)	25	30	30	35	35	35	35	30	30	35
Side Yard (Ft.) see footnote (2)										
1 Story	8	8	10	10	10	10	15' or 1/2 the height, whichever is greater		15' or 1/2 the height whichever is greater	
2 Story	8	8	12	12	12	12				
3 Story	10	10	14	14	14	14				

MAXIMUM ALLOWED:

Percentage of Building Coverage	35	35	35	35	35	35	35	30	30	35
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(2) The side yard for additions to any existing dwelling shall be the same or greater than the existing structure, except that no side yard shall be less than five feet.

Rear Yard	25	30	35	40	40	35	25' or 1/2 the height, whichever is greater		25' or 1/2 the height, whichever is greater	
Dwelling Floor Area (Sq. Ft.)										
1 Family	700	800	1,000	1,200	1,200					
2 Family	700					800				
More than 2										
Efficiency						520	520	520	520	520
1 Bedroom						600	600	600	600	600
2 Bedroom						720	720	720	720	720
Over 2 bedroom						(700 + 120 for each Bedroom)				
Building Height	35	35	35	35	35	35	35	45	4 story	4 story
Open Space Ratio						1:1.5	1:2.5	1:1	1:1:75	1:1.25

(3) The side yard to an existing dwelling on a corner lot abutting a right-of-way has a minimum setback of five feet in all R-1 zoning districts. (Added Ord. 99-823)

(4) The side yard to the attached garage side of the home shall be a minimum of five feet. The attached garage cannot be converted to livable space. (Added Ord. 99-823)

(5) In all R-1 districts, front porches are allowed to be constructed in the front yard setback with a minimum setback of 20 feet. (Added Ord. 99-823)

530.06. Nonresidential Facility and Residential Facility. The following are permitted in single family districts:

- a) Licensed non-residential programs with a licensed capacity of 12 or fewer persons.
- b) Licensed residential programs with a licensed capacity of 6 or fewer persons.
- c) Group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445, serving 14 or fewer children. (Added Ord. No. 93-722)

530.07. Credits and allowances: multiple dwelling lot area. The following lot area credits and allowances shall be applied for multiple dwellings in the R-3, R-4, R-5 and R-6 districts but in no event shall the minimum lot area with allowances be less than 1850 sq. ft., 850 sq. ft., 600 sq. ft., or 850 sq. ft. per dwelling.

- a) For each parking space provided within the building or underground, subtract 300 sq. ft. per unit.
- b) If the site upon which the multiple dwelling is being constructed is abutting B-2 or B-3 business district, subtract 300 sq. ft.
- c) If the abutting land is in the R-1 district, add 300 sq. ft. per unit for that portion of the multiple dwelling site within 150 ft. of the R-1 district unless the land zoned R-1 is used for a school, public park or some other open space declared permanent by the council, then add only 100 sq. ft. per unit for that portion of the multiple dwelling site within 150 feet of the R-1 district.
- d) If total lot coverage is less than 20%, subtract 150 sq.ft.per unit.
- e) For each unit containing in excess of two bedrooms, add 300 sq. ft.
- f) If it is necessary to raze existing principal buildings found by the commission to be in dilapidated condition where economically unfeasible, there shall be provided an allowance of two dwelling units above any other allowance permitted by this section. Upon such findings the commission the allowance for the existing building may be given credit toward a proposed project after its removal for a period not to exceed two years.

530.09. Conditional uses within R districts. Subdivision 1. The following are conditional uses in R zoning districts and certain of the standards, restrictions and requirements applicable to such conditional uses: (Amended Ord. 95-777 [1-3-96]) (Amended Ord. 2000-833)

- a) Within the R-2 - R-6 districts, only any church or place of religious worship and all structures, facilities and physical improvements incident or accessory thereto. The front yard setback for such a conditional use shall be the same front yard setback stated in Section 530.05 of this ordinance for permitted uses in the zoning district in which the conditional use is located. The side and rear yard setbacks for any such conditional use shall be no less than 35 feet from its side and rear property lines. (Amended Ord. 2000-833 [5-17-00])

