



STAFF REPORT

DATE: 2/7/2017

REGULAR

ITEM #: 11

MOTION

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Golf Course Community Zoning District
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

The Council has approved a Comprehensive Plan Amendment that re-guides the area formerly known as Tartan Park to a newly-created Golf Course Community land use designation and to expand the MUSA. The creation of the new land use category suggests a new zoning district.

The City has received a Zoning Text Amendment application from HC Royal Golf Course Development, LLC (Applicant) to create a Golf Course Community zoning district.

ISSUE BEFORE COUNCIL:

The Council is respectfully requested to review the proposed Golf Course Community zoning district and either adopt or deny adoption of Ord 08-167 , creating a Golf Course Community Zoning District.

PROPOSAL DETAILS/ANALYSIS:

The Planning Commission reviewed and made recommendation on the proposed ordinance. The Staff Report presented to the Planning Commission is attached. The Planning Commission made the following comments:

Density.

- The proposed density of the Golf Course Community zoning district mirrors that of the new Golf Course Community Comprehensive Plan Land Use Category of 1.4-1.65 units per acre.

Allowed Uses.

- Permitted and conditional uses within the Golf Course Community District closely align with those of the LDR zoning district but also allow for a golf course and its accessory uses. The following lists the recommended permitted and conditional uses allowed in the GCC District:
 - Single-Family Detached Dwelling - permitted
 - Secondary Dwelling - conditional
 - Wayside Stand – conditional
 - Golf Course – permitted

- Outdoor Recreation Facility – conditional
- Parks and Open Areas – permitted
- Accessory Uses Common to All Urban Residential Districts: Home Occupation, Domestic Pets, Family Day Care, Temporary Sales, Solar Equipment, Swimming Pools, Hot Tubs, etc., Water-Oriented Accessory Structures, Other Incidental and Subordinate Structures – permitted
- Accessory Uses Specific to GCC District: Restaurant, Drinking and Entertaining, Indoor Athletic Facility, Semi-Transient Accommodations
- Definitions of these uses are also attached in the Planning Commission Report.

Lot Area, Lot Width, Setbacks, Impervious Surface.

- *Lot Size.* The proposed district's minimum lot size is 9,000 square feet, which was calculated using the increased minimum lot width (70 feet) of the district multiplied by a typical lot depth of 130 feet. This appears consistent with the method used to determine lot size when the Urban Residential zoning district was created. This minimum lot area assumes a significant amount of open space and clustered development to achieve the density standard of the district.
- *Lot Width.* Is slightly larger than the minimum set forth in the LDR - Limited Density Residential zoning district.
- *Setbacks.* Are consistent with those of the existing urban residential zoning districts.
- *Impervious Surface Maximum.* At 30%, it is slightly more than is required in the LDR zoning district, due to larger lots. It also meets requirements set forth by the Shoreland Management Overlay District.

Site Development Standards.

- *Development within Golf Course Community.*
 - *Open Space.* 50% of gross acreage being developed as Golf Course Community District must be dedicated towards a golf course or open space.
 - No additional standards are set forth for open space requirements in this zoning district because much of the residential development proposed within the area formerly known as Tartan Park is within the shoreland, and this open space is regulated by the Shoreland Overlay Management District, which already sets forth standards including required, allowed, and prohibited uses; and the requirement of restrictive covenants, easements, or deed restrictions to maintain and preserve the open space.
 - *Buffers.* 100' buffers from the property lines of surrounding parcels within the city are required and must be part of the conserved open space of the development (i.e. lots cannot encroach on the buffer area). There is also language that states Council may allow for reduction in buffer width provided mature vegetation or topography changes exist or are created.
 - *Connectivity.* Trails, walkways, or paths must make planned connections to the community.
- *Standards for Restaurant and Drinking Establishment* within the GCC district were added, as outlined in the report and attached ordinance.

- *Reason.* The Applicant has plans to continue operation of a restaurant and drinking establishment within the clubhouse of the golf course. As such, this use was added as a conditional, accessory use.
 - *Standards.* The Commission recommended that the restaurant be required to: be located within the same structure as the club house and pro shop, have limited hours of operation, not have a drive-through, have a maximum seating capacity, meet the Lake Elmo Design Guidelines and Standards Manual, be located with
- *Standards for Indoor Athletic Facility were added.*
 - *Reason.* The Applicant requested the option for there to be a fitness center near the parking lot of the golf course property owned by and for the homeowners' association. It will be on a separate lot and under separate ownership of the golf course. As such, the conditional, principal use of indoor athletic facility is being proposed.
 - *Cannot be Commercial Operation.* The Commission expressed concern that such a facility may become a commercial operation. The standard that the indoor athletic facility be owned and operated by the owner of the golf course, a private developer, or homeowners' association and must not be a freestanding operation was recommended.
- *Standards for Semi-Transient Accommodations were added.*
 - *Reason.* The Applicant has requested that the golf course house approximately four guest houses, to be owned by the owner of the golf course, where the owner(s)' visitors may stay. They are not planned to be used by the general public. They will be used primarily by the partners for lodging, weddings, big events, tour pros. They may be used by members of the Homeowner's Associations on special occasions.
 - *Accessory, Conditional.* Staff recommends that this use remain an accessory, conditional use. Requiring it to be an accessory use will mean that the accommodations cannot exist on lots separate from the golf course.
 - *Definition.* Definitions of and associated with semi-transient accommodations are included with this report.
 - *Standards.* Because the definition of semi-transient accommodation allows for boarding houses, rooming houses, fraternity/sorority houses, or lodging rooms, the standards set forth for semi-transient accommodations within the GCC district restrict ownership of the accommodations to either the owner(s) of the golf course or the homeowners association.
 - Additional conditions may be attached to the Conditional Use Permit when considered.
- *Standards for Secondary Dwellings within the GCC District were added.*
 - *Reason.* This is already a conditional use in the urban residential districts.
 - *Limited to Primary Structure.* The Planning Commission recommended that they only be allowed within the primary structure, and so suggested eliminating the requirement that exterior finish materials, trim, roof pitch, windows, eaves, and other architectural features of the addition be the same or visually compatible with those of the original building.

