

City of Excelsior
Hennepin County, Minnesota

Ordinance No. 560

An Ordinance Amending the Zoning Ordinance of
the Excelsior City Code to Amend Articles 41, 42, 43, 44, 45 and 46 of Appendix E
relating to Residential Zoning Districts

THE COUNCIL OF THE CITY OF EXCELSIOR HEREBY ORDAINS:

SECTION 1. Amendment. That Appendix E, Articles 41, 42, 43, 44, 45 and 46 be deleted in their entirety.

SECTION 2. Amendment. That Appendix E, Article 43 be renamed Residential Districts and amended to read as follows:

Sec. 41-1. Purpose Statements

- A.** The purpose of the R-1, Single Family Residential district is to provide for low density single-family detached residential dwelling uses and directly related, complementary uses.
- B.** The purpose of the R-2, Single and Two Family Residential district is to provide for one- and two-family dwellings and directly related, complementary uses.
- C.** The purpose of the R-3, Medium Density Residential district is to provide for a variety of compatible housing types and densities, including one and two family dwellings and medium density multiple family dwellings, within areas generally located at the edges of the downtown, as identified in the comprehensive plan.
- D.** The purpose of the R-4, High Density Residential district is to provide areas for multiple-family housing at relatively high densities in locations outside of established low density neighborhoods and within areas generally located as identified in the comprehensive plan. One- and two-family dwellings are excluded from this district.

Sec. 41-2. Permitted Uses

Table 41.1 lists the permitted, Conditional, Interim and accessory uses for the residential districts.

Table 41.1 Residential Districts Permitted Uses					
P=Permitted Use C=Conditional Use I=Interim Use; A=Accessory Use	R-1	R-2	R-3	R-4	Specific Standards
Residential Uses					
Single Family Dwellings	P	P	P	P	
Two-Family Dwellings		P	P	P	

Multiple-family dwellings no more than two stories in height and containing no more than six (6) dwelling units			P	P	
Multiple-family dwellings containing three (3) or more dwelling units				P	
A State licensed residential facility serving six (6) or fewer persons, a State licensed day care serving 12 or fewer persons, and a group family day care facility licensed under MN Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children	P	P	P	P	
Boarding and renting of rooms to not more than two individuals per dwelling unit	A	A	A	A	
Guest cottages and guest quarters within an accessory structure	A	A	A	A	Article 11
More than one principal building on a lot			C	C	
Community Uses					
City owned parks and recreational facilities	P	P	P	P	
Schools, public or private	C	C	C	C	
Municipal offices	P				
Religious assembly [1]	C	C	C	C	
Social service or other activities that are not directly worship-related in a religious institutional building(s)	A	A	A	A	
Commercial Uses					
Home Occupations and home offices	A	A	A	A	Article 31
Clinics			C		Article 12
Office, banks and other financial institutions			C		Article 12
Temporary structures	I	I	I	I	Article 27
Transportation, Communications, and Utilities					
Building or tower mounted wireless, home television and radio antennas including satellite dish antennas one meter or less in diameter	A	A	A	A	Article 29
Television, radio and wireless towers	C	C	C	C	Article 29
Essential services	A	A	A	A	Article 26
Accessory Uses					
Accessory uses	A	A	A	A	
Garages and parking spaces	A	A	A	A	Articles 11 and 19
Private recreational facilities such as tennis court and docks	A	A	A	A	
Swimming pools	C	C	C	C	Article 21
Sheds and boat houses	A	A	A	A	Article 11
Screen houses and gazebos	A	A	A	A	Article 11
Recreational vehicles and equipment storage	A	A	A	A	Article 11
Keeping of animals	A	A	A	A	Article 33
Signs	A	A	A	A	Article 24
Notes: [1] all principal buildings shall be located 50 feet or more from all property lines					

