Central Corridor/Traditional Neighborhood Zoning Study: Draft Zoning Text Amendments – 3/2/11

(Changes from PC public hearing draft shown with double underlines and ~~double strikeouts~~.)

Chapter 60. Zoning Code - General Provisions and Definitions; Zoning Districts and Maps Generally

Sec. 60.213. L.

Light rail station area. The area within a ¼ mile radius from the centerpoint of a light rail transit station platform. For split platform stations, this is measured from the centerpoint between the two platforms.

Sec. 60.214. M.

Multiuse ~~retail~~ center. A single, unified development on one (1) zoning lot that provides ~~commercial~~ space to a variety of ~~retail~~ commercial uses and has at least twenty thousand (20,000) square feet of gross floor area.

[The term "*commercial*" includes retail as well as things such as insurance and real estate offices, dental offices, and restaurants that are common in multiuse centers.]

Sec. 60.301. Zoning districts established.

(b) Traditional neighborhood districts.

T~~N~~1 traditional neighborhood district

T~~N~~2 traditional neighborhood district

T~~N~~3 traditional neighborhood district

T4 traditional neighborhood district

Sec. 60.307. More restrictive or less restrictive districts.

When the code refers to more restrictive districts or less restrictive districts, the districts in order from more to less restrictive are: CV, CO, RL, R1, R2, R3, R4, RT1, RT2, RM1, RM2, RM3, T~~N~~1, OS, B1, BC, T~~N~~2, B2, T~~N~~3, B3, T4, B4, B5, IR, I1, I2, I3. The VP district shall be as restrictive as the district for which the VP district provides accessory parking.

Chapter 61. Zoning Code - Administration and Enforcement

Sec. 61.402. Site plan review by the planning commission

(b) *Site plan application:*

(5) Alley access; notice. Where a site plan application review has been delegated to the zoning administrator and notification to adjacent property owners is required in section 63.310(f), a notice shall be sent at least ten (10) days prior to a site plan review meeting by

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city staff to the applicant and owners of record of property located within three hundred fifty (350) feet of the proposed alley access. Notice shall be delivered either personally or by mail at the address of the owner contained in the records of the county department of property taxation.

[Strikeout of this section taken off in response to concerns expressed at the public hearing.]

Chapter 62. Zoning Code – Nonconforming Lots, Uses and Structures

Sec. 62.106. Nonconforming uses of structures, or structures and land in combination.

(o) Existing auto body shops located in zones other than industrial zones shall be considered, for purposes of changes in nonconforming uses, as B3 uses. Auto body shops that are legally nonconforming in T2-T4 and B3 zoning districts may expand even though they ~~auto body shops~~ are not permitted uses in ~~B3~~ these zoning districts. Auto service stations in T2, T3 and B2 zoning districts which remove their gas tanks and pumps will be regarded as legal nonconforming auto repair stations. Auto repair stations and auto specialty stores that are legally nonconforming in T2-T4 zoning districts may expand even though they are not permitted uses in these zoning districts.

[Responds to concerns expressed at the public hearing about the impact of making these uses nonconforming through rezoning to T2-T4.]

Chapter 63. Zoning Code - Regulations of General Applicability

Sec. 63.114. Visual screens.

(a) Wherever a visual screen is required by this code, it shall be of sufficient height and density to visually separate the screened activity from adjacent property. The screen may consist of various fence materials, masonry walls, earth berms, plant materials or a combination thereof.

[Masonry walls may be the best option, particularly where there is limited space.]

Sec. 63.122. Travel demand management.

(b) *Applicability.* This section applies to any development or redevelopment, including phased construction, providing ~~requiring~~ one hundred (100) or more accessory off-street parking spaces, and to any change ~~in use~~ resulting in a parking increase of twenty-five (25) percent or fifty (50) accessory off-street parking spaces, whichever is less, and providing ~~requiring~~ one hundred (100) or more parking spaces~~, based upon the parking requirements in sections 63.207 and 63.208~~. TDM plans may be done for other development, but are not required by this section.

[Station area plans generally call for reducing or eliminating accessory parking requirements, and reducing single-use surface parking lots. A proposed change to section 63.207(b) below would eliminate the *minimum* accessory parking *requirement* for light rail station areas. However, accessory parking *may* still be provided, and if provided in the amounts that would trigger travel demand management (TDM) requirements, TDM requirements should apply even if the parking spaces are not "*required*" accessory parking spaces. This proposed change to § 63.122(b) would not only mean that TDM requirements would apply in light rail station areas where there are no parking requirements; it would also mean that TDM requirements would apply in B4 and B5 central business districts where there are no parking requirements. The last sentence provides for TDM plans for smaller parking facilities such as may be required by new language in § 63.207(c) below.]

Sec. 63.207. Parking requirements by use.

(a) *Off-street parking minimum*. The minimum number of off-street parking spaces by type of use shall be determined in accordance with *Table 63.207, Minimum Required Off-Street Parking By Use.*

(b) *Off-street parking reductions*. The minimum number of off-street parking spaces as determined in Section 63.207(a) shall be reduced by one hundred (100) percent in traditional neighborhood districts when more than fifty (50) percent of both the building and the parcel are within ¼ mile of University Avenue ~~between Emerald Street and Marion Street~~, and may also be reduced for:

1. Shared parking, as described in Section 63.206(d);
2. Bicycle parking, as described in Section 63.210(b);
3. Shared vehicle parking, as described in Section 63.211.

Such reduction does not change the requirements of paragraphs (c) and (d) below when minimum parking is exceeded, nor does it change the maximum number of off-street parking spaces permitted for the use.

[Station area plans generally call for reducing or eliminating accessory parking requirements in light rail station areas, where there is less need for parking. This is beneficial in meeting minimum FAR requirements in station areas, and in creating more compact, walkable, transit-oriented development. It can decrease the cost of development and improve housing affordability, particularly for lower income households that tend to have lower auto ownership. Eliminating the minimum parking requirement in light rail station areas allows the market, business and property owners, the individual needs of a development, and the cost of land to have a bigger role in the determination of parking supply, subject to the parking maximum below.]

(c) *Off-street parking maximum.* Surface parking facilities with more than fifteen (15) spaces ~~shall not be created~~ that exceed the specified off-street parking minimum for food and beverage uses by more than two hundred (200) percent, or by more than one hundred (100) percent in light rail station areas, or that exceed the specified minimum for all other uses by more than seventy (70) percent, or by more than forty (40) percent in light rail station areas, shall not be created unless a conditional use permit is approved based on demonstration of need (including in a TDM plan for surface parking facilities with more than fifty (50) spaces in light rail station areas). As an alternative, parking spaces over the maximum may be provided in a structured parking facility.

[Station area plans call for reducing surface parking in order to create more compact, walkable, transit-oriented development. These maximums apply everywhere, including where there is no minimum parking requirement.]

Sec. 63.310. Entrances and exits.

(e) *Alley access from residential property.* ~~Entrances and exits to and from all~~ Off-street parking facilities ~~located on land zoned for~~ in residential ~~use~~ zoning districts shall be permitted access to an alley except where it is determined in the review of a site plan application that permitting alley access may be harmful to the public peace, health and safety.

For parking facilities of seven (7) or fewer parking spaces, the spaces may be directly off of the alley and the maneuvering lane may include the alley.

Uses prohibited alley access elsewhere in the zoning code shall not be permitted alley access by the provisions of this section.

[Without changing "use" to "zoning districts" in (e), the two requirements in (e) and (f) would be internally inconsistent. Adding the alley access provision for 7 or fewer residential parking spaces makes (e) consistent with the same existing provision in (f) below for 7 or fewer nonresidential parking spaces.]

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(f) *Alley access from nonresidential property.* ~~Entrances and exits to and from all~~ Off-street parking facilities ~~which are located on land~~ in nonresidential zoning districts ~~and which~~ abutting residentially zoned land across an alley shall be denied alley access except where the applicant can establish, in the review of a site plan application, that allowance of alley access would not create or aggravate an unsafe condition and one (1) or more of the following conditions exist:

(1) Alternatives to alley access are unsafe due to traffic volumes, traffic speeds, proximity to an intersection, steep slopes, a blind pedestrian crossing, or some other unsafe condition;

(2) The location of existing structures on the property prohibits access to the street;

(3) A comprehensive plan or a neighborhood plan approved by the city council recommends that new off-street parking facilities be located in the rear of development sites or discourage additional curb cuts or driveways across sidewalks; or

(4) The number of parking spaces in the off-street parking facility is seven (7) or fewer ~~less~~.

If a new alley access is proposed which will serve eight (8) or more parking spaces, notice to adjacent property owners and opportunity for them to comment shall be provided in the manner set forth in section 61.402(b)(5). ~~Decisions to grant or deny alley access are subject to appeal pursuant to the provisions of section 61.700.~~

For parking facilities of seven (7) or fewer parking spaces, the spaces may be directly off of the alley and the maneuvering lane may include the alley.

Uses prohibited alley access elsewhere in the zoning code shall not be permitted alley access by the provisions of this section.

[Strikeout of the requirement for notice to adjacent property owners for new alley access taken off in response to concerns expressed at the public hearing. The appeal provisions in Sec. 61.700 apply to all administrative, BZA and Planning Commission decisions pertaining to the zoning code, and need not/should not be called out in individual paragraphs.]

Sec. 63.210. Bicycle parking.

(a) *Bicycle parking required.* Bicycle parking shall be provided according to the greater of the following:

(1) Off-street parking facilities shall provide a minimum of one (1) secure bicycle parking space for every twenty (20) motor vehicle parking spaces, disregarding fractional bicycle spaces. A minimum of one (1) secure bicycle parking space shall be provided for an off-street parking facility with twelve (12) or more motor vehicle parking spaces~~.~~; or

(2) For dwelling units, a minimum of one (1) secure bicycle parking space shall be provided for every fourteen (14) dwelling units. A fractional space up to and including one-half (½) shall be disregarded, and any fraction over one-half (½) shall require one (1) secure bicycle parking space.