Royal Golf Course Planned Unit Development (PUD).

- While not all lots (specifically the “Villa” lots) proposed in the Royal Golf Residential Development will meet the standards proposed in the Golf Course Community zoning district, the Royal Golf Residential Development will be developed through the PUD process.
 - E.g. the Villa lots will not meet the lot width, lot size, or setback requirements, and may not meet the impervious surface requirements of the Golf Course Community District.
- The PUD process, if approved, would allow some flexibility to the standards set forth in this district, thus potentially accommodating the proposed deviations from the GCC district standards.

PLANNING COMMISSION/PUBLIC HEARING:

The Planning Commission held a public hearing and considered the proposed Golf Course Community District on January 9 and January 23, 2017. The following summarizes comments from the public hearings:

Ann Bucheck, 2301 Legion Ave:

- Adding the “semi-transient housing” increases the density. Cottages aren’t necessary on the golf course, as there are a lot of places to stay in the area and they are not necessary to a golf course.
- The minimum lot size should not be reduced from 20,000 square feet (as originally proposed).
- The area does not need substantial traffic indicated with the recreational use.
- Exterior secondary dwellings would not work with smaller lot sizes.
- The 100 foot buffer should be made bigger rather than smaller.
- Doesn’t want to see street lights in the residential development.

Tim Mandel, 2479 Lisbon Ave:

- Asks if a conditional use permit can be issued for anything requested.
- The cottages would be considered commercial, and the use could change if the golf course fails.

The Planning Commission recommended approval of the ordinance at its January 23, 2017 meeting with an affirmative vote of 4-0.

FISCAL IMPACT:

None.

OPTIONS:

The Council may:

- Approve the proposed ordinance.
- Make amendments to the proposed ordinance and approve the ordinance as amended.
- Deny the proposed ordinance.

RECOMMENDATION:

Staff and the Planning Commission recommend that the Council approve the ordinance as proposed. Approval may be made with the following motion:

“Move to adopt Ord-167, approving the addition of the proposed Golf Course Community Zoning District to the Zoning Code of the City of Lake Elmo Code of Ordinances.”

If approved, Staff also recommends that the Council adopt a resolution authorizing summary publication of Ord- with the following motion:

“Move to adopt Resolution 2017-016, authorizing summary publication of Ord 08-167.”

ATTACHMENTS:

- Ord 08-167 (no redlines – see PC Report Attachment for redlined version – changes to redlined version are explained herein)
- Resolution 2017-016
- PC Report 1/23/17
- Planning Commission meeting minutes 1/9/17

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-167

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
CREATING A GOLF COURSE COMMUNITY ZONING DISTRICT

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Article XII; of Chapter 154: Zoning Code; of Title XV: Land Usage; of the Lake Elmo City Code of Ordinances, is hereby amended as follows:

URBAN RESIDENTIAL DISTRICTS

§ 154.450 PURPOSE AND DISTRICT DESCRIPTIONS.

The urban residential districts are established to provide areas for residential development that are served by public sewer and water services in accordance with the city's Comprehensive Plan. The objectives of these districts are to preserve and enhance the quality of living in residential neighborhoods, to regulate structures and uses which may affect the character or desirability of residential areas, to encourage a variety of dwelling types and locations and a range of population densities consistent with the city's Comprehensive Plan, and to ensure adequate light, air, privacy and open space. The residential districts and their purposes are as follows:

(A) GCC Golf Course Community District. The GCC district is intended to permit urban residential developments in conjunction with a golf course and its accessory uses. Development in this district will be enhanced by coordinated site planning; open space and environmental resources; and provision of a safe and efficient system for pedestrian and vehicle traffic. The GCC district is intended to provide areas for densities lower than other Urban Residential Districts, ranging from 1.4 to 1.65 units per acre, with adequate open space buffers to provide a transition between denser, sewer development and rural areas. Residential development within the GCC district will consist of an environment of predominantly single-family dwellings with lots slightly larger on average than those in most Urban Residential Districts.

(B) LDR Urban Low Density Residential District. The LDR district provides an environment of predominantly single-family dwellings on moderately sized lots, and is designed to be the most restrictive of the urban residential districts. The LDR district is intended to provide areas for lower density residential development within the city's planned sewer development areas, and may be used to provide a

transition between rural development areas and the city's urban development and districts. Densities shall range from two 2 to 4 units per acre; however, the overall density for a specific development area must be consistent with the net densities specified in the Comprehensive Plan. The lot size and other district standards allow for the creation of smaller lots with the expectation that common open space will be provided within developments that exceed the base densities (at low end of the land use density range) within the Comprehensive Plan.

(C) MDR Urban Medium Density Residential District. The MDR district is established to provide for a diversity of housing types in those areas where such development is consistent with the medium density residential designation of the comprehensive plan and compatible with the development pattern of the surrounding area. Clustering of buildings to permit more orderly development and to preserve open space within new developments is encouraged. Development within the district shall occur at densities in the range of 4 to 7 dwelling units per acre, with two-family dwellings and townhouses permitted. The city will determine the allowed density for a piece of property at the time of the development application, and this determination will be based upon the site-specific characteristics of the property and the requested development. Factors to be considered in increasing or decreasing the allowed density include the existing environmental conditions such as wetlands, floodplains, steep slopes, significant trees; the specific site plan; the amount of open space preserved, and the type of housing units proposed, including whether greater density is desirable because the development contains housing that is consistent with the city's housing goals. The burden of establishing the appropriateness of the high end of the density range will be on the applicant.

