

**ORDINANCE #15-06
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

**AN AMENDMENT TO CHAPTER 117 OF THE CITY CODE, WHICH CHAPTER IS KNOWN AS
ZONING AND SUBDIVISIONS OF THE CITY CODE OF RAMSEY, MINNESOTA**

**AN ORDINANCE AMENDING SECTIONS 117-111 (R-1 RESIDENTIAL DISTRICT) AND 117-349
(ACCESSORY USES AND BUILDINGS) OF THE RAMSEY CITY CODE.**

The City of Ramsey Ordains:

SECTION 1 AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2 AMENDMENTS

Section 117-111 Subsection (g) (1) a. is amended to read as follows:

- a. *Height.* Fencing or walls (except retaining walls) located in the required front yard setback shall not exceed four feet in height except for "ornamental fences" as defined in section 117-1. Fencing or walls located in the side or rear yard shall not exceed eight (8) feet in height. A zoning permit is required for all fences that are not addressed by the Minnesota State Building Code.

Section 117-349 Subsection (d) a. is amended to read as follows:

(d) *Accessory buildings.*

- (1) *Future re-subdivision.* Any proposed accessory building should be located on the parcel of land so as to allow for orderly future re-subdivision of a parcel on which the building is to be located.
- (2) *Principal building required.* No accessory building shall be constructed on any lot prior to the time of construction of the principal building.
- (3) *Permits.* A permit is required prior to constructing or moving an accessory building on to a property.
 - a. *Zoning Permit.* Detached accessory buildings not addressed by Minnesota State Building Code shall require the issuance of a zoning permit prior to the building being constructed or moved onto a property and shall comply with all required setbacks and zoning regulations.
 - b. *Building Permit.* Detached accessory buildings addressed by Minnesota State Building Code shall require the issuance of a building permit prior to being constructed or

moved onto a property and shall comply with all applicable building codes and zoning regulations.

(4) *Agricultural buildings.* Agricultural buildings, as defined in Minn. Stats. § 326B.103, subd. 3, shall require a zoning permit prior to the building being constructed or moved onto a property and shall comply with all other zoning regulations.

(5) Accessory building height.

- a. The height of detached accessory buildings shall not exceed 22 feet on parcels two acres (87,120 square feet) or greater in size.
- b. The height of detached accessory buildings shall not exceed 16 feet on parcels less than two acres (87,120 square feet) in size. On parcels less than two acres, the height of side walls shall not exceed fourteen feet.
- c. The height of attached accessory buildings shall not exceed the height of the principal structure.
- d. A variance will be required to exceed the established height restrictions for accessory buildings. The variance shall be processed in accordance with the procedures established in section 117-53. Criteria governing consideration of a variance request to exceed height restrictions on accessory buildings shall include, but not be limited to the following:
 1. Whether the variance will impair an adequate supply of light and air to adjacent property.
 2. Whether the variance will have the effect of allowing a use that is prohibited in the applicable zoning district.
 3. Whether the variance will impair established property values within the neighborhood.
 4. Whether the increased height will be compatible with the principal building on the same parcel.
 5. Whether the increased height will be compatible with existing development in the immediate neighborhood.
 6. Whether the variance requested is the minimum variance necessary to accomplish the intended purpose of the applicant.

(6) Architectural and exterior standards for accessory buildings:

- a. Exterior building materials for detached accessory buildings not addressed by Minnesota State Building Code shall be generally consistent with the exterior finish of the principal building or finished with hardboard lap siding, vinyl lap siding, aluminum or metal siding, metal panels, textured wood (painted) and/or masonry. Prefabricated molded plastic storage sheds shall be permissible.
- b. Gambrel roofs (barn style) are permitted.
- c. Where provided, accessory buildings with metal panel exterior finish must include the following:

1. If located in the front yard, shall include at least three of the following:
 - (i) Minimum of three complimentary colors
 - (ii) Minimum of 35 percent brick on front (street facing) façade.
 - (iii) 100 percent vegetative screening. Use of vegetative screening shall require an agreement, recorded against the property with the Anoka County Recorder, specifying replacement standards, species, size of plantings, and other items as required by the zoning administrator.
 - (iv) 10 percent window coverage on front (street facing) façade and common property lines.

