

Ordinance No. 2025-02

City of Harris, Chisago County

Proposed Zoning Code Text Amendments

Bold and underline are proposed additions to the code and ~~strikeout~~ are proposed removal of language from the code.

154.34 ACCESSORY DWELLING UNITS (ADU) ORDINANCE.

(A) Purpose and intent. The purpose and intent of this section is to establish standards and procedures by which ADUs are governed by the city to provide uses that are appropriate, safe, sanitary and attractive.

(B) Definitions. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY DWELLING UNIT (ADU). An additional dwelling unit that is subordinate to a single-family dwelling consisting of bedroom, living space, bathroom and kitchen that is a minimum of 400 square feet. An ADU may be within or attached to a single-family dwelling, or detached in a separate accessory building on the same lot as a single-family dwelling.

(C) Accessory Dwelling Unit Standards (ADU). Zoning Districts.

(1) ADUs will be allowed as an accessory use

- a. If lot contains only 1 single-family structure.**
- b. Allowed use if the primary or accessory dwelling unit are occupied by the property owner.**

(2) No ADU is allowed prior to principal building.

(3) No variances shall be granted for an accessory dwelling unit.

(4) Only 1 accessory dwelling unit may be created per parcel.

(5) Permits. A building permit must be submitted to the County. All applications shall be accompanied by detailed plans and specifications.

(D) Design standards.

(1) Setbacks. The ADU shall comply with the zoning standards for a principal structure setback in the zoning district in which it is located.

(2) Forty percent landscape requirement. In no event shall off-street parking spaces, structures of any type, buildings, or other features cover more than 60% of the lot area resulting in less than 40% landscaped in residential districts.

(3) Utility connection. The ADU must be connected to city water and sewer if available or to a private septic system and private well if city water and sewer are not available. Temporary holding tanks, compost toilets, or burning toilets are not allowed.

- (4) *Design.* The architectural design and appearance of all permanent ADU's shall be consistent with the primary structure and with surrounding buildings.
- (5) *Size.* The accessory dwelling unit may not be more square footage than the principal structure on the lot.
- (6) *Access.* The detached accessory dwelling unit must be located with enough space between the primary structure for emergency vehicle access.
- (7) *Not allowed.* Motor homes, park models, camping trailers, pop up trailers, or temporary offices, except for temporary construction offices as provided for in § 153.031(A)(1).
- (8) *Tiny Home.* Tiny homes as defined by Minnesota State Statutes and Minnesota State Building Code that are placed on a permanent foundation.
- (9) *Modular Home.* Modular homes that meet the Minnesota State Statute requirements are allowed as accessory dwelling units.

(E) *Unit occupancy.* The total combined occupancy of the principal dwelling unit and the accessory dwelling unit shall not exceed the allowed occupancy per the building inspection.

(F) *Parking provisions.* The principal structure and ADU must comply with the zoning district's parking requirements.

(G) *General ordinance provisions.*

(a) *Interpretation.* In interpreting this section and its application, the provisions of these regulations shall be held to be the minimum requirements for the protection of public health, safety, and general welfare. This section shall be construed broadly to promote the purposes for which it was adopted.

(b) *Conflict.* This section is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law except as provided herein. If any provision of this section imposes restrictions different from any other ordinance, rule or regulation, statute or provision of law, the provision that is more restrictive or imposes higher standards shall control.

(c) *Severability.* If any part of provision of this section or its application to any developer or circumstance is judged invalid by a competent jurisdiction, the judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which the judgment shall be rendered and shall not affect or impair the validity of the remainder of these regulations or application of them to other developers or circumstances.