

## SECTION 4: GENERAL PROVISIONS

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### **Subdivision 1: Purpose**

The purpose of this Section is to establish general development standards for residential and non-residential uses in an effort to ensure that adjacent land uses are compatible, ensure minimum standards to principal and accessory uses within each zoning district are met, blight and deterioration are prevented, and the health, safety, and general welfare of the city are enhanced.

### **Subdivision 2: District Regulations**

The regulations provided within this Ordinance for each zoning district shall be minimum regulations, and shall apply uniformly to each class or kind of structure and land, except as herein provided.

- A. No buildings, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with the regulations herein specified for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered to exceed the height or bulk requirements, to accommodate or house a greater number of families, to occupy a greater percentage of lot area, to have narrower or smaller rear, front, and side yards, or other open spaces than herein required or in any other manner contrary to the provisions of this Ordinance.
- C. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet the minimum requirements established by this Ordinance.

### **Subdivision 3: Building Restrictions**

- A. No cellar, garage, tent, or accessory building shall at anytime be used as an independent residence or dwelling unit, temporarily or permanently.
- B. Existing basements used as an independent dwelling unit shall have the status of a nonconforming use, subject to the provisions of Section 19 of this Ordinance and to applicable building codes.
- C. Except in the case of Planned Unit Developments and multi-family developments as provided in this Ordinance, not more than one (1) principal building shall be located on a lot. The words "principal building" shall be given their common, ordinary meanings, in case of doubt or on any question or interpretation; the decisions of the Zoning Administrator shall be final, subject to the right of appeal to the City Council.
- D. Temporary Habitations. Temporary dwellings including travel trailers, campers, tents, recreational vehicles, and other vehicles or structures which are adaptable for living and may be reasonably transported may be used for dwelling purposes for a period not to exceed thirty (30) consecutive days in any twelve (12) month period. Only one (1) temporary dwelling may be placed on a parcel or lot.

- E. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Isanti opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings. (*Ord. No. 650*)
- F. Moved Buildings. No building shall at anytime be moved into or within the City without being issued a building permit and without being in compliance with City ordinances. Any building or structure being moved into the City shall be required to notify City staff as to the date, time and route of such a move.
- G. Height Exceptions. The building height limits established shall not apply to belfries, cupolas, domes, spires, monuments, airway beacons, radio towers, flag poles, chimneys or flues; nor to elevators, watertanks, poles, towers, or other structures for essential service; nor to agricultural structures for essential service; nor to similar structures extending above the roof of any building, nor to necessary mechanical appurtenances.
- H. General Building Standards. Unless specified elsewhere within this Ordinance, the following standards shall apply to all residential structures:
  - 1. The length of a residential structure shall not exceed three (3) times the width, excluding the garage.
  - 2. A permanent, full perimeter foundation that complies with building code requirements shall be provided with frost footings.
  - 3. All residential structures, including manufactured homes, must comply with building code requirements for single-family detached dwellings.
  - 4. All manufactured homes shall have available for inspection, manufacturer's instructions specifying how said dwelling is to be situated on a permanent foundation.
  - 5. Unless located in a designated manufactured home development subject to standards as provided within this Ordinance, all manufactured homes located within a residential district shall comply with the provisions of the underlying zoning district.
- I. Minimum Ground Floor Area. All dwellings must have a ground floor area of at least five hundred (500) square feet, unless stipulated otherwise within this Ordinance.
- J. Buildings or structures consisting of pole type construction are prohibited in all zoning district classifications.

#### **Subdivision 4: Lot Area Requirements**

The minimum lot area requirements are set forth within the respective district provisions of this ordinance.

- A. Lot Area Exception. A lot of record existing upon the effective date of this Ordinance which does not meet the area or width requirements of this Ordinance may be utilized provided that due to ownership patterns, the combining of adjacent lots to meet the requirements of this Ordinance is not possible. All sanitary requirements shall be met.
- B. In computing required lot area, one-half (1/2) of the width, but not exceeding ten (10) feet of any alley or portion thereof abutting any lot line may be included as part of the lot area for such computation.

#### **Subdivision 5: Yard Requirements**

The minimum yard setback distances from the appropriate lot line are set forth within the district provisions of this ordinance.

- A. Corner Lots. Where a lot is located at the intersection of two (2) or more streets, the side yard setback along the street side shall not be less than twenty (20) feet.
- B. Through Lots. On a lot fronting on two (2) parallel streets, both street lines shall be front lot lines for applying the yard regulations of this Ordinance.
- C. Earth Sheltered Buildings. Computations for yard requirements shall be based on measurements from the exposed exterior surface of the building.
- D. Area and Rear Yard with Alley Adjoining. In computing the depth of a rear yard for any building where the rear line of the lot adjoins an alley, one-half (1/2) of the width of such alley may be included as rear yard depth, provided that the rear yard depth actually on the lot shall not be less than twenty (20) feet in any dwelling district.

