

CHAPTER 1 "R-3" MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

Subd. 1. Purposes.

The purpose of the "R-3" Multiple-Family Residential District is to provide for multiple-family residences and directly related complimentary uses.

Subd. 2. Permitted Uses.

- A. The following uses are permitted in the non-shoreland overlay portion of the "R-3" Residential District:
 - 1. Single-Family Dwelling.
 - 2. Two-Family Dwelling.
 - 3. Licensed Day Care Home or facilities.
 - 4. Multiple-family dwelling structures consisting of three (3) or more units.
 - 5. Public parks and playgrounds.
 - 6. Bed & Breakfast.
 - 7. Licensed residential facilities.
 - 8. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutes limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues, provided that:
 - a. Side yards shall be double that required for the district.
 - b. No building shall be located within thirty (30) feet of any lot line of an abutting lot in a Residential District.
 - c. Adequate screening from abutting residential uses is provided.
 - d. Adequate off-street parking and access is provided on the site or on lots directly abutting the site.
- B. The following uses are permitted in the shoreland overlay portion of the "R-3" Residential District:
 - 1. Recreational Development Shoreland (Minnie Lake):
 - a. Single-Family Dwelling.
 - b. Two-Family Dwelling.
 - c. Multiple-family dwelling structures consisting of three (3) or more units.
 - d. Licensed Day Care Home/Facility.
 - e. Licensed residential facilities.
 - f. Forest Management.
 - 2. General Development (Middle & Lower Spunk Lakes):
 - a. Single- Family Dwelling.
 - b. Two-Family Dwelling.
 - c. Multiple-family dwelling structures consisting of three (3) or more units.
 - d. Licensed Day Care Home/facility.

- e. Licensed residential facilities.
 - f. Forest Management.
3. Natural Environment (Linneman, Ochotto, & Lake Anna):
- a. Single- Family Dwelling.
 - b. Two-Family Dwelling.
 - c. Multiple-family dwelling structures consisting of three (3) or more units.
 - b. Licensed Day Care Home/facility.
 - c. Licensed residential facilities.
 - d. Forest Management.
4. Tributary Stream (Spunk Creek):
- a. Single- Family Dwelling.
 - b. Two-Family Dwelling.
 - c. Multiple-family dwelling structures consisting of three (3) or more units.
 - d. Licensed Day Care Home/facility.
 - e. Licensed residential facilities.
 - f. Forest Management.

Subd. 3. Accessory Uses.

The following are permitted accessory uses in the "R-3" Residential District:

- A. Private garages, parking spaces and carports, provided said garage shall not be used for the storage of commercial vehicles.
- B. Recreational vehicles and equipment in operable condition and displaying current licenses.
- C. Home Occupations as regulated by Chapter 18 of this Ordinance.
- D. Swimming pools, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- E. The keeping of animals typically classified as animals that are domesticated pets and buildings and structures for the keeping of such animals and storage of related equipment.
- F. Fences.
- G. Storage of facilities used solely for the purpose of ice-fishing provided said storage is placed in the side and/or rear yard portion of the lot, lying furthest from the public right-of-way upon which the lot fronts, and provided said facilities display current licenses and are not used as independent living/sleeping quarters.
- H. Piers and Docks and storage thereof provided said storage is placed in the side and/or rear yard portion of the lot, lying furthest from the public right-of-way upon which the lot fronts.
- I. One lodging room per single-family dwelling.
- J. Tool houses, sheds and similar non-commercial storage buildings.
- K. Community laundry facilities, storm shelters, park offices and recreational buildings, provided that such structures are of a permanent nature.

- L. Each lot in the shoreland overlay district may have one water-oriented accessory structure not meeting the normal structure setback as defined in Subdivision 5 of this Chapter and Chapter 22, Subd. 3(A) provided the water-oriented structure or facility:
 - 1. Shall not exceed ten (10) feet in height, exclusive of safety rails, and shall not occupy an area greater than two hundred fifty (250) square feet. Detached decks shall not exceed eight (8) feet above grade at any point.
 - 2. The structure or facility shall be setback from the ordinary high water level a minimum of ten (10) feet.
 - 3. The structure or facility shall be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.
 - 4. The roof may be used as a deck with safety rails, but shall not be enclosed or used as a storage area.
 - 5. The structure or facility shall not be designed or used for human habitation and shall not contain water supply or sewage treatment facilities.
- M. Uses determined by Planning Commission to be similar to those listed in this Subdivision.

Subd. 4. Conditional Uses.