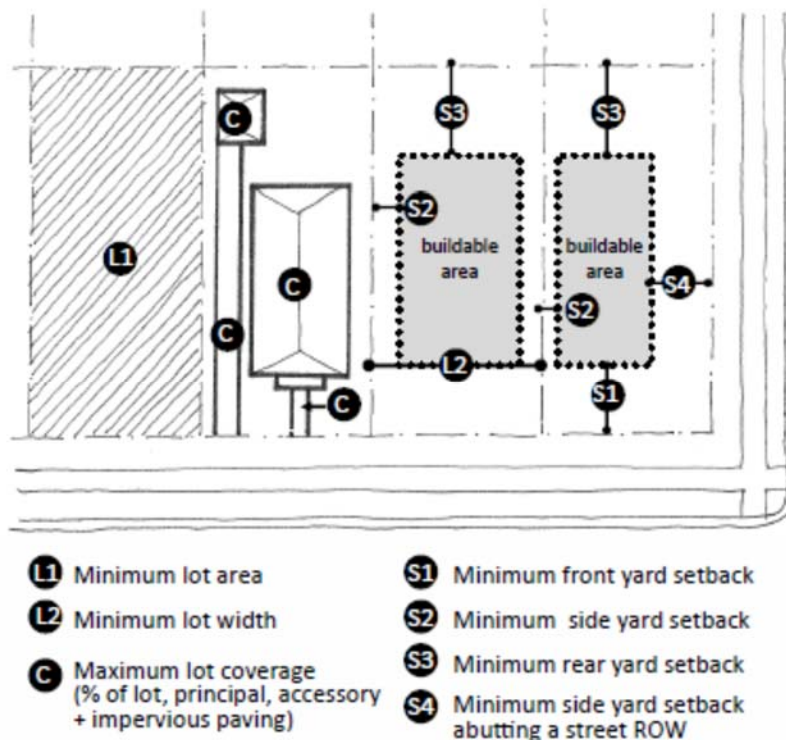
Section 41-3. Lot and Building Regulations

Table 41.2 establishes lot and building regulations for the residential districts, except as otherwise expressly stated in this zoning ordinance.

Table 41.2 Residential District Lot and Building Regulations				
	R-1	R-2	R-3	R-4
Lot and Density Standards (minimums)				
Lot Area (square feet)	10,000	10,000	15,000	15,000
Lot Area per Dwelling Unit (square feet)	10,000	8,500 for duplexes	8,500 [1]	Individual private entrances: 1 and 2 bedrooms: 3,600 3 or more bedrooms: 4,800 With common entrance: 1 and 2 bedrooms: 2,800 3 or more bedrooms: 3,600
Lot Width (feet)	70	60	100	150
Primary Structure Standards (minimums)				
Front Yard Setback (feet)	25	20 [2]	25	20
Side Yard Setback (feet)	10	9 on one side/5 on other	15	30
Side Yard Setback Abutting a Street Right-of-Way (feet)	15	15	20	20
Rear Yard Setback (feet)	35	25	20	30
Max. Building Height (feet)	See Sec. 41-4		35 [3]	35 [3]
Other Standards				
Maximum Lot Coverage (%)	See Sec. 41-5		40 [4]	40
Maximum Building Coverage (%)	35	35	35	35
Accessory Structures	See Article 11			
Projections into Required Yards	See Article 14			
Setbacks from Ordinary High Water Mark	See Section 60-4			
Notes:				
1 – For each parking space provided within residential structures or underground, subtract 500 feet				
2 – The principal structure (or addition thereto) shall be no closer to the street than the closest principal structure on either adjacent lot on the same block and same side of the street, but the principal structure (or addition thereto) need not be farther than 50 feet from the front lot line.				
3 - Building height exceptions are found in Article 14.				

Table 41.2 Residential District Lot and Building Regulations				
	R-1	R-2	R-3	R-4
4 – Maximum impervious surface exceptions for office, banks, and clinics are located in Sec 12.1 and 12.2.				

