

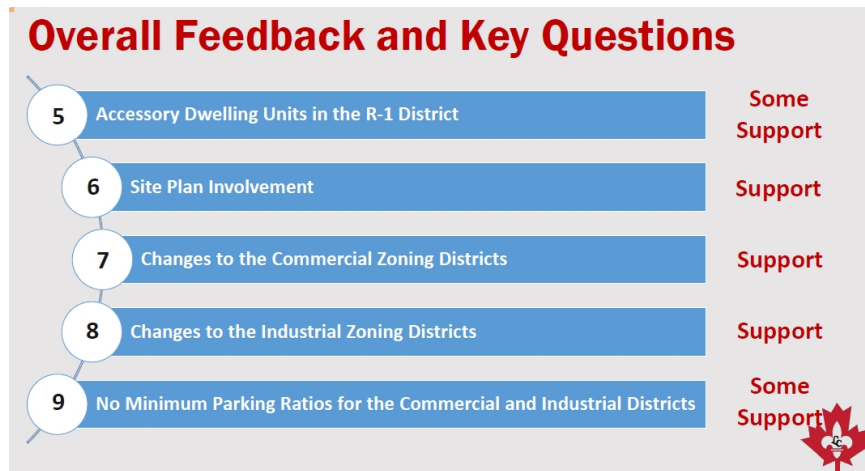
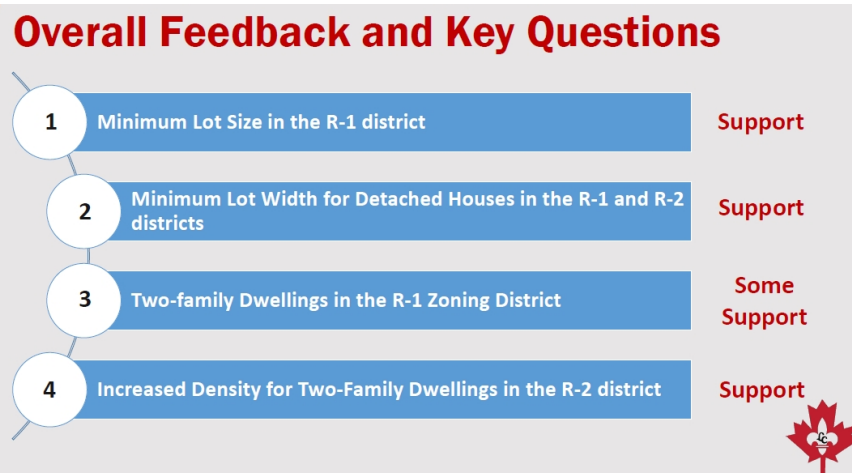
TO: Mayor Keis and Members of City Council

FROM: Corrin Wendell, AICP, Community Development Director
Bill Weber, Consulting Planner

DATE: June 9, 2021

RE: Zoning Code Update

Here are the areas that are still under discussion with the Council. A short summary of where there has been support and some support for the nine questions staff has posed to the Council during several workshop discussions are below. Some of the items listed are being suggested for modification due to the Comprehensive Plan vision (zoning district changes), some are being suggested for ease of use of the code and market demand (pre-2008 lot width/sizes), and some are being suggested as opportunities to incorporate something new in the code, but are not mandatory (Two-family dwellings in the R-1, ADUs, Minimum Parking Standards).



QUESTIONS FOR THE CITY COUNCIL THE CITY COUNCIL

1. Minimum lot size in the R-1 district

Should the minimum lot size for a detached house in the R-1 district be rolled back to what it was previously? It is presently at 11,000 square feet but until 2008 it was 10,000 square feet. This would reset the minimum to what it was prior to 2008. There will be very few new single-family plats, but we think this figure is more consistent with current market desires. This would also be easier to manage zoning administration for the code and clear expectations to residents and developers. The minutes from the April 23, 2008 City Council meeting when the standards were changes are provided in the Appendix below.

2. Minimum lot width for detached houses in the R-1 and R-2 districts:

Should the minimum lot width for a new detached house in the R-1 and R-2 zoning districts be reduced? In the R-1 district, it was 75 feet until 2008 when it was increased to 85 feet.

Likewise, the minimum lot width in the R-2 district is 75 feet.

We raise this question because, as a recent indication of market preferences, the preliminary plat for the Sculley property showed most of the lot widths in the 65 to 70-foot range even through the lot sizes were well above the minimum.

3. Two-family dwellings in the R-1 zoning district

The new code would allow two-family dwellings as Conditional Uses in the R-1 district. The conditions would be:

- Either corner or interior lots
- A minimum lot size of 13,000 square feet for interior lots
- Garage access from the secondary street for corner lots
- Architectural compatibility with nearby housing.
- This figure was based on a survey of lot sizes in Little Canada and a survey of two-family lots in Little Canada, Roseville and Vadnais Heights. Other requirements would be that the building is architecturally compatible with others in the immediate vicinity and that duplexes on corner lots must access the garage from the secondary street.