(D) HDR Urban High Density Residential District. The HDR district is established to provide for an environment of moderate to high-density attached and multi-family housing, designed to present an attractive appearance to neighboring streets and adjacent uses, to include sufficient private and semi-private outdoor space, and to be well integrated into their surroundings. Small office and service businesses of limited size and extent may be allowed as conditional uses. The HDR district is appropriate as a transition between commercial or industrial districts and surrounding neighborhoods, and in already developed higher-density areas. Development within the district may occur at densities in excess of 7 dwelling units per acre, provided the overall densities for within a development area are consistent with the net densities specified in the Comprehensive Plan and that a density analysis is used consistent with the purpose statement for the MDR district. (Ord. 2012-062, passed 9-18-2012)

§ 154.451 PERMITTED AND CONDITIONAL USES.

Table 10-1 lists all permitted and conditional uses allowed in the urban residential districts. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under

“Standards” indicate the location within this chapter of specific development standards that apply to the listed use.

(A) *Combinations of uses.* Principal and accessory uses may be combined on a single parcel. A principal and secondary dwelling unit may be combined according to the standards of § 154.454 (C). Single-family attached or multi-family complexes designed for rental or condominium occupancy, typically include multiple units and buildings on a single parcel.

Table 10-1: Permitted and Conditional Uses, Residential Districts

	<u>GCC</u>	LDR	MDR	HDR	Standard
Residential Uses					
Single-family detached dwelling	<u>P*</u>	P	P	P	154.454 (B), (E), <u>*(O)</u>
Two-family dwelling	<u>=</u>	-	P	P	154.454 (F)
Single-family attached dwelling	<u>=</u>	-	P*	P**	154.454 *(G), ** (J)
Multifamily dwelling (rental or condominium)	<u>=</u>	-	C*	P**	154.454 *(H), ** (K)
Secondary dwelling	<u>C</u>	C	C	C	154.454(C)
Live-work unit	<u>=</u>	-	-	C	154.454 (L)
Manufactured home park	<u>=</u>	-	C	-	151.035-151.150
Group Living					
Group Home	<u>=</u>	P	P	P	154.301 (A)
Group residential facility	<u>=</u>	-	C	C	154.301 (B)
Halfway House	<u>=</u>	-	-	C	154.301 (B)
Congregate Housing	<u>=</u>	-	C	C	154.301 (C)
Semi-transient accommodations	<u>=</u>	-	C	C	154.301 (C);
Public and Civic Uses					
Community services	<u>=</u>	-	-	C	
Day care center	<u>=</u>	-	C	C	154.012 (2) (d)

Schools, public and private	=	C	C	C	154.303 (A)
Services					
Offices	=	-	-	C	154.454 (M)
Funeral home	=	-	-	C	154.454 (I)
Personal services	=	-	-	C	154.454 (I)
Nursing and personal care	=	-	-	C	154.303 (C)
	<i>GCC</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>	<i>Standard</i>
Sales of Merchandises					
Neighborhood convenience store	=	-	-	C	154.454 (N)
Wayside stand	<u>C</u>	P	P	P	154.454 (D)
Outdoor Recreation					
Golf course	<u>P</u>	C	-	-	154.306 (A)
Outdoor recreation facility	<u>C</u>	-	-	-	154.306 (C)
Indoor Athletic Facility	<u>C</u>	-	-	-	154.307, 154.454 (Q)
Parks and open areas	<u>P</u>	P	P	P	
Transportation and Communications					
Broadcasting or communication facility	=	C	C	C	
Accessory Uses					
Home occupation	<u>P</u>	P	P	P	154.012 (12) (e)

Bed and breakfast	<u>-</u>	-	C	C	154.310 (A)
Domestic pets	<u>P</u>	P	P	P	
Family day care	<u>P</u>	P	P	P	154.012 (12) (d)
Group family day care	<u>-</u>	C	C	C	154.012 (12) (d)
Temporary sales	<u>P</u>	P	P	P	154.456 (I)
Parking facility	<u>-</u>	-	-	C	
Solar equipment	<u>P</u>	P	P	P	154.310 (C)
Swimming pools, hot tubs, and the like	<u>P</u>	P	P	P	
Water-oriented accessory structures	<u>P</u>	P	P	P	154.800
Restaurant	<u>C</u>	-	-	-	<u>154.454 (P)</u>
Drinking and Entertaining	<u>C</u>	-	-	-	<u>154.454 (P)</u>
Semi-transient accommodations	<u>C</u>	-	-	-	<u>154.454 (R), (O)</u>
Other structures typically incidental and clearly subordinate to permitted uses	<u>P</u>	P	P	P	

§ 154.452 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 10-2, Lot Dimension and Setback Requirements.

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	<u>GCC</u>	LDR	MDR	HDR

Minimum Lot Area (sq. ft.)				
Single family detached dwelling	<u>9,000</u>	8,000	7,000	5,000
Two-family dwelling (per unit) ^a	=	5,000	4,000	3,000
Single-family attached (per unit) ^b	=	-	4,000	2,500
Multi-family dwelling (per unit)	=	-	4,000	1,800
Secondary dwelling	<u>154.454 (C)</u> <u>(1)</u>	154.454 (C) (2)	154.454 (C) (2)	154.454 (C) (2)
Live-work unit	=	-	-	3,600
Congregate Housing	=	-	154.301 (C)	154.301 (C)
Manufactured Home Park	=	-	151.035- 151.150	151.035- 151.150

Minimum Lot Width (feet)				
Single family detached dwelling	<u>70</u>	60	50	50
Two-family dwelling (per unit) ^a	<u>≡</u>	-	30	20
Single-family attached (per unit) ^b	<u>≡</u>	-	25	20
Multi-family dwelling (per building)	<u>≡</u>	-	75	60
Live-work unit	<u>≡</u>	-	-	25
Maximum Height (feet)	<u>35</u>	35	35	50
Maximum Impervious Coverage	<u>30%</u>	40%	50%	75%
	<u>GCC</u>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>
Minimum Building Setbacks (feet)				
Front yard	<u>25</u>	25 ^c	25 ^c	20 ^c
Interior side yard ^e				
Principal Buildings (living space) ^{f,g}	<u>10</u>	10	10	10 ^d
Attached Garage or Accessory Structures ^{f,g}	<u>5</u>	5	5	10 ^d
Corner side yard ^{g,h}	<u>15</u>	15	15	15
Rear yard	<u>20</u>	20	20	20

