

## CHAPTER 1066

### R-B, RESIDENTIAL BUSINESS DISTRICT

#### SECTION:

- 1066-1: Purpose
- 1066-2: Permitted Uses
- 1066-3: Permitted Accessory Uses
- 1066-4: Conditional Uses
- 1066-5: Interim Uses
- 1066-6: Uses by Administrative Permit
- 1066-7: Lot Requirements and Setbacks
- 1066-8: Lot Coverage and Height

**1066-1: PURPOSE:** The purpose of the R-B, Residential Business District is to provide for a transition in land use from residential to low intensity businesses and allow for the mixing of these uses. The establishment of this district is to be limited to those areas specifically guided for mixed use development by the Comprehensive Plan and only when a full range of public services and facilities are available.

**1066-2: PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in an R-B District:

- A. Historic sites and structures.
- B. Multiple family dwelling structures containing not more than six (6) dwelling units.
- C. Public parks, playgrounds, recreational uses and directly related buildings and structures.
- D. Residential care facilities serving sixteen (16) or fewer persons.
- E. Single family detached dwellings.
- F. Two family residential dwellings.

**1066-3: PERMITTED ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in an R-B District:

- A. Accessory uses, buildings and structures customarily incidental and directly related to the uses allowed as permitted, conditional, interim, and administrative permit in this Section, subject to applicable regulation of this Ordinance.

- B. Boarding or renting of rooms to not more than two (2) individuals per dwelling unit.
- C. Daycare facilities serving twelve (12) or fewer persons in a single-family dwelling unit.
- D. Fences as regulated by Chapter 1020 of this Ordinance.
- E. Home offices.
- F. Keeping of animals subject to Chapter 1022 of this Ordinance.
- G. Play and recreational facilities, accessory to an existing permitted use.
- H. Private garages, off-street parking and off-street loading as regulated by Chapter 1019 of this Ordinance.
- I. Recreational vehicles and equipment parking and storage as regulated by Chapter 1016 of this Ordinance.
- J. Secondary or accessory use antennas as regulated by Chapter 1023 of this Ordinance.
- K. Signs as regulated by Chapter 1024 of this Ordinance.
- L. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.

**1066-4: CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in an R-B District and require a conditional use permit based upon procedures set forth in and regulated by Chapter 1005 of this Ordinance. Besides the specific standards and criteria which may be cited below for respective conditional uses, each request for a conditional use permit shall be evaluated based upon the standards and criteria set forth in Sections 1005-3 and 1005-4 of this Ordinance.

- A. Bed and breakfast establishments, provided that:
  - 1. A maximum of four (4) bed and breakfast units be established in the structure.
  - 2. The facility shall have a State license (hotel and food), and comply with building and fire codes as may be required or applicable.

3. The facility shall be owner or manager occupied.
4. The principal structure shall have a minimum size of one thousand five hundred (1,500) gross square feet and shall be located on a lot which meets the minimum lot size of the R-B District.
5. The bed and breakfast units are located within the principal structure.
6. Not more than one (1) full time person who is not a resident of the structure shall be employed by the bed and breakfast facility.
7. Dining and other facilities shall not be open to the general public but shall be used exclusively by the registered guests and residents.
8. Two (2) off-street parking spaces shall be provided for the home plus one (1) off-street parking space for each bed and breakfast unit. Parking areas shall be screened and landscaped pursuant to Section 1020-5 of this Ordinance.
9. Not more than one (1) identification sign not exceeding four (4) square feet in area may be attached to each wall which faces a street. The sign shall be reflective of the architectural features of the structure and may not be internally illuminated or lighted between ten o'clock (10:00) PM and six o'clock (6:00) AM.
10. Adequate lighting shall be provided between the principal structure and the parking area for safety purposes. Any additional external lighting is prohibited.

B. Commercial recreation, outdoor provided that:

1. The use will not negatively impact neighboring farming operations or residential uses.
2. The potential traffic generated by such use can be adequately accommodated (both volume and weight) upon the City streets serving the property upon which the use is located.
3. Adequate, improved off-street parking is provided.