- E. Permitted Yard Encroachments. The following shall not be considered encroachments on yard setback requirements.
1. In any yard. Overhanging eaves, gutters, open terraces, marquees, flues, sills, lintels, pilasters, cornices, ornamental features, bay windows, awnings, open porches not enclosed by walls, screens, windows, or doors attached to the principal structure, providing they do not project more than three (3) feet into the required yard. In addition, flag poles (maximum height of 30 feet), fences, light poles, and landscaping shall be permitted encroachments.
  2. Window wells and their related covers, but shall not encroach into existing or required drainage or utility easements.
  3. In front yards. Uncovered walkways, stoops, and steps are permitted encroachments.
  4. In rear yards. Play and recreational structures, private dog kennels, laundry drying equipment, satellite dishes, patios, picnic tables, arbors, and trellises.
  5. Encroachments in any yard that abut a public right-of-way, shall be considered permitted encroachments, except that no encroachment is permitted within the Vision Clearance Triangle on corner lots and no encroachment is permitted within or above the public right-of-way without prior approval granted by the City Council.

#### **Subdivision 6: Subdivision of Multiple Tenant Commercial and Industrial Buildings**

Commercial and industrial multiple tenant buildings in existence prior to the effective date of this Ordinance may be subdivided for individual lot ownership provided that:

1. The subject site is platted and recorded in conformance with the requirements of the Subdivision Ordinance, as applicable.
2. The subdivision shall comply with applicable cooperative and condominium laws as established by the State of Minnesota.
3. Variances shall not be required for zero (0) lot line setback associated with internal or common walls between the various units.
4. Variances shall not be required for lot sizes, which do not meet the minimum requirements of the district in which the condominium would be located. Lot sizes shall be reviewed by the Planning Commission and approved by the City Council.
5. All other provisions required by this Ordinance shall be applicable to each subdivided lot.

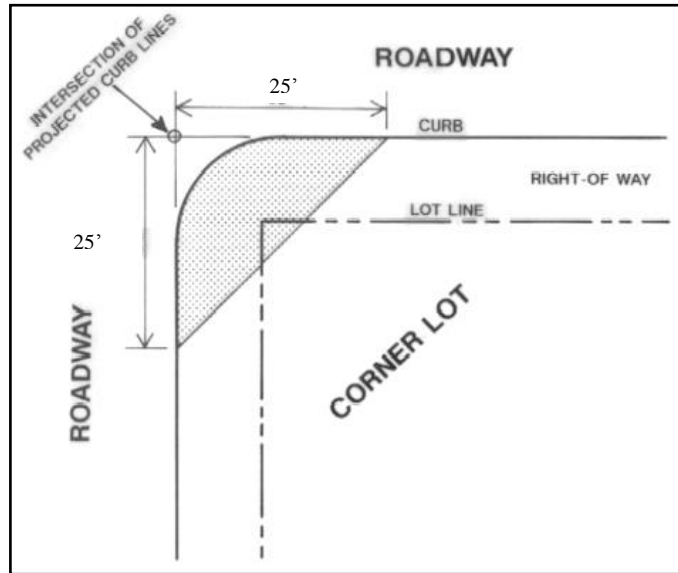
#### **Subdivision 7: Design Standards**

The architectural appearance and function of any building and site shall not be so dissimilar to the existing buildings or area so as to constitute a blighting influence. Earth sheltered buildings are allowed if in compliance with all other zoning provisions promulgated pursuant to Minn. Stats. 4462.357, as amended from time to time.

#### **Subdivision 8: Vision Clearance at Corners, Intersections, and Access Points**

- A. The purpose of the vision triangle is to provide clear vision for motorists at intersections. There shall be a vision clearance triangle at the intersection of any streets with railroads, alleys, or non-residential driveways.
- B. The vision clearance triangle shall be determined by measuring twenty-five (25) feet along the right-of-way starting from the point of the intersection of said lines, and connecting these two (2) points with a line to define the triangular area. The Zoning Administrator may adjust the vision clearance triangle configuration where physical site conditions exist that may adversely affect public safety.
- C. No structure, vehicle, vegetation, fence, sign, building, or other obstacle or any portion thereof shall be placed or retained between the height of thirty (30) inches and ten (10) feet above the abutting curb line of the intersecting streets within the vision clearance triangle.
- D. Allowable installations in the vision clearance triangle include: utility and light poles when no safer alternative location is available, trees or plant species with growth patterns that will not develop significant foliage to obstruct views in the clearance area, and official signs and signals.
- E. Exceptions to these vision clearance requirements include buildings and structures existing prior to the date of this Ordinance or amendments thereto.

**FIGURE 11: Vision Clearance Triangle Illustration**



**Subdivision 9: Administrative Standards**

Whenever in the course of administration and enforcement of this Ordinance, it is necessary or desirable to make any administrative decision, unless other standards are provided with in this Ordinance, the decisions shall be made so that the result will be consistent with the intent and purpose of the Ordinance as described in Section 1, Subdivision 2 of this Ordinance.

**Subdivision 10: Public Water Alteration**

Any alteration which will change or diminish the course, current, or cross section of a public water or wetland as defined by State and Federal laws must be approved by the Commissioner of the Minnesota Department of Natural Resources, in accordance with the procedures of Minnesota Statute, Section 105.42 as amended. This alteration includes construction of channels and ditches, lagoons, dredging of lake or stream bottoms for removal of muck, silt, or weeds, and filling in the lake or stream bed.