- b) Outdoor recreation areas not designed and owned as a part of a single family home or two family structure, or not owned or operated by the city, provided that:
1. all accessory or ancillary structures used in connection therewith are located not less than 50 feet from all lot lines;
 2. golf courses shall not include driving ranges and shall have an average of 130 yards or more per hole;
 3. country clubs shall include a golf course;
 4. outdoor game court and swimming pools abutting upon or in any R district shall be fenced and screened by plantings or other suitable screening material, and shall not be lighted between the hours of 11 P.M. and 6 A.M. of the following day. The term game court and pool shall be construed to include all areas bounded by the fencing in connection therewith;
 5. all recreation facilities not a part of a PUD shall require a cost report to show the number of families necessary to support such facility.
- c) Municipal service structures subject to the following:
1. Any structures involving a use in connection with the transmission of electric, telephone, telegraph, gas, water, sewer and other public or private utilities including any fence in connection therewith shall conform to yard requirements, architectural style and landscaping of the immediate neighborhood;
 2. Electric power transmission lines shall be located along public street (R.O.W.) or along railroad R.O.W.;
 3. Buildings in public parks provided they are 50 feet or more from all lot lines in an R district.
- d) Within the R-2 - R-6 districts public or private schools provided no buildings are located less than 50 feet from any lot line and that a fence is erected along the boundary line which is common with abutting private property. (Amended Ord. 2000-833)
- e) Railroad rights-of-way for through trains only.
- f) Off-street parking for abutting B or I uses provided:
1. Such parking may be extended the width of three contiguous lots or 150 feet, whichever is more, onto land which is zoned for residential;
 2. The land is under the same ownership or control as the abutting B or I uses land which is to be served;
 3. Said parking is not located between two existing abutting dwelling units subject to conformance with parking lot standards in the code;

4. Such off-street parking shall not be allowed on any lot on which a dwelling is located at the time of application for the Conditional Use Permit or on which a dwelling was located but has been removed by or on behalf of the applicant at any time prior to the date of the application for the Conditional Use Permit; and
 5. Such off-street parking shall otherwise be subject to the standards and requirements stated in Section 525.13 of these ordinances. (Amended Ord. 2000-833)
- g) Within the R-4 or R-5 districts - private clubs and lodges not operated for a profit.
 - h) Within the R-3, R-4 or R-5 districts - boarding houses provided the site shall contain not less than 1000 sq. ft. of lot area for each person to be accommodated.
 - i) Within the R-3, R-4 or R-5 districts, convalescent and nursing homes provided the site shall contain not less than 600 sq. ft. of lot area for each person to be accommodated.
 - j) R-4 or R-5 district - retail sales and service may be provided by vending devices or by personnel when such retail area is secondary to the principal use.
 - k) R-4 or R-5 district - offices on the first floor of a building other than a multiple-family dwelling for persons engaged in one of the recognized professions, finance, insurance, real estate, religious or philanthropic organizations. (Amended Ord. 96-787)
 - l) R-4 or R-5 district - public or quasi public buildings such as libraries, YMCA, museums, art institutes and within R-1, R-2 or R-3 of located in a public park.
 - m) R-4 and R-5 district - motel provided the site contains 1000 sq. ft. for each rental unit, and site has frontage on a major thoroughfare.
 - n) Foster homes shall be permitted in the R-1 or R-2 district.
 - o) Licensed nonresidential program with a license capacity of 13 to 16 persons within the R-2, R-3, R-4, R-5 and R-6 districts subject to the following:
 1. located only in proximity to a collector or arterial roadway as designated in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
 2. pick-up and drop-off areas located outside of parking setback area;
 3. outdoor recreation areas to be setback 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;
 4. one parking space provided for each six persons based upon the license capacity of the facility. (Added Ord. No. 93-722)

p) Licensed residential program in the R-2, R-3, R-4, R-5 and R-6 districts with a licensed capacity of 7 to 16 persons subject to the following:

1. Facilities shall comply with all applicable codes and regulations and shall have, current and in effect, the appropriate State licenses;
2. On-site services and treatment at residential facilities shall be for residents of the facility only, and shall not be for nonresidents or persons outside the facility;
3. The conditional use permit is only valid as long as a valid State license is held by the operator of the facility where such license is required;
4. Traffic generated by the facility not to exceed the design capacity of the local street system or cause a decrease in service levels of intersection, as defined by the Institute of Traffic Engineers. Adequate sight distance at access points shall be available;
5. No on-street parking to be allowed. Adequate off-street parking shall be required by the City based on the staff and resident needs of each specific facility;
6. No external building improvements undertaken which alter the original character of the home unless approved by the City Council;
7. Additional conditions may be required by the City in order to address the specific impacts of a proposed facility. (Added Ord. No. 93-722)

q) School buildings which are a part of the physical system of the district but which are considered temporarily in surplus may be used as research centers, offices of a general nature or as some form of educational activity not necessarily similar to the public school curriculum, provided:

- 1) the off-street parking requirements are met;
- 2) the work day of such use falls between 7 A.M. and 9 P.M.;

r) Homes for the elderly may be located in the R-4, R-5 or R-6 district provided the floor area of each such dwelling unit or apartment contains not less than 420 sq. ft. and is inhabited by not more than 2 persons;

s) Photographic illustration studio in the R-4 and R-5 districts.

t) Zero lot line dwellings may be erected in such a manner that the single family dwellings share common side walls or that four single family dwellings share two common walls with other dwellings and said walls are located on the rear and side lot lines, provided such dwellings are compatible with the surrounding land uses. At a minimum, the zoning standards shall be proportionate to the minimum standards for single family attached dwellings in the relevant zoning district. Each dwelling unit will have separate utilities. An as-built survey will be taken after completion of the units and filed with the City. (Added Ord. No: 87-601)

u) Bed and Breakfasts in the R-1 districts subject to the following:

1. The bed and breakfast shall be the principal residence of the bed and breakfast property owner.

2. Off-street parking at a ratio of one space per guestroom plus two spaces for the residence.
3. No parking in the front yard setback.
4. Bed and breakfasts must be located 600 feet apart.
5. Only breakfast shall be served, and service shall be restricted to guests only, not the general public. No separate food preparation facilities are allowed.
6. A bed and breakfast establishment may host one special event each month for not more than 25 non-registered guests with the following requirements:
 - a) At least two weeks prior to an event, the bed and breakfast owner must notify the City Planner in writing of the event. This will include the hours of the event and information on how the property's exterior areas will be used during the event (music, temporary structures, etc.).
 - b) The applicant must notify the City of the hours of the event and whether music will be played.
 - c) Food may be furnished by and to special event guests provided all necessary local, state, and/or federal permits, licenses or authorizations have been obtained.
 - d) Alcoholic beverages may be served to special event guests only by a caterer, provided the caterer has all required local, state and federal permits licenses or authorization for service of alcoholic beverages.
 - e) The bed and breakfast owner must be present during special events and shall provide adequate supervision of the event.
 - f) The hours of the event shall be between 9 a.m. and 10 p.m.
7. Bed and Breakfasts are allowed signage but limited to four square feet.
8. All exterior lighting to be concealed or screened. (Added Ord. 08-1000)

530.11. Accessory uses: R districts. The following are permitted accessory uses in R districts:

- a) Private garages, parking space, car port for automobiles and one truck not in excess of 9000 lb. rated capacity when owned by the occupant.

- b) Garages sales, provided that no sale shall continue for more than three days and frequency shall not be greater than twice a year.
- c) Gardening and horticultural uses.
- d) Home occupations.
- e) Keeping of not more than two roomers by a resident family.
- f) Signs as regulated in this code.
- g) Buildings temporarily located for purpose of construction or for sale or lease of units.
- h) Decorative landscape features.
- i) The storage outside of a building but not on a parking space which was included to meet the minimum standards of this code, one non-passenger vehicle or one building for winter ice fishing provided none of the above mentioned items are over 22 feet in length. Said storage shall not be in the front yard with the following exception for a boat that will be allowed to be parked in the driveway from May 1 to October 31. (Amended Ord. 2002-873)
- j) Recreational equipment not otherwise prohibited in Section 530.12, provided that it is so located as to not encourage trespassing onto abutting lots or infringe on the side yard thereof. (Amended Ord. No.2002-873)
- k) The storage outside of a building but not on a parking space which was included to meet the minimum standards of this code, one non-passenger vehicle over 22 feet in length. This non-passenger vehicle shall be no closer than five feet from the lot line. Screening is required. Screening requires both the use of a fence and plants. The fence must meet the requirements of Section 520.13. In addition to fencing, landscaping must be used. The landscaping can be shrubs or trees that will grow to the height of the vehicle when they reach maturity. (Added Ord. No. 2002-873)
- l) Recreational vehicles can be parked on the driveway for up to 48 hours for loading, unloading or routine maintenance. At these times, the RV must be parked in the driveway, not the street. (Added Ord. No. 2002-873)

530.12 Prohibited Uses: R Districts

- (a) Skateboard ramps or similar structures used for skateboarding or related purposes are prohibited in residentially zoned areas. (Added Ord.No. 87 - 580)
- (b) Home occupation – massage therapy (Added Ord. 13-1064)