Two-Family Dwellings		
	Corner Parcel	Interior Parcel
R-1 District	14,000	13,000
R-2 District	11,000	11,000

- Note: Corner lots in the R-1 district are proposed to be larger than interior lots to accommodate the corner-side setback, which is greater than the interior-side setback.

4. Increased density for two-family dwellings in the R-2 district

In the table shown on the previous page, we have proposed to allow two-family buildings in the R-2 district on smaller lots. This change would require an 11,000 square foot lot for a two-unit building; presently, a 15,000 square foot lot is needed.

This change is proposed in order to promote this housing type as recommended in the comprehensive plan and to be more line with the density regulations of neighboring cities and contemporary practices.

5. Accessory dwelling units in the R-1 district

Is the Council comfortable with the idea of allowing detached accessory dwelling units in the R-1 zoning district? The minimum lot size for the existing house would be 14000 square feet, and there would be regulations addressing maximum floor area, setbacks, total lot coverage, building height, exterior appearance, short term rental, parking, owner-occupancy of the principal dwelling and prohibition of separate sale.

The proposed regulations for accessory dwelling units are presented below this list of questions.

Accessory dwelling units may be either attached or detached. Either type would be a Conditional Use in the R-1 zoning district but Permitted with conditions in the R-2, R-3, and R-B districts.

These lot sizes would be required to accommodate a detached ADU: 14,000 square feet in the R-1 district, 10,000 in the R-2 and 7,000 in the R-3.

Other requirements address maximum floor area, setbacks, total lot coverage, building height, exterior appearance, short term rental, parking, owner-occupancy of the principal dwelling and prohibition of separate sale. These proposed regulations are presented at the end of this memo.

Accessory Dwelling Units		
	Attached	Detached
R-1 District	13,000	14,000
R-2 District	10,000	10,000
R-3 District	7,000	7,000

6. Less Planning Commission and Council involvement in site plan review

Is the Council accepting of the idea that certain site development applications will be reviewed and approved by City staff without going through the Planning Commission and City Council?

Under the new code, the only site plans that would be reviewed by those two bodies would be those involving some judgment, namely Conditional Uses, variances, rezonings or plats. If there is no discretion involved, the site plan would be reviewed only by staff. This would save some applicants seven or eight weeks of time. Public notice and comment would still be allowed.

7. Changes to the commercial zoning districts

Does the Council accept the proposal to consolidate several commercial districts and create a new district for use along Rice Street and portions of Little Canada Road?

Current Commercial Zoning Districts	Proposed Commercial Zoning Districts
B-2, Automotive Business	
B-3, General Business	C-1, General Commercial
B-4, Comprehensive Business	
R-B, Residential / Business	C-2, Residential / Business
--	Corridor Mixed

8. Changes to the industrial zoning districts

Does the Council accept the idea of consolidating the industrial districts?

Current Industrial Zoning Districts	Proposed Industrial Zoning Districts
I-1, Light Industry	
B-I, Business / Industrial	I-1, Limited Industrial
B-W, Business / Warehouse	
I-2, General Industrial	
I-P, Industrial Park	I-2, Industrial-Office Park

9. No minimum parking ratios for the commercial or industrial districts

Is the Council willing to trust the commercial and industrial development markets to provide sufficient off-street parking for their own needs?

In the General Development Regulations chapter, it is proposed that there be no minimum parking ratios for future commercial or industrial land uses.

Typical standards for commercial or industrial parking have often resulted in an excess number of spaces used, inefficient land use, increased water run-off, excess reflected heat, increased development costs, and reduced walkability.

As an alternative, the City would rely on the judgment of the private sector to build enough parking for its intended use, knowing that on-street parking is not allowed along most major streets, that any parking allowed on a public street may be revoked, and that very few if any businesses could survive in this suburban location without auto parking. The developers' site planners will likely fall back on past standards or slightly less. Future owners or occupants of such buildings will judge for themselves if there is enough parking for their use, considering other businesses that may have to share the parking lot.

Alternatives include: (1) leaving the regulations as they are or (2) reducing the minimum ratios somewhat.

Appendix:

