

1001.10 CLASSIFICATION OF USE DISTRICTS

Subd. 1. Establishment of Districts. For the purpose of this chapter, the City is hereby divided into the classes of districts which shall be designated as follows:

² A. Residential Districts.

1. "A-R", Agricultural Residential
2. "R-1", Single Family Residential
3. "R-2", Medium Density Residential
4. "R-3", Multiple Family Residential
5. "R-4", Senior Residential
6. "R-6", Residential Manufactured Home Park

B. Non-Residential Districts.

1. "C-O", Downtown Commercial
2. "C-1", Commercial Service
3. "C-2", Commercial Shopping Center
4. "C-3", Commercial Highway
5. "I-1", Industrial

C. Special Districts.

1. "PUD", Planned Unit Development
2. "FP", Floodplain District
- ³ 3. "POC", Public/Open/Conservation District

Subd. 2. Zoning Map. The location and boundaries of the districts established by this text are hereby set forth on the "Rockford, Minnesota Zoning Map"; said map and all notations, references, and data shown thereon are hereby incorporated by reference into this chapter and shall be as much a part of it as if all were fully described herein. It shall be the responsibility of the Zoning Administrator to maintain said map, and amendments thereto shall be recorded on said zoning map within thirty days after official publication of amendments. The official zoning map shall be kept on file in the City Hall.

Reference in this chapter to "A-R", "POC", "R", "C", and "I" Districts shall refer to the use district groups set forth above, and reference to specific use districts shall be by reference to the individual districts listed above as "R-1", "C-1", etc. The Planned Unit Development (PUD), created in this chapter and the "Floodway Overlay District", "Flood Fringe Overlay District", and "Floodplain Overlay District" created in other portions of the code, contain specific zoning regulations superimposed upon the other zoning districts and supersede the underlying zoning district regulations only to the extent expressed in

the provisions of the overlay zoning district regulations. In all other respects, the regulations in the underlying zoning use districts are applicable.

Subd. 3. Zoning District Boundaries. The boundaries between districts are, unless otherwise indicated, either the center line of streets, alleys, or railroad rights-of-way, or lot lines, or section lines or such center lines or lot lines extended or lines parallel or perpendicular thereto.

Subd. 4. Future Annexations. Any land annexed to the City in the future shall be placed in the "AR", Agricultural Single Family Residential District until another zoning district is approved by action of the City Council after receipt of the recommendation of the Planning Commission.

Subd. 5. Residence Districts. Residence districts are established to accomplish the general purposes of this chapter and for the following specific purposes:

- A. To preserve the existing living qualities of residential neighborhoods.
- B. To insure future high quality amenities, including, but not limited to, the provision of adequate light, air, privacy, freedom from noise, and convenience of access to property.
- C. To insure that new developments and residences are provided with the required public services and facilities without placing any undue financial burden upon existing city residents and taxpayers.
- D. To increase convenience and comfort by providing usable open space and recreation space on the same lot as the housing units or within close proximity in a neighborhood park.
- E. To prevent additions or alterations of structures which would damage the character or desirability of existing residential areas.
- F. To protect residential areas to the extent possible and appropriate in each area against unduly heavy traffic volumes.
- G. To encourage a variety of dwelling types and wide range of population densities consistent with the comprehensive plan.
- H. To preserve and enhance the natural environment as land becomes urbanized.
- I. To preserve, maintain, and increase the value of real property.

Subd. 6. Conditions. A conditional use permit will be granted for use to be known as Temporary Accessory Apartment Rental and Owner Occupied Single-Family dwellings, provided that the following standards and criteria are met:

- A. The apartment will be a complete, separate housekeeping unit, including kitchen and bathroom facilities that can be isolated from the original unit.
- B. Only one apartment will be created within a single-family house.
- C. The owners of the residence in which the accessory unit is created shall occupy at least one of the dwelling units on the premises, except for bona fide temporary absences.
- D. The accessory apartment shall be designed so that, to the degree reasonably feasible the appearance of the building remains that of a single-family residence. In general, any new entrances shall be located on the side or in the rear of the building, and any additions in relationship to the accessory apartment shall not increase the square footage of the original house by more than ten percent (10%).
- E. The design inside and size of the apartment shall conform with all applicable standards in the zoning, health, building, and other applicable ordinances.
- F. At least three off-street parking spaces are available and sufficiently screened for use by the owner-occupants) and tenants (s) and additional parking may be required by the planning commission per ordinance requirements.
- G. Any appropriate or more stringent conditions deemed necessary by the City Council, Planning Commission, and/or Zoning Board of Appeals to protect health, safety and welfare, and the single-family character of the neighborhood.
- H. The conditional use permit shall be reviewed annually and/or be subject to complaints.