(7) *Driveways.*

- a. *Attached accessory buildings.* A driveway shall be required for all attached accessory buildings with a doorway opening meeting or exceeding eight (8) feet wide by seven (7) feet tall. The driveway must meet underlying zoning district standards in which the property is located.
 - b. *Detached accessory buildings.* A driveway is not required to service a detached accessory building unless said detached accessory building serves as the primary garage. If the detached accessory building serves as the primary garage, a driveway shall be installed meeting the underlying zoning district standards in which the property is located.
 1. If a detached accessory building does not serve as the primary garage, class V gravel shall be permitted as an extension of an existing driveway for the sole purpose of accessing the detached accessory building if the existing driveway is in compliance with current zoning standards.
 2. If a driveway is not installed to service a detached accessory building, there shall be no off-street parking unless in accordance with City Code Section 117-355.
- (8) Detached accessory buildings shall be prohibited from containing complete independent living facilities (accessory apartments), which would include permanent provisions for living, sleeping, eating, and sanitation. Independent living facilities shall be considered those which meet three or more of the criteria in subsection (6)d of this section and have provisions for separating the living space.
- (9) Two-story accessory buildings shall be permitted on properties under the following conditions:
- a. Within MUSA with the issuance of a conditional use permit in accordance with City Code section 117-51.
 - b. Outside the MUSA on parcels less than two acres in size with the issuance of a conditional use permit in accordance with City Code section 117-51.
 - c. Outside the MUSA on parcels two acres in size or greater.
- (10) No part of an accessory building shall extend into a drainage and utility easement or any required setback.

(11) Any accessory building proposed to be within five feet, overhang to overhang, of the principal building shall either be made structurally a part of the principal building or the wall and soffit area of the accessory building that is within five feet of the principal building shall be constructed to a one-hour fire rating.

(12) Accessory building location.

- a. On lots two acres (87,120 square feet) or greater in size, the detached accessory building may be located nearer the front property line than the principal building provided the following criteria are met:
 1. The placement of the detached accessory building maintains compliance with the standard front yard structure setback requirement for the respective zoning district;
 2. The exterior materials used on the detached accessory building match those of the principal building on the subject property unless otherwise provided for in this section;
 3. The accessory building is designed with soffit, fascia and eave overhang; and
 4. The accessory building does not exceed the height of the principal building or 22 feet, whichever is less.
- b. On lots less than two acres (87,120 square feet) in size, the accessory building shall be located in the side or rear yard and shall not be located nearer the front property line than the principal building on that lot, unless a variance is obtained. This provision shall not apply to attached garages that maintain compliance with the applicable front yard setback requirement.
- c. Front, side and rear yard accessory building setback requirements are outlined in section 117-111(d).
- d. Detached accessory buildings may be located in the front (street facing) yard when located riparian lots in the wild and scenic, critical area, or shoreland overlay districts, provided the structure meets the underlying front yard setback and cannot exceed the height of the principal structure. Detached accessory buildings located nearer the front property line than that of the principal structure must meet the same general design and materials as the principal structure.

(13) All accessory buildings, with the exception of attached garages, shall be included when calculating the maximum square footage of accessory building space allowed on a property. All accessory buildings, excluding attached garages, shall be included when determining the total number of accessory buildings on a property.

(14) Accessory building size restrictions. Size restrictions and performance standards for accessory buildings in residential districts shall be as follows:

- a. *R-1 Residential (MUSA)*.

Parcel Size (sq. ft. and acres) (excl. road right-of-way)	Maximum Square Footage Allowed for Accessory Buildings ¹	Maximum # of Acc. Bldgs. Allowed	Exterior Finish Permitted	Architectural Standards Required (for buildings regulated by MN State Building Code)	Maximum Allowable Height in Feet (one story buildings permitted, two with CUP and 2 acres)
0—21,779 (0 to 0.5 acre)	10% of lot, or 1,500 square feet, whichever is smaller	2	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
21,780—43,559 (0.5 acre to 1 acre)	1,800	3	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
43,560—65,339 (1 acre to 1.49 acres)	2,200	3	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
65,340—87,119 (1.5 to 1.99 acres)	2,400	3	Same general design and materials as home	Soffit, fascia, eave overhang to match home	16
87,120—108,899 (2.0 to 2.49 acres)	2,400	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³