[This would require bicycle parking even if no vehicle parking spaces are provided.]

. . .

(c) *Location and design.* The following standards shall apply to bicycle parking provided to meet the requirements of subsections (a) and (b) above:

. . .

(5) For the purposes of this section, ~~a~~ secure bicycle parking ~~space~~ is an area and facility used for the securing of bicycles. This term shall include enclosed bicycle storage, covered bicycle racks or fixed bicycle racks which permit the locking of the bicycle frame and one

(1) wheel to the rack and support the bicycle in a stable position, anchored to prevent easy removal.

Sec. 63.313. Visual screening.

For off-street parking facilities that ~~which~~ adjoin ~~or abut across an alley,~~ a residential use or zoning district, a visual screen shall be provided and maintained as required in section 63.114, Visual screens. For off-street parking facilities that abut a residential use or zoning district across an alley, one of the following shall be provided and maintained as determined by the zoning administrator as part of site plan review:

(a) A visual screen as required in section 63.114, Visual screens; or

(b) An ornamental metal fence or other non-screening, durable fence where security concerns make this preferable to a visual screen.

Chapter 64. Zoning Code - Signs

Sec. 64.401. All signs.

. . .

(o) If a building will contain multiple uses, a comprehensive sign program ~~and a uniform sign theme~~ shall be established. ~~Signs shall be designed with common or compatible sizes, shapes and materials.~~

[The deleted language is difficult and unreasonable to interpret and administer.]

Sec. 64.502. RL-RM3 ~~through RM3~~ residential and entirely residential uses in T1-T4 traditional neighborhood districts.

Sec. 64.503. T~~N~~1-~~TN3~~T4 traditional neighborhood and OS-BC business districts.

(a) *Business and identification signs:*

(1) The sum of the gross surface display area in square feet of all business signs on a lot shall not exceed one and one-half (1½) times the lineal feet of lot frontage, or seventy-five (75) square feet, whichever is greater.

[This would reduce the extent to which many lots would be made nonconforming as to sign area by rezoning most remaining B2-B3 areas to T2-T4. The sign area allowed in B2-B3 is 2 sq. feet of sign area per lineal foot of lot frontage. A maximum of one sq. foot of sign area per lineal foot of frontage is not enough for desired new development in these districts. A variance to allow 1.47 sq. feet of sign area per lineal foot of lot frontage for the Frogtown Square project is supported by District 7.]

. . .

(3) One (1) projecting sign per entrance on a street frontage is permitted, except in the BC community business (converted) district where they are not permitted. There shall be a minimum of twenty (20) feet of lot frontage per projecting sign, and a projecting sign shall be a minimum distance of twenty (20) feet from any other projecting sign. Signs may project into a public right-of-way up to three (3) feet. The maximum display area shall be

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sixteen (16) square feet per side. The highest point on a projecting sign shall be no more than thirty (30) feet above grade.

[Projecting signs are a traditional sign form that was overlooked in the creation of the traditional neighborhood districts. The added language permits them in traditional neighborhood, OS and B1 districts with the restrictions in the B2 district plus restrictions in the Grand Avenue Special Sign District. Projecting signs would not be permitted in the BC community business (converted) district, which is designed specifically to retain the residential character of houses converted for business uses.]

(4)(~~3~~) No sign shall project higher than thirty-seven and one-half (37½) feet above grade, except wall signs and freestanding signs on zoning lots abutting principal and intermediate arterials. Wall signs may project to the height allowed by the height restriction in the zoning code. On zoning lots which abut a principal or intermediate arterial, one (1) freestanding sign may project to thirty-seven and one-half (37½) feet above the surface of the arterial.

~~(4) Sign materials shall be compatible with the original construction materials and architectural style of the building facade on or near which they are placed. Natural materials such as wood and metal are generally more appropriate than plastic.~~

[The deleted language is difficult and unreasonable to interpret and administer.]

. . .

(b) *Temporary signs:*

. . .

(3) For all uses, one sign not exceeding a total of ~~four (4)~~ fifty (50) square feet in area identifying an engineer, architect or contractor engaged in, or product used in, the construction of a building.

[4 sq. feet is an unreasonable and problematic standard. 50 sq. feet is the standard in residential districts.]

Chapter 65. Zoning Code - Land Use Definitions and Development Standards

Sec. 65.153. Community residential facility, licensed human service.

(b) In RL--RT1 residential districts, the facility shall serve six (6) or fewer facility residents. In RT2 residential, ~~TN1-TN3~~ traditional neighborhood, OS--B3 business and IR--I2 industrial districts, the facility shall serve sixteen (16) or fewer facility residents.

Sec. 65.158. Shelter for battered persons.

(a) In residential, ~~TN1-TN3~~ traditional neighborhood and OS--B2 business districts, a conditional use permit is required for facilities serving more than four (4) adult facility residents and minor children in their care.

(d) In RL--RT2 residential, ~~TN1-TN3~~ traditional neighborhood, OS--B3 business and IR--I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.

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Sec. 65.159. Transitional housing facility.

(a) In residential, ~~TN1-TN3~~ traditional neighborhood and OS--B2 business districts, a conditional use permit is required for facilities serving more than four (4) adult facility residents and minor children in their care.

(d) In RL--RT1 residential districts, the facility shall serve six (6) or fewer adult facility residents and minor children in their care. In RT2 residential, ~~TN1-TN3~~ traditional neighborhood, OS--B3 business and IR--I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.

Sec. 65.452. Hospital.

An institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

~~*Standards and conditions:*~~

~~(a) In RM2-RM3 residential and TN2-TN3 traditional neighborhood districts, hospitals and other similar health and medical institutions shall qualify as nonprofit institutions under the laws of the state, and the site shall have direct access to an arterial or collector street.~~

~~(b) In RM2-RM3 residential districts, all such hospitals and similar health and medical institutions shall be developed only on sites consisting of at least five (5) acres in area, there shall be no height limitations placed on the principal structure, and the minimum distance of any main or accessory building from bounding lot lines or streets shall be at least fifty (50) feet for front, rear, and side yards for all two-story structures. For every story above two (2) the minimum yard distance shall be increased by at least twenty (20) feet~~.

[Hospitals were allowed in residential zoning districts because there used to be many small neighborhood hospitals. Metropolitan hospitals have evolved into large institutions that are not appropriate uses in residential districts. The last St. Paul hospital in a residential zoning district, Midway Hospital (now HealthEast's Midway facility), is being rezoned to T3 as part of the Central Corridor zoning study. Therefore, it is time to delete hospitals from the list of uses allowed in residential districts, and also to delete standards and conditions that were necessary for hospitals in residential districts but not in other districts.]

Sec. 65.510. General retail.

Standards and conditions:

~~In TN2-TN3 traditional neighborhood districts, these uses are intended to be of a moderate size compatible with neighborhood-level retail.~~ ~~, and~~ In traditional neighborhood districts, a conditional use permit is required for establishments of more than ~~10,000~~ fifteen thousand (15,000) square feet in ~~gross~~ floor area to ensure size and design compatibility with the particular location.

[Compatibility is related to site and design factors; what works well may vary from one particular neighborhood commercial location to another. 15,000 sq., ft. is consistent with the size of neighborhood drug stores and small grocery stores that are encouraged in these districts and should be permitted by right. Larger stores can also be important anchor stores in some of these areas, but careful consideration of site and design factors become more important. "Gross" floor area is specifically only for computing shared parking.]

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Sec. 65.513. Drive-through sales and services, primary and accessory.

Additional conditions in the T~~N~~2 traditional neighborhood district:

(g) The number of curb cuts shall be minimized. In light rail station areas, there shall generally be no more than one (1) curb cut on a block face per drive-through. Drive-through sales and services are prohibited along the entire length of block faces adjacent to light rail transit station platforms.

[Consultants said limit curb cuts in station areas to protect the transit-friendly, pedestrian-oriented environment. The number of curb cuts on a block face would be reviewed by the Planning Commission as part of the CUP.]

Sec. 65.518. Garden center, outdoor.

Standards and conditions in ~~TN2-TN3~~ traditional neighborhood districts:

Sec. 65.532. Photocopying.

Standards and conditions:

In the T~~N~~1 traditional neighborhood district, the total floor area shall not exceed two thousand five hundred (2,500) square feet. In T~~N~~2-T~~N3~~4 traditional neighborhood districts, ~~the total floor area shall not exceed 10,000~~ a conditional use permit is required for establishments of more than fifteen thousand (15,000) square feet.

[Change to be consistent with condition for *general retail*.]

Sec. 65.534. Service business with showroom or workshop.

Standards and conditions in traditional neighborhood districts:

(a) A conditional use permit is required for establishments of more than fifteen thousand (15,000) square feet.

(b) ~~In TN2-TN34 traditional neighborhood districts, t~~The showroom or sales area shall be located at the front of the building and designed in a manner consistent with traditional storefront buildings~~, and total floor area shall not exceed ten thousand (10,000) square feet~~. All storage and workshop activities shall be done within a completely enclosed building.

[CUP condition consistent with that for *general retail*.]

Sec. 65.612. Coffee shop, tea house.

Standards and conditions in T~~N~~2-T~~N3~~4 traditional neighborhood districts:

See section 65.613, restaurant.

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Sec. 65.613. Restaurant.

Standards and conditions:

~~In TN2-TN3 traditional neighborhood districts, these uses are intended to be of a moderate size compatible with neighborhood-level retail.~~ ~~, and~~ In traditional neighborhood districts, a conditional use permit is required for establishments of more than ~~10,000~~ fifteen thousand (15,000) square feet in ~~gross~~ floor area to ensure size and design compatibility with the particular location. ~~Drive-through uses (primary or accessory) are not allowed in TN2-TN3 traditional neighborhood districts unless specifically permitted by a conditional use permit.~~

[Change to be consistent with condition for *general retail*. Permitted/conditional uses are covered by the use table in Sec. 66.321; the information should not be duplicated here.]

Sec. 65.615. Restaurant, fast-food.