Subd. 7. Commercial Districts. Commercial districts are established to accomplish the general purpose of this chapter and the comprehensive plan and for the following specific reasons:

- A. To group compatible uses which will tend to draw trade that is naturally interchangeable and so promotes the business prosperity and public convenience.
- B. To provide an adequate supply of businesses and professional services to meet the needs of the residents.

- C. To promote a high quality of total commercial design and development that produces a positive visual image and minimizes the effects of traffic congestion, noise, odor, glare, and similar safety problems.

Subd. 8. Industrial Districts. The planned industrial district is established to accomplish the general purpose of this chapter and the Comprehensive Plan and for the following specific reasons:

- A. Develop major centers of complexes in separate areas to allow for distribution of peak period traffic, efficient access, effective distribution of primary water and sewage facilities, and proper utilization of land suited for industrial development.
- B. Present expansion of scattered industrial operations.
- C. Allow mining and extraction operations by conditional use permits to assure planning for maintenance of the land for subsequent use.
- D. Limit most industrial uses to planned industrial parks where uniform performance standards and land use regulations can be applied.
- E. Protect industrial areas from encroachment by non-industrial uses.
- F. Allow a limited amount of service/business uses, by conditional use permit, which are essential to the operation of the planned industrial district and which provide essential services to employees within the district.
- G. To preserve, maintain, and increase the value of real property.

Subd. 9. Administrative Procedure For Development Of Non-residence Districts.

- A. A complete general development plan as herein required shall be filed with petitions for rezoning to establish or expand a non-residence district as set forth in this Chapter.
- B. Upon finding that the proposed zoning district will constitute a district of sustained desirability, will be consistent with long range comprehensive plans for the City and meet the requirements of the district, the council may establish such district. The general development plan, together with such covenants, deed restrictions, controls, or special conditions, or conditional use permits as may be attached to it, shall be filed and recorded by the owner or developer in the office of the Hennepin/Wright County Register of Deeds and shall become a part of this chapter establishing the zoning change. Any substantial change to the general

development plan will require re-submission to the Planning Commission for review and the council for approval.

- C. The final platting of such land shall be subject to such requirements for approval, recording, and the installation of improvements as required by this and other city regulations.
- D. Prior to obtaining a building permit or constructing any building improvements on an individual lot or site within any non-residence district, a site plan as herein required shall be submitted to and reviewed by the Planning Commission and approved by the council.
- E. If a zoning change is approved, the first phase of construction must begin and reasonable progress made within two years after approval of the general development plan and zoning change by ordinance or the district maybe zoned back to its original zoning district classification or other appropriate zoning district classification.

Subd. 10. Performance Standards.

- A. Intent. It is the intent of this subdivision to provide that all non-residential uses and related activities shall be established and maintained with proper appearance from streets and adjoining properties and to provide that each such use shall not interfere with the reasonable enjoyment of adjoining properties by the control of the following items.
- B. Standards.
 - ⁷ 1. Landscaping. All yards shall either be open landscaped and green areas or be left in a natural state, in compliance with Section 1001.09, Subd. 3. Yards to be landscaped shall be landscaped attractively with lawn, trees, shrubs, etc. Any areas left in a natural state shall be kept free of litter, debris and noxious weeds. Buffer yards shall be provided where required per Section 1001.09, Subd. 2. (
 - 2. Glare. Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line.
 - 3. Exterior Lighting. Any lights used for exterior illumination shall not be visible at any property line.
 - 4. Vibration. Vibration shall not be discernible at any property line to the human sense of feeling for three minutes or more duration in any one hour. Vibration of any kind shall not produce at any time an

acceleration of more than 0.1 gravities nor shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table VII United States Bureau of Mines Bulletin No. 422, "Seismic Effects of Quarry Blasting," on any structure. The methods and equations of said Bulletin No. 422 shall be used to compute all values for the enforcement of this provision. Said Bulletin is incorporated herein by reference.

5. Noise Odors, Smoke, Dust, Fumes, Water and Waste.
 - a. The design, construction and performance of all non-residential uses shall be in conformance with city, county, and State of Minnesota standards and regulations.
 - b. The storage of trash shall be within the principal buildings or otherwise shall be within an accessory enclosure complete with roof and walls of the same exterior finish as the main structure and screened from all residence districts with an adequate buffer.
6. Compliance. In order to insure compliance with the performance standards set forth above, the council may require the owner or operator of any use to have made such investigations and/or tests as may be required to show adherence to the performance standards. Such investigation and/or tests as are required to be made shall be carried out by an independent testing organization as may be selected by the city. The costs incurred in such investigation or testing shall be ordered by the owner or operator and shared equally by the owner or operator and the city unless the investigation and tests disclose noncompliance with the performance standards, in which case the investigation or testing shall be paid by the owner or operator.