



MEMORANDUM

DATE: November 12, 2019

TO: Chairperson Cauley, Members of the Planning Commission, and Administrator Meyer

FROM: Cynthia Smith Strack, Community Development Director

RE: Agenda Item 6.1: R-7 Mixed Housing District Performance Standard Update

GENERAL INFORMATION

The City Council considered proposed adjustments to the R-7 Mixed Housing District at a work session on November 4th. The Council is supportive of investigating changes pertaining to minimum lot size, building height, minimum dwelling unit size, and minimum setback.

The development review team also reviewed the potential adjustments. Some concern pertaining to occupancy of reduced dwelling unit minimum square footage was raised. The review team recommends discussing potential to incorporate occupancy standards in the rental code.

Staff has requested a meeting with Fire Chief Stier and Chief II Steve Otto to discuss potential to adjust maximum height allowed in R-7.

Finally, staff has again become aware of a potential variance for R-7 setback requirements tied to building height. This is the fourth time this year the standard has been constraining. As such, discussion of an alternate graduated setback is requested (see table)

Height of Bldg (feet)	Rqrd Side/Rear Setback: 20' or 80% of bldg height whichever is greater
15	12
20	16
25	20
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35	28
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45	36
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55	44
60	48
65	52
70	56
75	60

ACTION:

Discussion of:

1. Potential to add occupancy standard to rental code (i.e. minimum bedroom sf/person but not basing standard on household size/definition).
2. Reducing graduated interior and rear setback standards tied to building height from a 1':1' (setback to building height) ratio to the greater of 20 feet or 80% of the building height.
3. Adjusting setback requirements to provide for zero setback for all attached units rather than just one and two family attached.

ATTACHMENTS:

1. Current R-7 District standards.
2. Proposed updated standards.

SECTION 1105.08 R-7 MIXED HOUSING (MEDIUM TO HIGH DENSITY)
RESIDENTIAL DISTRICT.

1105.08 SUBD. 1. PURPOSE.

The R-7 Mixed Housing (Medium to High Density) Residential District is intended to provide a district which allows for a full and complete range and intermixing of residential activities, and to accommodate development areas which existed prior to the establishment of this Ordinance.

1105.08 SUBD. 2. PERMITTED USES.

The following are permitted uses within an R-7 District.

1. Multiple-family units, including two-family dwellings.
2. Public parks and playgrounds.
3. Essential services are permitted except those that exceed sixty (60) feet in height or greater than one hundred fifteen (115) kilovolts.

1105.08 SUBD. 3. ACCESSORY USES.

The following are permitted accessory uses within the R-7 Zoning District.

1. Private garages, parking spaces and accessory structures for licensed and operable passenger cars and not more than one truck in excess of a gross vehicle weight rating of nine thousand (9,000) pounds. Private garages are intended for use to store the private passenger vehicles of the family or family's resident upon the premises, and in which no business service or industry is carried on.
2. Storage of recreational vehicles and equipment.
3. Home occupations as regulated by Section 1107.16 of this Ordinance.
4. Non-commercial greenhouses and conservatories.
5. Swimming pools, decks, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
6. Tool houses, sheds and similar buildings for storage of domestic supplies and non-commercial recreational equipment.

(Ord. 18-01 Section 1105.08, Adopted February 20, 2018.)

1105.08 SUBD. 4. CONDITIONAL USES.

The following are conditional uses in an R-7 District requiring a conditional use permit based upon procedures set forth in and regulated by Sections 1103.08 and 1106.01 of this Ordinance.

1. Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City.
2. Public or semi-public recreational buildings and neighborhood or community centers; public and private educational Institutions limited to elementary, junior high and senior high schools; hospitals and religious institutions such as churches, chapels, temples, synagogues and cemeteries.
3. Nursing homes and similar group housing.
4. Elderly (senior citizen) housing.
5. Reserved. (*Ord. 18-01 Section 1105.07, Adopted February 20, 2018.*)
6. Essential services exceeding sixty (60) feet in height or greater than one hundred fifteen (115) kilovolts.

