

ORDINANCE #19-06

CITY OF PINE CITY
COUNTY OF PINE
STATE OF MINNESOTA

A ORDINANCE AMENDING ALLOWANCE AND DEFINITION OF ACCESSORY DWELLING UNITS AS A CONDITIONAL USE IN THE AGRICULTURAL OPEN SPACE (A-O), SINGLE FAMILY (R-1) AND ONE AND TWO FAMILY RESIDENTIAL (R-2) DISTRICTS, PRESCRIBING STANDARDS FOR ACCESSORY DWELLING UNIT VIA CONDITIONAL USE WHERE PERMITTED, AND AMENDING ASSOCIATED PARKING REQUIREMENTS.

The City Council of the City of Pine City does hereby ordain the following amendments to the City of Pine City Code of Ordinances:

Section 10.100.1100 Definition of Terms.

Accessory Dwelling Unit. A dwelling unit that is located on the same lot as a principal residential structure to which it is accessory, and that is subordinate in area to the principal dwelling. There are three types: attached, internal and detached.

Duplex/Villa. Two-family housing units, neither of which is an accessory dwelling unit, and that share a common wall space.

Multifamily (Apartment). A building containing more than four (4) housing units, not including an accessory dwelling unit.

Single Family, Detached. A housing unit designed to be utilized by one family, except that the structure may also contain an accessory dwelling unit where expressly authorized pursuant to this ordinance. A detached accessory dwelling unit shall not be considered a single-family dwelling unit for the purposes of this ordinance.

Townhouse/Condominiums. Owner occupied multiple family dwelling, neither of which is an accessory dwelling unit, but sharing one or more common walls subject to the provisions of the Minnesota Condominium Law, Minnesota Statutes, Sections 515.01 to 515.19, as amended.

Section 10.200.0250. Conditional Uses.

(Also listed in Appendix B)

Drive-in Theaters

Campground
Group/Multiple Family Day Care-Center
Indoor Institutional
Institutional Residential
Accessory Dwelling Unit

Section 10.200.0350. Conditional Uses.

(Also listed in Appendix B)

Bed and Breakfast Establishment
Active Outdoor Recreational
Indoor Institutional
Institutional Residential
Transit Stop
Group/Multiple Family Day Care- Center
Accessory Dwelling Unit

Section 10.200.0550. Conditional Uses.

(Also listed in Appendix B)

Indoor Institutional
Outdoor Institutional
Institutional Residential
Transit Stop
Group/Multiple Family Daycare-Center
Accessory Dwelling Unit

Section 10.400.0240 Accessory Dwelling Units in A-O, R-1 and R-2

Accessory dwelling units. Internal, attached and detached accessory dwelling units shall be permitted or conditional single-family dwelling; accessory dwelling units shall be prohibited accessory to all other uses. Internal, attached and detached accessory dwelling units shall be allowed, subject to the following development standards.

- A. Height. The maximum height of a detached accessory dwelling unit may be varied, provided that the height of the detached accessory dwelling unit shall not exceed the height of the principle structure.
- B. Use. Either the accessory dwelling unit or the principle structure must be owner-occupied for the entire calendar year.
- C. Size. The minimum gross floor area for all types of an accessory dwelling unit shall be three hundred (300) square feet.
- D. Setbacks. The accessory dwelling unit structure shall be located seven (7) feet or more from all lot lines of adjoining lots, except as otherwise permitted within this ordinance. The structure shall not be located within a utility easement or within the front yard of the principle use structure.
- E. Quantity. No more than one (1) accessory dwelling unit shall be allowed on a parcel.
- F. Subdivision. The creation of an accessory dwelling unit shall not create a separate tax parcel.
- G. Internal Accessory Dwelling Units.

- a. Size. Internal accessory dwelling units are limited to eight hundred (800) square feet. In no case shall the floor area of the internal accessory dwelling unit exceed the floor area of the first floor of the primary structure.
 - b. Location. The entire internal accessory dwelling unit shall be located on one level.
 - c. Design. The creation of the accessory dwelling unit shall not result in additional entrances facing the public street on the primary structure. Any stairways leading to the accessory dwelling unit shall be enclosed.
- H. Attached Accessory Dwelling Units.
- a. Size. The maximum floor area for an attached accessory dwelling unit shall be eight hundred (800) square feet.
 - b. Design. The creation of the accessory dwelling unit shall not result in additional entrances facing the public street on the primary structure. Any stairways leading to an upper story of an accessory dwelling unit shall be enclosed. The primary exterior materials of an attached accessory dwelling unit shall match the primary exterior materials of the principal structure.
- I. Detached Accessory Dwelling Units.
- a. Height. A detached accessory dwelling unit shall not exceed the height of the principal residential structure or eighteen (18) feet, whichever is less. In no case shall the highest point of the roof of the detached accessory dwelling unit exceed the highest point of the roof of the principal residential structure.
 - b. Size. The floor area of a detached accessory dwelling unit shall not exceed one-thousand (1,000) square feet, including any areas designed or intended to be used for parking of vehicles and any half-story floor area. When a lot includes a detached accessory dwelling unit, the combined floor area of the footprint of the detached accessory dwelling unit, and all other accessory structures and uses designed or intended to be used for parking of vehicles, shall not result in total lot coverage by buildings of twenty-five (25) percent or more.
 - c. Location. Detached accessory dwelling units shall be located entirely to the rear of the principle structure and not within ten (10) feet of the principal structure.
 - d. Design. The primary exterior materials of an attached accessory dwelling unit shall match the primary exterior materials of the principal structure and shall be durable, including but not limited to masonry, brick, stone, wood, cement-based siding or glass. Exterior stairways shall be allowed, provided that the finish of the railing matches the finish or trim of the detached accessory dwelling unit. Raw or unfinished lumber shall not be permitted on an exterior stairway.

Section 10.200.0260. Parking Requirements.

See Appendix C.

Section 10.200.0360. Parking Requirements.

See Appendix C.

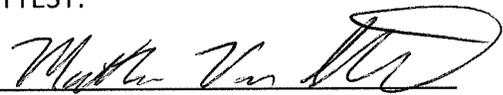
Section 10.200.0560. Parking Requirements.

See Appendix C.

Appendix C – Parking Regulations	
Residential Uses	Required Parking Spaces
Single Family Duplex Triplex/Quadplex	Two parking spaces per unit
Multifamily (Apartment)	Two parking spaces per unit plus 0.5 visitor spaces per unit
Accessory Dwelling Unit	One space per unit

Passed and adopted by the City Council of the City of Pine City this 2nd day of January 2019.

By: 
 Carl Pederson, Mayor

ATTEST:

 Matthew Van Steenwyk
 Interim City Administrator/Treasurer

Approved 1/2/19
 Summary Published in the Pine City Pioneer 1/10/19