

**CITY OF LONSDALE
RICE COUNTY, MINNESOTA**

ORDINANCE 2015-262

**AN ORDINANCE AMENDING AND UPDATING LONSDALE
CITY CODE §153.074, SINGLE FAMILY DWELLINGS**

- WHEREAS,** most subdivisions created within the City of Lonsdale over the past 10-15 years were built by developers who envisioned creating a homeowners association which would enforce restrictive covenants that the developer had drafted; and
- WHEREAS,** in the aftermath of the real estate downturn beginning 2007, developers have disappeared and homeowners associations were never created or have been discontinued, thus there is little or no architectural review of new homes prior to seeking a building permit; and
- WHEREAS,** residents who have purchased lots and built houses according to restrictive covenants for a subdivision with the expectation that similar houses would be built, which would help maintain the value of their investment, have complained to the City about lack of enforcement of architectural standards; and
- WHEREAS,** the City has received inquiries from prospective residential lot buyers, asking if construction of lower-valued homes (fewer design features and smaller home size) is permitted in the newer residential subdivisions, because most neighborhood covenants were not being enforced; and
- WHEREAS,** the City Attorney recommends that the City not be in the business of enforcing neighborhood covenants because public/taxpayers' dollars should not be used to resolve solely private neighborhood violations/issues; and
- WHEREAS,** the Lonsdale Planning Commission found that current City regulations pertaining to design standards for single-family homes were deficient, and additionally found that lack of enforcement of design standards may encourage construction of smaller and less attractive homes, therefore, affecting the property values of existing homes/neighborhoods; and
- WHEREAS,** the Planning Commission created an ordinance to address minimum design standards, to protect property/home values, and to protect the original neighborhood design of the subdivisions developers promised to the City and for which the City granted approval; and
- WHEREAS,** on January 15, 2015, the Lonsdale Planning Commission held a Public Hearing and recommended approval of the proposed ordinance.

NOW THEREFORE BE IT ORDAINED, by the Lonsdale City Council, that:

Lonsdale City Code 153.074 is hereby deleted and replaced with a new title and new language as stated on **Exhibit A**.

NOW THEREFORE BE IT ORDAINED, by the Lonsdale City Council, that:

Lonsdale City Code 153.074 is hereby deleted and replaced with a new title and new language as stated on **Exhibit A**.

This Ordinance shall be in full force and effect from and after its passage and approval and publication. Passed by the City Council of the City of Lonsdale, Minnesota, this 12th day of March, 2015.

CITY OF LONSDALE



Mayor Tim Rud

ATTEST:



City Administrator Joel Erickson

(SEAL)

EXHIBIT A

153.074 Residential Single-Family Dwellings

Residential single-family dwellings (free standing detached dwellings), including 1) two-family dwellings (attached twin home or duplexes dwellings), 2) multi-family dwellings not exceeding four dwelling units (attached three-unit or four-unit townhouse dwellings), and 3) manufactured homes, shall comply with the regulations stated in this section.

Residential multi-family dwellings consisting of five or more units shall be required to follow the City's official site plan review process.

A. Building & Zoning Regulations.

1. **Building Permit.** Before construction may commence on a new single-family home or a new addition/expansion, a building permit application shall be approved by the City. A building permit application shall not be considered complete until the following items are fully finalized, completed, and submitted to the City:
 - a. Official building permit application form;
 - b. Two paper copies and one digital copy of the following:
 - 1) Certificate of survey (showing scale, north arrow, lot size, property lines, property monuments/pins, existing/proposed structures and features, existing/proposed elevations/slopes, existing/proposed impervious areas, building setbacks, and associated dimensions);
 - 2) Erosion control plan;
 - 3) Floor plans;
 - 4) Building elevation plans (indicate construction materials, height, size, design, and appearance of proposed building);
 - 5) Energy code calculations/information;
 - c. Other relevant/necessary permits and information requested by the City;
 - d. Permit fees and other associated fees per the City Fee Schedule.

Any missing items, information and/or unacceptable payment shall constitute an incomplete application, and review will be discontinued until such item(s), information, and/or acceptable payment is received by the City.

2. **Zoning Regulations.** Single-family dwellings, including additions/expansions, shall comply with all zoning regulations.
3. **Building Code.** All new single-family dwellings and additions/expansions shall meet the requirements of the International Residential Code and State Building Code or the applicable manufactured housing code.

EXHIBIT A

B. Home & Exterior Design. Any new single-family home constructed after March 12, 2015 shall follow the standards set forth in this section.

1. Exterior Architecture and Home Design. New homes shall maintain a high standard for exterior architecture to ensure a high quality of development and land use compatibility that contributes positively to community image in regard to material quality, visual aesthetics, permanence and stability, and to prevent use of materials that are unsightly, deteriorate rapidly, or contribute to depreciation of surrounding property values.

The exterior architectural design of a proposed dwelling must be sufficiently similar to the exterior architectural design of existing dwellings in the immediate neighborhood and must not be so different from the surrounding neighborhood that it adversely affects other persons' enjoyment of their property or disrupt the welfare and general harmony of the community. All new homes shall fit in with nearby existing homes in terms of size, color, design, and architecture.

2. Minimum Home Size: No single-family dwelling shall have an above grade floor area of less than 1,000 sq. ft. No single-family dwelling shall be less than 30 ft. in length and not less than 20 ft. in width.
3. Foundation. A permanent foundation of concrete, concrete block, or wood, as approved by the International Residential Code and State Building Code, is required with frost footings of at least 44 inches. All wood foundations shall be engineered and professionally installed.
4. Exterior Siding & Finish Materials. All single-family dwelling homes shall have exterior siding or other City approved finish material. Exterior siding or other finish material shall be of a conventional exterior dwelling-type material of high quality, proven exterior durability, and aesthetically pleasing appearance. Sheet metal siding is prohibited.
5. Façade. A minimum of 75 sq. ft. of the home's façade shall have an exterior finish of brick, stone, or other masonry products similar in appearance and quality, and durability. The City may allow other building materials/products in lieu of brick/stone, if such material is found architecturally sound and visually appealing by the City.

EXHIBIT A

6. Roof Design.
 - a. Roof Pitch. Single-family dwellings shall have a minimum pitched roof slope of 5/12 and a minimum slope of 6/12 on façade gables. Flat roofs shall require special approval by the Building Inspector.
 - b. Roofing Materials. The roof shall be covered with conventional dwelling-type shingles or tiles. Metal roofing shall be allowed on single-family dwellings as follows: metal roofing shall have a low-glare coating and a similar appearance to that of overlapping asphalt shingles or ceramic/stone tiles. All roofing materials and roof colors shall be compatible with the home's exterior siding and in character with the surrounding neighborhood.
 - c. Roof Eave/Fascia. Eaves/fascia shall not be less than 6 inches.
 - d. Roof Overhang. The minimum roof overhang shall be 12 inches.
7. Garages. All new single-family dwellings shall have at minimum an attached 2-stall garage, no less than 440 sq. ft. Garages shall be a minimum of 20 ft. in width. If adequate property space is available, new homes/garages shall be positioned in such a way as to provide for the potential location of an attached third stall garage space, whether or not construction is intended.
8. Exceptions.
 - a. Building additions/expansions to any single-family home constructed prior to March 12, 2015, shall not be required to meet the standards set forth in this section, Home & Exterior Design.
 - b. Variance from the standards set forth in this section, Home & Exterior Design, may be allowed through the Planned Unit Development process.
- C. Neighborhood Covenants. Compliance with this Section does not relieve a property owner of also complying with any applicable protective/restrictive covenants. Also, compliance with any such covenants does not relieve a property owner of also complying with this Section.