Standards and conditions (except in the B4-B5 business districts):

(a) Except in I1-I2 industrial districts, a conditional use permit is required for establishments of more than 10,000 square feet in ~~gross~~ floor area, and for any establishment with drive-through service, to ensure compatibility with the particular location. ~~In TN2-TN3 traditional neighborhood districts, these uses are intended to be of a moderate size compatible with neighborhood-level retail.~~

(b) In the B2 community business district, fast-food restaurants shall be incorporated within a multi-use ~~retail~~ center, and shall not provide drive-through service.

[Change to match the defined term in Sec. 60.214.]

Sec. 65.644. Indoor recreation.

Additional standards and conditions in ~~TN2-TN3~~ traditional neighborhood districts:

Sec. 65.701. Auto body shop.

A shop in the business of making substantial repairs to the shell or body of any automobile, and of major or substantial painting of the shell or body, and where the following services may also be carried out: general auto repair; engine rebuilding; rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; overall painting and undercoating.

Standards and conditions:

In the IR light industrial restricted district this use shall be limited to parcels within ¼ mile of University Avenue, subject to standards and conditions (b) and (e) in section 65.703, auto service station, and there shall be no outside storage.

Sec. 65.702. Auto convenience market.

Standards and conditions:

(a) The use is subject to standards and conditions (a), (b), (d), (e), and (g~~f~~) in section 65.703, auto service station.

[Conditions in § 65.703 added and rearranged; (f) does not apply to auto convenience markets.]

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Sec. 65.703. Auto service station.

Standards and conditions:

(a) The construction and maintenance of all driveways, curbs, sidewalks, pump islands . . .

(b) A ten-foot buffer area . . . adjoining an existing residence or residentially zoned property.

(c) The minimum lot area shall be. . . subject to all other provisions herein required.

(d) Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.

Additional standards and conditions in traditional neighborhood districts:

(e) The principal building shall comply with the dimensional standards and design guidelines . . . aesthetics or buffering of neighboring uses.

Additional standards and conditions in traditional neighborhood and IR industrial districts:

(f~~d~~) All vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or defined parking spaces in compliance with section 63.301.

(g~~e~~) There shall be no exterior storage. Space for accessory outdoor sales of goods or equipment shall be limited to two hundred (200) square feet~~, other than the dispensing of motor fuel~~.

(h) In the T2 traditional neighborhood and IR light industrial restricted districts this use shall be limited to parcels within ¼ mile of University Avenue.

Sec. 65.705. Auto repair station.

A place where the following services may be carried out: general repair of automobiles, trucks, motorcycles, boats, etc.; engine rebuilding; and rebuilding or reconditioning of motor vehicles. The sale of engine fuels may or may not also be carried on.

Standards and conditions:

(a) The minimum lot area shall be fifteen thousand (15,000) square feet.

(b) A ten-foot landscaped buffer with screen planting and an obscuring fence shall be required along any property line adjoining an existing residence or adjoining land zoned residential.

(c) All repair work shall be done within an enclosed building.

(d) There shall be no outside storage.

(e) In the IR light industrial restricted district this use shall be limited to parcels within ¼ mile of University Avenue, and all vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or defined parking spaces in compliance with section 63.301.

Sec. 65.706. Auto sales and rental, outdoor.

Outdoor sales space for the sale or rental of new, secondhand, or pawned automobiles, trucks, motorcycles, trailers, or boats.

Standards and conditions:

(a) A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking. The lot or area shall be provided with a permanent, durable and

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dustless surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.

(b) Vehicular access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.

(c) No repair or refinishing shall be done on the lot unless conducted within a completely enclosed building.

(d) Except in the IR light industrial restricted district, the minimum lot area shall be fifteen thousand (15,000) square feet. ~~A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking.~~

(e) In the IR light industrial restricted district this use shall be limited to parcels within ¼ mile of University Avenue, limited to automobile rental only (no sales), and limited to no more than twelve (12) ~~vehicles~~ automobiles for rent on the site at any time.

(f~~e~~) In the case of pawnbrokers, the businesses shall be separated from residentially zoned property by a distance of one hundred fifty (150) feet measured from property line to property line; . . .

Sec. 65.731. Parking facility, commercial.

An off-street parking facility, not accessory to any principal use, for which a fee is charged for the privilege of parking.

Standards and conditions in ~~the TN3~~ traditional neighborhood ~~development~~ and IR industrial districts:

(a) In T3M districts, the facility shall be in a mixed use area identified in the master plan for the district. [Parking facilities may be in districts without a master plan.]

(b) At least fifty (50) percent of the length of any parking structure facade adjacent to a public street shall consist of retail, office, civic, institutional, ~~or other similar non~~residential, or other similar non-parking uses at street level.

(c) All parking spaces shall be underground or within a parking structure. Thirty (30) percent of the floor area of the commercial parking facility may be counted toward meeting the minimum floor area ratio.

[Station area plans generally call for reducing or eliminating accessory parking requirements, getting away from single-use surface parking lots, and providing opportunities for more efficient publicly or privately owned and operated parking ramps for shared use by area destinations, incorporating non-parking uses (that may include civic, institutional and residential uses as well as retail and office uses) on the first floor along the street edges.

Proposed amendments to the *Traditional Neighborhood District Dimensional Standards Table* would apply the minimum floor area ratio (FAR) to parking structures in the T3 district, and require it for parking structures in the new T4 district, to ensure that parking structures help achieve the desired densities for these districts. Active first floor uses along the street edges alone would not be enough to meet these minimum FAR requirements for commercial parking facilities if they are located on a separate lot that does not include other principal uses. Therefore, paragraph (c) in this section is written to allow use of a portion of the floor area of a commercial parking facility toward meeting the minimum floor area ratio in these districts.]

Sec. 65.773. Limited production and processing.

Standards and conditions:

(a) In traditional neighborhood ~~development~~ districts, a conditional use permit is required for such uses with more than ~~five~~ fifteen thousand (15,000) square feet of ~~gross~~ floor area~~, and total floor~~

~~area shall not exceed ten thousand (10,000) square feet~~ to ensure size and design compatibility with the particular location.

[CUP standard consistent with *general retail.* "Gross" floor area is used only for computing shared parking.]

Sec. 65.774. Malt liquor production ~~manufacturing~~.

Standards and conditions in traditional neighborhood and ~~B2-B5~~ business districts.

(a) ~~The manufacturing shall be conducted in conjunction with a brew on premises store.~~ In traditional neighborhood and B2 business districts, a conditional use permit is required for such uses with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.

(b) Fewer than ~~two~~ five thousand (~~2~~5,000) barrels of malt liquor shall be produced ~~manufactured~~ in a year.

(c) The malt liquor shall not be ~~served~~ sold to customers for consumption on the site where manufactured.

Sec. 65.776. Printing and publishing.

Standards and conditions:

In traditional neighborhood ~~development~~ and B2 business districts, a conditional use permit is required for such uses with more than ~~five~~ fifteen thousand (15,000) square feet of ~~gross~~ floor area~~, and total floor area shall not exceed ten thousand (10,000) square feet~~ to ensure size and design compatibility with the particular location.

[CUP standard consistent with *general retail.* "Gross" floor area is used only for computing shared parking.]

Sec. 65.910. Accessory use or accessory.

A building, structure or use which is clearly incidental to, customarily found in connection with, . . . located on the same zoning lot as, the principal use to which it is related. . . .

(h) Uses clearly incidental to a main use such as, but not limited to, offices of an industrial or commercial complex ~~located on the site of the commercial or industrial complex~~; greenhouses ~~located on the premises as~~ accessory and incidental to a florist; and auto rental accessory and incidental to a hotel or railroad passenger station. . . .

[By definition accessory uses must be located on the same zoning lot. Auto rental is a common and useful accessory use to hotels and passenger terminals in transit-oriented areas where alternatives to private auto dependence are encouraged.]

(m) An enclosed, single-bay car wash operated in conjunction with an auto convenience market or auto service station.

(n) Auto detailing and minor servicing of automobiles within and for users of a parking structure with more than fifty (50) parking spaces, using no more than ten (10) percent of the floor area of the parking facility.

(o~~n~~) Food shelf when located in . . .

(p~~o~~) Radio and television receiving antennas including . . .

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Chapter 66. Zoning Code - Zoning District Uses, Density and Dimensional Standards

ARTICLE III. 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS

Division 1. 66.310. Intent

Sec. 66.311. General intent, T~~N~~ traditional neighborhood districts.

T~~N~~ traditional neighborhood districts are intended to foster the development and growth of compact, pedestrian-oriented urban villages. All ~~three (3)~~ <u>four (4)</u> districts are intended to encourage a compatible mix of commercial and residential uses within buildings, sites and blocks; new development in proximity to major transit streets and corridors; and additional choices in housing.

Sec. 66.312. Intent, T~~N~~1 traditional neighborhood district.

The T~~N~~1 traditional neighborhood district is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land along major thoroughfares, between commercial or industrial districts and residential districts or other less intensive land uses.

Sec. 66.313. Intent, T~~N~~2 traditional neighborhood district.

The T~~N~~2 traditional neighborhood district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods.

Sec. 66.314. Intent, T~~N~~3 traditional neighborhood district.

The T~~N~~3 traditional neighborhood district provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:

. . .

The T~~N~~3 district is also intended for smaller sites in an existing mixed-use neighborhood center where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential "urban village" site. The above elements may be found within the T~~N~~3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance.

<u>Sec. 66.315. Intent, T4 traditional neighborhood district.</u>

<u>The T4 traditional neighborhood district provides for high-density, transit-supportive, pedestrian-friendly mixed-use development. It is particularly intended for use near transit stops along fixed rail transit (including commuter rail, light rail and trolley) corridors, where a greater reliance on transit makes high-density mixed-use development possible and desirable.</u>

Division 2. 66.320. Principal Uses in Traditional Neighborhood Districts

Sec. 66.321. Principal uses.

Table 66.321, principal uses in traditional neighborhood districts, lists all permitted and conditional uses in the T~~N~~1-T~~N~~3<u>4</u> traditional neighborhood districts, and notes applicable development standards

and conditions.

Table 66.321. Principal Uses in Traditional Neighborhood Districts

Use	~~TN1~~	~~TN2~~	~~TN3~~	T4	Development Standards
Residential Uses					
Dwellings					
One-family dwelling	P	P	P		✓
Two-family dwelling	P	P	P		
Townhouse	P	P	P	P	
Multiple-family dwelling	P	P	P	P	
Carriage house dwelling	C	C	P		✓
Housing for the elderly	P	P	P	P	
Mixed Commercial-Residential Uses					
Home occupation	P	P	P	P	✓
Live-work unit	P	P	P	P	✓
Mixed residential and commercial use	P	P	P	P	
Congregate Living					
Foster home, freestanding foster care home	P	P	P	P	
Community residential facility, licensed human service	P	P	P	P	✓
Community residential facility, licensed correctional	C	C	C	C	✓
Community residential facility, health department licensed	C	C	C	C	✓
Emergency housing facility	C	C	C	C	✓
Shelter for battered persons	P/C	P/C	P/C	P/C	✓
Transitional housing facility	P/C	P/C	P/C	P/C	✓
Sober House	P/C	P/C	P/C	P/C	✓
Roominghouse, boardinghouse	C	P	C	C	✓
Nursing home, boarding care home, assisted living	P	P	P	P	✓
Hospice	P	P	P	P	✓
Dormitory	P/C	P	P	P	✓
Fraternity, sorority	P/C	P	P	P	✓
Civic and Institutional Uses					
Educational Facilities					
Day care	P	P	P	P	✓
School, grades K--12	P	P	P	P	✓
College, university, seminary, etc.	P	P	P	P	✓
Trade school, arts school, dance school, etc.	P	P	P	P	
Social, Cultural, and Recreational Facilities					
Club, fraternal organization, lodge hall		P	P	P	
Museum	P/C	P	P	P	✓
Public library	P	P	P	P	
Public and private park, playground	P	P	P	P	
Recreation, noncommercial	P	P	P	P	
Religious Institutions					

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Church, chapel, synagogue, place of worship	P	P	P	P	
Rectory, parsonage	P	P	P	P	✓
Convent, monastery, religious retreat	P	P	P	P	✓
Public Services and Utilities					
Antenna, cellular telephone	P/C	P/C	P/C	P/C	✓
Municipal building or use	P	P	P	P	✓
Utility or public service building	C	C	C	C	✓
Commercial Uses					
Offices					
Administrative office	P	P	P	P	
Artist, photographer studio, etc.	P	P	P	P	
Insurance office, real estate office, sales office	P	P	P	P	
Professional office	P	P	P	P	
Medical Facilities					
Clinic, medical or dental	P	P	P	P	
Hospital		C	C	C	✓
Medical laboratory	P	P	P	P	
Veterinary clinic		P	P	P	✓
Retail Sales and Services					
General retail		P/C	P/C	P/C	✓
Bank, credit union	P	P	P	P	
Business sales and services		P	P		
Drive-through sales and services, primary and accessory		C			✓
Dry cleaning, commercial laundry		P	P	P	✓
Food and related goods sales		P/C	P/C	P/C	✓
Food shelf	P	P	P	P	
Garden center, outdoor		P	P	P	✓
Laundromat, self-service		P	P	P	
Liquor store		P/C	P/C	P/C	✓
Massage center	P	P	P	P	
Mortuary, funeral home		P	P	P	
Photocopying	P	P/C	P/C	P/C	✓
Post office	P	P	P	P	
Service business	P	P	P	P	✓
Service business with showroom or workshop		P/C	P/C	P/C	✓
Small appliance repair		P	P	P	
Tattoo shop		P	P	P	
Tobacco shop		P	P	P	
Food and Beverages					
Brew on premises store		P	P	P	✓
Catering		P	P	P	
Coffee shop, tea house	P/C	P/C	P/C	P/C	✓
Restaurant		P/C	P/C	P/C	✓
Restaurant, carry out, deli		P/C	P/C	P/C	✓
Restaurant, fast food		P/C	P/C	P/C	✓

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Restaurant, outdoor		P	P	P	✓
Commercial Recreation, Entertainment and Lodging					
Bed and breakfast residence	P	P	P	P	✓
Hotel, inn		P	P	P	
Health/sports club		P	P	P	
Indoor recreation		C	C	C	✓
Reception hall			C	C	
Theater, assembly hall		C	C	C	✓
Automobile Services					
Auto convenience market		C	C		✓
Auto service station		C	C		✓
Parking Facilities					
Parking facility, commercial			C	C	✓
Transportation					
Bus or railroad passenger station			C	C	
Railroad right-of-way	C	C	C	C	✓
Limited Production and Processing					
Limited production and processing		P/C	P/C	P/C	✓
Mail order house		P	P	P	
Malt liquor production		P/C	P/C	P/C	✓
Printing and publishing		P/C	P/C	P/C	✓
Accessory Uses					
Accessory use	P	P	P	P	

[One- and two-family dwellings are not appropriate in the new higher-density T4 district. Auto service stations are common neighborhood-oriented businesses that fit the intent of T2 as long as they conform to the additional conditions, dimensional standards and design guidelines that apply in T2. Likewise, fraternal organizations, business sales and services, and mail order houses (which can be fairly small) fit the intent of certain traditional neighborhood districts as noted above if they conform to the additional conditions, dimensional standards and design guidelines that apply in traditional neighborhood districts. Reception halls, commercial parking facilities, and bus or railroad passenger stations, proposed as "C" conditional uses in T3-4 districts, are worthy of the additional review of a conditional use permit process to ensure that in a specific case they fit the particular location and comply with applicable subarea or station area plans. Station area plans generally call for reducing or eliminating accessory parking requirements, getting away from single-use surface parking lots, and providing opportunities for more efficient publicly or privately owned and operated parking ramps for shared use by area destinations (such as commercial parking facilities).]

Division 3. 66.330. Traditional Neighborhood District Density and Dimensional Standards

Sec. 66.331. Density and dimensional standards table.

Table 66.331, traditional neighborhood district dimensional standards, sets forth density and dimensional standards that are specific to traditional neighborhood districts. These standards are in addition to the provisions of chapter 63, regulations of general applicability. Where an existing building does not conform to the following requirements, the building may be expanded without fully meeting the requirements as long as the expansion does not increase the nonconformity.

Table 66.331. Traditional Neighborhood District Dimensional Standards

Building Type by Zoning District	Density	Lot Size Minimum (per unit)		Height (feet)		Yard Setbacks (feet)		
	Min. - Max. (a)	*Area (sq. ft.)(a)*	*Width (feet)*	*Min. ~~(stories)~~*	*Max. ~~(feet)~~*	*Front Min. - Max.*	*Side Min.*	*Rear Min.*
T~~N~~1								
1-family dwelling	6 - 12 units/acre (b)	3500 (b)	30	none	35 ~~(d)~~ (e)	15 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	15
2-family/townhouse	8 - 20 units/acre (b)	2000 (b)	20	none	35 ~~(d)~~ (e)	10 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	15
Multifamily	10 - 25 units/acre (b)	1700 (b)	n/a	none	35 ~~(d)~~ (e)	~~15~~ 10 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	~~(i)~~ (k)
Nonresidential or mixed use ~~(including parking structures)~~	0.3 - 1.0 FAR	n/a	n/a	none	35 ~~(d)~~ (e)	0 - 15	~~(i)~~ (k)	~~(i)~~ (k)
T~~N~~2								
1-family dwelling	6 - 12 units/acre (b)	3500 (b)	30	none	35 ~~(d)~~ (e)	15 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	15
2-family/townhouse	8 - 20 units/acre (b)	2000 (b)	20	none	35 ~~(d)~~ (e)	10 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	15
Multifamily	~~10 - 34 units/acre (b)~~ FAR as for mixed use	~~1,300 (b)~~ n/a	n/a	none	35 ~~(d),~~(e),(f)	~~15~~ 10 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	~~(i)~~ (k)
Nonresidential or mixed use ~~(including parking structures)~~	~~0.5~~ 0.3 - 2.0 FAR with surface parking and ~~0.5~~ 0.3 - 3.0 FAR with structured parking (c)	n/a	n/a	none	35 ~~(d),~~(e),(f)	0 - 10 (j)	~~(i)~~ (k)	~~(i)~~ (k)
T~~N~~3								
1-family dwelling	8 - 12 units/acre (b)	3500 (b)	30	25	35 ~~(d)~~ (e)	15 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	15
2-family/townhouse	10 - 20 units/acre (b)	2000 (b)	20	25	35 ~~(d)~~ (e)	10 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	15
Multifamily	~~30 - 44 units/acre (b)~~ 0.5 - 3.0 FAR (d)	~~1,000 (b)~~ n/a	n/a	25	45 ~~(d),(f),(j)~~ (e),(g),(l)	~~15~~ 10 - 25 ~~(h)~~ (i)	~~(i)~~ (k)	~~(i)~~ (k)
Nonresidential or mixed use	~~1.0~~ 0.5 - 3.0 FAR (d)	n/a	n/a	25	55 ~~(f),(j)~~ (e),(g),(l)	0 - 10 (j)	~~(i)~~ (k)	~~(i)~~ (k)
~~Parking structures~~	~~n/a~~	~~n/a~~	~~n/a~~	~~n/a~~	~~45 (g)~~	~~0 - 25~~	~~20~~	~~20~~
T4								
Multifamily	0.5 min. FAR (d)	n/a	n/a	25	75 (e),(h)	10 - 25 (i)	(k)	(k)
Nonresidential or mixed use	0.5 min. FAR (d)	n/a	n/a	25	75 (e),(h)	0 - 10 (j)	(k)	(k)

Min. - Minimum Max. - Maximum FAR - Floor Area Ratio n/a - not applicable

[Minimum FAR was adopted in 2004 with the expectation that it would be reviewed after a few years of experience. The minimum 0.5 and 1.0 FAR for nonresidential development in T2 and T3 has been the most problematic of the new TN standards, unrealistically high even with underground parking. The commercial development in traditional neighborhood districts closest to meeting the minimum FAR in the last 6 years was a 0.38 FAR for a Trader Joe's with underground parking. An office building needing less parking per sq. foot than most retail got a parking variance and managed a 0.38 FAR. Other retail uses with surface parking in traditional neighborhood districts, including a credit union and a grocery store, have only managed to achieve a density in the 0.25 FAR range. Peter Calthorpe's book *The Next American Metropolis*, which provides principles and standards for building patterns consistent with traditional neighborhood districts, recommends a minimum 0.3 FAR for retail with surface parking, and goes on to state that as land values rise, structured parking (and therefore higher density) will become economically feasible. A minimum 0.3 FAR in T2 and minimum 0.5 FAR in T3 are more realistic, but not easy, standards for commercial uses with surface parking.

The density standard for "*multifamily*" buildings in T2 and T3 is changed from units/acre to FAR, consistent with the standard for multifamily uses in a mixed-use building. The FAR would then be the same for multifamily uses whether or not there is some other mixed use in the building, and there would be no density requirement issues with changing the use of a building form multifamily to mixed use or from mixed use to multifamily. This change is also eliminates a disincentive to providing smaller, less expensive multifamily units.

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The "*parking structures*" building type in T3 is folded into the "*nonresidential or mixed use*" building type row to be consistent with T1, T2, and T4 and have a minimum floor area ratio requirement apply to commercial parking facilities. Parking structures that serve a nonresidential use are a nonresidential building type; this does not need to be noted in the table with the language "(including parking structures)." A 2-car garage providing parking for a single-family house is a parking structure that should be regulated as an accessory residential structure, not as a "*nonresidential or mixed use*" building type in this table.]

Notes to table 66.331, traditional neighborhood district dimensional standards:

(a) ~~Units per acre is calculated based on net acreage for residential development. Density based on units per acre must be calculated for parcels of an acre or more in size. For smaller parcels, the maximum number of units may be calculated based upon minimum lot size per unit.~~ In calculating the area of a lot that adjoins a dedicated public alley, for the purpose of applying minimum lot area and maximum density requirements, one-half the width of such alley adjoining the lot shall be considered ~~as~~ part of the lot. The minimum FAR applies to new buildings. The minimum FAR does not apply to the creation or reconfiguration of lots, or to removal of buildings. For a new building on a zoning lot where an existing building will remain, or where the new building and its associated parking and landscaping will cover only part of the site and leave the rest of the site open for an additional building, minimum FAR may be calculated based on the area of the site covered by the new building and its associated parking and landscaping. Public gathering~~, landscaped, public art, and outdoor seating~~ areas, landscaped areas at least twenty (20) feet wide preserved for future development between the public right-of-way and parking, and land dedicated to the city as public right-of-way may be approved by the planning administrator as counting toward meeting the minimum FAR.

[This is language from the CC overlay district to allow additions, etc. to a site that gets closer to the minimum FAR. The first sentence is moved to (b) below.]

(b) Units per acre is calculated based on net acreage. Density based on units per acre must be calculated for parcels of an acre or more in size. For smaller parcels, the maximum number of units may be calculated based upon minimum lot size per unit. [Moved here from (a).]

In calculating the area of a lot for the purpose of applying lot area and density requirements, the lot area figure may be increased by three hundred (300) square feet for each parking space (up to two parking spaces per unit) within a multiple-family structure or otherwise completely underground. Parking spaces within an above-ground parking structure, except for those on the top level, may also be used for this lot area bonus. The maximum number of units possible on a lot using this lot area bonus can be calculated using the formula X = L ÷ (A--600), where X = maximum units allowed, L = lot area in square feet, and A = required lot area per unit in square feet. A site plan showing parking layout and dimensions shall be required when applying for this lot area bonus.

(c) Floor area ratio (FAR) shall be prorated upon the percentage of required parking that is provided as structured parking. A minimum FAR of 0.5 is required in light rail station areas. Thirty (30) percent of the floor area of structured parking within, above, or below the principal structure may be counted toward meeting the minimum FAR.

[A higher FAR is possible and appropriate in light rail station areas, where there is less need to use space for parking and a desire to create more compact, walkable, transit-oriented development. The minimum 0.5 FAR is a challenge for retail development even with structured parking. The new language for counting part of the floor area of structured parking within, above, or below the principal structure toward the minimum FAR addresses this and is an added incentive for the most land-efficient and also the most expensive structured parking.]

(d) 1.0-3.0 FAR in light rail station areas for lots more than twenty-five thousand (25,000) square feet in area, with no maximum FAR in T4. ~~Thirty (30) percent of~~ The floor area of structured parking ~~within,~~ above~~,~~ or below ~~the~~ space used for principal ~~structure~~ uses, up to an amount equal to the floor area of the principal uses, may be counted toward meeting the minimum FAR. For lots more than twenty-five thousand (25,000) square feet partly in a light rail station area,

minimum FAR shall be prorated upon the percentage of the lot in a light rail station area.

[A higher FAR is possible and appropriate for lots of more than 25,000 sq. feet in light rail station areas, where there is less need to use space for parking, there is a desire to create more compact, walkable, transit-oriented development, and the lot is large enough for efficient structured parking. The minimum 1.0 FAR is a challenge, particularly for retail development, even with structured parking. The language for counting part of the floor area of structured parking within, above, or below the principal structure toward the minimum FAR addresses this and is an added incentive for the most land-efficient and also the most expensive structured parking.]

(e~~d~~) Except in the river corridor overlay district, height of structures may exceed the maximum if set back from side and rear setback lines a distance equal to additional height. Structures shall be no more than twenty-five (25) feet high along side and rear property lines abutting RL-RT2 residential districts; structures may exceed this twenty-five (25) foot height limit if stepped back from side and rear property lines a distance equal to the additional height.

[This added language is part of the response to concerns expressed at the public hearing to limit heights next to low-density residential parcels. It is consistent with residential dimensional standards: RM2 allows a 50 ft. high building set back 25 ft. from property lines.]

(f~~e~~) A maximum height of forty-five (45) feet may be permitted with a conditional use permit when the structure is within six hundred (600) feet of an existing or planned transit stop on a designated transit street. A maximum height of sixty-five (65) feet may be permitted with a conditional use permit for property along University Avenue within six hundred (600) feet of an existing or planned transit stop, except on the following blocks, where heights greater than forty-five (45) feet would generally be incompatible with the surrounding neighborhoods: north side of University between Aldine Street and St. Albans Street, and between Kent Street and Galtier Street; and south side of University between Oxford Street and St. Albans Street, and between Mackubin Street and Galtier Street.

(g~~f~~) Except in the river corridor overlay district, a maximum height of ninety (90) feet may be permitted with a conditional use permit. Structures shall be stepped back one (1) foot from all setback lines for every two and one-half (2½) feet of height over seventy-five (75) feet. A shadow study may be required for a conditional use permit application to help determine the impact of the additional height.

[This step back requirement over 75 ft. is consistent with Height District II along University Avenue in the zoning code from 1922-1975, and with consultant recommendations.]

~~(g) Except in the river corridor overlay district, a maximum height of sixty-five (65) feet may be permitted with a conditional use permit.~~

[This applied only to parking structures in T3, which have been folded into the "nonresidential or mixed use" row (which would then include nonresidential parking structures) to be consistent with T1, T2, and T4 and have a minimum floor area ratio requirement apply to commercial parking facilities.]

(h) Additional height may be permitted with a conditional use permit. Structures shall be stepped back one (1) foot from all setback lines for every two and one-half (2½) feet of height over seventy-five (75) feet. A shadow study may be required for a conditional use permit application to help determine the impact of the additional height.

[The 25 ft. minimum height is enough to create a sense of enclosure for the street, and the 75 ft. maximum provides for 6 stories of standard construction. Station area plans call for taller buildings from 6-15 stories on large parcels, along University Ave., and in other prominent locations, with point towers to be set back from the base podium to reduce their impact at ground level. Additional height with a conditional use permit provides for taller buildings where they are consistent with station area plans. The step back requirement over 75 feet is consistent with Height District II along University Ave. in the zoning code from 1922-1975, and with consultant recommendations.]

(i~~h~~) Where at least fifty (50) percent of the front footage of the block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the

existing structures, or the normal setback requirement in the district plus half the amount the average setback is greater than the normal setback requirement, whichever is less. Existing structures set back twenty (20) percent more or less than the average shall be discounted from the formula. The minimum front yard setback shall not exceed the maximum front yard setback requirement. Sixty (60) percent of the front facade must fall within the maximum setback. For local heritage preservation sites, the standard may be modified to comply with the preservation program and design review guidelines.

(j) For properties fronting on University Avenue between Marion and Emerald Streets a minimum four (4) foot front yard setback is required. The four (4) foot setback shall be either landscaped or paved. If paved (preferred), the property owner may provide a permanent easement to the City to provide additional sidewalk space. An additional six (6) feet may be added to provide an outdoor activity zone, pedestrian seating or amenities, resulting in a building setback of ten (10) feet. For local heritage preservation sites, the standard may be modified to comply with the preservation program and design review guidelines.

[A goal identified in the Central Corridor Development Strategy and station area plans is to provide a 14 foot wide sidewalk/pedestrian zone. In most areas along University this requires an additional 4 feet. The 10 ft. maximum setback allows for such things as recessed entries and sidewalk cafes.]

(k~~i~~) No side or rear yards are required along the interior lot lines except as otherwise specified in the building code; provided, that if walls of structures facing such interior lot lines contain windows or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least six (6) feet shall be required when a nonresidential use adjoins a side yard of a residential property. These setback requirements from interior lot lines shall be waived when an easement agreement is recorded as to the affected properties. Proof of such recorded easement shall be provided at the time of application for a building permit. The recording of the easement agreement shall be interpreted to mean that the following intents and purposes of these setback requirements are met: adequate supply of light and air to adjacent property; sufficient space for maintenance of the building from the same lot; and prevention of damage to adjoining property by fire or runoff from roofs. The setback shall be a minimum of thirteen (13) feet from the centerline of an adjoining alley.

[Alleys are a particularly important part of a safe and efficient circulation system in T districts. This setback requirement from the centerline of alleys helps ensure they have enough room for delivery vehicles, passing, and backing out of parking spaces.]

(l~~j~~) In developments for which a master plan was adopted by the city council as of August 23, 2001, and for which there was a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of August 23, 2001, a maximum height of sixty-five (65) feet may be permitted without a conditional use permit, and a maximum height of one hundred (100) feet may be permitted with a conditional use permit, provided that such developments, to the extent reasonably possible, follow the design guidelines of the "Sustainable Decisions Guide for City Facilities" or other sustainable development guidelines. In developments for which there was a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of March 17, 2004, a maximum height of seventy-five (75) feet may be permitted with a conditional use permit.

Division 4. 66.340. Required Conditions

Sec. 66.341. Required conditions in T~~N~~1 - T~~N~~2 traditional neighborhood districts.

(a) *Amount of parking.*

For properties within one-quarter (1/4) mile of a transit street, as defined, the minimum amount

of required off-street parking for residential uses specified in section 63.207, Parking requirements by use, may be reduced by twenty-five (25) percent ~~to one (1) parking space per dwelling unit~~. This provision applies to principal and secondary dwelling units and units in mixed-use buildings, but not to live-work units.

[Recent amendments to § 63.207 created graduated residential parking requirements based on unit size: 1 space / 1-2 room unit, 1.5 spaces / 3-4 room unit, and 2 spaces / 5+ room unit. This 25% reduction would make that 0.75 space / 1-2 room unit, 1.125 spaces / 3-4 room unit, and 1.5 spaces / 5+ room unit.]

(b) *Placement of parking.* Surface parking may be located:

(1) To the rear of the principal building or within the rear yard of the parcel~~;~~.

(2) In an interior side yard if rear parking is impractical or insufficient, provided that surface parking areas and entrance drives occupy no more than fifty (50) percent of the total lot frontage~~;~~. Surface parking areas in light rail station areas shall occupy no more than sixty (60) feet of the lot frontage. . . .

[This amendment is consistent with the Central Corridor Interim Overlay requirements. Larger parking lots can detract from the pedestrian realm and create unsafe pedestrian environments.]

(c) In the T~~N~~1 district, all activities except for off-street parking and loading shall take place within completely enclosed buildings, with the exception of outdoor seating areas for coffee shops or similar uses. ~~Drive-through sales and services (primary or accessory) are not allowed in the TN1 district, and are not allowed unless specifically permitted by a conditional use permit in the TN2 district.~~

[The deleted language is superfluous because it's covered by the use table, and confusing because there's no similar language for T3-T4.]

Sec. 66.342. Parking requirements in ~~the~~ T~~N~~3 - T4 traditional neighborhood districts.

(a) *Amount of parking.*

The minimum amount of required parking for residential uses specified in Section 63.207, Parking requirements by use, may be reduced by twenty-five (25) percent ~~to one (1) parking space per dwelling unit~~. On-street parking located along the frontage of a property may be used to meet parking requirements for that property.

[Recent amendments to § 63.207 created graduated residential parking requirements based on unit size: 1 space / 1-2 room unit, 1.5 spaces / 3-4 room unit, and 2 spaces / 5+ room unit. This 25% reduction would make that 0.75 space / 1-2 room unit, 1.125 spaces / 3-4 room unit, and 1.5 spaces / 5+ room unit.]

(b) *Placement of parking.* Surface parking may be located:

(1) To the rear of the principal building or within the rear yard area of the parcel.

(2) In an interior side yard if rear parking is impractical or insufficient. Surface parking areas and entrance drives accessory to a principal building or use may occupy no more than ~~thirty (30) percent~~ sixty (60) feet of the total lot frontage.

[This amendment is consistent with the Central Corridor interim overlay requirements. Larger parking lots can detract from the pedestrian realm and create unsafe pedestrian environments.]

Sec. 66.343. Traditional neighborhood district design standards.

(a) *Applicability.* The traditional neighborhood district design standards under paragraph (b) below apply to development within T~~N~~1-T~~N3~~4 traditional neighborhood districts, as indicated in table 66.343, applicability of traditional neighborhood district design standards. Site plans and other

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development proposals within traditional neighborhood districts shall be consistent with the applicable design standards unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable. In cases where more specific design standards or guidelines have been developed as part of city council-approved master plans, small area plans, or other city-approved plans for specific sites, those shall take precedence. All standards in section 63.110, general design standards, are also applicable to development within ~~TN1-TN3~~ traditional neighborhood districts.

Table 66.343. Applicability of Traditional Neighborhood District Design Standards

~~TN~~ Guidelines	TN1	TN2	TN3	T4
1. Land use diversity			✓	✓
~~2. Similar facing buildings~~		~~✓~~	~~✓~~	
2 ~~3~~. Transitions to lower-density neighborhoods		✓	✓	✓
3 ~~4~~. Block length		✓	✓	✓
4 ~~5~~. Compatible rehabilitation and reuse	✓	✓	✓	✓
5 ~~6~~. Use established building facade line	✓	✓	✓	
6. ~~7~~. Buildings anchor the corner	✓	✓	✓	✓
7 ~~8~~. Front yard landscaping	✓	✓	✓	✓
8 ~~9~~. Building facade continuity		✓	✓	✓
9~~10~~. Building facade articulation - base, middle and top	✓	✓	✓	✓
~~11. Building facade articulation - vertical~~	~~✓~~	~~✓~~	~~✓~~	
10~~12~~. Building height - treatment of 1-story buildings	✓	✓	✓	✓
11~~13~~. Definition of residential entries	✓	✓	✓	✓
12. Entrance location	✓	✓	✓	✓
13~~14~~. Door and window openings – minimum and character	✓	✓	✓	✓
14~~15~~. Materials and detailing	✓	✓	✓	✓
15~~16~~. Screening of equipment and service areas		✓	✓	✓
16~~17~~. Interconnected street and alley network		✓	✓	✓
17~~18~~. On-street parking ~~both sides of streets~~		✓	✓	✓
18~~19~~. Parking location and entrance design	✓	✓	✓	✓
19~~20~~. Residential garage location	✓	✓	✓	✓
20~~21~~. Parking lot lighting		✓	✓	✓
21~~22~~. Entrance location for transit access	✓	✓	✓	✓
22~~23~~. Street trees	✓	✓	✓	✓
23~~24~~. Sidewalks	✓	✓	✓	✓

(b) *Traditional neighborhood district design standards.*

(1) *Land use diversity.* In general, it is desirable for each block to include some diversity in housing type, building type, and mix of land uses. In T3M districts any two (2) abutting block faces shall include more than one (1) land use or building type.

[The new higher-density T4 district and T3 districts without a master plan are intended to provide more flexibility. T3 districts without a master plan do not dictate building type.]

~~(2) *Similar facing buildings.* Buildings that face each other across a street shall be generally~~

~~similar in height, scale and articulation.~~

[This standard can be inconsistent with standard #1 encouraging land use, housing type, and building type diversity. It can be inconsistent with standard #2 below for density transitions; it may be appropriate for buildings to be lower on the north side of University Avenue where they are across the alley from low density residential lots, for example, than across the street on the south side of University Avenue where there are no nearby low density residential lots. This standard can also be inconsistent with standard #9, *building facade articulation*, and standard #10, *building height*, in cases where the buildings across the street do not conform to these standards.]

(2~~3~~) *Transitions to lower-density neighborhoods.* Transitions in density or intensity shall be managed through careful attention to building height, scale, massing and solar exposure.

(3~~4~~) *Block length.* Block faces in mixed use areas shall typically not exceed four hundred (400) feet. Block faces in residential areas shall typically follow the pattern of neighboring blocks, but shall not exceed six hundred sixty (660) feet, the length of the standard Saint Paul block. This standard may be modified to ensure compliance with the city's adopted comprehensive plan and development or project plans for sub-areas of the city.

(4~~5~~) *Compatible rehabilitation and reuse.* Remodeling, additions or other alterations to existing traditional buildings shall be done in a manner that is compatible with the original scale, massing, detailing and materials of the original building. Original materials shall be retained and preserved to the extent possible.

(5~~6~~) *Use established building facade lines.* New buildings shall relate to the established building facade line on the block where they are located. On most nonresidential or mixed use blocks, this is the inside edge of the sidewalk. For corner buildings, each facade that fronts a public street shall maintain the established building facade line. Portions of the facade may be set back a greater distance to emphasize entries or create outdoor seating and gathering areas.

(6~~7~~) *Buildings anchor the corner.* New buildings on corner lots shall be oriented to the corner and both public streets. On corner lots at light rail transit station platforms, no portion of a structure shall be permitted in the triangular area of the lot included within fifteen (15) feet of the corner along each lot line.

[This improves site lines and pedestrian safety and circulation on corners at light rail transit stations where there is high pedestrian and vehicular traffic volume.]

(7~~8~~) *Front yard landscaping.* Front yard areas located between the principal building and the street shall be landscaped, except on University Avenue where the first four (4) feet may be paved similar to the public sidewalk. Other hard surfaced front yard areas should include amenities such as benches, tables, and planters.

[This is consistent with a goal identified in the Central Corridor Development Strategy and station area plans is to provide a 14 foot wide sidewalk/pedestrian zone. In most areas along University this requires an additional 4 feet.]

(8~~9~~) *Building facade continuity.* New buildings along commercial and mixed-use streets shall provide a continuous facade along the street. Where breaks occur, the street edge shall be continued through the use of fencing, low walls and/or landscaping.