Figure 41-1: Lot and Building Regulation Diagram



Sec. 41-4. Building Height in the Residential Zoning Districts

A. The building height of the primary structure in the R-1 and R-2 zoning districts shall not exceed the following:

Table 41.4 Primary Building Heights for the R-1 and R-2 Zoning Districts			
Lot Size (square feet)	Less than 8,000	8,000 to less than 10,000	10,000 and greater
Maximum Height, Sloping Roof (feet)	29	31	33
Maximum Height, Top of Parapet, Flat Roof (feet)	22	24	26

1. A principal building may exceed the building height provided by this section where the lots adjacent and contiguous to the side lot lines of the lot each contain a principal building that is a nonconforming structure under section 15, in which case the maximum building height on the lot shall be equal to the building height of the building with the lowest height amount the lots adjacent and contiguous to the side lot lines, but in no event shall the maximum building height exceed 35 feet.

B. Building height exceptions are found in Article 14.

Sec. 41-5. Lot Coverage in the R-1 and R-2 Zoning Districts

- A. Lot coverage in the R-1 and R-2 zoning districts shall not exceed the following:

Table 41.5 Maximum Lot Coverage (principal + accessory + impervious surfaces)			
Lot Size (square feet)			
Less than 6,000	6,000 to less than 8,000	8,000 to less than 10,000	10,000 and greater
42%	40%	38%	36%

B. Exemptions

The following shall be exempt from the lot coverage:

1. The first 400 square feet of a detached garage setback 50 feet or more from the front property line.
2. The first 300 square feet of a rear- or side-loading garage located behind the house. To qualify, a side-loading garage must face an interior lot line.
3. The first 150 square feet of an attached garage setback 20 feet or more from the front of the house.
4. The first 240 square feet of a porch, located in the front yard or in the corner side yard, which has a minimum depth of 6 feet and three open sides OR the first 140 square feet of a porch with two open sides shall be excluded from the lot coverage ratio.

Sec. 41-5. Minimum Floor Area per Dwelling Unit

- A. **Single-family dwelling units.** Except as otherwise specified in the zoning district provisions, single-family homes as classified below shall have the following minimum floor areas per unit:

One and two bedroom	800 square feet above grade
Three bedrooms or more	950 square feet above grade

- B. **Multiple dwelling units.** Except as otherwise specified in zoning district provisions, living units classified as multiple dwelling (excepting elderly housing) shall have the following minimum floor areas per unit:

Efficiency/studio units	500 square feet
One bedroom units	700 square feet
Two bedroom units	800 square feet
More than two bedroom units	An additional 80 square feet for each additional bedroom

- C. **Elderly (senior citizen) housing.** Except as otherwise specified in the zoning district provisions, living units classified as elderly (senior citizen) housing units shall have the following minimum floor areas per unit:

Efficiency/studio units	440 square feet
One bedroom	520 square feet
More than one bedroom units	An additional 80 square feet for each additional bedroom

- D. **Two-family, manor homes, and townhouses.** Except as otherwise specified in the zoning district provisions, two-family, manor homes, and townhouses, as classified below, shall have the minimum floor area per unit:

Two Family	650 square feet first floor above grade, plus 100 additional square feet for each bedroom
Manor homes, Townhouses	600 square feet first floor above grade, plus 100 additional square feet for each bedroom

- E. **Efficiency/studio apartments.**

Except for elderly (senior citizen) housing, the number of efficiency apartments in multiple family dwellings shall not exceed one unit or ten percent of the total number of dwelling units in the building, whichever is greater. In the case of elderly (senior citizen) housing, efficiency apartments shall not exceed 30 percent of the total number of apartments.