Notes to Urban Residential Districts Table

a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.

b. Two-family units may be side-by-side with a party wall between them ("twin") or located on separate floors in a building on a single lot ("duplex"). The per-unit measurements in this table apply

to “twin” units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a “duplex” containing two vertically-separated units on a single lot.

c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard is also used for multifamily dwellings.

d. Single family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.

e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.

f. In situations where a garage or accessory building is set back less than 7 feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in Section 154.081) will be two (2) feet.

g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.

h. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

§ 154.453 DIMENSIONAL REQUIREMENTS AND PRESERVATION OF OPEN SPACE.

(A) *Averaging of Lot Area.* When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.

(B) *Lot Dimension Reductions.* Other reductions in dimensional standards may be considered as part of a planned unit development if these reductions provide for common open space within a development.

(C) *Lots Adjacent to Public Greenway Corridors.* On any lot that abuts a public greenway as depicted in the Comprehensive Plan the minimum setback for all structures, including accessory buildings, shall be the required rear yard setback for the district in which said structure is located.

§ 154.454 SITE DESIGN AND DEVELOPMENT STANDARDS.

Development of land within the urban residential districts shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in Articles 5, 6 and 7. The following standards apply to specific uses, and are organized by district.

(A) *Planned Unit Developments, All Urban Residential Districts.* A planned unit development may be submitted for consideration within any residential district, subject to the requirements and standards established in Section 154.800, Planned Unit Developments.

(1) A residential development that exceeds 15 units per acre in an HDR Zoning District may be allowed as a Planned Unit Development in accordance with the density bonus provisions of Section 154.800, Planned Unit Developments.

(B) *Single-Family Detached Dwellings, All Urban Residential Districts.* All single-family dwellings shall be at least twenty-four (24) feet in width, at least nine hundred sixty (960) square feet in area, and be placed on a permanent foundation.

(C) *Secondary Dwelling.* The purpose of a secondary dwelling is to provide life-cycle housing opportunities for family members or small households of one or two people, while providing more efficient use of large single-family dwellings or large lots.

(1) GCC Districts.

- a) A secondary dwelling unit may be located within a principal structure used as a single-family detached dwelling, or above a detached garage.
- b) There shall be no more than one secondary dwelling unit on the zoning lot.
- c) At least one dwelling unit on the zoning lot shall be owner-occupied.
- d) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for a single-family detached dwelling in the zoning district.
- e) The appearance of the building shall remain that of a single-family dwelling. Any new or additional entrances must face the side or rear of the building.
- g) Shall not contain more than 30% of the principal building's total floor area or 800 square feet, whichever is less.
- h) Impervious limits for the lot within the zoning district in question shall not be exceeded.

(2) LDR, MDR, and HDR Districts.

- a) A secondary dwelling unit may be located within a principal structure used as a single-family detached dwelling, above a detached garage, or within a separate detached structure.
- b) There shall be no more than one secondary dwelling unit on the zoning lot.

- c) At least one dwelling unit on the zoning lot shall be owner-occupied.
- d) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for a single-family detached dwelling in the zoning district.
- e) If the secondary unit is included in the principal building, the appearance of the building shall remain that of a single-family dwelling. Any new or additional entrances must face the side or rear of the building.
- f) Whether the secondary unit is an addition to an existing structure or a new detached structure, roof pitch, windows, eaves and other architectural features must be the same or visually compatible with those of the principal building. Exterior finish materials and trim must be the same or closely match in type, size and location the materials and trim of the original building.
- g) A secondary unit within the principal structure shall not contain more than 30% of the principal building's total floor area or 800 square feet, whichever is less. A detached secondary unit shall not exceed 1,000 square feet in gross floor area.
- h) Impervious limits for the lot within the zoning district in question shall not be exceeded.

(D) Wayside Stand, All Urban Residential Districts.

- (1) No more than one stand per lot shall be permitted.
- (2) Adequate off-street parking shall be provided.

(E) Single-Family Detached Dwelling, All Urban Residential Districts

- (1) No parking shall be located in the front yard or between the front facade and the street except on a permitted driveway.
- (2) The primary entrance shall be located on the facade fronting a public street.

(F) Two-Family Dwelling, MDR and HDR Districts.

- (1) No parking shall be located in the front yard or between the front façade and the street except on a permitted driveway.
- (2) Access to the second dwelling unit shall be either through a common hallway with one front entrance, or by means of a separate entrance.

(3) New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a developed block may be redeveloped as two-family units, and no further two-family or higher density development is permitted once this threshold is reached. Lineal frontage shall be measured around the entire perimeter of the block.

(4) Two-family dwellings shall be designed to reflect the general scale and character of surrounding buildings on surrounding blocks, including front yard depth, building width height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(G) Single-Family Attached Dwelling (Townhouse), MDR District.

(1) A maximum of 8 units shall be permitted within a single building. Buildings with more than 8 units may be allowed as a conditional use.

(2) Townhouses shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front façade and the street.

(a) Townhouses that do not meet the minimum requirements for frontage along a street or that have frontage along a private street may be allowed as a conditional use.

(3) The primary entrance shall be located on the façade fronting a public street unless the townhouses are approved as a Conditional Use under division §154.455.(G)(2)(a) above; an additional entrance may be provided on the rear or side façade.

(4) New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a developed block (measured around the entire block perimeter) may be converted to townhouse units, and no further townhouse, two-family or higher-density development is permitted once this threshold is reached.

(5) Townhouse units shall be designed to reflect the general scale and character of existing buildings on surrounding blocks, including front yard depth, height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(6) Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of 500 square feet per unit.

