

ORDINANCE NO. 10-06
CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

**AN ORDINANCE AMENDING CHAPTER 113 OF THE CITY CODE
ESTABLISHING A MIXED USE HIGH DENSITY RESIDENTIAL ZONING
DISTRICT AND A HIGH DENSITY RESIDENTIAL DISTRICT**

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

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

Apartment building. The term “apartment building” means a multi-family dwelling that may be owner occupied or rental, including condominiums and cooperatives.

SECTION 2. Section 113-144(1) of the Falcon Heights City Code is amended to provide:

- (1) Residential districts:
- a. R-1 one-family residential district.
 - b. R-2 one- and two-family residential district.
 - c. R-3 medium density multiple-family residential district-apartment buildings.
 - d. R-4 high density multiple-family residential district-apartment buildings.
 - e. R-5M mixed use high density residential district.

SECTION 3. Section 113-176 of the Falcon Heights City Code is amended to provide as follows:

Sec. 113-176. R-3 medium density multiple-family residential district-apartment buildings.

(a) *Scope.* The provisions of this section apply to the R-3 medium density multiple-family residential district.

(b) *Permitted uses.* All permitted uses in the R-2 district.

(c) *Conditional uses.* No structure or land shall be used for the following uses except by conditional use permit, except that multifamily dwellings shall not exceed 12 per acre.

- (1) Any conditional use permitted in the R-1 and R-2 districts.
- (2) Conversion or enlargement of existing homes to accommodate one-, two-, three- or four-dwelling units.
- (3) Large group homes as defined in this chapter.
- (4) Townhouses. See performance standards as permitted in article VI, division 3 of this chapter.
- (5) Buildings containing two or more dwelling units not exceeding 12 dwelling units per acre.

(d) *Permitted accessory uses.* The following uses shall be permitted accessory uses:

- (1) All accessory uses as permitted in the R-1, R-2 districts.
- (2) Conversion or enlargement as required by terms of a conditional use permit.

(e) *Lot area, height, lot width and yard requirements:*

- (1) See performance standards as permitted in article VI, division 3 of this chapter (or as required by conditional use permit).
- (2) No structure or building shall exceed three stories, or 30 feet, whichever is lesser in height, except as provided in section 113-243.
- (3) A side yard abutting on a street shall not be less than 30 feet in width, and when a side yard of a multi-family structure abuts a single family residence, the side yard shall not be less than 20 feet.
- (4) The following minimum requirements shall be observed subject to additional requirements except as a modification set forth in this section and section 113-241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
12,500 sq. ft.	90 feet	30 feet	10 feet or 1/2 the height of the building, whichever is greater	30 feet

*Lot area for single-family residence may be reduced to 10,000 square feet.

SECTION 4. Chapter 113 of the Falcon Heights City Code is amended by adding Section 113-181 to provide as follows:

Sec. 113-181. R-4 high density multiple-family residential district-apartment buildings.

(a) *Scope.* The provisions of this section apply to the R-4 high density multiple-family residential district.

(b) *Permitted uses.* All permitted uses in the R-2 district.

(c) *Conditional uses.* No structure or land shall be used for the following uses except by conditional use permit.

- (1) Any conditional use permitted in the R-1 and R-2 districts.
- (2) Conversion or enlargement of existing homes to accommodate one-, two-, three- or four-dwelling units.
- (3) Large group homes as defined in this chapter.
- (4) Townhouses. See performance standards as permitted in article VI, division 3 of this chapter.
- (5) Buildings containing three or more dwelling units not exceeding 28 dwelling units per acre. A maximum of 40 dwelling units per acre are allowed if:
 - i) at least 80% of the required parking spaces are below grade and integrated into the apartment building; and
 - ii) the property abuts Larpenteur or Snelling Avenue; and
 - iii) the property does not abut property zoned R-1.

(d) *Permitted accessory uses.* The following uses shall be permitted accessory uses:

- (1) All accessory uses as permitted in the R-1, R-2 districts.
 - (2) Conversion or enlargement as required by terms of a conditional use permit.
- (e) *Lot area, height, lot width and yard requirements.*
- (1) See performance standards as permitted in article VI, division 3 of this chapter (or as required by conditional use permit).
 - (2) No structure or building shall exceed three stories, or 30 feet, whichever is lesser in height, except as provided in section 113-243.
 - (3) A side yard abutting on a street shall not be less than 30 feet in width, and when a side yard of a multi-family structure abuts a single family residence, the side yard shall not be less than 20 feet.
 - (4) The following minimum requirements shall be observed subject to additional requirements except as a modification set forth in this section and section 113-241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
12,500 sq. ft.	90 feet	30 feet	10 feet or 1/2 the height of the building, whichever is greater	30 feet

*Lot area for single-family residence may be reduced to 10,000 square feet.

SECTION 5. Chapter 113 of the Falcon Heights City Code is amended by adding Section 113-182 to provide:

Sec. 113-182. R-5M Mixed use high density residential district.

(a) *Scope.* The provisions of this section apply to the R-5M Mixed Use High Density Residential District.

(b) *Purpose and intent.* The purpose of the Mixed Use High Density Residential District is to provide high density, primarily apartment style, rental and condominium housing with limited commercial uses within the same structure. The intent of the district is to meet or exceed the City's Comprehensive Plan density goal of 28 residential units per acre.

(c) *Permitted uses.*

- (1) Apartment buildings with a maximum of 40 dwelling units per acre.
 - (2) Permitted uses in the B-2 zoning district.
 - (3) State licensed residential facilities serving from 7 through 16 persons.
 - (4) State licensed day care facilities serving from 13 to 16 persons
- (d) *Conditional uses.*
- (1) Conditional uses in the B-2 zoning district
 - (2) Public parks and playgrounds.
 - (3) Municipal buildings and structures.
 - (4) Essential service structures.
- (e) *Interim uses.* Farmer's markets that meet the following criteria: Operate no more than one day per week; site includes not less than 284 parking spaces for customers of the market; market may not operate before 6:30 a.m. or after 8:00 p.m.; a managing agent must be named who is responsible for the conduct of the vendors in compliance with the conditions of the interim use permit.
- (f) *Permitted accessory uses.*
- (1) Off-street parking and loading, signs, fences, and decorative landscape features as regulated herein.
 - (2) Temporary construction buildings.
 - (3) Accessory uses in the B-2 zoning district.
- (g) Lot area, height, lot width, and yard requirements.
- (1) The following minimum requirements shall be observed subject to additional requirements except as modified in this section and in Section 113- 241.

Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard
2.5 acres	200 feet	30 feet	10 feet or 1/2 the height of the building, whichever is greater	30 feet

- (2) The required setback from a lot line abutting property zoned R-1 is 50 feet.
- (3) If there is a commercial use on the first floor, the required setback from a lot line abutting Larpenteur Avenue or Snelling Avenue is 15 feet.
- (4) Except as provided in Section 113-243 the maximum height is 4 stories or 40 feet whichever is less.

SECTION 6. Section 113 -310 of the Falcon Heights City Code is amended by amending the first line in subsection 2 as follows:

- (2) The following provisions apply to the R-3 and R-4 districts:

SECTION 7. Section 113-310 of the Falcon Heights City Code is amended by adding subsection 3 to provide as follows:

- (3) The following provisions apply to the R-5M district:
 - a. The requirements of the R-4 district shall apply except that at least 80% of the required parking spaces for apartment buildings shall be below-grade and integrated into the apartment building.

SECTION 8. Section 113-449 of the Falcon Heights City Code is amended to provide as follows:

Sec. 113-449. Signs permitted in residential districts.

Signs are permitted in the R-1, R-2, R-3, R-4 and, R-5M districts only as follows:

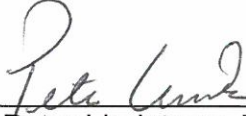
- (1) For the purpose of selling, renting or leasing property, a sign not in excess of ten square feet in gross surface area may be placed within the front yard, not less than 15 feet from a property line.

- (2) Temporary poster signs for political advertising may be posted but must be removed by those responsible for their being posted within ten days following the election for which the sign was posted.
- (3) Signs containing noncommercial speech.
- (4) One nameplate sign for each dwelling unit that shall not exceed two square feet in area per surface, and no sign shall have more than two display surfaces.
- (5) No sign shall be located within three feet of the property line.
- (6) Churches, schools and other institutional users, allowed by virtue of pre-existing or conditional use, may have an illuminated sign not exceeding 50 square feet in gross surface area. Temporary signs advertising a special event may be posted after receiving a permit from the zoning administrator, and such sign shall not be greater than 70 square feet in gross surface area, not less than 30 feet from a property line and shall not be displayed longer than 30 days.
- (7) Address numbers four inches on the house and alley side of garage.
- (8) Signs other than those listed above require a conditional use permit.
- (9) In the R-5M district signs allowed in the B-2 district are allowed for B-2 uses.

SECTION 9. Effective Date. This ordinance shall take effect from and after its passage.

ADOPTED this 8th day of September, 2010, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: 
Peter Lindstrom, Mayor

ATTEST: 
Justin Miller, City Administrator/Clerk