

**CITY OF VADNAIS HEIGHTS
ORDINANCE NO. 774**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 38, ARTICLE I,
SECTION 38-3; ARTICLE III, DIVISION 2, SECTION 38-98 AND DIVISION
FOUR, SECTION 38-155; AND ARTICLE IV, SECTION 38-626 CONCERNING
ACCESSORY DWELLING UNITS**

The City Council of the City of Vadnais Heights does hereby ordain:

I.

City Code Chapter 38, Article I, Section 38-3 (Definitions) is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

Accessory dwelling unit means a dwelling unit located on the same parcel as a principal residential dwelling unit to which it is accessory.

II.

City Code Chapter 38, Article III, Division 2, Section 38-98 (Residence One District) is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

Sec. 38-98. - Uses in the R-1 district.

...

(b) *Accessory uses.* The accessory uses are as follows:

...

(9) Attached accessory dwelling units, in compliance with section 38-626.

...

(c) *Conditional uses.* The conditional uses are as follows:

...

(14) Detached accessory dwelling units, in compliance with section 38-626.

III.

City Code Chapter 38, Article III, Division 4, Section 38-155 (Residence Three District) is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

Sec. 38-155. - Uses in the R-3 district.

...

(b) *Accessory uses.* Accessory uses are as follows:

- (1) All accessory uses in an R-1 district, except accessory dwelling units.

IV.

City Code Chapter 38, Article IV, Section 38-626 (Construction and performance standards) is hereby amended to read as follows (strikethrough indicates deletions; underline indicates additions):

Sec. 38-626. - Accessory dwelling units.

These uses shall be allowed based on the applicable zoning district(s), in compliance with the following conditions:

(a) Setback and building height standards.

- (1) Attached accessory dwelling units shall comply with setbacks in the applicable zoning district and building height as in (2) below.
- (2) Detached accessory dwelling units shall comply with setback and building height as follows:

<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>	<u>Height</u>
<u>Prohibited</u>	<u>10 feet</u> <u>20 feet (corner)</u>	<u>10 feet, including outside</u> <u>of any easements</u>	<u>20 feet¹</u>

¹Cannot exceed the height of the principal structure, as in section 38-605(c)

(b) Minimum requirements. Accessory dwelling units shall comply with the following:

- (1) Accessory dwelling units shall only be permitted on lots where the principal use is a single dwelling unit building.
- (2) No more than one accessory dwelling unit shall be permitted per lot.
- (3) Accessory dwelling units may be attached to or detached from the single dwelling unit.
- (4) The owner of the property shall reside in the principal dwelling unit or the accessory dwelling unit as a permanent residence, not less than 185 days per calendar year.
- (5) Rental of either the principal or accessory dwelling unit, not both, shall be in compliance with Chapter 8, Article, Division 5.
- (6) Accessory dwelling units shall not be sold independently of the principal dwelling unit and may not be a separate tax parcel or be subdivided.
- (7) Accessory dwelling units shall not be served by an additional curb cut and off-street parking shall be in compliance with section 38-610.
- (8) Accessory dwelling units shall not exceed 1,200 square feet in total size or 35 percent of the floor area of the principal dwelling unit, whichever is less, and shall not be less than 300 square feet in total size.

- (9) Accessory dwelling units shall comply with all current Minnesota Residential Code provisions.
- (10) Accessory dwelling units shall be connected to municipal sewer and water services from service lines shared with the principal dwelling, unless otherwise approved by the Public Works Director.
- (11) Accessory dwelling units shall be architecturally compatible or made with similar materials as the principal dwelling unit.
- (12) Accessory dwelling units shall not contain more than two bedrooms.
- (13) Accessory dwelling units shall be limited to a maximum occupancy of four people.

(c) Attached accessory dwelling unit standards. Attached accessory dwelling units shall comply with the following:

- (1) Must be fully separated from the principal dwelling unit by means of a wall or floor and have a separate entrance other than the principal dwelling unit. The separating wall may have a door connecting the accessory dwelling unit to the principal dwelling unit.
- (2) Must not have additional entrances or exterior stairs facing a public street.

(d) Detached accessory dwelling unit standards. Detached accessory dwelling units shall comply with the following:

- (1) Must be located behind the rear building line of the principal dwelling unit.
- (2) Must not contain rooftop decks.
- (3) Must be constructed on a permanent foundation with no wheels.

V.

This Ordinance shall take effect and be enforced from and after its passage and publication.

PASSED by the City Council of the City of Vadnais Heights, Minnesota, this 16 day of JULY, 2024.


Mike Krachmer, Mayor

ATTEST:


Kevin Watson, City Administrator

