

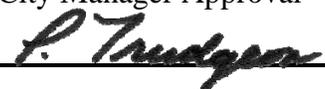
ROSEVILLE
REQUEST FOR CITY COUNCIL ACTION

DATE: **8/12/2013**
ITEM NO: 9.b

Department Approval



City Manager Approval

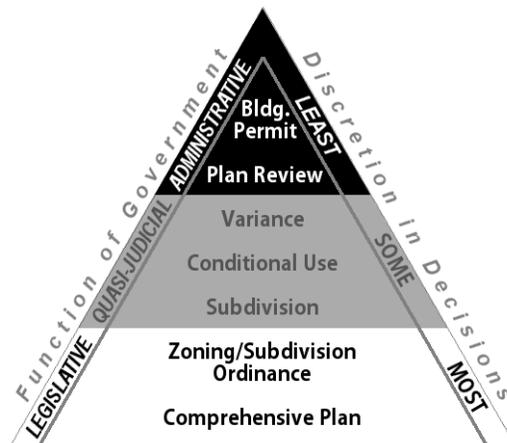


Item Description: Request by the Planning Division for Consideration of **Zoning text Changes** to Section 1004.02 (Residential Accessory Buildings) Regarding Design Requirements and Performance Standards

Application Review Details

- RPCA prepared: July 3, 2013
- Public hearing: July 10, 2013
- City Council action: August 12, 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

In the day-to-day use of the zoning code, Community Development staff has noticed that a height restriction for accessory structures in previous iterations of the zoning code was unintentionally omitted from the 2012 zoning update, so Planning Division staff is requesting a ZONING TEXT CHANGE to reintroduce this provision.

2.0 SUMMARY OF RECOMMENDATION

On July 10, 2013, at the duly noticed public hearing, the Roseville Planning Commission voted (6-0) to recommend approval of the proposed ZONING TEXT CHANGE; see Section 7 of this report for the detailed recommendation. The Planning Division concurs with the recommendation of the Planning Commission.

3.0 SUMMARY OF SUGGESTED ACTION

Adopt an Ordinance approving a ZONING TEXT CHANGE to Table 1004-1 of the Roseville Zoning Ordinance; see Section 8 of this report for the detailed action.

4.0 BACKGROUND

- 4.1 Because this request is initiated by the City rather than by an outside applicant, the State-mandated 60-day timeline does not apply in this case; this is noted merely to explain the “n/a” (i.e., not applicable) notation in the Application Review Details section above.
- 4.2 The mid- to late-1990s apparently saw several detached garages built which were so large as to raise concern about an overly-lax zoning code that allowed detached garages to be as large (or larger) than the principal residential structure. In November 1998, the City Council passed an ordinance constraining the floor area and height of accessory buildings to make them truly subordinate to the residential dwelling; most of these regulations have been carried over, at least in spirit, into the present zoning code.
- 4.3 In the course of day-to-day use of the current zoning code, City staff has noticed the omission of a former provision that further limited the height of an accessory structure by prohibiting it from being taller than the principal structure. While no detached garages that are taller than the residential dwelling have been permitted since the zoning was updated in December 2010, Planning Division staff believes that such a limitation is still worthwhile and proposes to add it back into the regulations pertaining to residential accessory buildings.

5.0 PROPOSED ZONING TEXT CHANGES

The proposed zoning text change in Chapter 1004 (Residential Districts) is represented below; proposed insertions are represented in **bold** text, and proposed deletions are shown in ~~strikethrough~~ text.

1004.02: Accessory Buildings

Table 1004-1	Accessory building
Maximum combined storage size/area	864 square feet; up to 1,008 square feet by meeting performance standards in Section 1004.02A.2. In any case, combined area of accessory buildings shall not exceed 85% of the footprint of the principal structure.
Maximum height	15 feet; 9 feet wall height ^a
Minimum front yard building setback	30 feet ^{ab}
Minimum side yard building setback	
Rear	5 feet ^{bc}
Interior side	5 feet
Corner side	Behind established building line of principal structure
Minimum setback from any other building or structure on the lot	6 feet
<p><u>a Notwithstanding the allowed maximum height, the height of an accessory building shall not exceed the height of the principal structure.</u></p> <p><u>a-b</u> Where the natural grade of a lot at the building line of a house is 8 feet or more above the established street centerline, the Community Development Department may permit a detached garage to be erected within any required yard to enable a reduction of the slope of the driveway to as little as 10%, provided that at least one-half of the wall height is below grade level.</p> <p><u>b-c</u> Accessory buildings containing an Accessory Dwelling Unit shall have the same rear yard setback as required in Table 1004-3 for principal buildings. (Ord. 1418, 10-10-2011)</p>	

