

**ITEM: Garages in R-4 properties with alleys**

**SUBMITTED BY: Deborah Jones, Zoning and Planning Director**

**REVIEWED BY: Justin Miller, City Administrator**

**Background:**

R-4 is the zoning designation for multi-family properties that are not otherwise classified (i.e. P.U.D or P-1/R-1). The city has many shapes and sizes of multi-family properties and buildings, but the row of apartment houses on Larpenteur between Arona and Pascal share some characteristics that set them apart from other multi-family properties in the city.

- The buildings are relatively old. All were built in the late 1940s, except 1466 Larpenteur, which was constructed in 1964. These buildings predate our present zoning code.
- All of the buildings are on alleys. No other apartment building properties in the city have alleys
- None of the buildings has sufficient off-street parking to meet the requirements of our present city code or the needs of residents
- All of the lots are small by present standards, ranging from 5552.8 square feet (the size of a small single-family lot in the Northome neighborhood) to 12196.8 square feet (a “double” single family lot). All of them are below the minimum 12, 500 square feet required in the R-4 district.

The city has been approached by some owners of these properties who want to replace small or dilapidated garages next to the alley with new garages. The present city code requires setback distances that make it impossible to replace or build detached garages that meet zoning requirements and provide much useful parking. Many variances would be required for the new garages that have been proposed. A simpler approach would be to amend the code to allow detached garages behind these buildings, on the alley, to be built with setbacks comparable to the R-1 properties behind them on California. Staff requests that the Commission discuss the issue and come up with suggestions for amending the code, if appropriate.

**Attachments:**

- Falcon Heights City Code, Chapter 113, Sections 113-174 through 113-176 (District regulations for R-1, R-2 and R-4)
- Falcon Heights Zoning Map
- Map showing R-4 properties with and without alleys, city-wide
- Map of the block of Larpenteur between Arona and Pascal
- 2006 aerial photo of the block of Larpenteur between Arona and Pascal

Remember that the City Code is online, if you need to look up other sections.

**Actions Requested:**

- Informally discuss detached garage options for these properties
- Provide direction to Staff and the City Attorney for drafting of a code amendment, if appropriate, to be taken up formally at a future meeting.

**Sec. 113-174. One-family R-1 residential district.**

- (a) *Scope.* The provisions of this section apply to the R-1 one-family residential district.
- (b) *Permitted Uses.* Within any R-1 one-family residential district, no structure or land shall be used except for one or more of the following uses: one-family detached dwellings.
- (c) *Conditional Uses.* Within any R-1 one-family residential district, no structure or land shall be used for the following uses except by conditional use permit:
  - (1) Public parks and playgrounds.
  - (2) Schools, provided no buildings shall be located within 50 feet of any lot line of an abutting lot in an R use district. Any fence erected around a play area shall be not less than 15 feet from a street line when said fence would be across the street from an R use district.
  - (3) Municipal buildings and structures, excluding storage of maintenance equipment and trucks over 1 1/2 tons, stockpiling of aggregate and open storage of material, but including firefighting apparatus, provided these shall not be located within 30 feet of any lot line of an abutting lot in an R use district.
  - (4) Essential service structures, provided no building shall be located within 50 feet from any lot line of an abutting lot in an R use district. The architectural design of service structures should be compatible to the neighborhood in which they are to be located.
  - (5) Golf courses, country clubs, tennis clubs, public swimming pools serving more than one family.
  - (6) Off-street parking: when the proposed site of the off-street parking abuts on a lot which is in a B district and subject to those conditions set forth in article VI, division 2, subdivision II, and such other conditions as found necessary by the council to carry out the intent of this chapter. However, such off-street parking shall be permitted as a conditional use in any R-1 one-family use district for church parking purposes.
  - (7) Room and/or board for up to four persons.
  - (8) Home occupations not meeting the definitions and requirements of section 113-391.
- (d) *Permitted accessory uses.* No accessory structures or use of land shall be permitted except for one or more of the following uses:
  - (1) Home occupations meeting the definitions and requirements of section 113-391.
  - (2) Private tennis courts, provided no portion of the paved or fenced area is within a required front yard or less than ten feet from a property line.
  - (3) One private garage or carport and parking space as regulated in section 113-240.
  - (4) Private automobile repair or reconditioning as regulated in section 113-250.
  - (5) Gardening and other horticultural uses where no retail sale of products is conducted on the premises.
  - (6) Keeping of domestic pets as required in the Code.
  - (7) Signs as provided in subsection (g) of this section.