108,900— 152,459 (2.5- 3.49 acres)	2,700	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
152,460— 196,019 (3.5- 4.49 acres)	3,000	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
196,020— 239,579 (4.5- 5.49 acres)	3,500	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
239,580— 283,139 (5.5- 6.49 acres)	3,900	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
283,140— 326,699 (6.5- 7.49 acres)	4,300	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
326,700— 370,259 (7.5- 8.49 acres)	4,700	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³

			compatible metal panels ²		
370,260— 413,819 (8.5- 9.49 acres)	5,100	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
413,820— 435,599 (9.5 to 9.99 acres)	5,500	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
435,600— 871,199 (10 to 19.99 acres)	6,000	6	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
871,200— 1,742,399 (20 to 39.99 acres)	8,000	7	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
1,472,400 plus (40 acres or more)	12,000	8	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³

¹ A portion of the square footage allowed for accessory buildings shall be utilized or reserved for a primary garage. The primary garage shall be at least 400 square feet in size.

² If the accessory building is closer to the front property line than the principal building, then the construction must have the same general design and materials as the home.

³ If the accessory building is closer to the front property line than the principal building, then the height of the accessory building cannot exceed the height of the principal building or 22 feet, whichever is more restrictive.

b. *R-1 Residential (Rural Developing).*

Parcel Size (sq. ft. and acres) (excl. road right-of-way)	Maximum Square Footage Allowed for Accessory Buildings ¹	Maximum # of Acc. Bldgs. Allowed	Exterior Finish Permitted	Architectural Standards Required (for buildings regulated by MN State Building Code)	Maximum Allowable Height in Feet (one story buildings permitted, two with CUP and 2 acres)
0—21,779 (0 to 0.5 acre)	10% of lot, or 1,500 square feet, whichever is smaller	2	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	16
21,780—43,559 (0.5 acre to 1 acre)	1,800	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	16
43,560—65,339 (1 acre to 1.49 acres)	2,200	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	16

65,340— 87,119 (1.5 to 1.99 acres)	2,400	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	16
87,120— 108,899 (2.0 to 2.49 acres)	2,400	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
108,900— 152,459 (2.5- 3.49 acres)	2,700	3	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
152,460— 196,019 (3.5- 4.49 acres)	3,000	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
196,020— 239,579 (4.5- 5.49 acres)	3,500	4	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
239,580— 283,139 (5.5- 6.49 acres)	3,900	4	Same general design and materials as home or color	Soffit, fascia, eave overhang to match home	22 ³

			compatible metal panels ²		
283,140— 326,699 (6.5- 7.49 acres)	4,300	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
326,700— 370,259 (7.5- 8.49 acres)	4,700	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
370,260— 413,819 (8.5- 9.49 acres)	5,100	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
413,820— 435,599 (9.5 to 9.99 acres)	5,500	5	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
435,600— 871,199 (10 to 19.99 acres)	6,000	6	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³

871,200— 1,742,399 (20 to 39.99 acres)	8,000	7	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³
1,472,400 plus (40 acres or more)	12,000	8	Same general design and materials as home or color compatible metal panels ²	Soffit, fascia, eave overhang to match home	22 ³

¹ A portion of the square footage allowed for accessory buildings shall be utilized or reserved for a primary garage. The primary garage shall be at least 400 square feet in size.

² If the accessory building is closer to the front property line than the principal building, then the construction must have the same general design and materials as the home or with metal panels as outlined in this section.

³ If the accessory building is closer to the front property line than the principal building, then the height of the accessory building cannot exceed the height of the principal building or 22 feet, whichever is more restrictive.

SECTION 3. SUMMARY

The following is the official summary of Ordinance #15-06, which has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

It is the intent and effect of Ordinance #15-06 to amend Ramsey, Minnesota City Code Sections 117-111 and 117-349 to:

- Clarify fences not addressed by Minnesota State Building Code require a zoning permit.
- Clarify accessory buildings not addressed by Minnesota State Building Code require a zoning permit.
- Eliminate the requirement for a driveway for detached accessory buildings, unless it serves as the primary garage, but clarify that off-street parking must still be in compliance with Section 117-355.
- Clarify that the primary garage is not included when determining the maximum number of allowable accessory buildings on a property.

- Clarify that the required architectural standards (soffit, fascia, and eave overhangs) are only required on accessory buildings addressed by Minnesota State Building Code.

SECTION 4. EFFECTIVE DATE

The effective date of this Ordinance is thirty (30) days after its passage and publication, subject to City Charter Section 5.07.

Adopted by the Ramsey City Council the 14th day of April, 2015.

Mayor

ATTEST:

City Clerk

Introduction Date:

Posting Dates:

Adoption Date:

Publication Date:

Effective Date: