

ORDINANCE 23-097

Introduced by Councilor Baker

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE 22-083 AND AMENDING CHAPTER 50, ARTICLE III**

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

SECTION 1. - Chapter 50, Article III, Division 2 – R-1 Single-Family Residence District – Sec. 50.0224 – Building Design Standards of the Code of Ordinance of the City of Albert Lea, Minnesota is hereby amended to read as follows:

**Sec. 50.0224. – Conditional permitted uses.**

The following uses shall be permitted in an R-1 single-family residence district only if specifically approved by the planning commission and authorized by the council:

- (1) *Religious and cultural.* Churches, synagogues, and other places of worship, Sunday school buildings, schools for academic instruction, public libraries, museums, cemeteries, art galleries and similar public cultural uses.
- (2) *Recreational.* Public and commercial recreational uses such as country clubs, golf courses, swimming pools, and similar comparable uses.
- (3) *Two (2) family semidetached and cluster dwellings.* Two (2) family semidetached and clustered dwellings on separate lots in accordance with the following conditions:
  - a. Each of the lots shall be equal in area or as near equal in area as is reasonably possible.
  - b. Each lot shall contain no less than one-half (1/2) of the minimum land area requirement for a two (2) family dwelling.
  - c. Except for setbacks along the common property line or side yards on clustered dwellings, all other setbacks and yard requirements shall be provided in accordance with the requirements of the R-1 single-family district.
  - d. Any subdivision of a lot or parcel shall be accomplished in accordance with the subdivision regulations in chapter 38.
- (4) *Density zoning.* Dwelling units in one (1) or more buildings may be permitted on a site with the maximum number of dwelling units not to exceed the density limitation provided in subsection 50-0199 (2)b. It is the intent of this subsection to allow the development of property in a manner which is superior in compatibility and design compared to development permitted as the principal permitted use in this district. In addition to the standards established in this chapter, the following requirements shall be included within a development approved under this subsection:
  - a. *Useable open space.* Not Less than four hundred (400) square feet of useable open space shall be provided for each dwelling unit on the site. Usable open space may not include parking areas and driveways, and the space shall be developed in such a way that it is suitable for the tenants' active and passive recreations. Balconies may provide up to twenty (20) percent of the useable open space requirement.

- b. *Parking.* Parking shall be provided in accordance with the unit size breakdown. Efficiency apartments shall have one (1) parking space per unit. One (1) bedroom apartments shall have one and one-half (1 ½) parking spaces per unit. Two (2) bedroom and larger apartments shall have two (2) parking spaces per unit. All parking shall be provided off street and entirely within the confines of the site. Not less than fifty (50) percent of all required off-street parking shall be provided in a garage or enclosed space. All open off-street parking areas shall be developed per the design standards contained in section 50-0894.
- c. *Landscaping.* Landscaping shall be provided on all areas that are not used for parking, driveways, walkways or buildings. Landscaping shall include sod and evergreen as well as deciduous trees and shrubs. Parking lots shall be screened from adjoining residential areas through the use of landscaping. Street trees shall be planted in boulevard areas. The planting of street trees shall be coordinated with the director of parks and recreation and shall meet city standards.
- d. *Lighting.* Exterior lighting of the site shall be adequate to provide security and shall be compatible in design and character with surrounding residential areas. Lighting shall be directed toward the site or contained on the site and shall not be directed toward adjoining residential areas.
- e. *Refuse storage.* All refuse storage shall be within the principal building or within an accessory structure designed for that purpose.
- f. *Storage of equipment.* All equipment, including maintenance equipment, bicycles, recreation vehicles and trailers, mowers and snow removal equipment, shall be stored in an enclosed structure. Outside parking areas shall not be used for the parking of recreational trailers or other accessory vehicles.
- g. *Documentation.* The applicant shall submit drawings and documentation which clearly shows all improvements to be made on the site, including building elevations, floor plans, lighting, landscaping, site plan, and other documentation required to clearly define the proposed development. The documents shall be made a part of the conditional use permit, and all other developments shall be in accordance with the documents.

SECTION 2. Chapter 50, Article III, Division 8. – B-2 Community Business District Sec. 50.0402 - Building design standards of the Code of Ordinance of the City of Albert Lea, Minnesota is hereby amended adding as follows:

**Sec. 50.0402. – Building design standards.**

(a) *Intent and application.*

- (1) It is the intent of the community to establish a series of attractive entrances along the main thoroughfares within the city. The purpose of these design standards is to establish a quality first impression to travelers on these corridors and to ensure minimum building design standards in order to protect neighboring investment.
- (2) These design standards apply to all new construction and to the expansion of existing buildings that are being expanded by more than fifty (50) percent of the building's existing gross floor area.

(b) *Materials, orientation, windows, roofs, and accessory structures.*

- (1) *Materials on vertical surfaces or building fascia.* All building vertical surfaces, including front, side, and rear shall have building finishes made of fire-resistant and low maintenance construction materials that may include: Face brick, architectural or decorative block or concrete, stone, stucco, aluminum, or steel, and other materials that enrich the impression and appearance of the community. The color of materials shall be part of the manufacturing and construction process.
- (2) *Orientation.* For purposes of this section, the term "front of a building" means the lineal and vertical surface facing a public street. The front of the building shall have a clearly defined entrance and shall incorporate required windows and doors. If the building abuts more than one (1) street, the Zoning Official will determine what is the front for purposes of window placement.
- (3) *Required windows.* The front of the building shall have a minimum of ten (10) percent, but not less than ten (10) feet, of the lineal ground floor in windows. The bottom of these windows shall not be more than forty-eight (48) inches above the surrounding ground or sidewalk level and the required glass area shall extend vertically a minimum of five (5) feet. Not more than ten (10) percent of the required window space may be covered with external or internal signs, including temporary signs.
- (4) *Rooftop equipment.* The roof design shall provide screening of rooftop equipment as seen from any public street, alley or residential zoning district.
- (5) *Trash.* Exterior trash enclosures are required and shall be designed with materials similar to materials used on the principal building. Trash enclosures shall be adequate in height to screen trash containers and materials but shall not be less than six (6) feet in height.
- (6) *Accessory Buildings.* Accessory buildings shall be designed with materials similar to the materials used on the principal building.

That the motion for the adoption of the foregoing ordinance was duly seconded by Councilor S. Rasmussen, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray.

And, the following voted against the same: None

Introduced the first time on this 8<sup>th</sup> day of May, 2023

Introduced and read the second time on the 22<sup>nd</sup> day of May, 2023

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Mayor Rich Murray

Filed and attested to this 23<sup>rd</sup> day of May, 2023

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Secretary of the Council