

ORDINANCE 24-115

Introduced by Councilor Anderson

**AN ORDINANCE AMENDING CHAPTER 50, ARTICLE I – IN GENERAL, SECTION 50.0018
ACCESSORY BUILDINGS, FENCES, AND SITE APPURTENANCES (c) (2) (b)**

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

SECTION 1. Chapter 50 – Zoning, Article I – In General, Section 50.0018 – Accessory buildings, fences and site appurtenances (c) (2) (b), of the Code of Ordinance of the City of Albert Lea, Minnesota is hereby amended to read as follows:

Sec. 50.0018. – Accessory buildings, fences and site appurtenances.

(c) Accessory building and structures in business and industrial districts may occupy any of the ground area which the principal building is permitted to occupy.

(1) Accessory buildings such as buildings for parking attendants, guard shelters, gate houses and transformer buildings may be located in the front or side yard in I-2 district.

(2) Temporary accessory structures allowed in B-1, B-2, B-3, B-4, IDD, I-1, I-2, I-3, and DCD districts.

a. Tents over four hundred (400) square feet in size require a permit issued by the city fire department. Conditions of approval shall relate to public safety, visibility of the tent from neighboring private or public property, general site conditions and limits on period of use and the general health, safety, and well-being of the neighborhood.

b. Cargo containers are permitted as temporary accessory structures only. (Subject to applicable building and structure setbacks.)

Exception: In the I-2 and I-3 industrial zones, each parcel may utilize up to a maximum of three (3) cargo containers for permanent storage use only. Any modifications to the cargo containers shall be certified by a Minnesota licensed designer as to engineering and building code standards.

c. Temporary accessory structures shall be allowed for thirty (30) days within any given calendar year or up to six (6) months within any calendar year with a permit issued by the inspection department. Conditions of a six (6) month approval shall relate to public safety, visibility of the structure from neighboring private or public property, general site conditions, limits on period of use, and the general health, safety, and well-being of the

neighborhood. An extended period of use may be granted if an applicant seeks an interim use permit pursuant to section 50.0053.

- d. In all zoning districts accessory structures including fences and walls and associated landscaping shall meet the requirements of subsection 50.0013(e) for vision clearance.

	Residential Districts					PD**	Business Districts			Industrial Districts		
	R-1	R-2	R-3	R-O	R-P		DCD	B-2	B-3	I-1	I-2	I-3
Accessory structures												
Maximum heights*	15 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	50 feet	25 feet	25 feet	25 feet
Minimum front setback***	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	Same as principal structure					
Minimum side setback (interior lot)	3 feet	3 feet	3 feet	3 feet	3 feet	3 feet	Same as principal structure					
Minimum side setback (corner lot street line)	12½ feet	12½ feet	12½ feet	12½ feet	12½ feet	12½ feet	Same as principal structure					
Minimum rear setback (no alley)	3 feet	3 feet	3 feet	3 feet	3 feet	3 feet	Same as principal structure					
Minimum rear setback from alley edge	5 feet	5 feet	5 feet	5 feet	5 feet	5 feet	Same as principal structure					
Fences and walls												
Maximum height front yard***	3 feet	3 feet	3 feet	3 feet	3 feet	3 feet	3 feet	No maximum height. All fences over 7 feet tall require a building permit. See subsection 50.0013(a) for additional requirements for fence opacity in front yards.****				
Maximum height side and rear yards	6 feet	6 feet	6 feet	6 feet	6 feet	6 feet	6 feet					
Minimum setback interior lot lines (side and rear)	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet
Other structures or appurtenances—Side setback												
Nothing over 2 feet in height shall be constructed or placed in a permanent manner within 1½ feet from any side property line.												

*See subsection (b)(1) of this section for exemptions on height requirements for accessory structures.

**Dimensional standards in the PD zone apply to those situations only where the standard is not otherwise established in the PD site plan or CUP.

***See subsection (c) of this section for exemptions on front yard setbacks for accessory structures on properties with steep slopes.

****See subsection (a) of this section for additional requirements for fences in front yards.

That the motion for the adoption of the foregoing ordinance was duly seconded by Councilor S. Rasmussen, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Christensen, Baker, S. Rasmussen, R. Rasmussen, Anderson and Mayor Murray.

And, the following voted against the same: None. Councilor Howland was absent.

Introduced and read the first time on the 13th day of May, 2024

Introduced and read the second time on the 28th day of May, 2024

Mayor Rich Murray

Filed and attested on the 29th day of May, 2024

Secretary of the Council