

**CITY OF HAWLEY
ORDINANCE NO. 282**

**An Ordinance Amending the City Code of City of Hawley
Code Section 10-4-7D in regard to
Adding a Conditional Use in C-2 Highway Commercial Zoning District for
High Density Multiple-Family Apartment Dwellings
with Multiple Principal Structures on One Lot**

WHEREAS, the Hawley Planning Commission held a public hearing on September 9, 2020, to consider an application for a zoning amendment, the proposal was discussed and public input was heard, and

WHEREAS, the Hawley Planning Commission made a recommendation to the Hawley City Council for approval of the zoning amendment change as submitted.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Hawley, Minnesota, a municipal corporation:

The provisions of **Code Section 10-4-7D**— in regard to Conditional Use Permits within the C-2 Highway Commercial Zoning District be amended to add new section:

D 8 High Density Multiple-Family apartment dwellings with multiple principal structures on one lot provided that:

a. There is adequate off-street parking with minimums as follows: 1 1/2 spaces per efficiency unit; 2 spaces for 1 and 2 bedroom units; and 2 1/2 spaces for 3 or more bedroom units. Spaces required are in excess of those accessible parking stalls required by state or federal law. No off-street parking space may be used to meet the parking space requirements of this title if a separate fee is charged to the tenant for the use of the space over and above the basic rent for the dwelling unit.

b. Lot Size Requirements: The following minimum requirements shall be observed:

1. Lot area One thousand five hundred (1,500) square feet per dwelling unit.
2. Lot width One hundred feet (100').
3. Lot Depth One hundred thirty feet (130').

c. Setbacks: Setbacks shall be of sufficient width to accommodate required buffering, screening and landscaping, required by section 10-5-5 of this title.

1. Front yard: Not less than twenty five feet (25').
2. Side yard: Forty feet (40') along any principal or minor arterial. Thirty feet (30') along any other street. Twenty feet (20') for any other side yard setback.
 - a. Accessory buildings, structures, and uses: A minimum of five feet (5') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way.
3. Rear yard: Principal buildings: Twenty five feet (25').
 - a. Accessory buildings, structures, and uses: A minimum of five feet (5') from a lot line, except a minimum of twelve feet (12') from a lot line when abutting a street right of way

d. MAXIMUM BUILDING HEIGHT:

- a. Dwelling units or principal buildings: Forty five feet (45').
- b. Accessory buildings: Twenty feet (20').

e. MAXIMUM BUILDING COVERAGE: No structure or combination of structures shall occupy more than seventy percent (70%) of the lot area.

f. Vehicular Entrances to Lot: Minimum Requirements: Two (2) entrances to the property with at least a clear 25' driving lane for emergency vehicles to travel with access to 1 side of each Principal building (long side). Entrances shall create a minimum of conflict with through traffic movement.

g. All signing and informal or visual communication devices shall be in compliance with the applicable provisions of this code.

h. Fire Protections: The City may require the applicant to provide an utility easement and pay for the extension of a Fire Hydrant if the buildings are placed in such a way as to exceed the recommended distance from an existing Fire Hydrant.

i. The provisions of section 10-3-3 of this title are considered and satisfactorily met.

This Ordinance becomes effective from and after its passage and publication.

Passed by the City Council, City of Hawley, Minnesota, this ___ day of September, 2020

James Joy
Mayor

Lisa Jetvig
Clerk Treasurer

Ayes _____ Nays _____