

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Michael Fischer, City Planner
John D. Harrenstein, City Administrator
DATE: November 14, 2013
SUBJECT: R-3, R-4 and CBD

Background

The purpose of this action item is to gather feedback from the City Council regarding changes staff proposes be acted on by the Planning Commission regarding the zoning code. Typically, staff would begin this process at the Planning Commission and bring the recommended action to the City Council. However, because the recommendations are associated with platting requirements and because the City Council has final approval of plats, these recommendations are being brought to the City Council for comment prior to being presented to the Planning Commission.

Staff recommends the City Council direct the Planning Commission to review proposed changes at their December meeting and provide a recommendation to the City Council.

Existing & Proposed Lot Width regulations for both R-3 and R-4

Staff believes the current minimum lot width requirements for R-3 and R-4 are more restrictive than necessary for multi-family dwellings or apartment buildings as compared with other zoning requirements in the region. The proposed lot width regulations were formulated in part by using survey results from surrounding communities regarding City Code regulations in R-3 and R-4 districts. While North Mankato has comparable regulations for most areas listed on the survey, the current minimum lot width requirements is far more restrictive than other area cities. For this reason, staff believes consideration should be given to amending the minimum lot width requirements in the R-3 and R-4 districts by eliminating the requirements for additional width of 20 feet for each additional unit over 3 units (see table below).

ZONING CLASSIFICATION	EXISTING	PROPOSED
R-3, Limited Multiple Dwelling	Lot width (multiple). Every lot upon which there is erected a multiple-family dwelling consisting of three dwelling units shall require a minimum width of 100 feet at the building setback line; each additional dwelling unit attached thereafter shall require a minimum additional width of 20 feet per unit at the building setback line.	Lot width (multiple). Every lot upon which there is erected a multiple-family dwelling consisting of three dwelling units shall require a minimum width of 100 feet at the building setback line.
R-4, Multiple Dwelling	Lot width (multiple). Every lot or plat upon which there is erect a multiple family dwelling consisting of three dwelling units shall require a minimum width of 110 feet at the building setback line; each additional dwelling unit attached thereafter shall require a minimum additional width of 20 feet per unit at the building setback line.	Lot width (multiple). Every lot or plat upon which there is erect a multiple family dwelling consisting of three dwelling units shall require a minimum width of 110 feet at the building setback line.

Central Business District Changes

Attached to this memo are the results of a staff survey of area cities' Central Business District (CBD) platting requirements. As demonstrated by the survey, North Mankato is the only city that regulates residential uses in the CBD with a multi-family housing zoning classification. This is contrasted by other surveyed cities that specifically permit residential uses using a CBD type of classification. Of the cities surveyed, all allow residential dwellings in their CBD districts, some by Conditional Use Permit (CUP).

To clarify this contrast, the R-3 section of North Mankato's zoning code (used to regulate residential uses in the CBD), is used to regulate projects such as the townhomes on the west end Pleasant View Drive, the apartments on Arlington Lane, and the Windsor Green townhomes. This type of construction is different than what is feasible in the CBD due to limited land availability, efficient use of the property, and the need to redevelop existing properties in the CBD. Simply put, R-3 favors larger lot sizes and lower density which work best for new development in growth areas of the city, not redevelopment of a downtown.

Attached to this memo are the proposed amendments to the CDB section of the zoning code. In summary, the amendments include:

1. Change to the "Purpose" of the CBD
2. Elimination of any reference to residential uses being regulated by the R-3 section of the code.
3. Specifically permit single-family, two-family, apartments and multi-family dwellings in the CBD
4. Amend Lot Size Requirements for permitted residential uses.
5. Amend Yard Regulations (setbacks) for all permitted uses.
6. Eliminate off-street parking requirements in the 200 block of Belgrade Avenue.

Conclusion

Staff believes amendments to these sections are necessary for several reasons. First, the existing code has not been updated for several years and at the present time is inconsistent with other regional cities for the R-3, R-4, and CBD zoning classifications. Second, within the past two years, two reasonable multi-family residential projects have been presented in both the R-3 and CBD districts. One was downsized due to platting requirements and the other required several variances. Third, changes to residential use regulation in the CBD is needed to accommodate development and redevelopment of high-density uses given the available land for development does not allow the construction of profitable projects given existing lot width requirements. Fourth, the proposed amendments would eliminate the need to apply variances to projects that staff believe to be acceptable to the public, Planning Commission, Port Authority, and City Council.

In summary, if the City Council wishes to consider changes to the City Code to provide greater flexibility for higher density residential uses, staff recommends the City Council direct the Planning Commission to review the proposed changes at their December meeting and provide a recommendation to the City Council.

