

ORDINANCE NO. 547, SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA ADOPTING CHAPTER 10, SECTION 10.05 OF THE HASTINGS CITY CODE PERTAINING TO:

ACCESSORY STRUCTURE HEIGHTS

BE IT ORDAINED by the City Council of the City of Hastings as follows:

Sections 10.05 of the Hastings City code is adopted as follows:

SECTION 10.05. APPLICATION OF DISTRICT REGULATIONS.

**SUBD. 2A. Accessory Building and Structure Requirements.**

Accessory Buildings and Structures shall meet the following requirements:

- A. No accessory building shall be erected in any required front or side yard fronting a public street or right of way.
- B. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
- C. Accessory structures, except fences meeting the requirements of Sec. 10.05 Subd. 4, shall not be placed in any easements.
- D. All accessory structures, except fences, shall meet the setbacks listed in Table 1.
- E. All accessory structures shall be setback at least six (6) feet from all other structures.
- F. At grade accessory structures such as basketball courts, patios, dog kennels shall meet the accessory structures setbacks listed in Table 1. These accessory structures are not included in the total allowable square footage allowed, as long as the total impervious surface of the lot does not exceed 35% for the rear yard. The rear yard shall be measured from the rear building line to the rear lot line.
- G. Accessory structures shall have weather resistive exterior finishes that are durable and architecturally compatible with and similar in design, color, and material to the principle structure.
- H. ~~The sidewall height of accessory structures shall be limited to ten feet, unless architectural elements are incorporated such as exterior materials~~

~~change or building offset to reduce the massiveness and starkness of the wall.~~ Accessory structures shall not exceed one story in height and shall not exceed 16 feet in height as measured to the mean of the roofline, or the height of the principal structure, whichever is more restrictive. The roofline mean height shall be measured from the mean height of the ground grade surrounding the accessory structure. Sidewalls shall not exceed 10 feet in height as measured from the mean height of the floor of the structure.

- I. The height of any accessory structure shall not be taller than the primary structure.
- J. Accessory structures 120 square feet or less require a zoning permit. Structures over 120 square feet require a building permit.
- K. The following Table (Table 1) shall determine the number, size and setbacks of accessory structures. In addition to the accessory structures listed in Table 1, swimming pools meeting the requirements of Chapter 4 Sec. 4.15 Accessory Structures Subd. 2 Swimming pools are permitted.

**Table 1**

Accessory Building/Structure Number, Size, and Setback Standards			Setbacks		
Property Zoning	Number of Structures	Maximum Foundation Floor Area Size	Side	Corner Side - a	Rear
A					
R-1, R-2, R-3, R-4, R-5 with attached garage - b	1	1,000 sq. ft.	5	10	5
R-1, R-2, R-3, R-4, R-5 without attached garage	2	Combined total 1,000 sq. ft.	5	10	5
R-6	1	1,000 sq. ft.	5	10	5
Multi-Family Commercial/ Office Districts	Site Plan Review	Site Plan Review			
Industrial Districts	Site Plan Review	Site Plan Review			

- a. Garages shall be setback 20 feet from the right of way.
- b. Residential properties with an attached garage are also permitted an accessory storage structure under 120 square feet in size or less.

**SECTION 10.99. VIOLATION A MISDEMEANOR.**

Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof,

shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

**ADOPTED** by the Hastings City Council on this 20<sup>th</sup> day of March, 2006



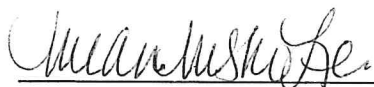
\_\_\_\_\_  
Michael D. Werner, Mayor

ATTEST:



\_\_\_\_\_  
Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 20<sup>th</sup> day of March, 2006, as disclosed by the records of the City of Hastings on file and of record in the office.



\_\_\_\_\_  
Melanie Mesko Lee, City Clerk

( SEAL )

This instrument drafted by:  
City of Hastings  
101 4th St.  
Hastings, MN 55033