1105.08 SUBD. 5. LOT REQUIREMENTS AND SETBACKS.

The following minimum requirements shall be observed in an R-7 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance. Listed are minimum requirements, unless specifically identified as "maximum."

1. Lot Area: Ten thousand five hundred (10,500) square feet for up to four (4) units, plus two thousand (2,000) square feet for each additional unit.
2. Lot Width:
 - a. Interior: Seventy-five (75) feet.
 - b. Corner: One hundred (100) feet.
3. Setbacks: Principal Building:
 - a. Front Yard: Thirty (30) feet.
 - b. Side Yard:
 1. Interior Lot:
 - a. Single or two-family dwellings:
 - 1 Ten (10) feet.
 2. Zero (0) feet if the principal buildings share common walls.
 - b. All other uses:
 1. Equal to the height of the building.
 2. Corner Lot: Twenty (20) feet on the side yard abutting onto a public street.
 - c. Rear Yard:
 1. Twenty (20) feet or height of the building, whichever is greater.
 2. Zero (0) feet if the principal buildings share common walls.

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4. Setbacks: Accessory Buildings:
 - a. Front Yard: Accessory buildings shall be located behind the front building line of the principal building and not less than thirty (30) feet from the front property line.
 - b. Side Yard:
 1. Interior Lot: Ten (10) feet.
 2. Corner Lot: Twenty (20) feet on the side yard abutting onto a public street.
 - c. Rear Yard:
 1. Five (5) feet.
 2. If entrance is fronting a public right-of-way: Twenty (20) feet.
 3. If Vehicle access to the structure is from an alley: fifteen (15) feet. (*Ord. 18-01 Section 1105.08, Adopted February 20, 2018.*)
 5. Site Coverage.
 - a. No structure or combination of structures, including detached garages, shall occupy more than sixty (60) percent of the lot area.
 6. Placement of Buildings.
 - a. There shall be a minimum of ten (10) feet between principal and accessory buildings (excluding decks).
 - b. There shall be no structures of any kind within any City easement, except if written permission has been granted by the City and the encroachment is in conformance with the City's Easement and Bluff Encroachment Requirements found in Chapter 12 of the City Code, Section 1205.07 Subd 4. EASEMENT AND BLUFF ENCROACHMENT REQUIREMENTS.

1105.08 SUBD. 6. BUILDING STANDARDS.

1. Maximum Height:
 - a. Principal Building: Thirty-five (35) feet.
 - b. Accessory Building: Fifteen (15) feet.
2. Floor Area:
 - a. Principal Building – Two-Family.
 1. Minimum:
 - a. One Bedroom: seven hundred fifty (750) square feet.
 - b. Two Bedrooms: nine hundred sixty (960) square feet.
 - c. Three plus Bedrooms: one thousand forty (1,040) square feet.
 - b. Principal Building – Multi-Family.
 1. Minimum:
 - a. One Bedroom: seven hundred fifty (750) square feet.
 - b. Two Bedrooms: nine hundred sixty (960) square feet.

- c. Three plus Bedrooms: one thousand forty (1,040) square feet.
 - c. Garages.
 1. Minimum - attached: four hundred (400) square feet (new construction).
 2. Maximum – detached:
 - a. Multiple family must conform with site coverage requirement.
 - d. Accessory Building:
 1. Maximum: nine hundred (900) square feet.
3. Garage door height shall not exceed nine (9) feet.
 4. Minimum Width and Depth:

All dwellings, including manufactured homes, shall have a depth of at least twenty (20) feet for at least fifty (50) percent of their width. All dwellings, including manufactured homes, shall have a width of least twenty (20) feet for at least fifty (50) percent of their depth.
 5. Garage floor elevations shall be not less than eighteen (18) inches and not more than thirty-six (36) inches as measured from the top of the curb at the mid-point of the garage to the garage floor at the mid-point of the garage door opening. The minimum slope of the driveway shall be 2% and the maximum slope of the driveway shall be 10%. Exceptions to these standards may be approved by the Zoning Administrator, after consultation with the City or development engineer, for special circumstances such as an increased setback, site topography and flooding potential, provided that proper site and area drainage is maintained and the elevation of the structure is in keeping with the character of the area. (Ord. 05-09, Sect. 1105, Adopted Nov. 7, 2005).