(9~~10~~) *Building facade articulation~~—base, middle and top~~.*

~~a. Most traditional buildings in the city have a strong pattern of base, middle and top, created by variations in detailing, color and materials. New buildings shall respond to this pattern.~~

~~b. Articulated tops shall be considered in the design of all new buildings. This articulation might consist of pitched roofs, dormers, gable ends, cornice detailing, etc.~~

~~c.~~ The bottom twenty-five (25) feet ~~base~~ of ~~the~~ buildings shall include elements that relate to the human scale. These should include doors and windows, texture, projections, awnings and canopies, ornament, etc.

~~(11) *Building facade articulation - vertical.* Consistent with most traditional buildings in the city, a building width of forty (40) feet or less is encouraged. New buildings of more than forty (40) feet in width shall be divided into smaller increments, between twenty (20) and forty (40) feet in width, through articulation of the facade. This can be achieved through combinations of the following techniques, and others that may meet the objective.~~

~~a. Facade modulation - stepping back or extending forward a portion of the facade.~~

~~b. Vertical divisions using different textures or materials (although materials should be drawn from a common palette).~~

~~c. Division into storefronts, with separate display windows and entrances.~~

~~d. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.~~

~~e. Arcades, awnings, window bays, arched windows and balconies at intervals equal to the articulation interval.~~

[Old design standard #s 10 and 11 are combined in a simpler single *building facade articulation* standard #9 that allows more design flexibility while ensuring both vertical and horizontal facade articulation in the bottom 25 feet of the building, which is the minimum height of a building and the most visible to pedestrians.]

(10~~2~~) *Building height - treatment of 1-story buildings.* New buildings of two (2) or more stories are encouraged ~~in TN1 and TN2 districts and required in the TN3 district~~. One-story buildings~~, where constructed,~~ shall be designed to convey an impression of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.

[The minimum height standard in Table 66.331 is changed from stories to feet.]

(11~~3~~) *Definition of residential entries.* Porches, steps, pent roofs, roof overhangs, hooded front doors or similar architectural elements shall be used to define all primary residential entrances.

(12) *Entrance location.* There shall be a primary pedestrian building entrance on all arterial or collector streets. At a corner location where both streets are arterial or collector streets, this standard may be satisfied with a single entrance at the corner. In multi-tenant buildings, any ground floor use with street frontage shall have an entrance facing the street.

(13~~-4~~)*Door and window openings - minimum and character.*

a. For new commercial and civic buildings, windows and doors or openings shall comprise at least fifty (50) percent of the length and at least thirty (30) percent of the area of the ground floor ~~of the~~ along arterial and collector ~~primary~~ street facades.

b. Windows shall be designed with punched and recessed openings, in order to create a strong rhythm of light and shadow.

c. Glass on windows and doors shall be clear or slightly tinted, and allow~~ing~~ views into and out of the interior.

d. Window shape, size and patterns shall emphasize the intended organization of the facade and the definition of the building.

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(14~~5~~) *Materials and detailing.*

a. Residential buildings of more than six (6) units and n~~N~~onresidential or mixed use buildings shall be constructed of high-quality materials such as brick, stone, textured cast stone, ~~or~~ tinted masonry units, concrete, glass or metal. The following materials are generally not acceptable:

- Unadorned plain or painted concrete block;
- Tilt-up concrete panels;
- Synthetic stucco products ~~Pre-fabricated steel or sheet metal panels~~;
- Reflective glass; and
- ~~Aluminum,~~ Vinyl, fiberglass, asphalt or fiberboard siding.

b. All building facades visible from a public street or walkway shall employ materials and design features similar to those of the front facade.

(15~~6~~) *Screening of equipment and service areas.* If an outdoor storage, service or loading area is visible from adjacent residential uses or a public street or walkway, it shall be screened by a decorative fence, wall or screen of plant material at least six (6) feet in height. Fences and walls shall be architecturally compatible with the primary structure.

(16~~7~~) *Interconnected street and alley network.* The existing street and alley network shall be preserved and extended as part of any new development. If the street network has been interrupted, it shall be restored whenever possible. Cul-de-sac streets are discouraged; crescent-shaped or courtyard street arrangements may be used when street connections are impractical.

(17~~8~~) *On-street parking.* Streets shall generally have parking on both sides to buffer pedestrians, calm traffic and supplement off-street parking unless the space is needed to accommodate traffic volume, emergency vehicles, transit or deliveries. Parking bump-ins are permitted in special cases (such as adjacent to large development sites) in conjunction with a redevelopment project that has at least three-hundred (300) feet of street frontage.

(18~~9~~) *Parking location and ~~entrance~~ design.*

a. Off-street parking shall be provided within a principal structure, underground, or to the rear of buildings to the greatest extent possible. Limited side yard parking may be appropriate. Entrance drives and garage doors for underground or structured parking may face the street, except adjacent to light rail transit platforms, but shall be designed for pedestrian convenience and safety.

b. Surface parking shall not be located within thirty (30) feet of a corner. Buildings shall be located to emphasize and "anchor" the corner whenever possible.

c. Vehicular entrances to structured parking shall be minimized so that they do not dominate the street frontage of the building. Possible techniques include recessing the entry; extending portions of the structure over the entry; using screening and landscaping to soften the appearance of the entry; using the smallest curb cut and driveway possible; and subordinating the vehicular entrance to the pedestrian entrance in terms of size, prominence in the streetscape location, and design emphasis.

d. New above-grade parking structures fronting on arterial and collector streets shall be lined with active commercial/retail uses at street level with direct access to the sidewalk.

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e. Upper levels of new parking structures shall be designed with exterior wall treatments, detailing, fenestration and materials that screen the view of vehicles and relate to existing adjacent buildings.

(19~~0~~) *Residential garage location.* Attached residential garages shall be recessed at least ten (10) feet behind the front facade of the building. Detached residential garages shall be located in the side or rear yard, recessed at least twenty-five (25) feet behind the front facade of the building. When an alley is present, garages shall be located in the rear yard and accessed through the alley. Individual residential unit garage entrances shall be off alleys or interior courtyards.

(20~~1~~) *Parking lot lighting.* Pedestrian-scale lighting shall be provided within parking areas. Light standards shall be ~~nine (9) to twelve (12)~~ no more than twenty-five (25) feet in height in parking lots and sixteen (16) feet in height along interior sidewalks and walkways, and have a downcast glow.

[Sixteen feet is consistent with the height of historic St. Paul lantern style street lights. Twenty-five feet is an optimal height for the most efficient LED parking lot lighting.]

(21~~2~~) *Entrance location for transit access.* New and existing retail, office and multifamily housing shall coordinate with the transit agency in locating bus stops and related improvements. Building entrances shall be located to provide easy access to bus stops and shelters.

(22~~3~~) *Street trees.* Street trees in the street right-of-way, as prescribed by the city forester and section 69.600 of the subdivision regulations, and other landscape improvements shall be provided along all streets at regular intervals to help define the street edge, buffer pedestrians from vehicles, and provide shade. Trees shall be located in a planting strip at least five (5) feet wide between the curb and sidewalk, or in a planter or planting structure of a design acceptable to the city.

(23~~4~~)*Sidewalks.* Streets shall be designed with sidewalks on both sides except where they abut a park or other open space. Sidewalk width shall be at least five (5) feet, and six (6) feet or more in areas of high pedestrian activity. The T4 district is defined as an area of high pedestrian activity.

Sec. 66.344 ~~66.345~~. T~~N~~3-T4 district planning requirements.

(a) *Previous plans.* Any pre-existing city-approved plans, such as small area plans, station area plans, precinct plans or master plans, prepared for the site or the surrounding area shall be incorporated as appropriate in preparing any development plan for a T~~N~~3 or T4 traditional neighborhood district site. It is understood that these plans may occasionally be amended as conditions change. The intent of such plans shall be realized to the extent possible in any subsequent development plans. For a T3 or T4 development site that, together with adjoining T3 or T4 parcels of land held by the same owner, is fifteen (15) acres or more in area, prior to issuance of building permits for new buildings on the site, a conceptual site plan shall be provided showing how the land under single ownership will be developed in conformance with any pre-existing city-approved plans.

(b) *Master plan.* For any T~~N~~3 or T4 district of fifteen (15) acres or more in area, a master plan may ~~shall~~ be provided for review and recommendation by the planning commission and approval by city council resolution. The master plan may be already in existence, or it may be prepared by city staff or by the applicant or developer. A T~~N~~3 or T4 area for which a master plan has been adopted by the city council shall be designated as a T~~N~~3~~(~~M~~)~~ or T4M district. The master plan may ~~shall~~ include the following information~~:~~.

[T3-T4 zoning is an important tool for implementing city-approved plans. Development of a master plan, particularly for an area with multiple owners, can be impractical, unreasonable, unnecessary, and a barrier to appropriate use of T3-T4 zoning. For T3-T4 areas being newly developed or substantially redeveloped, a master plan may appropriately be quite complex and thorough. In T3-T4 areas that are largely already developed, it may be useful or necessary for a master plan only to address a few key issues or elements. For implementation of station area plans and other city approved plans, it is helpful to provide for more flexible use of master plans and T3-T4 zoning.]

(1) ~~A~~ Location maps of suitable scale showing the boundaries and dimensions of the site within the context of the community and adjacent parcels, including~~. The map or maps shall show~~:

a. Locations of any streets; railroads; significant natural, geographic or topographic features; and other major features within five hundred (500) feet of the site; and

b. Existing parks, open space, major institutions, and concentrations of commercial use within one-half mile of the site.

(2) A site inventory and analysis to identify site resources and constraints, including floodplain, wetlands, poorly drained soils, soils with bedrock near surface, utility easements, slopes greater than twelve (12) percent, and areas of possible soil contamination.

