



PLANNING COMMISSION  
DATE: 12/09/13  
AGENDA ITEM: 6B – BUSINESS ITEM  
CASE # 2014 - 03

ITEM: Zoning Text Amendment – Zoning District Cleanup Amendment

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director

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### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to review a proposed amendment to the City's Zoning Code to eliminate zoning districts that are no longer utilized under the City's Comprehensive Plan and official Zoning Map. This action is a part of the ongoing effort to update the City's Zoning Code, a project that began in 2012. The Planning Commission is asked to review the proposed cleanup amendment in advance of a future public hearing. No formal action is required at this time.

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### **REQUEST DETAILS**

To kick off the Zoning Code Update Project, the City adopted several new urban zoning districts in 2012, including new urban residential districts and commercial districts. The purpose of this effort was to prepare for and implement the I-94 Corridor and Village Land Use Plans. Both of these plans have now been formally adopted by the City and are contained within the Land Use Chapter of the City's Comprehensive Plan. In addition, the City adopted an updated Zoning Map in May of 2013. As a result of the updates to the City's Comprehensive Plan, Zoning Map, and Zoning Code, there are now many outdated zoning districts located within the Zoning Code that no longer apply to any property in Lake Elmo and are no longer necessary to implement the City's Comprehensive Plan. For that reason, staff is recommending that the outdated zoning districts be removed from the Zoning Code to reduce overall confusion and improve the organization of the document.

The majority of the zoning districts that are no longer applicable or utilized are the former holding districts that were assigned to parcels that were guided for future sewered development. With the adoption of the updated rural zoning districts in March of 2013, the new Rural Development Transitional District (RT) replaced all of these holding districts. Therefore, these holding districts are now unnecessary. The outdated holding districts include the following:

- HD-A-BP - Agricultural Business Park Holding District (§154.034)
- HD-A-SRD - Agricultural Sewered Residential Holding District (§154.035)
- HD-RR-BP - Rural Residential Business Park Holding District (§154.037)
- HD-RR-LB - Rural Residential Limited Business Holding District (§154.038)
- HD-RR-RAD - Rural Residential Ag Density Holding District (§154.039)
- HD-RR-SRD - Rural Residential Sewered Residential Holding District (§154.040)
- HD-R1-RAD - One-Family Ag Density Holding District (§154.042)
- HD-R1-SRD - One-Family Sewered Residential Holding District (§154.043)
- HD-R3-URD - Manufactured Home Park Urban Residential Holding District (§154.046)

- HD-RE-LB - Residential Estates Limited Business Holding District (§154.049)
- HD-RE-SRD - Residential Estates Sewered Residential Holding (§154.050)
- HD-GB-BP - General Business Park Holding District (§154.052)
- HD-GB-C - General Business Commercial Holding District (§154.053)
- HD-GB-SRD - General Business Sewered Residential Holding District (§154.054)
- VR-A - Village Residential Agriculture Holding District (§154.059)
- VR-GB - Village Residential General Business Holding District (§154.060)
- VR-R1 - Village Residential One-Family Holding District (§154.061)
- VR-RR - Village Rural Residential Holding District (§154.062)
- HD-LB-SRD - Limited Business Sewered Residential Holding District (§154.066)

In addition to the non-applicable holding districts, the Zoning Code also contains multiple residential and commercial districts that are no longer valid, do not apply to any property, or have already been reorganized into the new zoning district articles in the new structure of the zoning code. These districts include the following:

- R-1 One-Family Residential (§154.041): The R-1 district has been moved and reorganized under the Rural Single Family (RS) district in Article IX – Rural Districts.
- R-3 Manufactured Home Park (§154.045): The R-3 district no longer applies to any property in Lake Elmo. The Cimarron Manufactured Home Park now is zoned MDR – Urban Medium Residential, which allows manufactured homes as a conditional use.
- R-4 Multi-Family Residential (§154.047): This district is not assigned to any property in Lake Elmo. The R-4 zoning district has been replaced with the City’s HDR – Urban High Density Residential district.
- HB – Highway Business (§154.055): This district does not apply to any property in Lake Elmo. There are no plans to utilize this zoning district in the future.
- CB – Convenience Business (§154.056): This district does not apply to any property in Lake Elmo. The CB zoning district has been replaced by the new CC – Convenience Commercial district in Article XII – Commercial Districts of the Zoning Code.
- LB – Limited Business (§154.057): The LB zoning district has been moved and reorganized into Article XII – Commercial Districts of the Zoning Code.
- BP – Business Park (§154.058): The BP zoning district has been moved and reorganized into Article XII – Commercial Districts of the Zoning Code.

After these districts are removed, there remains six zoning districts in this section of the Zoning Code: R-2 One- and Two-Family Residential, GB – General Business, PF – Public and Quasi-Public Open Space, OP - Open Space Preservation District, OZD – Overlay Zoning Use District, OP-2 - Open Space Preservation Overlay District. To provide further background regarding these districts, staff has included a general status of each district below.

Regarding the R-2 One- and Two-Family Residential district, this district must presently remain in place because the Carriage Station neighborhood in the northeast area of the City currently has R-2 PUD zoning. In the future, staff is looking at ways to reassign the zoning of this neighborhood to eliminate the R-2 district. For example, the zoning could change to LDR PUD,

and all the existing standards from the original Carriage Station PUD would be carried over. Thus, the zoning change would be a change in name only, and the standards for the neighborhood would not change.

The GB – General Business district must also remain in place at this time. All of the GB properties in the city are located around the downtown Village Area. Once these properties are rezoned to Village Mixed-Use (VMX), the GB – General Business zoning district can be eliminated. It is staff's intention to complete this zoning map amendment in the 1<sup>st</sup> quarter of 2014.

Regarding the PF – Public and Quasi-Public Open Space and OP-2 – Open Space Preservation Overlay District, these districts must remain at this time. However, staff would propose to renumber these districts to match the new organizational structure of the Zoning Code. Under the proposed renumbering, the PF district would go to Article XIII – Public and Semi-Public Districts (§154.600), and OP-2 district would be moved to Article XV – OP-Alt District (§154.700).

At this time, staff is proposing to leave the OP – Open Space Preservation District in place due to the fact that the OP Ordinance is located in Chapter 150 of the City Code (§150.175). Staff would propose to move this district and supporting information into the same location in the Zoning Code as part of a comprehensive amendment of the OP Ordinance in the future.

Finally, staff is recommending to leave the OZD – Overlay Zoning Use District in place at this time. While it is not currently applied to any property in Lake Elmo, there may be areas of environmental sensitivity or other restrictions that may warrant the use of this district in the future.

As the Zoning Code Update Project moves forward, it is likely that there will need to be additional cleanup amendments in the future. Updating the Zoning Code on a larger scale typically results in remaining areas of outdated or disorganized ordinances. As the City moves forward on updating the Zoning Code, staff will continue to bring forward cleanup amendments when appropriate.

### **RECCOMENDATION:**

No formal action is required at this time. Staff is available to answer any questions related to the Zoning Code Update Project.

### **ATTACHMENTS:**

1. Draft Ordinance Cleanup
2. City's Official Zoning Map
3. Updated Zoning Code Structure

### **ORDER OF BUSINESS:**

- Introduction .....Planning Staff
- Report by Staff .....Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members