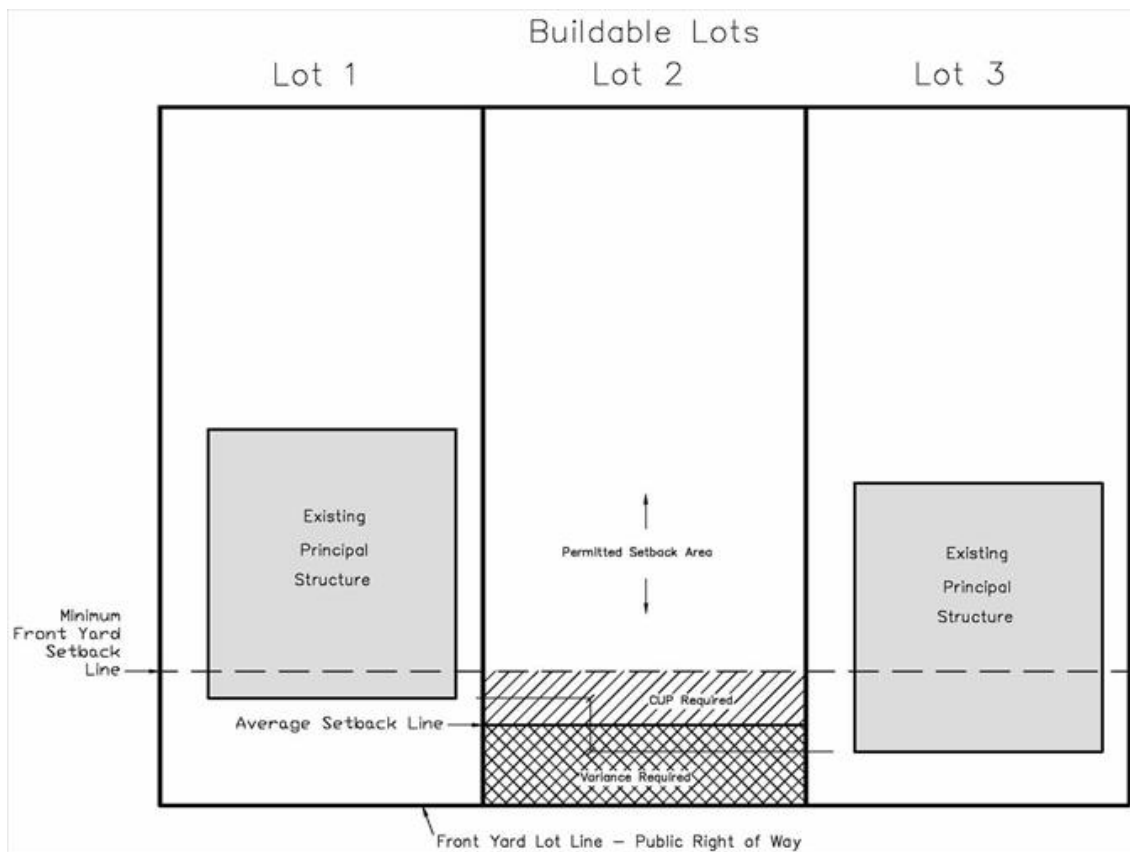
Sec. 41-6. Additional Lot Standards

- A. **Side yards.** Buildings may be excluded from side yard requirements in the R-2, One and Two Family Residential district if a party wall is used along the common lot line to construct a building as an integral unit. Party wall is to be fire resistant and shall be secured by the necessary easements.

Sec. 41-7. Front Yard Setback Exceptions

- A. **Front yard setback exceptions**

In the case of lots platted prior to the date of this Appendix E with abutting principal structures on abutting lots forward of the minimum front yard setback line, the required front yard setback on a public right-of-way, as established by the respective residential zoning districts, may be reduced upon the approval of a conditional use permit, to a distance equaling the average setback of principal buildings on either side of the lot in question. A principal structure shall not be placed forward of the average setback line. The conditional use process shall be utilized for any setback allowance between the average setback line and the required front yard setback on a public right-of-way and shall be subject to the conditions as provided for in subsection [17-6\(7\)](#) and [article 4](#) of this Appendix E. (See the following Buildable Lot graphic.)



Note: If the proposed front yard setback for a structure on lot 2 is:

1. Greater than the minimum front yard setback, it will be allowed.
2. Greater than the average setback line, but less than the minimum setback, a conditional use permit process is required.
3. Small than the average setback line, a variance process is required.

