

**Ordinance No. 2021-**

**An ordinance amending city code sections 300.10, 300.12, 300.13, and 300.16 regarding licensed residential care facility or community based residential care facilities**

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The City Of Minnetonka Ordains:

Section 1. Section 300.10, Subdivision 4(g) of the Minnetonka City Code, regarding conditional uses in the R-1 zoning district, is amended as follows:

g) licensed residential care facilities or community based residential care facilities serving 7 through 10 persons

Section 2. Section 300.12, Subdivision 4(e), of the Minnetonka City Code, regarding conditional uses in the R-3 zoning district, is amended as follows:

e) licensed residential care facilities or community based residential care facilities serving 7 through 10 persons

Section 3. Section 300.13, Subdivision 4(e), of the Minnetonka City Code, regarding conditional uses in the R-4 zoning district, is amended as follows:

e) licensed residential care facilities or community based residential care facilities serving 7 through 10 persons.

Section 4. Section 300.16, Subdivision 3(g) of the Minnetonka City Code, regarding the specific standards applicable to conditional use permits for licensed residential care facility or community based residential care facilities, is repealed and replaced with the following

g) Licensed residential care facilities or community based residential care facilities serving seven to ten residents:

1) The site and facility must be designed to minimize undue adverse impacts to neighboring properties. In evaluating whether this standard is met, the city may consider such things as the surrounding land uses; the size of the property relative to adjacent properties; the location of facility on the property relative to the location of homes on adjacent

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The ~~stricken~~ language is deleted; the single-underlined language is inserted.

properties; whether the facility would be buffered from adjacent properties by existing vegetation, elevation changes, or linear distance; or any other site or neighborhood characteristic the city considers important or unique. In addition:

2) Site Standards.

a. Facilities may only be located on properties:

1. At least one acre in size; and
2. With direct access to a collector or arterial street as identified in the comprehensive plan.

b. No on-street parking is allowed.

c. A minimum of 0.5 parking stalls must be provided on-site per overnight resident based on proposed capacity.

d. Exterior parking must be located on a paved area. If designed as a parking lot, the lot must be located behind the rear building line of the facility and must be set back a minimum of 20 feet from all property lines.

3) Building Standards.

a. If new construction:

1. The floor area ratio (FAR) may be no more than 100% of the highest FAR of the homes within 400 feet of the lot lines and within 1,000 feet of the lot along the street where it is located, including both sides of the street;

2. The facility must contain a minimum of 300 square feet of residential building are for each overnight resident, based on proposed capacity; and

3. The facility must be set back a minimum of 50 feet from all property lines and must meet required setbacks from shoreland, wetland and floodplain areas as outlined in this ordinance.

b. If existing construction, the facility must contain a minimum of 300 square feet of residential building are for each overnight resident, based on proposed capacity. Any additions or changes to the structure to accommodate the facility must be residential in character.

4) Additional Standards.

a. Landscape buffering of the facility and any parking lot must be provided consistent with the requirements contained in section 300.27 of this ordinance. A privacy fence of appropriate residential design may be required to limit off-site impacts.

b. The facility must prepare, and abide by, a plan for handling traffic and parking on high traffic days, such as holidays. The plan must be submitted to city staff for review and approval.

c. No exterior evidence of the use or activity that is not customary for typical residential use is allowed.

d. The facility must conform or come into conformance with the requirements of the Minnesota state building code, fire code, health code, and all other applicable codes and city ordinances.

e. The city may impose additional conditions in order to address the specific impacts of a proposed facility.

Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Brad Wiersum, Mayor

Attest:

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Becky Koosman, City Clerk

**Action on this ordinance:**

Date of introduction: May 24, 2021

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Becky Koosman, City Clerk

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