Proposed Regulations for Accessory Dwelling Units

914.010 Accessory Dwelling Units

- A. **Accessory dwelling unit** means a dwelling unit complying with the Minnesota State Building Code which is located within a principal single-family residential dwelling or in a structure detached from a single-family residential building. The types of accessory dwelling units include:
1. A dwelling unit attached to a principal residential dwelling.
 2. A dwelling unit detached from the principal residential building but located on the same lot as the principal residential building.
- B. **Zoning Districts:** Accessory dwelling units shall only be permitted on parcels in the R-1, R-2 or R-3 zoning districts that contain a detached one-unit building.
- C. **Number:** There shall be no more than one accessory dwelling unit permitted per lot.
- D. **Minimum Lot Size:** The minimum size of a land parcel eligible for an accessory dwelling unit, whether detached or attached, is shown in Chapter 904, Residential Districts.
- E. **Occupancy:** Occupancy of the single-family lot, including both the principal dwelling unit and the accessory dwelling unit, shall be limited to no more than one family and up to two persons who are boarders / roomers or reside in one of the dwelling units.
- F. **Initial Relationship:** The initial construction of an accessory dwelling unit shall only occur on a property that is occupied by the property owner as their primary residence.
- G. **Sale:** The accessory dwelling unit shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.
- H. **Maximum Floor Area:** Accessory dwelling units, whether attached or detached from the principal dwelling, shall equal no more than 40 percent of the gross floor area, not counting any garage space, of the single-family dwelling.
- I. **Location:** Detached accessory dwelling units may be located only in a rear yard.
- J. **Setbacks for Detached Accessory Dwellings:**
1. Interior lot line: The same as the minimum side yard setback for a principal dwelling in the zoning district.
 2. Rear lot line: 15 feet
 3. Principal dwelling: 10 feet
- K. **Relationship to other Accessory Structures:**
1. The total cumulative area of all accessory structures may not exceed 50 percent of the rear yard.
 2. If there is a detached garage on the property, any accessory dwelling that is not attached to the principal dwelling may only be built above the garage. The floor area of such accessory dwelling may not exceed the floor area of the garage under it. Such accessory dwelling may have only one floor of living space. No window on the accessory dwelling may face a side or rear lot line when the adjacent parcel is used as a single-unit residence.
- L. **Building Height:** There is no specific maximum height for a detached accessory dwelling. The height of such building will be limited to one story of conditioned living space with typical foundation and wall heights plus an attic with a pitched roof.
- M. **Exterior Appearance:** An accessory dwelling unit, whether detached or attached, must look like a smaller version of the principal dwelling on the parcel. That is, the materials, colors, roof pitch,

window proportions and other exterior elements shall be highly similar to those of the principal building. The roof must be pitched unless the principal dwelling has a flat roof.

- N. **Balconies:** Balconies and decks above the ground floor shall not face an interior side yard or a rear yard. Rooftop decks for an accessory dwelling unit shall not be allowed.
- O. **Short-Term Rental:** No person shall offer for occupancy or enter into an agreement to allow an accessory dwelling unit, or any other portion of their property, to be used as a short-term rental in a manner not otherwise permitted in the zoning district. Short-term rental means leasing a residential dwelling unit or accessory dwelling unit for a term of less than one month.

Zoning Ordinance Amendment – R-1 Zoning Standards – City Council Minutes 4/23/08

Mayor Blesener opened the public hearing to consider an amendment to the Zoning Ordinance amendment Chapter 905, Single-Family Residential (R-1) Zoning District relative to single-family and dimensional standards. Both the City Planner and the Planning Commission has recommended approval of the amendment. The City Planner reviewed the R-1 District Amendments noting that the amendments include a reworking of the R-1 platting standards to address the potential development of the remaining undeveloped single-family tracts of land. Increased standards are proposed for lot sizes, lot widths, side yard setbacks, etc. These would apply to new plats processed after March 1, 2008. These increased standards are being recommended to address issues of concern related to loss woodlands, concerns over historical or potential drainage problems, new traffic concerns and other related issues. The City Planner noted that the existing lot size, lot width, and setback standards continue to apply to properties platted prior to March 1, 2008.

The Planner described the new standards that would apply to all single-family properties include tree preservation and impervious surface standards. All single-family properties would be required to comply with a minimum 30% crown tree cover and a maximum 35% impervious surface coverage. The Planner noted that the amendment includes a provision that the impervious surface maximum can be exceeded subject to drainage mitigation. The Planner noted the recommendation of the Planning Commission to define the term “crown tree cover”. That definition will be added to the ordinance. The City Planner noted that the proposed amendment should reference properties that have received Preliminary Plat approval after March 1, 2008. It was noted that there the Johnson and Richie developments have not yet received Final Plat approval. Blesener pointed out that one of the reasons for the increased standards for new plats is the fact that builders are constructing very large homes on small lots. That, coupled with the 7 ½ foot side yard setback, has been problematic. The new standards give the City more flexibility in processing plats that fit better into an existing neighborhood.

There was no one present from the general public wishing to comment on this matter.

Upon motion by Montour, seconded by Allan, the public hearing was closed.

Ms. Allan introduced the following resolution and moved its adoption:

RESOLUTION NO. 2008-4-110 – APPROVING THE AMENDMENT TO CHAPTER 905 OF THE LITTLE CANADA ZONING CODE BY PROVIDING FOR AMENDED REGULATIONS RELATING TO SINGLE-FAMILY PLATTING AND DIMENSIONAL STANDARDS WITHIN THE SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT AS PRESENTED WITH THE ADDITION OF A DEFINITION FOR TREE CROWN COVER AND MODIFICATION OF THE AMENDMENT TO REFER TO PRELIMINARY PLATTED PROPERTY IN SECTION 905.055

The foregoing resolution was duly seconded by Keis.

Ayes (5).

Nays (0). Resolution declared adopted.