

Be it ordained by the City Council of the City of Park River that the following Ordinance 30. of the City of Park River is hereby adopted.

ORDINANCE 30.

AN ORDINANCE FOR THE PURPOSE OF PROMOTING HEALTH, ORDER, CONVENIENCE AND GENERAL WELFARE, BY REGULATING THE USE OF LAND, THE LOCATION AND THE USE OF BUILDINGS AND THE ARRANGEMENT OF BUILDINGS ON LOTS, AND THE DENSITY OF POPULATION IN THE CITY OF PARK RIVER.

Section 1.

**Short title.** This ordinance shall be known and referred to as the “zoning ordinance” of the City of Park River.

Section 2.

**General provisions.**

1. It shall be the duty of the City Auditor to keep on file in the Auditor’s Office, the map of the City indicating the zones as they may be constituted thereto from time to time. This map shall be made available to the public upon request at any reasonable time.
2. Any land which may be added to the City in the future shall be placed in the R-1 Residential District until special action of the City Council shall definitely assign such land to another use district.
3. Automobile, junk and scrap iron shall not be located within the zoning limits unless by special permit of the City Council.
4. All buildings on masonry foundations erected on unplatted tracts adjoining any platted part of the city shall conform to the set-back provisions by extending the set-back lines of the adjoining platted property.
5. In all future platted additions to the City, the city street right of way shall be 66 feet and the minimum street width from curb to curb, 40 feet.
6. In all new subdivisions, after May 1, 2012, sidewalks shall be required.
7. It shall be unlawful to keep any cattle, horses, sheep, swine, goats or poultry within the city limits.
8. New construction after May 1, 2012, in all districts shall be required to comply with the rules and regulations for landscaping as set forth in Exhibit B attached hereto.
9. For the purpose of insuring reasonable visibility in the residential district, no

structure may be erected or any vegetation maintained other than shrubs or hedges trimmed to a height of three (3) feet and trees trimmed to a height of six (6) feet above curb level, for a distance of thirty (30) feet from the intersection of the property lines of the two streets.

10. No coniferous trees shall be located in the row closest to the street.

### Section 3.

**Division of Districts.** For the purpose of this ordinance, the City is divided into the following districts:

#### **R-1 SINGLE-FAMILY RESIDENCE DISTRICT.**

The following shall apply in all R-1 districts:

- (1) *Statement of intent.* This district is intended to preserve, create and enhance areas for single-family dwelling development of stick built construction on site or stick built residences built off site but delivered in one part, exclusive of garage, to the site.
- (2) *Uses permitted:*
  - (A) Dwelling, single-family detached, except mobile homes.
  - (B) Public parks and playgrounds and other recreational uses.
  - (C) Elementary schools, junior high schools, high schools.,
  - (D) Churches or similar places of worship, parish homes, and convents, provided that no principal structures shall be located within thirty (30) feet of any building lot line.
  - (E) Customary accessory uses and buildings, provided such uses are incidental to the principal use. Any accessory building shall be located on the same lot with the principal building.
  - (F) Family Child Care Homes.
- (3) *Building height limit.* Two and one-half (2½) stories, but not exceeding thirty-five (35) feet in height.
- (4) *Required lot area, lot width and lot depth:*
  - (A) Lots for one-family dwelling purposes shall contain not less than fourteen thousand (14,000) square feet in area and a lot width of not less than sixty (60) feet at building setback line and a lot depth of not less than one hundred

(120) feet, except in the case of lots of greater width than sixty (60) feet, the depth of lot may be reduced to a minimum of one hundred (100) feet, provided the area requirements are not reduced and provided the necessary rear yard as required by this article is maintained. Notwithstanding the above, all rectangular lots shall have a minimum frontage of one hundred twenty (120) feet.

(5) *Impervious surface area.* The impervious surface area shall not exceed thirty-five (35) percent of the total lot area.

(6) *Set Back.*

(A) *Front Yard.*

(1) The front yard depth on corner lots shall be in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards shall be provided on the other frontage.

(2) On a lot which fronts a local street, a depth of twenty-five (25) feet shall be required. This front yard depth requirement may be reduced a maximum of five (5) feet for a dwelling unit utilizing a rear-loaded garage, or a front-loaded garage under the following condition: The front yard depth for a dwelling unit may be reduced at a rate of one (1) foot per each two (2) feet of additional setback for a front-loaded garage beyond the minimum setback requirements as heretofore stated.

(C) *Side yard requirements.*

(1) Each lot shall have two (2) side yards, one on each side of the principal building of a minimum width of 10 feet.

(2) Under no circumstances may the distance between the eave line of any building and the adjacent lot line be less than ten (10) feet.

(D) *Rear yard requirements.* Each lot shall have a rear yard of not less than forty (40) feet. No alley shall constitute a part of any rear yard. If there is an outbuilding that has a rear loaded overhead garage door, the building shall be a minimum of fifteen (15) feet from the alley.