

ORDINANCE NO. 2013-7
AN ORDINANCE AMENDMENT REGARDING THE R-1, SINGLE-
DWELLING UNIT DISTRICT, AND R-2, DOUBLE DWELLING UNIT DISTRICT REQUIREMENTS FOR BUILDING
COVERAGE, SETBACK,
HEIGHT & GENERAL REGULATIONS

THE CITY COUNCIL OF EDINA ORDAINS:

Section 1. Subsection 850.03. Subd. 3. Definitions is hereby amended as follows:

Building Height or Structure Height. (Commercial, Industrial and High Density Residential)The distance measured from the average existing ground elevation adjoining the building at the front building line to the top of the cornice of a flat roof, to the deck line of a mansard roof, to a point on the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch-type roof, or to the average distance of the highest gable on a pitched or hip roof. References in this Section to building height shall include and mean structure height, and if the structure is other than a building, the height shall be measured from said average existing ground elevation to the highest point of the structure. "Existing ground elevation" means the lowest of the following elevations: (1) the grade approved at the time of the subdivision creating the lot, (2) the grade at the time the last demolition permit was issued for a principal structure that was on the lot, (3) the grade at the time the building permit for a principal structure on the lot is applied for.

Building Height or Structure Height. (Single & Two Dwelling Unit Buildings)The distance measured from the average existing ground elevation adjoining the building at the front building line to the highest point on a roof. References in this Section to building height shall include and mean structure height, and if the structure is other than a building, the height shall be measured from said average existing ground elevation to the highest point of the structure. "Existing ground elevation" means the lowest of the following elevations: (1) the grade approved at the time of the subdivision creating the lot, (2) the grade at the time the last demolition permit was issued for a principal structure that was on the lot, (3) the grade at the time the building permit for a principal structure on the lot is applied for.

Residential Maintenance Access. For a single and double dwelling unit, a clear flat walkway from a front yard to a rear yard. This area allows outside pedestrian access and space to bring equipment from a front yard to a rear yard without any encroachment on neighboring property.

Section 2. Subsection 850.07. Subd. 7. is hereby amended as follows:

Subd. 7. Drainage, Retaining Walls & Site Access.

1. Drainage. No person shall obstruct or divert the natural flow of runoff so as to harm the public health, safety or general welfare. Surface water runoff shall be properly conveyed into storm sewers, watercourses, ponding areas or other public facilities. As part of the building permit, the applicant must submit a grading and erosion control plan along with a stormwater management plan that is signed by a licensed professional engineer. The stormwater management plan must detail how stormwater will be controlled to prevent damage to adjacent property and adverse impacts to the public stormwater drainage system. The plans must be approved by the city engineer and the permit holder must adhere to the approved plans.

2. Retaining Walls. All retaining walls must be shown on a grading plan as part of a building permit application. Plans must demonstrate materials to be used for the retaining wall construction. Retaining walls taller than four (4) feet must meet a three (3) foot setback.
3. Site Access. In an R-1 or R-2 Zoning District, a residential maintenance access of at least three (3) feet in width is required on one side of a single or two dwelling unit from the front yard to the rear yard.

Section 3. Subsection 850.11. Subd. 6. is hereby amended as follows:

Subd. 6 Requirements for Building Coverage, Setbacks and Height.

A. Building Coverage.

1. Lots 9,000 Square Feet or Greater in Area. Building coverage shall be not more than 25 percent for all buildings and structures. On lots with an existing conditional use, if the combined total area occupied by all accessory buildings and structures, excluding attached garages, is 1,000 square feet or greater, a conditional use permit is required.
2. Lots Less Than 9,000 Square Feet in Area. Building coverage shall be not more than 30 percent for all buildings and structures, provided, however, that the area occupied by all buildings and structures shall not exceed 2,250 square feet.
3. The combined total area occupied by all accessory buildings and structures, excluding attached garages, shall not exceed 1,000 square feet for lots used for single dwelling unit buildings.
4. Building Coverage shall include all principal or accessory buildings, including, but not limited to:
 - a. Decks and patios. The first 150 square feet of an unenclosed deck or patio shall not be included when computing building coverage.
 - b. Gazebos
 - c. Balconies.
 - d. Breezeways.
 - e. Porches.
 - f. Accessory recreational facilities constructed above grade, such as paddle tennis courts.

The following improvements shall be excluded when computing building coverage:

- a. Driveways and sidewalks, but not patios, subject to 3.a. above.
- b. Parking lots and parking ramps.
- c. Accessory recreational facilities not enclosed by solid walls and not covered by a roof, including outdoor swimming pools, tennis courts and shuffleboard courts.

- d. Unenclosed and uncovered steps and stoops less than 50 square feet.
- e. Overhanging eaves and roof projections not supported by posts or pillars.

Section 4. Subsection 850.11. Subd. 7.A. is hereby amended as follows:

Subd. 7 Special Requirements. In addition to the general requirements described in Subsection 850.07, the following special requirements shall apply.

- A. Special Setback Requirements for Single Dwelling Unit Lots.
- B. One Dwelling Unit Per Single Dwelling Unit Lot. No more than one dwelling unit shall be erected, placed or used on any lot unless the lot is subdivided into two or more lots pursuant to Section 810 of this Code.
- C. Basements. All single dwelling unit buildings shall be constructed with a basement having a gross floor area equal to at least 50 percent of the gross floor area of the story next above. The floor area of accessory uses shall not be included for purposes of this paragraph.
- D. Minimum Building Width. No more than 30 percent of the length, in the aggregate, of a single dwelling unit building shall measure less than 18 feet in width as measured from the exterior of the exterior walls.
- E. Parking Ramps Prohibited. No parking ramp shall be constructed in the R 1 District.
- F. Temporary retail sales of evergreen products from Conditional Use properties
 - 1. The Manager may grant a permit for temporary retail sales of evergreen products, if:
 - a. the owner of the property or other non-profit group approved by the owner conducts the sale.
 - b. the duration of the sale does not exceed 45 consecutive days and does not start before November 15 in any year.
 - c. the sale area is located in a suitable off-street location that does not interfere with traffic circulation on the site or obstruct parking spaces needed by the principal use on the site.
 - d. the sale area is not located within 200 feet of a property zoned and used for residential occupancy.
 - e. the hours of operation do not extend beyond 10:00 p.m.
 - f. signage is limited to one sign per street frontage with an aggregate sign area not exceeding 100 square feet.
- G. Additions to or replacement of, single dwelling unit buildings and buildings containing two dwelling units. For additions, alterations and changes to, or rebuilds of existing single dwelling unit buildings and buildings containing two dwellings, the first floor elevation may not be more than one foot above the existing first floor elevation. If a split level dwelling is torn down and a new home is built, the new first floor or entry level elevation may not be more than one foot above the front entry elevation of the home that was torn down. Subject to Section 850.11 Subd. 2. I. the first floor elevation may be increased more than one (1) foot. The provisions of this paragraph shall apply to all single dwelling unit buildings and

buildings containing two dwelling units including units in the flood plain overlay district. Any deviation from the requirements of this paragraph shall require a variance.

Section 5. This Ordinance is effective upon its passage and publication.

First Reading: July 16, 2013

Second Reading: August 5, 2013

Published: August 15, 2013

Attest Debra A. Mangen, City Clerk

James B. Hovland, Mayor