(Ord. 05-09, Sect. 1105, Adopted Nov. 7, 2005).
(Ord. 11-03 Section 1105, Adopted May 16, 2011).
(Ord. 12-04, Sections 1105, Adopted September 17, 2012.)
(Ord. 18-01 Section 1105.08, Adopted February 20, 2018.)

**CITY OF BELLE PLAINE
ORDINANCE 19-11**

**AN ORDINANCE AMENDING CHAPTER 11, SECTION 1105.08 OF THE BELLE PLAINE CITY CODE
PERTAINING TO PERFORMANCE STANDARDS IN THE R-7 MIXED HOUSING (MEDIUM TO HIGH
DENSITY) RESIDENTIAL DISTRICT**

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

Section 1. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 5(1) Lot Requirements and Setbacks as follows:

1. Lot Area: Ten thousand five hundred (10,500) square feet for up to four (4) units, plus one thousand six hundred (1,600) ~~two thousand (2,000)~~ square feet for each additional unit.

Section 2. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 5(3) Lot Requirements and Setbacks as follows:

3. Setbacks: Principal Building:
 - a. Front Yard: Thirty (30) feet.
 - b. Side Yard:
 1. Interior Lot:
 - a. Single or two-family dwellings:
 - 1 Ten (10) feet.
 2. Zero (0) feet if the principal buildings share common walls.
 - b. All other uses:
 1. Equal to the height of the building. Twenty (20) feet or eighty (80) percent of the building height, whichever is greater, except that dwelling units sharing a common interior side property line may be reduced to zero.
 2. Corner Lot: Twenty (20) feet on the side yard abutting onto a public street.
 - c. Rear Yard:
 1. Twenty (20) feet or height of the building, whichever is greater. Twenty (20) feet or eighty (80) percent of the building height, whichever is greater, except that dwelling units sharing a common rear property line may be reduced to zero.
 2. ~~Zero (0) feet if the principal buildings share common walls.~~

Section 3. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 6(1) Building Standards as follows:

1. Maximum Height:
 - a. Principal Building: ~~Thirty-five (35)~~ Forty-five (45) feet

Section 4. The City Council of the City of Belle Plaine hereby amends Chapter 11, Section 1105.08, Subd. 6(2)(b)(1) Building Standards as follows:

b. Principal Building – Multi-Family.

1. Minimum:

- a. Studio/efficiency units: three hundred (300) square feet
- b. One Bedroom: ~~seven hundred fifty (750)~~ six hundred fifty (650) square feet
- c. Two Bedrooms: ~~nine hundred sixty (960)~~ eight hundred forty-five (845) square feet
- d. Three plus Bedrooms: ~~one thousand forty (1,040)~~ nine hundred (900) square feet

Section 4. This Ordinance shall become effective upon publication in the official newspaper of the City.

Passed and duly adopted by the City Council of the City of Belle Plaine this __ day of ____, 2019.

BY: _____
Christopher G. Meyer, Mayor

ATTEST:

Dawn Meyer, City Administrator



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3. Setbacks: Principal Building:
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 - b. Side Yard:
 1. Interior Lot:
 - a. Single or two-family dwellings:
 - 1 Ten (10) feet.
 2. Zero (0) feet if the principal buildings share common walls.
 - b. All other uses:
 1. ~~Equal to the height of the building.~~ Twenty (20) feet or eighty (80) percent of the building height, whichever is greater, except that dwelling units sharing a common interior side property line may be reduced to zero.
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Passed and duly adopted by the City Council of the City of Belle Plaine this __ day of ____, 2019.

BY: _____
Christopher G. Meyer, Mayor

ATTEST:

Dawn Meyer, City Administrator