C. Daycare facilities serving thirteen (13) or more persons in a single family dwelling unit, provided that the use complies with the provisions of Chapter 1025 of this Ordinance.

D. Elderly (senior citizen) housing, provided that:

1. Not more than ten percent (10%) of the occupants may be persons sixty (60) years of age or under (spouse of a person over sixty (60) years of age or caretakers, etc.).
  2. Except for caretaker units, occupancy shall be limited to a man and wife, blood relatives, or a single man or single woman.
  3. To continue to qualify for the elderly housing classification, the owner or agency shall annually file with the City Clerk a certified copy of a monthly resume of occupants of such a multiple dwelling, listing the number of tenants by age and clearly identifying and setting forth the relationship of all occupants sixty (60) years of age or under to qualified tenants, or to the building.
  4. There is adequate off-street parking and loading space in compliance with Section 1019 of this Ordinance.
  5. Parking areas are screened and landscaped from view of surrounding and abutting residential districts in compliance with Chapter 1020 of this Ordinance.
  6. The site of the principal use and its related parking is served by an arterial or collector street as defined by the Comprehensive Plan.
  7. All signing and information or visual communication devices shall be in compliance with Chapter 1024 of this Ordinance.
  8. Elevator service is provided to each floor level.
- E. Essential services involving transmission pipelines and transmission or substation lines in excess of 35kV and up to 100kV, provided that the applicable provisions of Chapter 1026 of this Ordinance are determined to be satisfied.
- F. Government buildings and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that when abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Section 1020-5 of this Ordinance.
- G. Manufactured home parks, provided that:
1. The minimum area required for a manufactured home park designation shall be twenty (20) acres.
  2. The following minimum lot requirements within the manufactured home park are:

- a. Minimum Lot Area: Ten thousand five hundred (10,500) square feet.
    - b. Minimum Lot Width: Eighty-five feet (85').
    - c. Maximum Impervious Surface: Thirty-five percent (35%).
  3. The following principal structure setbacks are satisfactorily met:
    - a. Front Yard: Thirty feet (30').
    - b. Rear Yard: Twenty-five feet (25') or thirty feet (30') on double frontage lots abutting a public right-of-way.
    - c. Side Yard: Ten feet (10') on each side, or thirty feet (30') on the side yard abutting a public right-of-way.
  4. Accessory buildings, uses and equipment comply with the applicable provisions of Chapter 1018 of this Ordinance.
  5. The total ground floor area of all residential buildings shall not exceed a lot coverage of thirty percent (30%).
  6. All residences are limited to a maximum height of one (1) story or twenty-five feet (25').
  7. The public improvements within manufactured home parks are developed in accordance with the City's Subdivision Ordinance, which include:
    - a. Street and storm sewer improvements.
    - b. Sanitary sewer improvements.
    - c. Water improvements.
    - d. Public utilities (telephone, cable, electric and/or gas service).
  8. All utility construction plans shall be approved by the Minnesota Department of Health.
- H. Medical offices and clinics, dental offices and clinics, professional offices and commercial (leased) offices, veterinary clinics (not including outside kennels) and funeral homes and mortuaries, provided that:
1. Adequate off-street parking and loading space is provided in compliance with Chapter 1019 of this Ordinance.
  2. Vehicular entrances to parking or service areas shall create a minimum of conflict with through traffic movement.

3. When abutting a residential use, a buffer area with screening and landscaping in compliance with Section 1020-5 of this Ordinance shall be provided.
  4. All signs and information or visual communication devices shall be in compliance with Chapter 1024 of this Ordinance.
- I. Mixing of residential and business uses within one (1) principal building, provided that:
1. The residential and business use shall not conflict in any manner.
  2. Residential and business uses shall not be located on the same floor and no residential use shall be located on the first floor.
  3. Residential and business uses shall be provided separate exterior entrances.
  4. Residential uses shall be provided designated off-street parking in conformance with that required of multiple family uses in Chapter 1019 of this Ordinance.
  5. Open and outdoor storage associated with the residential use shall be prohibited.
  6. Business uses shall be subject to the applicable provisions of this district.
  7. Residential uses shall be governed by all applicable provisions of the Montrose City Code.
- J. Nursing homes and similar group housing, but not including hospitals, sanitariums, or similar institutions, provided that:
1. Side yards are double the minimum requirements established for this district and are screened in compliance with Section 1020-5 of this Ordinance.
  2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with Section 1020-5 of this Ordinance.
  3. The site shall be served by an arterial or collector street as defined by the Comprehensive Plan of sufficient capacity to accommodate traffic which will be generated.