(H) *Multi-Family Building, MDR District.*

(1) A maximum of 8 units shall be permitted within a single building. Buildings with more than 8 units may be allowed as a Conditional Use.

(2) The multi-family building shall be designed to reflect the general scale and character of buildings on surrounding blocks, including front yard depth, roof pitch, primary materials, façade detailing and size and placement of window and door openings.

(3) No parking shall be located in the front yard or between the front façade and the street.

(4) New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a block (measured around the entire block perimeter) may be developed as multi-family units, and no further multi-family, two-family or townhouse development is permitted on the block once this threshold is reached.

(5) Common open space for use by all residents or private open space adjacent to each unit (as a courtyard or balcony) shall be provided. Such open space shall comprise a minimum of 300 square feet per unit.

(I) *Funeral Home, HDR District.* A facility developed after the effective date of this chapter shall have access to an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two access points shall be provided.

(1) Additions or new construction shall be designed to reflect the general scale and character of the existing building and surrounding neighborhood, including front yard depth, roof pitch, primary materials, façade detailing and size and placement of window and door openings.

(J) *Single-Family Attached Dwelling, HDR District.*

(1) A maximum of 10 units shall be permitted within a single building. Buildings with more than 10 units may be allowed as a conditional use.

(2) Townhouse dwellings shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front façade and the street.

(a) Townhouses that do not meet the minimum requirements for frontage along a street or that have frontage along a private street may be allowed as a conditional use.

(3) The primary entrance shall be located on the facade fronting a public street unless the townhouses are approved as a conditional use under division (J)(2)(b) of this section; an additional entrance may be provided on the rear or side façade.

(4) Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of 300 square feet per unit.

(K) *Multi-Family Building, HDR District.*

(1) No parking shall be located in the front yard or between the front façade and the street.

(2) Common open space for use by all residents or private open space adjacent to each unit (as a courtyard or balcony) shall be provided. Such open space shall comprise a minimum of 200 square feet per unit.

(L) *Live-Work Unit, HDR District.* The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise, and to provide neighborhood-oriented commercial services, while maintaining a generally residential character in which the work space is subordinate to the residential use.

(1) The work space component shall be located on the first floor or basement of the building.

(2) The dwelling unit component shall maintain a separate entrance located on the front or side façade and accessible from the primary abutting public street.

(3) The work space component of the unit shall not exceed 30% of the total gross floor area of the unit.

(4) A total of two off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit or underground/enclosed.

(5) The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.

(6) The business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a

manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

(7) The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than 2 workers on-site at any one time who live outside of the live-work unit.

(M) *Offices or Personal Services, HDR District.* The establishment shall not exceed 3,000 square feet in size, and may be located within a multi-family building or a freestanding building.

(1) Additions or new construction shall be designed to reflect the general scale and character of surrounding buildings, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(2) No parking shall be located in the front yard or between the front facade and the street.

(3) No building shall be constructed and no residential building shall be wholly or partially converted to such a use within a distance of 300 feet from any other retail or service business on the same street within the HDR District.

(N) *Neighborhood Convenience Store, HDR District.*

(1) The establishment shall not exceed 3,000 square feet in size, and may be located within a multi-family building or a free-standing building.

(2) Additions or new construction shall be designed to reflect the general scale and character of existing buildings on surrounding blocks, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(3) No parking shall be located in the front yard or between the front facade and the street.

(4) The use shall occupy a corner property. Any freestanding building developed on such a property shall have a minimum setback of 10 feet from each right-of-way line.

(5) No building shall be constructed and no residential building shall be wholly or partially converted to such a use within a distance of 500 feet from any other retail or service business on the same street within the HDR District.

(O) *Development, GCC District.*

(1) Open Space Required. A minimum of 50% of the gross acreage being developed as Golf Course Community must be designated as either a golf course or as open space.

(2) Buffers Required. All residential lots must be a minimum of 100 feet from external residential lots within the City on the periphery of the proposed Golf Course Community. The resulting buffer area shall be part of the required 50% open space. Buffer widths may be reduced as determined by Council in areas where existing mature vegetation and/or changes in topography occurring on the site proposed for development exist or are introduced to provide an effective year-round buffer.

(3) Connectivity. Trails, walkways, or paths must be provided within the development and make planned connections to external trails, walkways or paths within the community. There must also be internal trail connectivity between proposed housing and the golf course or main area of open space being established within the Golf Course community.

(P) Restaurant and Drinking and Entertaining, GCC District. Restaurants and drinking and entertaining establishments within the Golf Course Community must adhere to the following standards:

(1) Must be accessory to a golf course and be located within the same structure as the club house and pro shop so as to limit the number of structures within the golf course area.

(2) Hours of operation must be limited to the hours of 7am and 10pm, or as otherwise determined by Council.

(3) Drive-through service is prohibited.

(4) Maximum restaurant and/or drinking and entertaining establishment capacity to be determined by Council.

(5) Must meet applicable standards set forth by Lake Elmo Design Guidelines and Standards for commercial development.

(Q) Indoor Athletic Facility, GCC District.

(1) Must be owned and operated by either the owner of the golf course, a private developer, or homeowners association and must not be a freestanding commercial operation.

(R) Semi-Transient Accommodations, GCC District.

(1) Must be accessory to a golf course.

(2) Must be owned and operated by either the owner(s) of the golf course or homeowners association and must not be a freestanding commercial operation.

§ 154.455 RESIDENTIAL DISTRICT DESIGN STANDARDS.

Review of Design. For certain development activity as specified in the *Lake Elmo Design Guidelines and Standards Manual*, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the *Lake Elmo*

Design Guidelines and Standards Manual and shall follow the review procedures specified in §154.506.A.

§ 154.456 ACCESSORY USES AND STRUCTURES.

Accessory uses are listed in the Urban Residential District Use Table as permitted or conditional accessory uses. Accessory uses and structures in the urban residential districts shall comply with the following standards and all other applicable regulations of this subchapter.

