



**The City That Soars!**

## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date</b>	July 27, 2010
<b>Agenda Item</b>	Workshop
<b>Title</b>	Comprehensive Plan Implementation Workshop: Zoning amendment drafts
<b>Submitted By</b>	Deb Jones, Staff Liaison

<b>Description</b>	Commissioners will review ordinance amendments drafted by the City Attorney, ask questions and give input.
<b>Background</b>	<p>The City is required to update it's zoning code to be consistent with the 2030 Comprehensive Plan adopted last year. The city needs to rezone properties that are guided to new uses in the plan and to amend its zoning chapter to provide the zoning controls needed to implement the plan. At earlier workshops this year the Planning Commission studied the scope of what needs to be done and discussed options. At the direction of the Commission, staff consulted with the city attorney and with the City's Metropolitan Council sector representative.</p> <p>The City Attorney has provided drafts of ordinances that may accomplish those parts of comprehensive plan implementation stated above. City Attorney Tom Scott will be present at the workshop to assist the Commission and staff.</p> <p>With Commission input at this workshop, it is hoped that final drafts can be prepared for public hearing in August.</p>
<b>Budget Impact</b>	TBD
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Ordinance establishing a mixed use high density residential zoning district and a high density residential district</li> <li>• Ordinance rezoning property to R-5M Mixed Use High Density Residential District</li> </ul> <p><b>Commissioners will also need to bring the following:</b></p> <ul style="list-style-type: none"> <li>• 2008 Comprehensive Plan</li> <li>• City zoning code (Chapter 113)</li> </ul>
<b>Action(s) Requested</b>	Review and discuss draft amendments and provide input.

ORDINANCE NO. \_\_\_\_\_

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTER 113 OF THE  
CITY CODE ESTABLISHING A MIXED USE HIGH DENSITY  
RESIDENTIAL ZONING DISTRICT AND A HIGH DENSITY  
RESIDENTIAL DISTRICT

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Section 113-3 of the Falcon Heights City Code is amended by adding the following definition:

*Apartment building.* The term “apartment building” means a multi-family dwelling that may be owner occupied or rental, including condominiums and cooperatives.

**SECTION 2.** Section 113-144(1) of the Falcon Heights City Code is amended to provide:

(1) Residential districts:

- a. R-1 one-family residential district.
- b. R-2 one- and two-family residential district.
- c. ~~R-3 medium density multiple-family residential district-apartment buildings.~~
- d. ~~R-4 high density multiple-family residential district-apartment buildings.~~
- e. ~~R-5M mixed use high density residential district.~~

Deleted: R-4

**SECTION 3.** Section 113-176 of the Falcon Heights City Code is amended to provide as follows:

Sec. 113-176. ~~R-3 medium density multiple-family residential district-apartment buildings.~~

Deleted: R-4

(a) *Scope.* The provisions of this section apply to the ~~R-3 medium density multiple-family residential district.~~

Deleted: R-4

(b) *Permitted uses.* All permitted uses in the R-2 district.

(c) *Conditional uses.* No structure or land shall be used for the following uses except by conditional use permit, except that multifamily dwellings shall not exceed 12 per acre.

- (1) Any conditional use permitted in the R-1 and R-2 districts.
- (2) Conversion or enlargement of existing homes to accommodate one-, two-, three- or four-dwelling units.
- (3) Large group homes as defined in this chapter.
- (4) Townhouses. See performance standards as permitted in article VI, division 3 of this chapter.

(5) Buildings containing two or more dwelling units not exceeding 12 dwelling units per acre.

(d) *Permitted accessory uses.* The following uses shall be permitted accessory uses:

- (1) All accessory uses as permitted in the R-1, R-2 districts.
- (2) Conversion or enlargement as required by terms of a conditional use permit.

(e) *Lot area, height, lot width and yard requirements.*

- (1) See performance standards as permitted in article VI, division 3 of this chapter (or as required by conditional use permit).
- (2) No structure or building shall exceed three stories, or 30 feet, whichever is lesser in height, except as provided in section 113-243.
- (3) A side yard abutting on a street shall not be less than 30 feet in width, and when a side yard of a multi-family structure abuts a single family residence, the side yard shall not be less than 20 feet.
- (4) The following minimum requirements shall be observed subject to additional requirements except as a modification set forth in this section and section 113-241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
12,500 sq. ft.	90 feet	30 feet	10 feet or 1/2 the height of the building, whichever is greater	30 feet

\*Lot area for single-family residence may be reduced to 10,000 square feet.

**SECTION 4.** Chapter 113 of the Falcon Heights City Code is amended by adding Section 113-181 to provide as follows:

Sec. 113-181. R-4 high density multiple-family residential district-apartment buildings.

(a) *Scope.* The provisions of this section apply to the R-4 high density multiple-family residential district.

(b) *Permitted uses.* All permitted uses in the R-2 district.

