

ORDINANCE NO. XXVII

**ORDINANCE AMENDING SUBDIVISION 2 OF SECTION 4
PLUS SUBDIVISION 1 OF SECTION 11 OF CHAPTER IX
(THE RICE CITY ZONING ORDINANCE)
AND DELETING THE CURRENT SECTION 12 OF CHAPTER IX
OF SAID ORDINANCE AND CREATING A NEW SECTION 12(A)
ENTITLED “AGRICULTURAL DISTRICT” PLUS 12(B)
ENTITLED “RURAL RESIDENTIAL DISTRICT”
FOR THE RICE CITY ZONING ORDINANCE**

Be hereby ordained by the City Council of the City of Rice as follows:

Subdivision 2 of Section 4 “Rules and Definitions” is hereby amended to amend No. 79

(setback) as follows:

79. Setback: The minimum horizontal distance between a building and right of way line (if a right of way adjoins the parcel or lot involved) or in the event no right of way adjoins the setback area involved, the property line of said parcel or lot.

Subdivision 1 of Section 11 “General District Provisions” is hereby amended to read as follows:

For the purpose of this Ordinance, the municipality is hereby divided into the following districts:

1. AG Agricultural District
2. RR Rural Residential
3. R-1 Single Family Residence
4. R-1A Townhouse district
5. R-2 Single or Two Family Residence
6. R-3 Multiple Family Residence
7. R-5 Planned Unit Development
8. B-1 Neighborhood Business
9. B-2 General Business
10. B-3 Highway Business
11. I-1 Light Industrial
12. I-2 Heavy Industrial
13. R-D Railroad Industrial District

14. AU Adult Use

The current Section 12 (RR – Rural Residential District) is hereby deleted in its entirety and replaced with the following sections being designated in Section 12A (AG – Agricultural District) and Section 12E (RR – Rural Residential District).

The following provisions regarding Section 12A are hereby adopted:

SECTION 12A AG-AGRICULTURAL DISTRICT

Intent. In areas where lots are larger than ten (10) acres, conditions of soils might limit agricultural or residential activities, or both. The use of AG-Agricultural District provides for a mixture of agricultural and large lots of more than ten (10) acres residential uses. This district is also appropriate for transitional areas in which some land owners may wish to transfer land from agricultural to residential uses.

Subdivision 1: Permitted Uses.

- (a) Single family dwellings
- (b) Public Parks
- (c) General farming and gardening
- (d) Raising of domestic farm animals, excluding hogs and fur-bearing animals, not to exceed one (1) animal per unit acre.

(e) Group family day care

(f) Fire stations

(g) Agricultural buildings as principal structures on parcels of land 40 acres or greater. Use of building limited to active farm operations including general farming or livestock.

(h) Nurseries

Subdivision 2: Accessory Uses

(a) Private garages/accessory buildings.

(b) Private swimming pools and tennis courts

(c) Signs as regulated in Section 27 (c)

(d) Keeping of not more than two (2) boarders and/or roomers per dwelling unit.

(e) Commercial daycare accessory to a legal conforming church or school.

Subdivision 3: Conditional Uses

(a) Churches

(b) Golf courses and golf driving ranges

(c) Schools

(d) Public buildings

(e) Home occupations

(f) Kennel-private

(g) Boarding houses

(h) Private stables with a density not exceeding one horse per acre, or more than 10 horses in aggregate, meeting standards outlined in Subdivision 4 (k).

(i) Garden supply stores

(j) Accessory buildings located within the front yard, provided that any structure to be placed in the front yard has at least a 100-foot front yard setback.

Subdivision 4: Standards

- (a) Minimum lot area-more than (10) acres. These lands shall have a minimum lot area of 10 acres.
- (b) Frontage - 300 feet.
- (c) Average width - 300 feet.
- (d) Minimum depth - none.
- (e) Front yard setback - 45 feet for house, 45 feet for garage/accessory building, 200 feet for accessory buildings sheltering domestic farm animals.
- (f) Rear yard - house 30 feet, garage/accessory building 30 feet, accessory buildings sheltering domestic farm animals 50 feet.
- (g) Side yard - house 20 feet, garage/accessory building 20 feet, however accessory buildings sheltering domestic farm animals 50 feet.
- (h) Corner lot - house 45 feet, garage/accessory building 45 feet, however accessory buildings sheltering domestic farm animals 200 feet.
- (i) Maximum building height - 2-1/2 stories or 35 feet, whichever is less.

Accessory buildings shall only be located in the rear yard, except as permitted by Subdivision 3(J) The architectural style and color of a garage/accessory building shall be compatible with the principal building. The facing material of the garage shall be compatible with the principal building.

- (j) Driveways shall not be constructed closer than twenty (20) feet to the property line without written authorization from the adjacent property owner and Planning Commission.
- (k) Standards and requirements for private stables:
 - (i) Maximum density - one (1) horse per acre.
 - (ii) Must obtain Minnesota Pollution Control Agency (MPCA) feedlot permit.
 - (iii) Building(s) used for sheltering, training, or riding horses shall have a minimum 200 foot setback from any property line. (iv)

Fences to control livestock adjacent to R-1 (Single Family) zoning districts shall have a minimum setback of 100 feet.

The following provisions regarding Section 12(B) are hereby adopted:

Section 12B: RR RURAL RESIDENTIAL DISTRICT

Subdivision 6: Lot, Yard, Area and Height Requirements.

1. The front yard setback in Rural Residential districts shall be thirty (30) feet, except as hereinafter provided for accessory buildings.
2. The side yard setback in Rural Residential districts shall be ten (10) feet, except corner lots on which the side yard on the intersecting street shall be not less than fifteen (15) feet, except as hereinafter provided for accessory buildings.
3. The rear yard setback in Rural Residential districts shall be thirty (30) feet.
4. The maximum height for buildings (with the exception of accessory buildings as hereinafter specified) shall be two (2) stories or thirty-five (35) feet, whichever is less.
5. Not more than thirty-five percent (35%) of a lot or plat of land shall be occupied by buildings and/or impervious surfacing.

Subdivision 7: Requirements for Accessory Buildings.

1. Size Requirements:
 - a. Aggregate square footage for all of the accessory buildings on a lot that has 2.5 to 5.0 acres in size shall be 1,600 square feet
 - b. Aggregate square footage for all of the accessory buildings on a lot that is 5.0 to 7.5 acres in size shall be 2,400 square feet.
 - c. Aggregate square footage for all accessory buildings on a lot that is 7.5 acres or greater in size shall be 3,000 square feet.
2. Accessory buildings shall not exceed twenty-five (25) feet in height.

3. Setbacks:
 - a. The front yard setback shall be a minimum of fifteen (15) feet
 - b. The side yard setback shall be a minimum of fifteen (15) feet
4. Materials: All accessory buildings shall have the same exterior material as, and be homogeneous in design to the principal structure.

The above revisions to Chapter 9 of the Rice City Ordinance (the Rice City Zoning Ordinance) having been adopted by the Rice City Council on the 4th day of December, 2006. Said revisions shall be effective upon passage and publication as required by law.

CITY OF RICE

By: /s/ Nancy Anderson, Mayor
Nancy Anderson, Mayor

By: /s/ Bonnie Scheel
Bonnie Scheel, Rice City Clerk