- B. Conditional use permit.** Application for a conditional use permit under this article shall be regulated by [article 4](#) of this Appendix E. Such a conditional use permit may be granted provided that all of the following criteria comply:
1. The building setback will not significantly impact the appearance of the streetscape of the immediate neighborhood.
 2. An addition to the front of the structure shall include architectural or historic elements that are appropriate to the style of the house and the immediate neighborhood.
 3. The mass, scale and building height of the proposed structure is not significantly different from the adjacent structures or immediate neighborhood.
 4. The building will comply with all applicable performance standards of this Appendix E. A conditional use permit shall not be issued under this article for a deviation from the requirements of this Appendix E unless variances are also approved.
 5. The request for the conditional use permit shall be based on standards and criteria set forth in [section 4-5](#) of this Appendix E.

Sec. 41-8. Exterior Building Finishes

The primary exterior building facade finishes for residential uses shall consist of materials comparable in grade to the following:

- A. Brick.
- B. Stone (natural or artificial).
- C. Integral colored split face (rock face) concrete block.
- D. Wood, natural or composite, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood or cypress.
- E. Stucco (natural or artificial).
- F. Finished or unfinished copper and zinc.
- G. Recyclable grades of vinyl, and finished steel and aluminum.
- H. Fiber cement board.
- I. Exterior insulation and finish systems.
- J. Energy generation panels and devices affixed to a roof or wall. If not in use, the panels or devices should be removed and building surface restored to the original condition.

Sec. 41-9. Design Standards for Single Family and Multiple Family Containing up to Five Units

Single family and multiple family containing up to five units including all new construction and remodeling shall meet the following design standards:

A. Entrances

Primary entrances on principal structures shall face the primary abutting public street or be linked to that street by a clearly defined and visible walkway or courtyard. Additional secondary entrances may be oriented to a secondary street or parking area. Primary entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.

B. New construction and remodeling

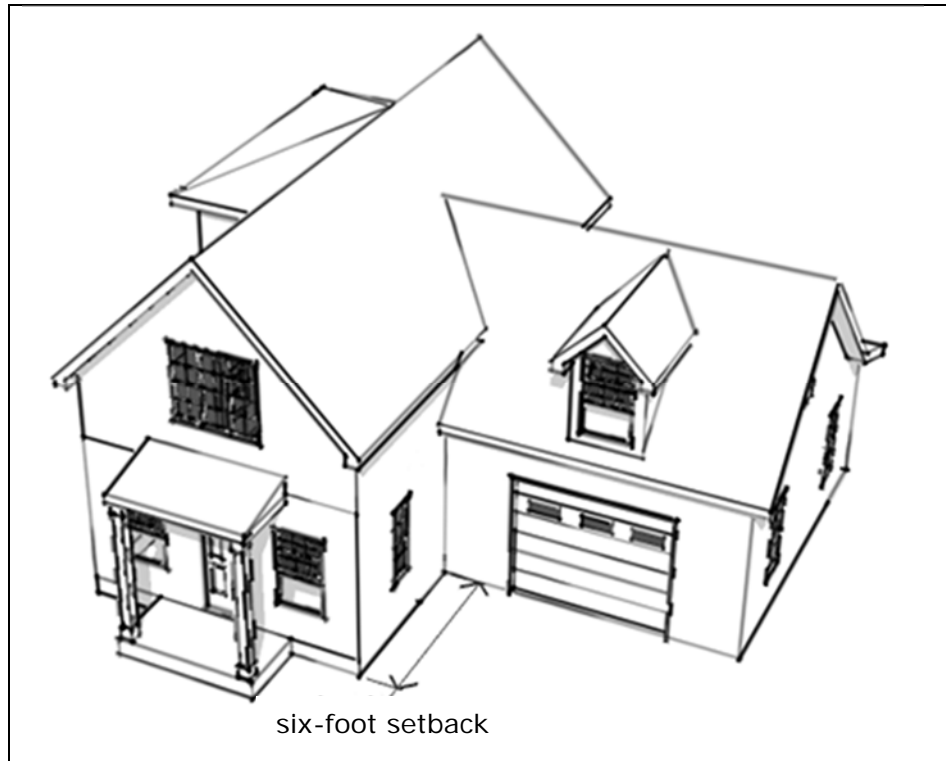
New construction and remodeling shall relate to the design of surrounding traditional buildings, where these are present. Design features such as similar setbacks, scale, facade divisions, roof lines, rhythm and proportions of openings, building materials and colors are possible design techniques, while allowing desirable architecture innovation, variation, and visual interest. All sides of buildings shall use the same building materials and other architectural treatments as principal facades.