(A) *Phasing.* No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.

(B) *Incidental to Principal Use.* The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.

(C) *Subordinate to Principal Use.* The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served.

(D) *Function.* The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.

(E) *Location.* The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

§ 154.457 RESIDENTIAL ACCESSORY STRUCTURES.

(F) *Residential Accessory Structures.* In all residential districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

(1) ~~(A)~~ *Attached structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

(1) The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located; and

(2) The structure shall not exceed the height of the principal building to which it is attached.

(2) ~~(B)~~ *Attached garages.*

(a) Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:

(1) The front of the garage is recessed at least 4 feet behind the plane of the primary facade;

(2) The front of the garage is recessed at least 4 feet behind a porch if the garage is even with the primary facade; or

(3) ~~(2)~~ The width of the attached garage shall not exceed 60% of the width of the entire principal building facade (including garage) fronting the primary street.

(4) ~~(3)~~ Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.

(5) ~~(4)~~ Garage doors or openings shall not exceed 14 feet in height.

(G) ~~(C)~~ *Detached structures.* Detached accessory structures shall be permitted in residential districts in accordance with the following requirements:

(1) Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.

(2) Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.

(3) Pole barns, as defined herein, exceeding 120 square feet shall be prohibited.

(4) No more than 30% of the rear yard area may be covered by accessory structures.

(5) Garage doors or openings shall not exceed 14 feet in height.

~~§ 154.458 ACCESSORY USES.~~

(H) Accessory Uses

(1) ~~(A)~~ *Exterior Storage in Residential Districts.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

(a) ~~(1)~~ Laundry drying;

(b) ~~(2)~~ Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding 6 months shall be screened or stored out of view of the primary street on which the house fronts;

(c) ~~(3)~~ Agricultural equipment and materials, if these are used or intended for use on the premises;

(d) ~~(4)~~ Off-street parking and storage of vehicles and accessory equipment, as regulated in § 154.095;

(e) ~~(5)~~ Storage of firewood shall be kept at least 10 feet from any habitable structure and screened from view from adjacent properties; and

(f) ~~(6)~~ Outdoor parking.

(I) ~~(B)~~ *Temporary sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to 2 per calendar year per residence, not to exceed four 4 days in length.

~~§ 154.459 ACCESSORY USES AND STRUCTURES NOT LISTED.~~

(J) Accessory Uses and Structures Not Listed.

Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in **Article 7, Specific Development Standards**. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

SECTION 2. The City Council of the City of Lake Elmo hereby ordains that Table 8-1 Zoning Districts; Section 154.350: Division Into Districts; of Article VIII Zoning Districts and Zoning Map; of Title XV: Land Usage; of the Lake Elmo City Code of Ordinances, is hereby amended as follows:

A. *All Areas Zoned.* The incorporated areas of Lake Elmo are hereby divided into the following zoning districts:

Table 8-1: Zoning Districts

R2	One and Two Family General	154.033
GB	General Business	154.034
A	Agriculture	Article XI
RR	Rural Residential	Article XI
RT	Rural Development Transitional	Article XI
RS	Rural Single Family	Article XI
RE	Residential Estate	Article XI
<u>GCC</u>	<u>Golf Course Community</u>	<u>Article XI</u>
LDR	Urban Low Density Residential	Article XII
MDR	Urban Medium Density Residential	Article XII
HDR	Urban High Density Residential	Article XII
VMX	Village Center – Mixed Use	Article XII
C	Commercial	Article XIV
CC	Convenience Commercial	Article XIV
LC	Neighborhood Office/Limited Commercial	Article XIV
BP	Business Park/Light Manufacturing	Article XIV
PF	Public Facilities	Article XV

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Section 153.14: Park Land Dedication Requirements; of Chapter 153: Subdivision Regulations; of Title XV: Land Usage; of the Lake Elmo City Code of Ordinances, is hereby amended as follows:

<i>Zoning Districts</i>	<i>Minimum Required Land Dedication</i>
R1, R2, R3, and R4	10%
RS, <u>GCC</u> , LDR, MDR, HDR	10%
RE	7%

RR and AG	4%
<i>Zoning Districts</i>	<i>Minimum Required Land Dedication</i>
GB, LB, HB, BP, CB,	Fee as set by Council resolution
C, CC, LC, VMX	Fee as set by Council resolution
RR and AG with OP Conditional Use Permit	7%
RR and AG with OP-A Conditional Use Permit	10%

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-_____ was adopted on this 7th day of February 2017, by a vote of ____ Ayes and ____ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-167 was published on the ____ day of _____, 2017.

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2017-16

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-167 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-167, an ordinance creating a Golf Course Community Zoning District within Article XII: Urban Residential Districts of the Zoning Code of the Lake Elmo City Code of Ordinances; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-167 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-167, which:

Section 1. Creates a Golf Course Community (GCC) Zoning District within Article XII: Urban Residential Districts of the Zoning Code of the Lake Elmo City Code of Ordinances. A summary of the Golf Course Community Zoning District is below:

- The district is intended to permit urban residential developments in conjunction with a golf course.
- Densities within the district range from 1.4 to 1.65 units per acre.
- Permitted and conditional uses within the district include single-family detached dwelling, secondary dwelling, wayside stand, golf course, outdoor recreation, indoor athletic facility, and parks and open space.
- Permitted and conditional uses accessory to a golf course include restaurant, drinking and entertaining establishment, and semi-transient accommodations. Permitted and conditional accessory uses within the existing urban residential districts are also included.
- Minimum lot area, width, and maximum impervious surface standards are slightly increased from those of the LDR zoning district.
- Site development standards for development within the Golf Course Community District are set forth, including the following:

- 50% of gross acreage being developed must be designated as golf course or open space.
- 100' buffers from the property lines of surrounding residential parcels within the city are required and must be part of the open space of the development.
- Trails, walkways, or paths must be included within the development and make planned connections to planned or existing trails within the community.
- Specific development standards for secondary dwellings, restaurants and drinking establishments, indoor athletic facilities, and semi-transient accommodations within the Golf Course Community district are set forth.