4. All signing and information or visual communication devices shall be in compliance with Chapter 1024 of this Ordinance.
  5. All State laws and statutes governing such use are strictly adhered to and all required operating permits are secured.
  6. Adequate off-street parking and loading space is provided in compliance with Chapter 1019 of this Ordinance.
- K. Personal wireless service antennas not located on a public structure, or existing tower, provided that the applicable provisions of Chapter 1023 of this Ordinance are determined to be satisfied.
- L. Planned unit development as regulated by Chapter 1010 of this Ordinance.
- M. Public or semi-public recreational buildings and community centers, public and private educational institutions, and religious institutions provided that:
1. Side yard shall be double that required for the district, but no greater than thirty (30) feet.
  2. Adequate screening from abutting residential uses and landscaping is provided in compliance with Chapter 1020 of this Ordinance.
  3. Adequate off-street parking and loading space is provided in compliance with Chapter 1019 of this Ordinance.
- N. Retail or service commercial activities as allowed in the B-1 District, provided that:
1. Merchandise is sold at retail.
  2. Adequate off-street loading is provided in compliance with Chapter 1019 of this Ordinance.
  3. Vehicular entrances to parking or service areas shall create a minimum of conflict with through traffic movement.
  4. When abutting a residential use, a buffer area with screening and landscaping in compliance with Section 1020-5 of this Ordinance shall be provided.
  5. All signs and information or visual communication devices shall be in compliance with Chapter 1024 of this Ordinance.

**1066-5: INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in an R-B District and require an interim use permit based upon procedures set forth in and regulated by Chapter 1006 of this Ordinance:

- A. Satellite TVROs greater than one meter (1 m) in diameter as regulated by Chapter 1023 of this Ordinance.
- B. Special home occupations, as regulated by Chapter 1021 of this Ordinance.
- C. Wind energy conversion systems (WECS), as regulated by Chapter 1029 of this Ordinance.

**1066-6: USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit in an R-B District based upon procedures set forth in and regulated by Chapter 1008 of this Ordinance:

- A. Essential services, except transmission pipelines and transmission or substation lines in excess of 35kV and up to 100kV, as regulated by Chapter 1026 of this Ordinance.
- B. Model homes as regulated by Chapter 1017 of this Ordinance.
- C. Personal wireless service antennas located upon a public or quasi-public structure or existing tower, as regulated by Chapter 1023 of this Ordinance.
- D. Temporary structures as regulated by Chapter 1017 of this Ordinance.

**1066-7: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in an R-B District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

- A. **Minimum Lot Area:**
  - 1. Single Family Dwellings: Ten thousand (10,000) square feet.
  - 2. Two Family Dwellings: Twelve thousand (12,000) square feet.
  - 3. Townhouses, Quadraminiums, and Manor Homes:
    - a. Minimum Lot Area. Twenty thousand (20,000) square feet.
    - b. Minimum Lot Area Per Unit. Five thousand (5,000) square feet.

4. Multiple Family Uses: Twenty thousand (20,000) square feet.
  5. Other Uses: Ten thousand (10,000) square feet.
- B. **Minimum Lot Width:** Seventy-five (75) feet.
- C. **Minimum Lot Depth:** One hundred (100) feet.
- D. **Minimum Setbacks:**
1. Front: Twenty-five feet (25').
  2. Side: Ten feet (10').
  3. Rear: Twenty feet (20').
- 1066-8: LOT COVERAGE AND HEIGHT:** The following lot coverage and height requirements shall be observed in an R-B District:
- A. The total ground area of all residential buildings shall not exceed a lot coverage of fifty percent (50%).
  - B. All residences shall be limited to a maximum height of three (3) stories or forty-five feet (45').