6.0 PUBLIC COMMENT

On July 10, 2013, the Roseville Planning Commission held the public hearing regarding is subject text amendment. At the meeting no citizens were present to address the Commission and no Commissioners had questions, concerns, or issues with the proposed text change (se attachment A). The Planning Commission voted 6-0 to recommend to the City Council approval of the text change to Table 10-04-1.

7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 – 6 of this report, the Planning Division recommends approval of the ZONING TEXT CHANGE.

8.0 SUGGESTED ACTION

Adopt an Ordinance approving a ZONING TEXT CHANGE to Table 1004-1, based on the comments and findings of Sections 4 – 6 and the recommendation of Section 7 of this staff report.

Prepared by: Associate Planner Bryan Lloyd
651-792-7073 | bryan.lloyd@ci.roseville.mn.us

Attachments: A. Draft PC minutes
B. Draft ordinance

EXTRACT OF THE PLANNING COMMISSION MEETING MINUTES OF JULY 10, 2013

a. **PROJECT FILE 13-0017**

Request by Roseville Planning Division for consideration of a ZONING TEXT AMENDMENTS to Section 1004.02 (Residential Accessory Buildings) regarding design requirements and performance standards

Chair Gisselquist opened the Public Hearing for Project File 13-0017 at 7:56 p.m.

Associate Planner Bryan Lloyd summarized the request by the Planning Division to reintroduce the height restriction for accessory structures contained in previous iterations of the zoning code, but unintentionally omitted from the 2012 zoning update. As detailed in the July 10, 2013 staff report (Section 4.3), Mr. Lloyd opined that such a limitation remained worthwhile; with the proposed text changes detailed in Section 5.0 of the staff report and corresponding Table 1004-1 in Section 1004.02 (Accessory Buildings) and footnotes as highlighted.

At the request of Member Boguszewski, Mr. Lloyd noted that this particular section of code specifically addressed residential accessory buildings used for storage, and would not affect a child's tree house or a pergola on the property.

In the event of a low-lying rambler, Member Daire questioned if there was any recourse for an owner if the width of the garage and matching the roof slope to the existing structure brought the peak above the average roofline peak of the main structure.

Mr. Lloyd responded that one recourse would be the variance process; however, without a specific application before him, he advised that his initial thought was if the garage footprint was actually similar to that described by Member Daire, it would already be larger than the principle structure and therefore exceed other code provisions.

At the request of Member Daire as to whether an attached garage was technically considered an accessory building, Mr. Lloyd responded that, since the principle use was the dwelling unit itself, accessory to that were parking, and storage; and for this purpose, a detached garage was considered an accessory building.

Chair Gisselquist closed the Public Hearing at 8:03 p.m.; no one spoke for or against.

MOTION

Member Murphy moved, seconded by Member Cunningham to recommend to the City Council APPROVAL OF ZONING TEXT AMENDMENTS, based on the comments and findings of Sections 4-6 and the recommendation of Section 7 of the staff report dated July 10, 2013.

Ayes: 6

Nays: 0

Motion carried.

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 clarify the height of an accessory building that serve one-family and two-family residential dwellings.

SECTION 2. Table 1004-1 within Section 1004.02 Accessory Buildings, is hereby amended as follows:

Table 1004-1	Accessory building
Maximum combined storage size/area	864 square feet; up to 1,008 square feet by meeting performance standards in Section 1004.02A.2. In any case, combined area of accessory buildings shall not exceed 85% of the footprint of the principal structure.
Maximum height	15 feet; 9 feet wall height ^a
Minimum front yard building setback	30 feet ^{a,b}
Minimum side yard building setback	
Rear	5 feet ^{b,c}
Interior side	5 feet
Corner side	Behind established building line of principal structure
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SECTION 5. Effective Date. This ordinance amendment to the Roseville City Code shall take effect upon passage and publication.

Passed this 12th day of August, 2013