- (8) Decorative landscape features and fences as regulated herein.
  - (9) Accessory buildings other than detached private garages as regulated herein. The design and placement of the accessory buildings must be approved by the planner as being in harmony with the surrounding residential neighborhood.
  - (10) Buildings temporarily located for purposes of constructing on the premises for a period not to exceed the time necessary for such construction (approved by zoning administrator).
  - (11) One compost area, or one compost structure as defined in section 113-240(l), of leaves, grass clippings, and plant trimmings (not including fruits and vegetables) not to cover more than 25 square feet in area and five feet in height in the rear yard. A larger composting area requires a permitted accessory use permit. The compost shall be maintained according to accepted composting practices for the residential yard.
  - (12) Garage and residential boutique sales limited to four sales each calendar year per residential unit, not to exceed ten consecutive days or two consecutive weekends each.
- (e) *Lot area, height, lot width and yard requirements.*
- (1) No structure or building shall exceed two stories or 25 feet in height aboveground level, whichever is lesser in height, except as provided in section 113-243.
  - (2) A side yard abutting a street shall be at least 20 percent of the width of the lot.
  - (3) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth in this section and section 113-241.

TABLE INSET:

| Lot Area       | Lot Width                            | Front Yard | Side Yard | Rear Yard |
|----------------|--------------------------------------|------------|-----------|-----------|
| 10,000 sq. ft. | 75 feet interior lot, 90 feet corner | 30 feet    | 5 feet    | 30 feet   |

Flexibility may be provided by allowing the side yard to be decreased to a minimum of three feet if a maintenance easement is recorded on the deeds of all affected properties. (No fences or significant landscaping could be installed in the easement areas).

- (f) *Off-street parking and loading.* As provided in article VI, division 2 of this chapter.
- (g) *Signs.* As provided in section 113-449.
- (h) *Swimming pools.* As permitted in section 113-382.

(Code 1993, § 9-4.01; Ord. No. 0-89-12, 7-26-1989; Ord. No. 0-89-16, 11-8-1989; Ord. No. 0-91-2, 1-23-1991; Ord. No. 0-91-13, § 2, 11-27-1991; Ord. No. 0-99-09, § 3, 12-15-1999; Ord. No. 00-01, 6-3-2000)

**Sec. 113-175. One- and two-family R-2 residential district.**

- (a) *Scope.* The provisions of this section apply to the R-2 one- and two-family residential district.
- (b) *Permitted uses.* No structure or land shall be used except for one or more of the following uses:
  - (1) One- or two-family detached dwellings.

- (2) All permitted uses in the R-1 district.
  - (c) *Conditional uses.* Conditional uses shall be as permitted in the R-1 district.
  - (d) *Permitted accessory uses.* No accessory structures or use of land shall be permitted except for one or more of the following uses: all accessory uses as permitted in the R-1 district.
  - (e) *Lot area, height, lot width and yard requirements.* The following minimum requirements shall be observed subject to any additional requirements, exceptions or modifications as set forth herein:
    - (1) One-family building as required in the R-1 district.
    - (2) Two-family building as required for a one-family building except that any building with two families shall have a minimum lot area of 12,500 square feet.
  - (f) *Off-street parking and loading.* As provided in article VI, division 2 of this chapter.
  - (g) *Signs.* As provided in section 113-449.
  - (h) *Swimming pools.* As permitted in section 113-382.
  - (i) *Permitted encroachments on required yards.* As permitted in the R-1 district.
- (Code 1993, § 9-5.01; Ord. No. 0-93-07, § 6, 7-28-1993)

**Sec. 113-176. R-4 medium density multiple-family residential district-apartment buildings.**

- (a) *Scope.* The provisions of this section apply to the R-4 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 multiple-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.

