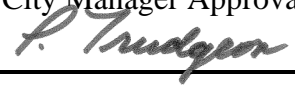


ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

DATE: 7/08/2013
ITEM NO: 9.c

Department Approval

City Manager Approval

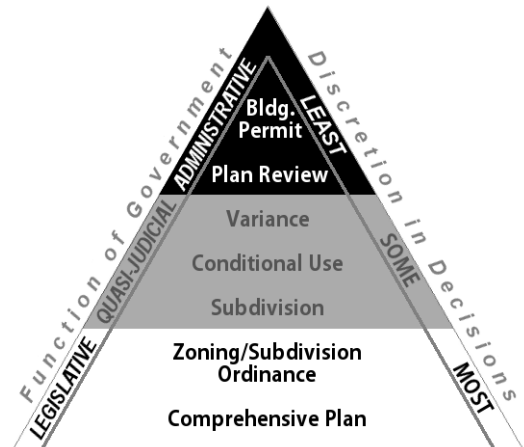


Item Description: Adopt an Ordinance Creating Standards for Accessory Buildings in the Commercial and Mixed-Use and Employment Districts

Application Review Details

- RPCA prepared: May 29, 2013
- Public hearing: June 5, 2013
- City Council action: July 8, 2013
- Statutory action deadline: n/a

Action taken on a zoning text change request is **legislative in nature**; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community.



1.0 REQUESTED ACTION

Planning Division staff is requesting a ZONING TEXT CHANGES to Table 1005-1, Table 1006-1, Section 1011.12E, and Section 1011.12F.

2.0 SUMMARY OF RECOMMENDATION

Planning Division staff recommends approval of the proposed ZONING TEXT CHANGES; see Section 7 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

Adopt an Ordinance creating accessory building standards for the Commercial and Mixed-Use and Employment Districts; see Section 8 of this report for the detailed action.

4.0 BACKGROUND

Since this request is initiated by the City rather than by an outside applicant, the State-mandated 60-day timeline does not apply; this is noted merely to explain the n/a (not applicable) notation in the Application Review Details section above.

The proposed zoning text changes are included with this report as Attachment A; proposed insertions will be represented in **bold** text, and proposed deletions will be shown in ~~strikethrough~~ text. A brief discussion of the proposed changes can be found in the paragraphs below.

5.0 PROPOSED ZONING TEXT CHANGES

After reviewing the options for creating regulations or standards for accessory buildings in the Commercial and Mixed-Use and Employment Districts, the Planning Division determined that the best approach was to amend the Performance Standards section of the Zoning Ordinance and to modify the tables in both the Commercial and Mixed-Use and Employment Districts. Specifically, each table (1005-1 and 1006-1) lists the accessory uses allowed within each zoning district. It is here that the Planning Division would recommend that the words “domestic or” be stricken from the table since, in a mixed-use scenario, garages can be covered by the allowance that follows in the table. Within Table 1005-1, the Division would also suggest that “NP” (not permitted) be added to the Community Mixed-Use District, as we believe that there has never been a desire to have such structures proliferate the Twin Lakes Redevelopment Area. Table 1006-1 would include a “Y” in the Standards box, which refers to the Property Performance section of the Code where the requirements for such structures will be located. Lastly, the Planning Division is suggesting that Section 1011.12 E and F be amended to include the language spelling out the requirements of accessory buildings in these districts.

Following are the proposed Table and Performance Standards proposed text amendments:

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Accessory Uses, Buildings, and Structures						
Accessory buildings for storage of domestic or business supplies and equipment	p	P	P	P	P NP	Y
Accessible Ramps and other accommodations	P	P	P	P	P	
Detached garages and off-street parking spaces	C	P	p	P	P	Y

Table 1006-1	O/BP	I	Standards
Accessory Uses, Buildings, and Structures			
Accessory buildings for storage of domestic or business supplies and equipment	P	P	<u>Y</u>
Accessible Ramps and other accommodations	P	P	
Caretaker's dwellings	C	C	

Amendment to Section 1011.12E “7” would read as follows:

7. Accessory Buildings: shall be limited to a single structure/building of no greater than 500 square feet in size with a maximum height of 15 feet. Setbacks for accessory structures/buildings are as regulated under Tables 1005.02, 1005.03, and 1005.04, except that accessory structures or buildings shall not be permitted in a front yard.

Amendment to Section 1011.12F “6” read as follows:

6. Accessory Buildings: shall be limited to a single structure/building of no greater than 500 square feet in size with a maximum height of 15 feet. Setbacks for accessory structures/buildings are as regulated under Tables 1006.02 and 1006.03, except that accessory structures or buildings shall not be permitted in a front yard.

6.0 PUBLIC COMMENT

As of the time this report was prepared, Planning Division staff has not received any communications from the public.

7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 and 5 of this report, the Planning Division recommends approval of the ZONING TEXT CHANGE.

The duly-noticed public hearing for this application was held by the Planning Commission on June 5, 2013; draft minutes of the public hearing are attached. No citizens addressed the Planning Commission and Commissioners had no significant questions or concerns regarding the proposed text amendment. The Planning Commission voted (6-0) to approve the request as presented by the City Planner.

8.0 SUGGESTED ACTION

Adopt an ordinance amending the requirements for Accessory Uses, Buildings, and Structures located in Tables 1005-1 and 1006-1, and articulating the requirements for accessory buildings in Section 1011.12.E “7” and F “6” of the Property Performance Standards.

Prepared by: City Planner Thomas Paschke, 651-792-7074 | thomas.paschke@ci.roseville.mn.us

Attachment A. Draft Ordinance
B. Draft PC minutes

City of Roseville

ORDINANCE NO. _____

AN ORDINANCE AMENDING SELECTED TEXT OF TITLE 10 ZONING ORDINANCE
OF THE ROSEVILLE CITY CODE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Purpose: The Roseville City Code is hereby amended to create regulations regarding accessory buildings/structures in Section 1005, Commercial and Mixed-Use Districts, and Section 1006, Employment Districts.

SECTION 2. Table 1005-1, Accessory Use, Buildings, and Structures, is hereby amended as follows:

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Accessory Uses, Buildings, and Structures						
Accessory buildings for storage of domestic or business supplies and equipment	p	P	P	P	P NP	Y
Accessible Ramps and other accommodations	P	P	P	P	P	
Detached garages and off-street parking spaces	C	P	p	P	P	Y

SECTION 3. Table 1006-1, Accessory Use, Buildings, and Structures, is hereby amended as follows:

Table 1006-1	O/BP	I	Standards
Accessory Uses, Buildings, and Structures			
Accessory buildings for storage of domestic or business supplies and equipment	P	P	<u>Y</u>
Accessible Ramps and other accommodations	P	P	
Caretaker's dwellings	C	C	

SECTION 4. Section 1011.12.E.7 is hereby amended to read as follows:

7. Accessory Buildings: shall be limited to a single structure/building of no greater than 500 square feet in size with a maximum height of 15 feet. Setbacks for accessory structures/buildings are as regulated under Tables 1005.02, 1005.03, and 1005.04, except that accessory structures or buildings shall not be permitted in a front yard.

18 **SECTION 4. Section 1011.12.F.6 is hereby amended to read as follows:**

19 **6. Accessory Buildings: shall be limited to a single structure/building of no greater than 500**
20 **square feet in size with a maximum height of 15 feet. Setbacks for accessory**
21 **structures/buildings are as regulated under Tables 1006.02 and 1006.03, except that**
22 **accessory structures or buildings shall not be permitted in a front yard.**

23 **SECTION 5. Effective Date.** This ordinance amendment to the Roseville City Code shall take
24 effect upon passage and publication.

25 Passed this 8th day of July, 2013

EXTRACT OF THE JUNE 5, 2013 ROSEVILLE PLANNING COMMISSION MINUTES

g. PROJECT FILE 13-0017

Request by Roseville Planning Division for consideration of ZONING TEXT CHANGES to multiple sections regarding building height and performance standards for accessory buildings on commercial properties

Chair Gisselquist opened the Public Hearing for Project File 13-0017 at approximately 7:30 p.m.

City Planner Paschke reviewed this requested ZONING TEXT AMENDMENT as detailed in the staff report dated June 5, 2013. Mr. Paschke reviewed how staff had arrived at the lack of any scientific approach for proposing 500 square feet, other than to provide a fairly good size for typical storage shed, approximately twice that of a residential shed, based on the types of items that may be stored (e.g. snow plows or snow blowers, lawn mowers, or landscaping or maintenance equipment).

Member Daire questioned if the proposed size would be sufficient to accommodate a small forklift for transporting goods from the accessory building, even though the intent was for storage in a Commercial District versus storing things intended for sale within the principle structure but temporarily stored in the accessory building.

Mr. Paschke opined that a forklift should fit within the square footage and height limitations, as well as lifts for changing light bulbs, etc.). Mr. Paschke advised that staff had not given any grandiose thought to how the storage buildings could be utilized other than for storage, and had been more concerned in providing storage for maintenance equipment for office and commercial buildings using their own staff for lawn and snow maintenance versus that of hiring a commercial vendor, and would therefore need somewhere to store that equipment to avoid transporting it from off-site. While there was nothing that excluded using the accessory building for storage of product, Mr. Paschke clarified that there was only one (1) accessory structure allowed, so in multi-tenant buildings (e.g. strip malls) there would be very limited storage for tenants; and suggested a more common use would be by the building's owner for storage of maintenance equipment.

In the case of a restaurant, Member Daire questioned if the accessory building would be separate from or include dumpster storage.

Mr. Paschke responded that, if a new restaurant wanted an accessory structure and refuse/recycling areas in separate locations, staff would work with them; but clarified that City Code would allow for only one (1) building with one (1) door. Mr. Paschke advised that the building may include dumpster storage, but was also an allowable use.

At the request of Member Boguszewski, Mr. Paschke advised that if a building owner required more storage square footage or height for the building, they would need to seek that through the Variance Board as a Conditional Use; and that should only be for a rare or unique situation or need.

Member Boguszewski suggested the possibility of surveying other municipalities for their rationale on accessory building square footage if that was feasible or even necessary; however, he advised that he was not advocating for that, as long as there was a process in place to accommodate any variances, even though agreeing they should be rare.

Mr. Paschke advised that staff had arrived at the 500 square feet as a minimal allowance above and beyond that of the residential, two-store garage square footage of 480 square feet for a

structure approximately 20' x 24'. While hoping that square footage allowance was reasonable and not arbitrary, Mr. Paschke noted that in the past the structures had not been allowed, and staff's rationale was to start small, and if it appeared there were many issues coming forward, and larger storage buildings were needed and the variance recourse was frequently sought, further review and amendment could be considered. However, Mr. Paschke noted that this would avoid any extremely large accessory structures on a site.

Member Boguszewski spoke in support of staff's rationale, opining that it seemed reasonable.

Member Daire noted that the height allowance was close to two (2) storied; with Mr. Paschke concurring that it was similar to that for accessory structures in residential areas, or 15' in height to the peak.

Chair Gisselquist suggested that if multiple variances were being requested, at that time other cities could be surveyed or other models sought out.

Mr. Paschke advised that there were not many people seeking accessory structures for this type of application, but noted that staff had fielded a few requests, and this may serve to benefit those not hiring outside maintenance contractors but using their own staff and needing to accommodate those items on-site versus hauling them around.

Chair Gisselquist closed the Public Hearing at approximately 7:44 p.m.; with no one appearing for or against.

MOTION

Member Gisselquist moved, seconded by Member Daire to recommend to the City Council APPROVAL of the proposed TEXT AMENDMENTS to the Accessory Uses, Buildings, and Structures section of Table 1005-1 and 1006-1, and the inclusion of the requirements for accessory buildings in Section 1011.12E and F of the Property Performance Standards; based on the comments and findings of Sections 4-6, and recommendation of Section 7 of the staff report dated June 5, 2013.

Ayes: 6

Nays: 0

Motion carried.