(3) Plan graphics, including but not limited to the following:

a. Topographic contours at five (5) foot intervals.

b. Layout of blocks.

c. Circulation system, indicating existing and proposed streets or rights-of-way, transit stops, bike routes, sidewalks and other walkways.

d. Street classification system, designating ~~all~~ streets by function within the site.

e. Block-level analysis, designating blocks or portions of blocks as "mixed residential," "mixed use," "edge," "transition," or other (see section 66.345 ~~66.344, Required~~ Traditional neighborhood district master plan elements) and identifying primary building types on each block. Blocks may be designated for a range of traditional neighborhood elements and building types. Undesignated blocks would allow the full range of ~~TN3~~ uses and building types. ~~Blocks shall be defined in relation to adjacent street classifications and open space.~~

f. Open space plan, including ~~all~~ areas to be set aside as public or private open space and their preliminary design treatment.

g. Preliminary landscape plan, indicating street trees and landscape treatment of ~~all~~ streets and public spaces.

(4) Plan graphics may ~~(but are not required to)~~ include examples of building elevations for each building type; an indication of building scale, height, massing, parking location and relationship to the street; visual analysis of impact on critical views and vistas; and examples of streetscape and other public improvements, including light fixtures, screening walls and fences, benches and other street furniture.

(5) A preliminary stormwater plan, identifying any wetlands or floodplain, and preliminary locations of structures and methods to be used in managing stormwater and surface water on the site. ~~Any wetlands or floodplain on the site shall be identified~~. Integration of stormwater treatment into the landscape and site design is encouraged, as is the use of natural methods such as ponds, wetlands or swales.

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(6) Phasing plan, where applicable, including the phasing of open space and street improvements.

(7) Utilities plan, indicating existing conditions and proposed changes, as appropriate.

(c) *Changes to master plan.* Once approved, a master plan may be modified as follows:

(1) *Minor modification.* Minor modifications to an approved master plan may be requested by the property owner or developer. The planning administrator may approve minor modifications, including changes of less than ten (10) percent in land area designated in a specific category, provided such changes are consistent with the intent of the master plan.

(2) *Major modification.* Major modifications to an approved master plan may be initiated by the city council, the planning commission, or any person having an ownership or leasehold interest (contingent included) in property that is the subject of the proposed modification. Major modifications include changes of ten (10) percent or more in land area designated in a specific category; creation of a new public street or removal of a public street segment; removal of a park or open space area; or addition or removal of an entire block. Major modifications may be approved as an amendment to the master plan by city council resolution following planning commission review, public hearing and recommendation.

Sec. 66.345 ~~66.344. TN3~~ Traditional neighborhood district master plan ~~required~~ elements.

This section applies to T~~N~~3M and T4M districts for which a master plan designates blocks or portions of blocks as "mixed residential," "mixed use," "open space," "edge," or "transition area." A T~~N~~3M traditional neighborhood district of fifteen (15) or more acres in area ~~shall~~ should include, at a minimum, a mixed residential area and the specified minimum percentage of open space within one-quarter (¼) mile of a mixed-use neighborhood center. These elements may be found within the T~~N~~3M district or adjacent to it; the intent is that they would be present within a reasonable walking distance. A mixed use area and/or an edge/transition area may also be required, depending on the criteria listed below.

(a) *Mixed use area.* The mixed use area consists of service and retail commercial uses, workplaces, civic uses, housing, and public open space. It contains the broadest variety of land uses, and is intended to function as a center of activity for residents of the entire T~~N~~3 district and, potentially, surrounding areas.

(1) All residential lots within a T~~N~~3M or T4M traditional neighborhood district should be located within approximately one-half mile of an existing or proposed mixed use area. ~~(2)~~ The ~~requirement to include a~~ mixed use areas may be existing ~~fulfilled by~~ adjacent mixed use areas such as neighborhood commercial nodes.

(2)~~(3)~~A mixed use area shall be composed of at least two of the following land use categories, as categorized in table 66.321, principal uses in traditional neighborhood districts:

a. commercial uses, such as general retail, restaurants, offices, services and accommodations~~.~~

b. residential uses, not including one-family or two-family dwellings~~.~~

c. civic and institutional uses such as school, place of worship, community meeting facility, library, and transit station~~.~~

(3)~~(4)~~A new mixed use area shall also include centrally located public open space, in the form of a square, park or plaza.

(b) *Mixed residential area.* A mixed residential area consists of a variety of housing types and limited office and service uses. It may be located anywhere within the ~~TN3~~ district~~,~~ and is intended to be linked to surrounding areas by interconnected streets, paths and open spaces.

(1) A minimum of fifty (50) percent of all dwelling units in a mixed residential area shall consist of multifamily units, units in mixed-use buildings, and/or attached single-family units such as townhouses and live-work units.

(2) If over fifty (50) units are proposed in a site plan or master plan, at least two housing types shall ~~must~~ be included from the following categories:

a. one- and two-family dwellings~~;~~

b. attached units such as townhouses and live-work units~~; and~~

c. other multifamily dwellings

(3) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a two-block radius.

(4) Up to twenty (20) percent of total floor area may consist of office and limited service uses as part of live-work units or integrated into residential structures.

(5) All residential lots shall be located within one-half (½) mile of existing or planned public or common open space.

(c) *Edge or transition area.* An edge area may be required as a lower-density transitional zone responding to adjacent uses. The required mix of housing types specified in the previous sections shall ~~will~~ not apply in transition areas. Densities and uses will depend on adjacent conditions.

(d) *Open space areas.* For a T~~N~~3M district of fifteen (15) or more acres in area, a minimum of twenty (20) percent of a district's gross acreage, exclusive of street or alley right-of-way, shall ~~must~~ be defined in the master plan as open space, which may include undevelopable areas such as steep slopes and wetlands, and stormwater basins.

(1) A minimum of fifty (50) percent of the required open space shall be accessible to and usable by the public, such as a central square or plaza, neighborhood parks, greenways, trail corridors, or extensions of existing parks on the periphery (as specified in comprehensive or small area plans, or in the master plan process).

(2) Existing parks or open space adjacent to the area may satisfy the open space requirement; a fee-in-lieu of park dedication may be required for enhancements to such adjacent existing parks or open space.

ARTICLE II. 66.200. RESIDENTIAL DISTRICTS

Division 2. 66.220. Principal Uses in Residential Districts

Sec. 66.221. Principal uses.

Table 66.221. Principal Uses in Residential Districts lists all permitted and conditional uses in the RL-RM3 Residential Districts, and notes applicable development standards and conditions.

Table 66.221. Principal Uses in Residential Districts

Use	RL	R1-R4	RT 1	RT 2	RM1	RM2	RM3	Development Standards
Commercial Uses								
~~***Medical Facilities***~~								
~~Hospital, health and medical institution~~						~~C~~	~~C~~	~~✓~~
Commercial Lodging								
Bed and breakfast residence	P	P	P/C	P/C	P/C	P/C		✓

ARTICLE IV. 66.400. BUSINESS DISTRICTS

Division 2. 66.420. Principal Uses in Business Districts

Sec. 66.421. Principal uses.

Table 66.421, principal uses in business districts, lists all permitted and conditional uses in the OS-B5 business districts, and notes applicable development standards and conditions.

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Development standards
Limited Production, Processing and Storage								
Finishing shop					P		P	✓
Limited production and processing					P		P	✓
Mail order house			P	P	P	P	P	
Malt liquor production ~~manufacturing~~				P/C	P	P	P	✓
Plastic products							P	
Printing and publishing				P/C	P	P	P	
Recycling collection center					P			✓
Recycling drop-off station			P	P	P	P	P	✓
Toiletries and cosmetic manufacturing							P	
Warehousing and storage							P	✓
Wholesale establishment					P	P	P	✓

ARTICLE V. 66.500. INDUSTRIAL DISTRICTS

Division 2. 66.520. Principal Uses in Industrial Districts

Sec. 66.521. Principal uses.

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Table 66.521, principal uses in industrial districts, lists all permitted and conditional uses in the IR-I3 industrial districts, and notes applicable development standards and conditions.

Table 66.521. Principal Uses in Industrial Districts

Use	IR	I1	I2	I3	Development Standards
Automobile Services					
Auto body shop	C	P	P	P	✓
Auto convenience market	C	P	P		✓
Auto service station	C	P	P		✓
Auto specialty store	C	P	P		✓
Auto repair station	C	P	P		✓
Auto sales, indoor	P	P	P		
Auto sales and rental, outdoor	C	P	P		✓
Car wash		P	P		✓
Parking facilities					
Parking facility, commercial	C	P	P	C	✓
Limited Production, Processing and Storage					
Finishing shop	P	P	P		✓
Limited production and processing	P	P	P		✓
Mail order house	P	P	P		
Malt liquor production ~~manufacturing~~	P	P	P		
Plastic products	P	P	P		
Printing and publishing	P	P	P		
Recycling collection center		P	P		✓
Recycling drop-off station	P	P	P		✓
Storage facility, rental		P	P	P	
Toiletries and cosmetic manufacturing	P	P	P		
Warehousing and storage	P	P	P		
Wholesale establishment	P	P	P		

[These are appropriate uses in the IR district as long as they conform to the design standards noted below and the standards and conditions added for these uses in the IR district in Chapter 65. The "P" for warehousing and storage in the IR district, a common IR use, was inadvertently deleted in a previous zoning amendment.]

Sec. 66.542. Required conditions in the IR light industrial restricted district ~~special setbacks~~.

(a) *Placement of parking.* Surface parking may be located to the rear of the principal building, within the rear yard area of the parcel, in an interior side yard if rear parking is impractical or insufficient, or . . .

(b) *Park setbacks.* In any yard which adjoins a publicly owned park, buildings may . . .

(c) *Design standards.* Development shall be consistent with the design standards in section 66.343(b)(6), (7), (~~8~~9), (10), (12), (13), (14), (15), ~~(16),~~ (1~~8~~9), (20) (21), (22), and (23), ~~and~~

~~(24),~~ unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable.

Chapter 69. Zoning Code - Subdivision Regulations

ARTICLE V. GENERAL REQUIREMENTS AND DESIGN STANDARDS

Sec. 69.502. Alleys.

(a) *Required.* Alleys shall be provided where topography renders driveways from the street to service or off-street parking areas impractical, where limited access streets prohibit driveways to off-street parking and service areas, and in a ~~the~~ T~~N~~3 or T4 district where alleys are designed as part of an interconnected street network in an approved master plan.

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