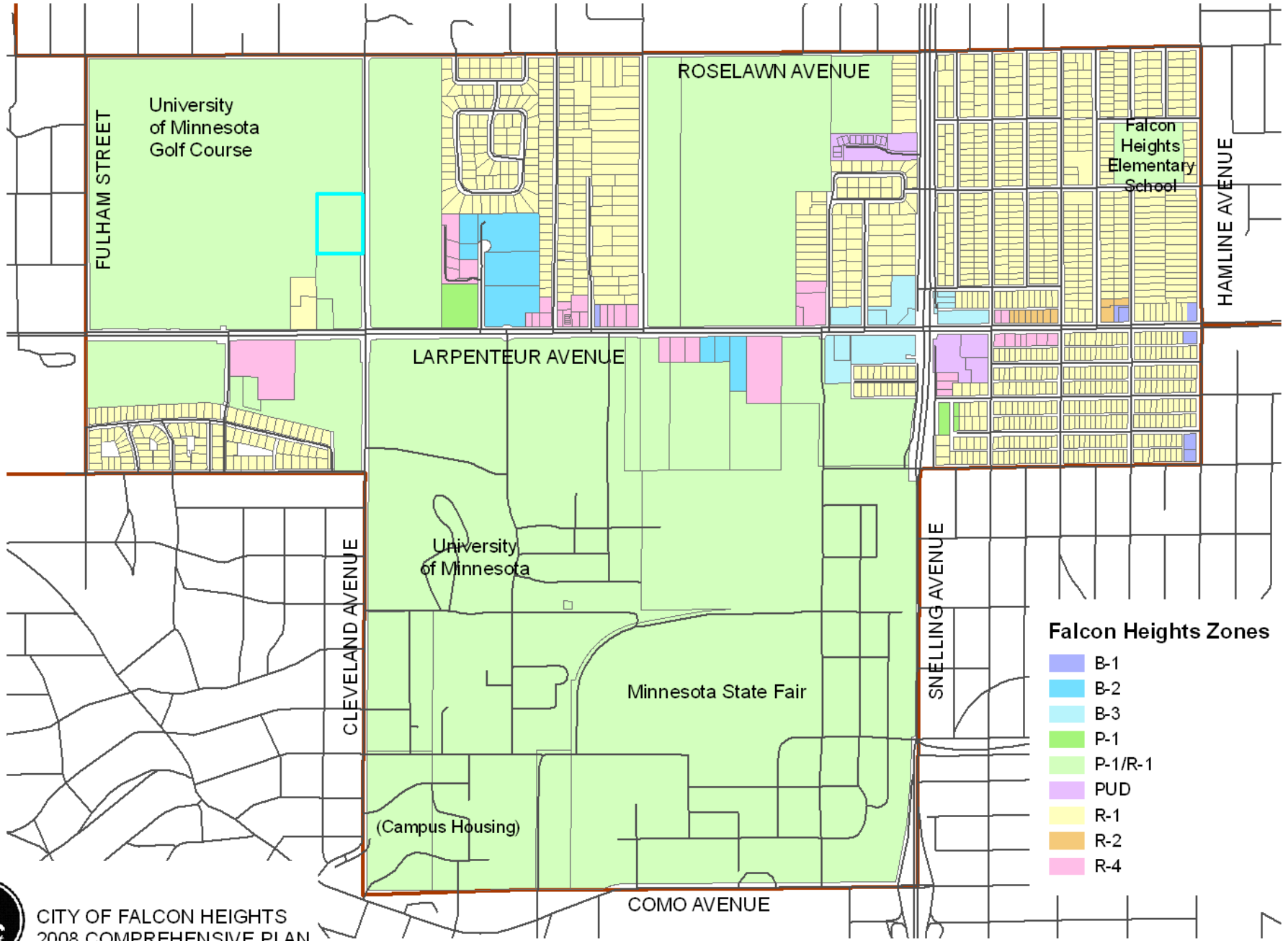
TABLE INSET:

| 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   |

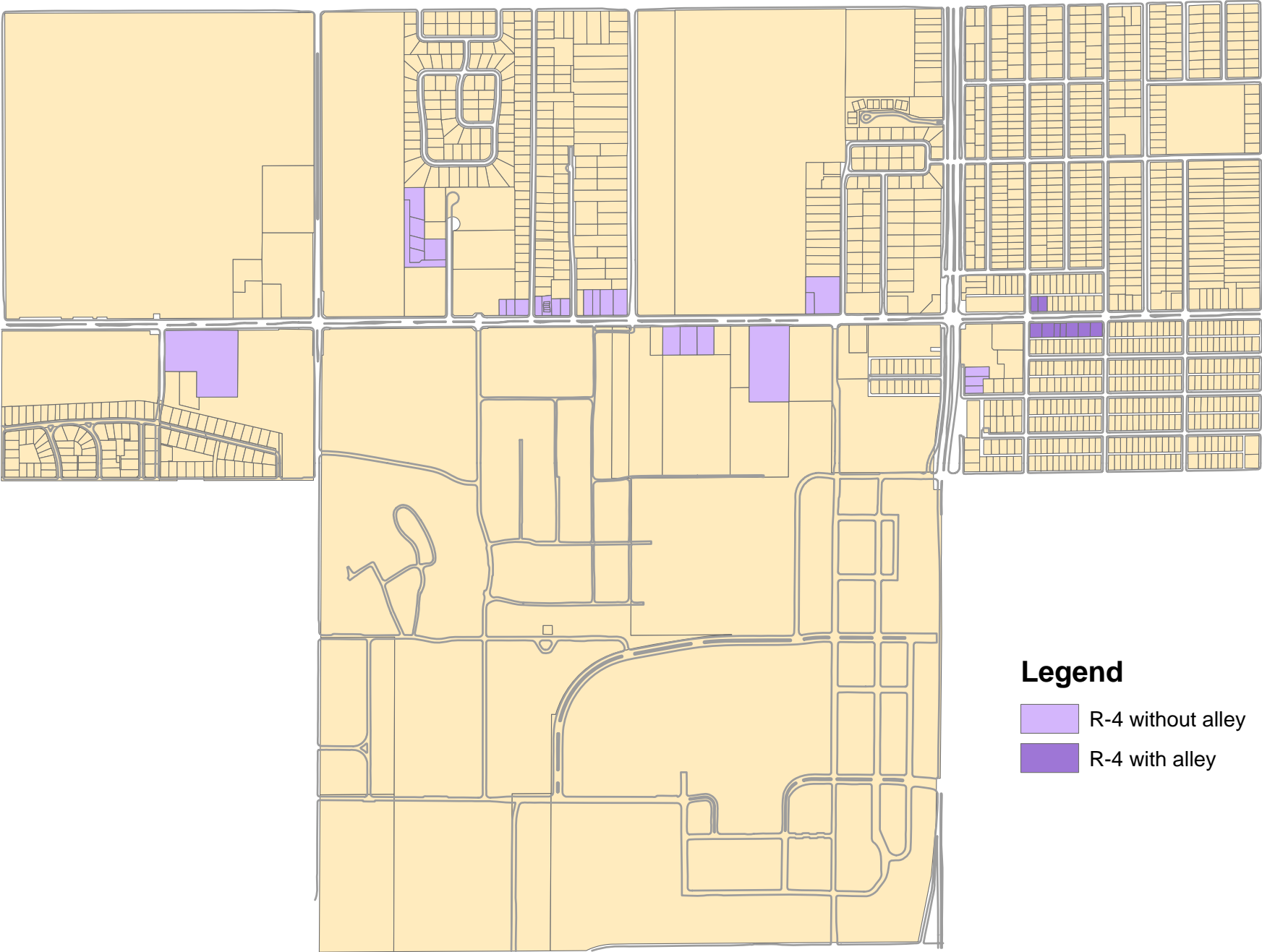
\*Lot area for single-family residence may be reduced to 10,000 square feet.

- (f) *Off-street parking and loading.* As provided in article VI, division 2 of this chapter.
  - (g) *Signs.* As provided in section 113-449.
  - (h) *Swimming pools.* As permitted by the R-1 district.
- (Code 1993, § 9-7.01; Ord. No. 0-93-07, § 7, 7-28-1993)

# City of Falcon Heights Zoning 2006



# Falcon Heights R-4 (Multi-Family) Properties





# R-4 Properties with Alleys - Close up

## Falcon Heights



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

SOURCES: Ramsey County (February 2, 2009), The Lawrence Group; February 2, 2009 for County parcel and property records data; February 2009 for commercial and residential data; April 2006 for color aerial imagery;

# Aerial Photo Unselected - R-4 with alleys

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