R-3

	North Mankato	Mankato	Eagle Lake	St. Peter	Waseca	Fairmont	Hutchinson
Minimum Lot Width	100 feet at the building setback line for the first 3 dwelling units; each additional dwelling unit attached thereafter shall require a minimum additional width of 20 feet per unit at the building setback line.	60 feet	70 feet	80 feet	66 feet	85 feet	None
Minimum Lot Depth	100 feet	None	70 feet	None	120 feet	None	None
Minimum Lot Area	11,000 sq. ft. for the first 3 dwelling units plus 1,500 sq. ft. for each additional unit attached.	6,000 sq. ft. for up to 4 units, plus 1,500 sq. ft. for each additional unit in excess of 4 units.	10,000 sq. ft. for up to 4 dwelling units, plus 1,500 sq. ft. for each dwelling unit in excess of 4 units.	10,000 sq. ft. or 2,500 sq. ft. per dwelling unit.	3,000 sq. ft. for apartment buildings (9-15 units), 15 units per acre.	2 bedroom units = 2,250 sq. ft. 3 bedroom units = 3,000 sq. ft.	4,200 sq. ft. per dwelling unit.
Maximum Building Height	3 stories or 45 feet in height.	35 feet	35 feet	45 feet	2-1/2 stories or 35 feet.	3 stories or 45 feet.	35 feet
Maximum Ground Coverage	Not more than 30% of a lot shall be covered by all main and accessory buildings.	The sum of the ground area that may be covered by all structures shall not exceed 35% of the lot area.	The sum of the lot area that may be covered by all structures shall not exceed 35% of the total lot area.	70%	None	None	None

R-4

	North Mankato	Mankato	Eagle Lake	St. Peter	Waseca	Fairmont	Hutchinson
Minimum Lot Width	110 ft. for the first 3 dwelling units at the building setback line, each additional dwelling unit attached thereafter shall require a minimum additional width of 20 ft. per unit at the building setback line.	60 feet	70 feet	None	None	200 feet	None
Minimum Lot Depth	100 feet	None	None	None	None	None	None
Minimum Lot Area	11,000 sq. ft. for the first 3 dwelling units plus 500 sq. ft. for each additional unit attached.	10,000 sq. ft. for up to 4 dwelling units, plus an additional 2,000 sq. ft. for each dwelling unit in excess of 4 units.	10,000 sq. ft. for up to 4 dwelling units, plus an additional 2,000 sq. ft. for each dwelling unit in excess of 4 units.	None	1,500 sq. ft. for apartment building, 30 units per acre.	1 acre minimum.	4,000 sq. ft. per dwelling unit.
Maximum Building Height	3 stories or 45 feet.	45 feet.	45 feet.	None	3 stories or 40 feet.	2 stories or 30 feet.	35 feet.
Maximum Ground Coverage	Not more than 60% of a lot shall be covered by all main and accessory buildings.	The sum total of ground area that may be covered by all structures shall not exceed 35%.	The sum total of ground area that may be covered by all structures shall not exceed 35%.	None	None	None	None

CBD

	North Mankato	Mankato	Eagle Lake	St. Peter	Waseca	Fairmont	Hutchinson
	Residential	Commercial					
Minimum Lot Width	100 feet for the first 3 units, each additional unit shall require an additional width of 20 feet per unit.	25 feet	44 feet	None	18 feet	None	None
Minimum Lot Depth	100 feet	140 feet	None	None	None	None	None
Minimum Lot Area	11,000 sq. ft. for the first 3 dwelling units plus 1,500 sq. ft. for each additional unit.	3,500 sq. ft.	6,000 sq. ft.	None	None	None	None
Maximum Building Height	3 stories or 45 feet.	3 stories or 45 feet, taller if issued CUP.	None	50 feet	3 stories or 40 feet.	None	6 stories or 75 feet.
Maximum Ground Coverage	Not more than 50% of a lot shall be covered by all main or accessory buildings.	None	None	100 %	None	None	None
Residential Uses Permitted	Single-family, two-family dwelling and apartments	None	Apartments located above the ground floor (CUP).	Multi-family (CUP).	Single-family and multiple-family dwellings (CUP).	Single-family, two-family and multiple-family residential structures.	Upper level apartment units.
Setbacks	Front -- 20 feet Side -- 5 feet Rear -- 20 feet	None	None	None	None	None	None if located next to commercial use. 10 feet if located next to residential zoning.

§ 156.045 CBD, CENTRAL BUSINESS DISTRICT.

