



**The City That Soars!**

## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date</b>	April 24, 2012
<b>Agenda Item</b>	1
<b>Title</b>	Ordinance amending the Falcon Heights zoning code to allow certain front porch encroachments
<b>Submitted By</b>	Deborah Jones, Staff Liaison

<b>Description</b>	An ordinance is proposed to amend the City Code to allow limited encroachment of open front porches into required front yards in residential zones.
<b>Background</b>	<p>At the request of the City Council in 2011, the Planning Commission undertook an exploration of whether to add front porches of some kind as permitted encroachments into required front yards in residential zones. Falcon Heights currently does not include this type of structures as an allowed encroachment into front setback. An ordinance was proposed, based on a model from another city, to define porches and allow them on a limited basis.</p> <p>In February, 2012, the Planning Commission held a public hearing on the proposed ordinance. The hearing was attended by three community members who supported the principle of front porches as amenities that improve neighborhoods.</p> <p>In the ensuing discussion, Commissioners found that the specific limits in the proposed ordinance raised new questions about side setbacks and concerns that the amendment as written might open the door to some unintended consequences. In particular, there seemed to be scope for very large porches in some cases, and some Commissioners were concerned that the amendment would result in a significant narrowing of the visual streetscape and a negative impact on neighborhood character.</p> <p>Commissioners voted to table action on the amendment in order to discuss these concerns. At a workshop in March, after careful discussion, new language was proposed that removes any chance of side yard encroachment and limits the square feet of front yard encroachment that would be allowed. No new hearing is required. The revised amendment is presented for Planning Commission action.</p>
<b>Budget Impact</b>	None
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>Proposed ordinance amending Chapter 113 (original and revised versions)</li> </ul>
<b>Action(s) Requested</b>	<ul style="list-style-type: none"> <li>Make a recommendation to the City Council</li> </ul>

ORDINANCE NO. \_\_\_\_\_

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 113 OF  
THE CITY CODE CONCERNING PORCHES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Section 113-3 of the Falcon Heights City Code is amended by adding the following definition:

Porch means a roofed, open area attached to a building with direct access to and from the building to which it is attached.

**SECTION 2.** Section 113-241 of the Falcon Heights City Code is amended by adding Subsection (b)(5) to provide as follows:

- (5) Porches with open railings which do not have walls, doors, windows or screens and which do not extend above the roof line of the building to which they are attached may encroach into the required front yard six feet if they are a minimum of five feet from any interior side lot line, nine feet from any side yard line abutting a street, and 24 feet from any front lot line.

**SECTION 3.** Effective Date. This ordinance shall take effect from and after its passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Peter Lindstrom, Mayor

ATTEST:

\_\_\_\_\_  
Justin Miller, City Administrator/Clerk

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**SECTION 2.** Section 113-241 of the Falcon Heights City Code is amended by adding Subsection (b)(5) to provide as follows:

- (5) Porches with open railings which do not have walls, doors, windows or screens and which do not extend above the roof line of the building to which they are attached may encroach into the required front yard six feet if they are a minimum 24 feet from any front lot line. The encroachment into the front yard may not exceed 50 square feet.

**SECTION 3.** Effective Date. This ordinance shall take effect from and after its passage.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Peter Lindstrom, Mayor

ATTEST:

\_\_\_\_\_  
Bart Fischer, City Administrator/Clerk