- A. The following are conditional uses in the non-shoreland overlay portion of the "R-3" Residential District (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 23, Subd. 10 of this Ordinance):
 - 1. Essential services: equipment and structures such as transformers, unit substations and equipment houses.
 - 2. Storage unit rental facilities, provided that:
 - a. Security lighting is addressed;
 - b. the property is adequately screened (aesthetic/noise) from residential areas;
 - c. shipping (storage) containers not allowed in R-3.
 - 3. Municipal administration buildings, post offices, fire stations, museums, art galleries and other municipal service type buildings provided said building(s) shall not be located within fifty (50) feet of any lot in a residential district.
 - 4. Residential Planned Unit Developments per Chapter 17 of this ordinance.
 - 5. Hospitals and clinics.
 - 6. Ground source heat pump systems in public waters may be permitted subject to the following:
 - 1. Approval from the Minnesota Department of Natural Resources
 - 2. Written consent of all property owners and/or approval by an association in accordance with its adopted bylaws.
 - 3. Demonstrated compliance with applicable city permit requirements.
 - 7. Manufactured home parks, pursuant to the issuance of a permit under section R-MH of this ordinance and subject to submittal of site development plans and all minimum

requirements of State, County and local regulations for said uses and provided that no manufactured home is less than 50' from any lot line of an abutting lot in a residential district. All manufactured home parks will comply with Chapter 8.

8. Nursing Homes and similar group housing, but not including hospitals, sanitariums or similar institutions, provided that:
 - a. Side yards are double the minimum requirements established for this district.
 - b. Only the rear yard shall be used for play or recreational areas.
 - c. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
 - d. All state laws governing such use are strictly adhered to and all required operating permits are secured.
 - e. The proposed nursing home or similar group housing is in compliance with all other provisions of this Ordinance.

Subd. 5. Interim Uses.

A. The following are interim uses in the shoreland and non-shoreland and portions of the R-3 Multiple Family Residential District.

1. A short-term use of a temporary building shall be permitted only after application for and issuance of a permit.

Subd. 6. Performance Standards.

A. Minimum lot size and width (lot size/width requirements for lots existing on the effective date of this ordinance may be adjusted to an average of adjoining lots without a variance when adjoining lots are of standard width/size and in conformance with this ordinance).

1. Non-shoreland areas:

USE	MINIMUM LOT SIZE	MINIMUM LOT WIDTH
Single Family	10,500 square feet	75 feet
Two Family	12,000 square feet	75 feet
Three Family	15,000 square feet	100 feet

2. Shoreland overlay areas as identified in the following tables:

RECREATIONAL DEVELOPMENT LAKES (Minnie Lake) Minimum Single Family Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
40,000/150	20,000/75	40,000/150	15,000/75

GENERAL DEVELOPMENT LAKES (Middle & Lower Spunk Lakes) Minimum Single Family Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
20,000/100	15,000/75	40,000/150	10,500/75

NATURAL ENVIRONMENT LAKES (Linneman, Ochotto, & Lake Anna) Minimum Single Family Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
80,000/200	40,000/125	80,000/200	20,000/125

TRIBUTARY STREAM (Spunk Creek) Minimum Single Family Lot Width		
Riparian Lots		
Unsewered	Sewered	
100	75	

RECREATIONAL DEVELOPMENT LAKES (Minnie Lake) Minimum Two Family Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
80,000/225	35,000/135	80,000/265	26,000/135

GENERAL DEVELOPMENT LAKES (Middle & Lower Spunk Lakes) Minimum Two Family Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
40,000/180	26,000/135	80,000/265	17,500/135

NATURAL ENVIRONMENT LAKES (Linneman, Ochotto, & Lake Anna) Minimum Two Family Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
120,000/300	70,000/225	160,000/400	35,000/220

TRIBUTARY STREAM (Spunk Creek) Minimum Two Family Lot Width		
Riparian Lots		
Unsewered	Sewered	
150	115	

RECREATIONAL DEVELOPMENT LAKES (Minnie Lake) Minimum Triplex Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
120,000/300	50,000/195	120,000/375	38,000/190

GENERAL DEVELOPMENT LAKES (Middle & Lower Spunk Lakes) Minimum Triplex Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
60,000/260	38,000/195	120,000/375	25,000/190

NATURAL ENVIRONMENT LAKES (Linneman, Ochotto, & Lake Anna) Minimum Triplex Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
160,000/400	100,000/325	240,000/600	52,000/315

TRIBUTARY STREAM (Spunk Creek) Minimum Triplex Lot Width			
Riparian Lots			
Unsewered		Sewered	
200		150	

RECREATIONAL DEVELOPMENT LAKES (Minnie Lake) Minimum Quad Family* Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
160,000/375	65,000/255	160,000/490	49,000/245

GENERAL DEVELOPMENT LAKES (Middle & Lower Spunk Lakes) Minimum Quad Family* Lot Area (square feet)/Lot Width			
Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
80,000/340	49,000/255	160,000/490	32,500/245

NATURAL ENVIRONMENT LAKES (Linneman, Ochotto, & Lake Anna) Minimum Quad Family* Lot Area (square feet)/Lot Width			
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Riparian Lots		Non-Riparian Lots	
Unsewered	Sewered	Unsewered	Sewered
200,000/500	130,000/425	320,000/800	65,000/410

TRIBUTARY STREAM (Spunk Creek) Minimum Quad Lot Width			
Riparian Lots			
Unsewered		Sewered	
250		190	

* Dwelling unit proposals (new or redeveloped) consisting of greater than four units shall be designed and approved as residential planned unit developments.

