

ORDINANCE NO. 416-26

AN ORDINANCE AMENDING CITY CODE CHAPTER 66 REGARDING ACCESSORY DWELLING UNITS (ADU'S), DEFINITIONS, DISTRICTS AND STANDARDS

The North Branch City Council hereby ordains as follows:

Section 1. Adding Language Regarding Accessory Dwelling Units

City Code Chapter 66 is hereby amended by adding Section §66-950 Accessory Dwelling Units (ADU's) as follows:

§66-950 ACCESSORY DWELLING UNITS (ADU'S)

(a) Purpose. The purpose of this section is to provide standards for accessory dwelling units (ADU's) that offer additional housing opportunities while preserving the character of existing residential neighborhoods. These standards are intended to ensure that ADU's remain subordinate to the principal dwelling and are compatible with surrounding residential development.

(b) Applicability. Accessory dwelling units may be permitted as a Conditional Use in the AG Agricultural, RR Rural Residential, and R-1 Single-Family Residential zoning districts. ADU's shall comply with all provisions of this section in addition to the regulations of the underlying zoning district.

(c) Types of Accessory Dwelling Units.

(1) Attached ADU: Located within or physically attached to the principal dwelling.

(2) Detached ADU: Located in a detached accessory structure subordinate to the principal dwelling.

(d) Conditional Use Permit Required. Accessory dwelling units require approval of a Conditional Use Permit in accordance with Sections 66-64 through 66-66.

(e) General Standards.

(1) Only one (1) accessory dwelling unit shall be permitted per property.

(2) A legally established principal single-family dwelling shall exist on the property prior to approval of an accessory dwelling unit.

(3) The owner of the property shall occupy either the principal dwelling or the accessory dwelling unit as their primary residence.

(4) The principal dwelling shall remain the primary residential use of the property. The accessory dwelling unit shall remain subordinate and incidental to the principal dwelling.

- (5) The maximum floor area of an accessory dwelling unit shall not exceed 750 square feet.
- (6) Accessory dwelling units shall not be subdivided or sold separately from the principal dwelling.
- (7) Short-term rental use of an accessory dwelling unit or the principal dwelling is prohibited. Rental periods shall be no less than thirty (30) consecutive days.
- (8) All accessory dwelling units shall comply with all applicable Building Code, Fire Code, Plumbing Code, Electrical Code, Mechanical Code, and other applicable federal, state, and local regulations.
- (9) Manufactured homes, recreational vehicles (RV's), travel trailers, campers, shipping containers, and tiny homes constructed on chassis or wheels shall not be permitted as detached accessory dwelling units unless expressly authorized elsewhere in this chapter.
- (10) Accessory dwelling units shall be connected to approved public water and sanitary sewer systems where available. Utility connections may be provided through the existing service lines serving the principal dwelling or through separate service connections, subject to review and approval by the City Engineer, Public Works Director, Building Official, and applicable utility provider. Where private well and septic systems are utilized, the applicant shall demonstrate that the existing or proposed systems have adequate capacity to serve both the principal dwelling and the accessory dwelling unit, subject to approval by the applicable reviewing authority.
- (11) Failure to maintain owner occupancy or comply with this section or any Conditional Use Permit condition may constitute grounds for revocation of the Conditional Use Permit.

(f) Location Standards.

- (1) Location. No accessory dwelling unit shall be located in the front yard, with the following exception(s):
 - a. Lots nominally five (5) acres or larger and zoned RR Rural Residential or AG Agricultural; or
 - b. Lots forty (40) acres or larger and zoned R-1 Single-Family Residential.

(g) Dimensional Standards.

- (1) Setbacks shall comply with those required for principal structures in the underlying zoning district in City Code Section 66-210.

- (2) Maximum size shall be 750 square feet.
- (3) Height shall comply with the underlying zoning district.

(h) Parking.

- (1) A minimum of one (1) additional off-street parking space shall be provided for each accessory dwelling unit.
- (2) The required parking space shall be shown on the site plan submitted with the Conditional Use Permit application and shall comply with all applicable parking, driveway, and surfacing requirements of this chapter.
- (3) The location and design of the required parking space shall be subject to review and approval by the City through the Conditional Use Permit process.

(i) Architectural Standards. Exterior building materials shall match or be substantially similar to the principal dwelling. Roof pitch, siding, trim, colors, and architectural details shall maintain compatibility with the principal dwelling.

(i) Utilities and Addressing.

- (1) All accessory dwelling units shall obtain all required building, plumbing, mechanical, electrical, and utility permits prior to occupancy.
- (2) Utility connections shall be installed in accordance with all applicable City standards, State Building Code, State Plumbing Code, and the requirements of the applicable utility provider.
- (3) The City Engineer, Public Works Director, Building Official, and applicable utility provider shall determine the appropriate method of water and sanitary sewer service based on the proposed site plan, utility capacity, applicable codes, and site conditions.
- (4) Separate addressing shall be provided when required by the Building Official, Fire Department, Chisago County, or emergency service providers.

Section 2. Amending Language Regarding Definitions

City Code Section §66-8 Definitions, is hereby amended by adding the following underlined language.

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§66-8 DEFINITIONS

Accessory Dwelling Unit (ADU) means a subordinate dwelling unit located on the same lot as a legally established principal single-family dwelling that provides complete, independent living facilities. An Accessory Dwelling Unit shall not be considered the principal use of the property.

Section 3. Amending Language Regarding Uses Within Zoning Districts

City Code Section §66-6 Uses Within Zoning Districts, is hereby amended by adding the following underlined language to the Zoning Use Table.

§66-6 USES WITHIN ZONING DISTRICTS

Within Section F. Accessory Uses of the Zoning Use Table, add the following use:

District Uses	Notes	Standards	R1	R2	R3	RR	AG	PUB	OSP	CBD	B	BN	I1	I2	SO
F. ACCESSORY USES															
Permitted Accessory Uses															
<u>Accessory Dwelling Unit (ADU)</u>			C				C	C							

Section 4. Summary Publication.

The following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance pursuant to Minnesota Statutes section 412.191:

Ordinance 416-26 Amending Chapter 66 of the City Code Regarding Accessory Dwelling Units (ADU's). This ordinance contains the districts where accessory dwellings units are permitted within the City and includes definitions and standards for ADU's

Section 5. Effective Date.

This Ordinance shall have full force and effect upon its passage and publication.

Passed by the City Council of the City of North Branch, Chisago County, Minnesota, this 26th day of August 2026.

Kevin Schieber

Kevin Schieber, Mayor

Attested:

Tonya Kostuch

Tonya Kostuch, City Clerk