(c) *Conditional uses.* No structure or land shall be used for the following uses except by conditional use permit, except that multifamily dwellings shall not exceed 12 per acre.

- (1) Any conditional use permitted in the R-1 and R-2 districts.
- (2) Conversion or enlargement of existing homes to accommodate one-, two-, three- or four-dwelling units.
- (3) Large group homes as defined in this chapter.
- (4) Townhouses. See performance standards as permitted in article VI, division 3 of this chapter.
- (5) Buildings containing three or more dwelling units not exceeding 28 dwelling units per acre. A maximum of 40 dwelling units are allowed if:
  - i) at least 80% of the required parking spaces are below grade and integrated into the apartment building; and
  - ii) the property abuts Larpenteur or Snelling Avenue; and
  - iii) the property does not abut property zoned R-1.

(d) *Permitted accessory uses.* The following uses shall be permitted accessory uses:

- (1) All accessory uses as permitted in the R-1, R-2 districts.
- (2) Conversion or enlargement as required by terms of a conditional use permit.

(e) *Lot area, height, lot width and yard requirements.*

- (1) See performance standards as permitted in article VI, division 3 of this chapter (or as required by conditional use permit).
- (2) No structure or building shall exceed three stories, or 30 feet, whichever is lesser in height, except as provided in section 113-243.
- (3) A side yard abutting on a street shall not be less than 30 feet in width, and when a side yard of a multi-family structure abuts a single family residence, the side yard shall not be less than 20 feet.
- (4) The following minimum requirements shall be observed subject to additional requirements except as a modification set forth in this section and section 113-241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
12,500 sq. ft.	90 feet	30 feet	10 feet or 1/2 the height of the building, whichever is greater	30 feet

\*Lot area for single-family residence may be reduced to 10,000 square feet.

**SECTION 5.** Chapter 113 of the Falcon Heights City Code is amended by adding Section 113-182 to provide:

**Sec. 113-182. R-5M Mixed use high density residential district.**

(a) *Scope.* The provisions of this section apply to the R-5M Mixed Use High Density Residential District.

(b) *Purpose and intent.* The purpose of the Mixed Use High Density Residential District is to provide high density, primarily apartment style, rental and condominium housing with limited commercial uses within the same structure. The intent of the district is to meet or exceed the City's Comprehensive Plan density goal of 28 residential units per acre.

- (c) *Permitted uses.*
  - (1) Apartment buildings with a minimum of 28 dwelling units per acre and a maximum of 40 dwelling units per acre.
  - (2) State licensed residential facilities serving from 7 through 16 persons.
  - (3) State licensed day care facilities serving from 13 to 16 persons
- (d) *Conditional uses.*
  - (1) Permitted and conditional uses in the B-1 and B-2 zoning districts provided that the uses are on the first floor of an apartment building and the uses do not exceed 20% of the floor area of the apartment building in which the uses are located.
  - (2) Public parks and playgrounds.
  - (3) Municipal buildings and structures.
  - (4) Essential service structures.
- (e) *Interim uses.* Farmer's markets that meet the following criteria: Operate no more than one day per week; site includes not less than 284 parking spaces for customers of the market; market may not operate before 6:30 a.m. or after 8:00 p.m.; a managing agent must be named who is responsible for the conduct of the vendors in compliance with the conditions of the interim use permit.
- (f) *Permitted accessory uses.*
  - (1) Off-street parking and loading, signs, fences, and decorative landscape features as regulated herein.
  - (2) Temporary construction buildings.
- (g) Lot area, height, lot width, and yard requirements.
  - (1) The following minimum requirements shall be observed subject to additional requirements except as modified in this section and in Section 113- 241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
2.5 acres	200 feet	30 feet	10 feet or 1/2 the height of the building, whichever is greater	30 feet

- (2) The required setback from a lot line abutting property zoned R-1 is 50 feet.
- (3) If there is a commercial use on the first floor, the required setback from a lot line abutting Larpenteur Avenue or Snelling Avenue is 15 feet.
- (4) Except as provided in Section 113-243 the maximum height is 4 stories or 40 feet whichever is less.

**SECTION 6.** Section 113 -310 of the Falcon Heights City Code is amended by amending the first line in subsection 2 as follows:

- (2) The following provisions apply to the R-3 and R-4 districts:

**SECTION 7.** Section 113-310 of the Falcon Heights City Code is amended by adding subsection 3 to provide as follows:

- (3) The following provisions apply to the R-5M district:
  - a. The requirements of the R-4 district shall apply except that at least 80% of the required parking spaces shall be below-grade and integrated into the apartment building.

**SECTION 8.** Section 113-449 of the Falcon Heights City Code is amended to provide as follows:

Sec. 113-449. Signs permitted in residential districts.