B. Setbacks (as measured from lot lines). When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks including but not limited to, front, side and rear setbacks and setbacks from the ordinary high water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. Structures shall be located as follows:

1. Front yard: Thirty (30) feet
2. Side yard:
 - a. Interior lots: Ten (10) feet
 - b. Corner lots: Not less than twenty (20) feet on the side yard abutting a public street.
3. Rear yard:
 - a. Principal building: Thirty (30) feet
 - b. Accessory Buildings Per Chapter 22, Subd. 3 of this Ordinance.
4. Structures and independent sewage treatment facilities shall be setback from the Ordinary High Water Mark as follows:

Lake	Structures on unsewered lots	Structures on sewerred lots	Sewage treatment system
Minnie Lake	100 feet	75 feet	75 feet
Linneman, Ochotto, & Lake Anna	150 feet	150 Feet	150 Feet
Middle & Lower Spunk Lakes	75 feet	50 feet	50 feet

5. All structures shall be setback a minimum of thirty (30) feet from the top of the bluff and in accordance with standards contained in Chapter 22 (General Provisions), Chapter 15 (Surface Water Management) and Chapter 16 (Land Preservation).
Note: in the case of a corner lot, that yard with the shortest dimension on a public street shall be considered the front.

C. Maximum Building Height: Thirty-five (35) feet or two and one-half (2 ½) stories in non-shoreland areas, or twenty-five (25) feet in shoreland areas.

D. General Building and Performance Standards:

Single Family Dwellings: All single family dwellings shall meet the following design criteria.

All structures shall have permanent type foundations that are designed and constructed in accordance with all applicable provisions of the State Building Code as adopted in the State of Minnesota.

The exterior wall finish of all single family residences shall be similar in appearance to normal wood, stucco, stone, veneer or masonry material. Vinyl and metal siding is permitted with no exposed fasteners and overlapping in sections not wider than 12 inches. Sheet metal siding is not permitted.

All roofs shall be covered with materials as approved by the State Building Code.

Roof pitch shall be a minimum of 3/12 and a maximum of 12/12.

No dwelling shall have a width of less than 20 feet at its narrowest point. This restrictions shall not apply to breezeways or other passageways that connect principal parts of a dwelling as long as the principal parts of the dwelling have a width of at least 20 feet at the narrowest point.

E. Floor Area Requirements for Single & Two- Family Dwelling Units: Single and Two-family dwelling units erected in the R-3 District shall have the minimum floor area of 1,000 square feet per dwelling unit.

F. Floor Area Requirements for Multiple-Family Dwelling Units: Living units in building containing more than two (2) units shall have the following minimum floor areas per unit:

1. Efficiency apartments: Four hundred (400) square feet.
2. One (1) bedroom apartments: Six hundred forty (640) square feet.
3. Two (2) bedroom apartments: Seven hundred twenty (720) square feet.
4. More than two (2) bedroom apartments: One hundred twenty (120) square feet additional for each bedroom.

The minimum areas specified above for multiple unit buildings shall not include areas occupied by stairs, hallways, entryways and utility rooms. Closet space in excess of fifteen percent (15%) of above minimum floor areas shall not be included. No multiple dwelling shall have efficiency units in excess of twenty percent (20%) of the total number of units in the building.

G. Maximum Site Coverage:

1. Non-shoreland overlay areas: No structure or combination of structures/impervious surface shall occupy more than fifty (50) percent of the lot area.
2. Shoreland overlay areas: Structures or combinations of structures/impervious surface on lots shall not occupy more than twenty-five (25) percent of the lot area.

H. Additional requirements, including but not limited to shoreland, surface water, home occupation, parking, sign, and general district provisions as set forth within the appropriate Chapters of this Ordinance, as may be amended.

I. REQUIRED FIRE ACCESS EQUIPMENT: Every commercial or industrial or multi-family residential dwelling containing 4 or more units within the City of Avon shall be equipped with a Knox Box approved by the Fire Chief. The cost of the Knox Box shall be the responsibility of the property owner. The cost shall be determined by the Council and established in the Fee Schedule.

Additional regulations regarding parking, accessory structures, fences, and other items are found in other sections of this ordinance.