(A) **Purpose.** The Central Business District is intended to ~~establish a district for the purpose of providing a high density shopping environment with special emphasis on pedestrian traffic. provide for low- to high-intensity pedestrian-oriented residential, office, retail, commercial, institutional and mixed-use (commercial/residential) development that supports the integrity of a downtown neighborhood, and serves the entire population. While pedestrian orientation is emphasized, the automobile is also accommodated. The CBD District accommodates the traditional "main street" character of the historical North Mankato downtown area (200 block of Belgrade), but also extends west to accommodate a combination of residential, commercial, and office uses. It includes a traditional residential corridor, with some houses that are maintained as residences and others that have converted to non-residential use.~~

(B) Special requirements.

~~(1) Every use, unless expressly exempted by this division, shall be operated in its entirety within a completely enclosed structure; the exception of a use from the requirement of the enclosure will be indicated by the phrase "need not be enclosed" appearing after any use exempted.~~

~~(2) Residential uses that may be permitted shall be regulated by the minimum standards set forth in § 156.040.~~

(C) Permitted uses.

(1) The following are permitted uses:

- (a) Antique store.
- (b) Apparel store.
- (c) Appliance store.
- (d) Art gallery, studio, school or supply store.
- (e) Bakeries, retail.
- (f) Banks, savings and loans or finance companies.
- (g) Barber and beauty shops.
- (h) Bars, taverns, and cocktail lounges licensed to sell soft drinks, beer malt, or alcoholic beverages on sale, off sale or both.
- (i) Book store.
- (j) Bowling alley.
- (k) Business machine store.
- (l) Business, trade or commercial school.
- (m) Camera and photographic studio and supply.
- (n) Candy, ice cream, confectionary store.
- ~~(o) Car sales lots, need not be enclosed.~~
- (p) Catalog service and mail order house.
- (q) Caterer.
- ~~(r) Cemetery, memorial garden, need not be enclosed.~~
- (s) Churches.
- (t) Clinic, dental or medical, but not animal clinic.
- (u) Club or lodge.
- (v) Community centers, parks or public buildings.
- (w) Convent, monastery or similar institution for religious training.
- (x) Conventions, or meeting facility.
- (y) Dairy store.
- (z) Dance studio.
- (aa) Day cares.
- (bb) Delicatessen.

~~(cc) Driveways.~~

~~(dd)(cc) Drug store.~~

~~(dd) Dwellings:~~

~~-Single-family detached~~

~~-Two-family~~

~~-Apartments or apartment buildings~~

~~-Multiple family dwellings~~

(ee) Essential public utility and service structures.

(ff) Fences.

(gg) Floral and garden supply including nursery, need not be enclosed.

(hh) Gift, novelty or souvenir store.

(ii) Grocery store.

(jj) Hardware store.

(kk) Hobby store.

(ll) Hotels and motels.

(mm) Institution of religious, charitable or philanthropic nature.

(nn) Interior decorating store and supply.

(oo) Janitorial services.

(pp) Laboratory, medical or dental.

(qq) Laundry or dry-cleaning.

(rr) Leather goods store - retail only.

(ss) Libraries, auditoriums, museums, or other cultural institutions.

(tt) Locksmith or key stand, need not be enclosed.

(uu) Medical appliance sales and fittings.

(vv) Medical intern or resident doctor's quarters.

(ww) Mixed-use buildings and developments

~~(xx)(ww) Mortuary, funeral home.~~

~~(xx) Motorcycle sales and service.~~

~~(yy) Office condominium.~~

(yyzz) Office of any type.

(zz)aaa) Optical services and supply.

(aaabbb) Parking of vehicles, need not be enclosed.

(bbcbcc) Pet store, including animal clinic.

(cccdde) Private recreation facilities; tennis court, golf club, swimming pool.

~~(eee) Public and private utilities.~~

(dddfff) Rehabilitation center for handicapped persons.

(eeeggg) Restaurants or other eating places including drive-ins.

(ffhhhh) School, public or private.

(gggiii) Shoe repair shops.

(hhhhjj) Sporting goods store.

(iiikkk) Stationery store.

(jjjlll) Tailor shops.

(kkkmmm) Theater.

(lllnnn) Toy store.

(mmmoee) Travel bureau or ticket agency.

(nnnppp) Variety stores.

(2) Every permitted use allowed shall be constructed on a permanent foundation and be connected to municipal utilities.

(D) **Conditional uses.** The following uses may be permitted if granted a Conditional Use permit under the provisions of Section 156.055:

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- (1) Automobile wash, service or repair;
 - (2) Convenience store;
 - (3) Home and building supply store;
 - (4) Taxidermist;
 - (5) Structures exceeding 3 stories or 45 feet in height;
 - (6) Car sales lots, need not be enclosed.
 - (7) Motorcycle sales and service.