Signs are permitted in the R-1, R-2, R-3, R-4 and R-5M districts only as follows:

Deleted: and

- (1) For the purpose of selling, renting or leasing property, a sign not in excess of ten square feet in gross surface area may be placed within the front yard, not less than 15 feet from a property line.

- (2) Temporary poster signs for political advertising may be posted but must be removed by those responsible for their being posted within ten days following the election for which the sign was posted.
- (3) Signs containing noncommercial speech.
- (4) One nameplate sign for each dwelling unit that shall not exceed two square feet in area per surface, and no sign shall have more than two display surfaces.
- (5) No sign shall be located within three feet of the property line.
- (6) Churches, schools and other institutional users, allowed by virtue of pre-existing or conditional use, may have an illuminated sign not exceeding 50 square feet in gross surface area. Temporary signs advertising a special event may be posted after receiving a permit from the zoning administrator, and such sign shall not be greater than 70 square feet in gross surface area, not less than 30 feet from a property line and shall not be displayed longer than 30 days.
- (7) Address numbers four inches on the house and alley side of garage.
- (8) Signs other than those listed above require a conditional use permit.

**SECTION 9.** The Zoning District Map adopted by reference in Section 113-144 of the Falcon Heights City Code is amended by relabeling all property zoned R-4, as of the date of the adoption of this ordinance to R-3. The official zoning district map shall not be republished to show the aforesaid change, but the zoning map on file in the City Clerk's office shall be appropriately marked for the purpose of indicating the change.

**SECTION 10. Effective Date.** This ordinance shall take effect from and after its passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Peter Lindstrom, Mayor

ATTEST:

\_\_\_\_\_  
Justin Miller, City Administrator/Clerk

ORDINANCE NO. \_\_\_\_\_

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 113 OF THE  
CITY CODE REZONING PROPERTY TO R-5M, MIXED USE HIGH  
DENSITY RESIDENTIAL DISTRICT**

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Chapter 113 of the Falcon Heights City Code is amended by rezoning the following described property located within the City of Falcon Heights to R-5M, Mixed Use High Density Residential District:

**HERMES NURSERY PARCELS**

PID #212923120007 - 1750 Larpenteur Avenue W

That part of the Northwest Quarter of the Northeast Quarter of Section 21, Township 29, Range 23, lying North of the South 750 feet thereof, East of the West 825.01 feet thereof and West of the East 330 feet of said Northwest Quarter of the Northeast Quarter.

PID #212923120006 - Parcel Between 1750 and 1790 Larpenteur Ave W and  
PID #212923120005 - 1790 Larpenteur Avenue W

The East 282.86 feet of the West 825.01 feet of the North 1/2 of the Northeast Quarter of Section 21, Township 29, Range 23, except the South 1026.66 feet thereof and except Larpenteur Avenue.

**TIES WEST PARCELS**

PID #212923110028 - 1644 W. Larpenteur (old fire station)

The West 150 feet of the East 160 feet of the North 283 feet of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, Township 29, Range 23, West of the Fourth Principal Meridian, according to the Government Survey thereof.

PID #212923110029 - Parcel Surrounding 1644 W. Larpenteur

The East 250 feet of the North 500 feet, except the West 150 feet of the East 160 feet of the North 283 feet of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, Township 29, Range 23, West of the Fourth Principal Meridian, reserving to the Regents of the University of Minnesota a perpetual easement for ingress and egress over all that part of the above described

property which is West of Hollywood Court (a street located in "Crossroad Court") and which is between the North line of Hollywood Court extended Westerly, and the South line of Hollywood Court extended Westerly, according to the Government Survey thereof.

**SPIRE CREDIT UNION, SOUTH PARCEL**

PID #162923340094 - 2025 W. Larpenteur Ave.

The South 765 feet of the parcel of land which consists of the West 20 acres of the East 1/2 of the Southwest Quarter and the East 15 acres of the West 1/2 of the Southwest Quarter, all in Section 16, Township 29, Range 23; except the East 131 feet of the South 186 feet of said West 20 acres and except the West 60 feet of said East 15 acres, Ramsey County, Minnesota.

**LARPENTEUR MANOR APARTMENTS**

PID #212923120008 - 1710, 1720, 1730 & 1740 Larpenteur Ave. W

The East 20 rods of the Northwest Quarter of the Northeast Quarter of Section 21, Township 29, Range 22, except the Southerly 630 feet thereof, Ramsey County, Minnesota.

**SECTION 2.** The official zoning map adopted in Section 113-144 of the Falcon Heights City Code shall not be republished to show the aforesaid rezoning, but the zoning map on file in the City Clerk's office shall be appropriately marked for the purpose of indicating the rezoning provided in this ordinance.

**SECTION 3.** Effective Date. This ordinance shall take effect from and after its passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Peter Lindstrom, Mayor

ATTEST:

\_\_\_\_\_  
Justin Miller, City Administrator/Clerk