Section 2. Adds GCC – Golf Course Community as a zoning district within Table 8-1: Zoning Districts of Section 154.350: Division Into Districts; of Article VIII Zoning Districts and Zoning Map; of Title XV: Land Usage; of the Lake Elmo City Code of Ordinances.

Section 3. Amends Section 154.14: Park Land Dedication Requirements; of Chapter 153: Subdivision Regulations; of Title XV: Land Usage; of the Lake Elmo City Code of Ordinances by setting forth the same parkland dedications requirement (10%) for development within the GCC Zoning District.

The full text of Ordinance No. 08-167 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: February 7, 2017.

Mayor Mike Pearson

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor

thereof: _____ and the following voted against

same: _____

Whereupon said resolution was declared duly passed and adopted.



STAFF REPORT

DATE: JANUARY 23, 2017

REGULAR

ITEM #: 5C (CASE #2016-58)

MOTION

TO: Planning Commission
FROM: Emily Becker, Planner
AGENDA ITEM: Zoning Text Amendment –Golf Course Community Zoning District
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

The City Council approved a Comprehensive Plan Amendment on January 17, 2017 to re-guide the area formerly known as Tartan Park to a newly-created Golf Course Community land use designation and to expand the MUSA. The creation of the new land use category suggests a new zoning district.

At its previous meeting, the Planning Commission held a public hearing and considered a new Golf Course Community (GCC) zoning district. Staff was given feedback on the ordinance, but the item was tabled in order for additional information to be gathered regarding the proposed “cottages” for the Royal Golf Course.

ISSUE BEFORE THE COMMISSION:

The Planning Commission is being asked to consider the proposed zoning district entitled “Golf Course Community.”

ANALYSIS/PLANNING AND ZONING ISSUES:

Density.

The approved density of the Golf Course Community Land Use Designation was 1.4-1.65. The zoning district allows this approved density. There is currently no urban residential zoning district that allows for density this low.

Allowed Uses.

- The proposed permitted and conditional uses of the zoning district are outlined in the attached ordinance.
- Definitions of these uses are also attached for reference.
- Semi-Transient Accommodations (“cottages”) are not recommended, for reasons outlined below.

Site Design and Development Standards.

Standards for the following uses within the Golf Course Community Zoning District were amended since the last meeting:

- *Secondary Dwellings.*
 - Secondary dwellings within the GCC district may only be within the principal building.
- *(General) Development within the GCC District.*

- Buffer widths may be reduced as determined by Council in areas where existing mature vegetation and/or existing or created topography changes provide year round buffer.
 - Street Design was eliminated.
- *Restaurant and Drinking and Entertaining.*
 - Must be located within same structure as club house and pro shop.
 - Must meet commercial design standards set forth by Design Guidelines and Standards Manual.
- *Indoor Athletic Facility.*
 - Must be accessory to golf course and owned and operated by private developer or HOA (not by freestanding commercial operation).
- *Semi-Transient Accommodations.* The developer has indicated that the Semi-Transient Accommodations (“proposed cottages”) would be owned and used by the golf course owner for entertaining and short-term accommodations for his guests. The developer has provided example floor plans for similar structures and suggested the location of the proposed “cottages” would be on an open area adjacent to the clubhouse parking lot, overlooking the course. If the Commission wishes to recommend that this use be included as a conditional use within this zoning district, it is recommended that the following standards be included within the ordinance:
 - (R) Semi-Transient Accommodations, GCC District.
 - (1) Must be accessory to a golf course.
 - (2) Must be limited to boarding houses, as defined in 11.01.
 - (3) Must be owned and operated by either the owner of the golf course or homeowner’s association and must not be a freestanding commercial operation.

Planned Unit Development (PUD)

- The area that is planned to be re-guided to the Golf Course Community Land Use Designation is planned to be development through the PUD process.
 - Therefore, the applicant will likely seek some flexibility in zoning requirements set forth in this zoning district.
 - This district is setting forth general standards for development.

RECOMMENDATION:

Requested Opportunity for Public to Speak. Although it was not required to publish an additional public hearing notice, some who spoke at the last public hearing requested an additional opportunity to speak when the item was brought back to the Commission.

Staff is recommending the Planning Commission recommend approval of the proposed Golf Course Community District:

“Move to approve the addition of a Golf Course Community Zoning District to the Zoning Code.”

ATTACHMENTS:

1. Draft Ordinance 08-__
2. Definitions of Uses Proposed to be Allowed within the Golf Course Community district
3. Example “cottages”

ORDER OF BUSINESS:

- Introduction.....Planning Staff

- Report by Staff.....Planning Staff
- Questions from the Commission..... Chair & Commission Members
- Open the Opportunity for Public to Speak.....Chair
- Close the Opportunity for Public to SpeakChair
- Discussion by the Commission..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-_____

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
CREATING A GOLF COURSE COMMUNITY ZONING DISTRICT

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Article XII; of Title XV: Land Usage; of Chapter 154: Zoning Code; of the Lake Elmo City Code of Ordinances, is hereby amended as follows:

URBAN RESIDENTIAL DISTRICTS

§ 154.450 PURPOSE AND DISTRICT DESCRIPTIONS.