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(E) Accessory uses. The following is a permitted use: Storage building not to exceed 600 square feet.

(F) Lot area. For each permitted or conditional non-residential use there shall be provided not less than 3,500 square feet of lot area. Required lot area for permitted residential uses are as follows:

- (1) Lot area (detached). Every single family detached dwelling erected shall require a lot area of not less than 6,500 square feet.
- (2) Lot area (attached). Every attached dwelling erected shall require a lot area of 3,000 square feet for each unit attached.
- (3) Lot area (two family). Every two family dwelling erected shall require a lot area of not less than 8,800 square feet.
- (4) Lot area (multiple). Every multiple family dwelling (non-attached) erected shall require a lot area of not less than 850 square feet for each unit.

(G) Lot width and depth. Minimum lot width of 25 feet and minimum depth of 140 feet.

(H) Yard regulations.

(1) For all permitted uses in the CBD District, principal buildings must be located within 10 feet of the front lot line, unless a front yard is required under the provisions of this section. There are no other yard requirements except as may be required for conditionally permitted uses and pursuant to § 156.040 for residential uses, for all uses as follows:

(1) Residential Uses:

(a) Front yard. For all single-family detached, two-family, and attached (townhome) dwellings there shall be a front yard of not less than 20 feet. For all multiple family dwellings (non-attached) there are no front yard requirements other than the following: when a multiple family dwelling is located adjacent to a single-family residential use, a front yard of not less than 20 feet shall be provided.

(b) Side yard. When any new residential use is located adjacent to an existing residential use, there shall be a side yard, on that side of the building adjacent to the existing residential use, of not less than 5 feet in width, plus 1 additional foot of side yard required for each 1 foot or fraction thereof of building height in excess of 30 feet.

(c) Rear yard. When any new residential use is located adjacent to an existing residential use, there shall be a rear yard of not less than 20 feet.

(2) Non-residential Uses:

(a) Front yard. For all permitted non-residential or mixed uses, there shall be a front yard of not less than 20 feet when such a structure is located across the street from an area zoned to a residential district classification. When a permitted non-residential or mixed use is located adjacent to a single-family residential use, a front yard of not less than 20 feet shall be provided. Off-street parking shall not be located in that front yard area. Where the lot is located at the intersection of two or more streets there shall be a front yard on each street side.

(b) Side yard. When a permitted non-residential or mixed use is located adjacent to an existing residential use, there shall be a side yard, on that side of the lot adjacent to the residential use, of not less than 10 feet in width, plus 1 additional foot of side yard required for each 1 foot or fraction thereof of building height in excess of 30 feet.

(c) Rear yard. None required.

~~(2) Transitional yards may be required.~~

(I) Ground coverage. There are no maximum ground coverage requirements.

(J) Height regulations. No structure hereafter erected or altered shall exceed 3 stories or 45 feet in height, except as may be permitted in subsection (D)(5) of this section, as regulated by this chapter.

(K) Off-street parking. Uses within the CBD district shall meet the off-street parking and loading requirements of Section 156.053. However, properties having frontage on the 200 block of Belgrade Avenue are exempt from off-street parking and loading requirements.

(1975 Code, § 11.15) (Am. Ord. 33, passed 3-21-1983; Am. Ord. 46, passed 6-18-1984; Am. Ord. 8, 4th series, passed 1-16-2007; Am. Ord. 17, 4th series, passed 1-17-2008)

§ 156.053 OFF-STREET PARKING AND LOADING.

(A) *Scope.* All off-street parking and loading shall conform with the provisions of this section and any other provisions of the City Code and regulations of the city and shall apply to all buildings and uses of land established after the effective date of this chapter, with the exception of properties with frontage on the 200 block of Belgrade Avenue, for which off-street parking requirements have been waived.

§ 156.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LOT WIDTH. The width of a lot is its width measured at the front setback line.

LANDSCAPING. Plantings such as trees, grass, and shrubs.

Mixed Use Building: A building or structure that incorporates two or more use types within a single building or structure, provided that each use type is permitted within the Zoning District in which the building or structure is to be located.

Mixed Use Development: A single development that incorporates complementary land use types into a single development.

MOTEL. A combination or group of 2 or more detached, semi-detached or connected permanent buildings that are used for overnight transient living accommodations and are oriented toward travelers parking their automobiles.

NONCONFORMING USE. Any pre-existing structure or previously permitted use of land which is inconsistent with the current provisions of this chapter or any amendment thereto.