C. Window and door openings

For principal residential buildings, above grade window and door openings shall comprise at least 15 percent of the total area of exterior walls (excluding the area of garage doors) facing a public street or sidewalk. In addition, above grade window and door openings shall comprise at least ten percent of the total area of all exterior walls.

D. Garages

1. Garage doors/street facing building facade. Street facing garage doors shall be limited to 16 feet in total width, be recessed at least 6 feet from the front or side wall plan of the principal building and have individual garage doors that do not exceed 64 square feet in area.



2. Garage doors/building design. Garage doors may be located on another side of the dwelling ("side or rear loaded") provided that the side of the garage facing the front street has windows and other architectural details that mimic the features of the living portion of the dwelling.

Sec. 41-10. Multi-Family Design Standards

Multiple family containing six (6) units or more for new construction and remodeling:

A. Building massing and proportion:

1. Each multiple family building shall feature a variety of massing proportions, wall plane proportions, roof proportions and other characteristics similar in scale to those of single family detached dwelling units, so that such larger buildings can be aesthetically integrated into a lower density neighborhood. The following specific standards shall also apply to such multiple family dwellings:
2. Roofs. Each multiple family building will feature a combination of primary and secondary roofs. Primary roofs will be articulated by at least one of the following elements:
 - a) Changes in plane and elevation.
 - b) Dormers, gables or clerestories.
 - c) Transitions to secondary roofs over entrances, garages, porches, bay windows.
3. Facades and walls. Each multiple family dwelling shall be articulated with projections, recesses, covered doorways, balconies, covered box

or bay windows or other similar features, dividing large facades and walls into human scaled proportions similar to the adjacent single family dwellings, and shall not have repetitive, monotonous, undifferentiated wall planes.

B. Each multiple family building shall feature walls that are articulated by at least two of the following elements within every 30-foot length of the facade:

1. Recesses, projections or significant offsets in the wall plane of at least four feet.
2. Distinct individualized entrances with functional porches or patios.
3. Chimneys made of masonry, or other contrasting material that projects from the wall plan.
4. Balconies.
5. Covered bay or box windows.

C. Variation among repeated buildings

For any development containing at least 24 and not more than 48 dwelling units, there will be at least two distinctly different but cohesive building designs. For any such development containing more than 48 dwelling units, there will be at least three distinctly different building designs. For all developments, there will be no more than two similar buildings placed next to each other along a street or major walkway spine.

D. Building design

Distinctly different building designs shall provide significant variation in footprint size and shape, architectural elevations and entrance features, within a coordinated overall theme of roof forms, massing proportions and other characteristics.

E. Multiple family Garages:

1. Garages. No street facing facade shall contain more than two garage bays.
2. Perimeter garages.
 - a) Length. Any garage located with its rear wall along the perimeter of the property and within 65 feet of a public right-of-way or the property line of the development site will not exceed 55 feet in length. A minimum of eight feet of landscaping must be provided between any two such perimeter garages.
 - b) Articulation. No rear garage wall that faces a street or adjacent development shall exceed 30 feet in length without including at least one (1) of the following in at least two locations:
 - 1) Change in wall plane of at least two feet;
 - 2) Change in material or siding pattern;
 - 3) Change in roof plane;
 - 4) Windows;
 - 5) Doorways;
 - 6) An equivalent vertical element that subdivides the wall into proportions related to human scale and/or the internal diversions within the building.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect 30 days after its passage and publication.

Adopted by the Council of the City of Excelsior, Minnesota, this ____ day of February, 2017.

Mark W. Gaylord, Mayor

ATTEST:

Ann Orlofsky, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance:
Second Reading and Adoption:
Publication of Ordinance:
Effective Date:

January 17, 2017
February 21, 2017
_____, 2017
_____, 2017