The urban residential districts are established to provide areas for residential development that are served by public sewer and water services in accordance with the city's Comprehensive Plan. The objectives of these districts are to preserve and enhance the quality of living in residential neighborhoods, to regulate structures and uses which may affect the character or desirability of residential areas, to encourage a variety of dwelling types and locations and a range of population densities consistent with the city's Comprehensive Plan, and to ensure adequate light, air, privacy and open space. The residential districts and their purposes are as follows:

~~(A) GCC Golf Course Community District. The GCC district is intended to permit urban residential developments in conjunction with a golf course. Development in this district will be enhanced by coordinated site planning; open space and environmental resources; and provision of a safe and efficient system for pedestrian and vehicle traffic. The GCC district is intended to provide areas for densities lower than other Urban Residential Districts, ranging from 1.4 to 2.49 units per acre, with adequate open space buffers to provide a transition between denser, sewer development and rural areas. Residential development within the GCC district will consist of an environment of predominantly single-family dwellings with lots slightly larger on average than those in most Urban Residential Districts.~~

~~(A)~~ (B) LDR Urban Low Density Residential District. The LDR district provides an environment of predominantly single-family dwellings on moderately sized lots, and is designed to be the most restrictive of the urban residential districts. The LDR district is intended to provide areas for lower density residential development within the city's planned sewer development areas, and may be used to provide a transition between rural development areas and the city's urban development and

Commented [BGA1]: Consider saying "adequate" buffers rather than open space buffers as you may wish to use vegetation, topography, berming or other buffering methods when appropriate.

Commented [EB2]: Need to verify actual density numbers

districts. Densities shall range from two 2 to 4 units per acre; however, the overall density for a specific development area must be consistent with the net densities specified in the Comprehensive Plan. The lot size and other district standards allow for the creation of smaller lots with the expectation that common open space will be provided within developments that exceed the base densities (at low end of the land use density range) within the Comprehensive Plan.

~~(B)~~ (C) *MDR Urban Medium Density Residential District.* The MDR district is established to provide for a diversity of housing types in those areas where such development is consistent with the medium density residential designation of the comprehensive plan and compatible with the development pattern of the surrounding area. Clustering of buildings to permit more orderly development and to preserve open space within new developments is encouraged. Development within the district shall occur at densities in the range of 4 to 7 dwelling units per acre, with two-family dwellings and townhouses permitted. The city will determine the allowed density for a piece of property at the time of the development application, and this determination will be based upon the site-specific characteristics of the property and the requested development. Factors to be considered in increasing or decreasing the allowed density include the existing environmental conditions such as wetlands, floodplains, steep slopes, significant trees; the specific site plan; the amount of open space preserved, and the type of housing units proposed, including whether greater density is desirable because the development contains housing that is consistent with the city's housing goals. The burden of establishing the appropriateness of the high end of the density range will be on the applicant.

~~(C)~~ (D) *HDR Urban High Density Residential District.* The HDR district is established to provide for an environment of moderate to high-density attached and multi-family housing, designed to present an attractive appearance to neighboring streets and adjacent uses, to include sufficient private and semi-private outdoor space, and to be well integrated into their surroundings. Small office and service businesses of limited size and extent may be allowed as conditional uses. The HDR district is appropriate as a transition between commercial or industrial districts and surrounding neighborhoods, and in already developed higher-density areas. Development within the district may occur at densities in excess of 7 dwelling units per acre, provided the overall densities for within a development area are consistent with the net densities specified in the Comprehensive Plan and that a density analysis is used consistent with the purpose statement for the MDR district. (Ord. 2012-062, passed 9-18-2012)

§ 154.451 PERMITTED AND CONDITIONAL USES.

Table 10-1 lists all permitted and conditional uses allowed in the urban residential districts. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under

“Standards” indicate the location within this chapter of specific development standards that apply to the listed use.

(A) *Combinations of uses.* Principal and accessory uses may be combined on a single parcel. A principal and secondary dwelling unit may be combined according to the standards of § 154.~~176~~ 454 (C). Single-family attached or multi-family complexes designed for rental or condominium occupancy, typically include multiple units and buildings on a single parcel.

Table 10-1: Permitted and Conditional Uses, Residential Districts

	<u>GCC</u>	LDR	MDR	HDR	Standard
Residential Uses					
Single-family detached dwelling	<u>P</u>	P	P	P	154. 174 <u>454(B), G(E), 154.454 (O)</u>
Two-family dwelling	<u>-</u>	-	P	P	154. 174 <u>454(F)</u>
Single-family attached dwelling	<u>-</u>	-	P	P	154. 174 <u>454(G), (J)</u>
Multifamily dwelling (rental or condominium)	<u>-</u>	-	C	P	154. 174 <u>454 (H), (K)</u>
Secondary dwelling	<u>C</u>	C	C	C	154. 174 <u>454(C)</u>
Live-work unit	<u>-</u>	-	-	C	154. 174 <u>454 (L)</u>
Manufactured home park	<u>-</u>	-	C	-	455.102.B <u>151.035-151.150</u>
Group Living					
Group Home	<u>-</u>	P	P	P	455.102.C <u>154.301 (A)</u>
Group residential facility	<u>-</u>	-	C	C	455.102.D <u>154.301 (B)</u>
Halfway House	<u>-</u>	-	-	C	455.102.D <u>154.301 (B)</u>
Congregate Housing	<u>-</u>	-	C	C	455.102.E <u>154.301 (C)</u>

Commented [EB3]: Standard numbering was off and so was changed to correct, corresponding standards.

Commented [EB4]: These are the standards set forth in the Building Regulations portion of the City Code.

Semi-transient accommodations	=	-	C	C	155.102 154.301 (C)
Public and Civic Uses					
Community services	=	-	-	C	155.103.C
Day care center	=	-	C	C	155.103.D 154.012 (2) (d)
Schools, public and private	=	C	C	C	155.103.E 154.303 (A)
Services					
Offices	=	-	-	C	154.174(M) 154.454 (M)
Funeral home	=	-	-	C	154.174(M) 154.454 (I)
Personal services	=	-	-	C	154.174(M) 154.454 (I)
Nursing and personal care	=	-	-	C	155.104.C 154.303 (C)
	<i>GCC</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>	<i>Standard</i>
Sales of Merchandises					
Neighborhood convenience store	=	-	-	C	154.174(N) 154.454 (N)
Wayside stand	C	P	P	P	154.174(D) 154.454 (D)
Outdoor Recreation					
Golf course	P	C	-	-	155.107.B 154.306 (A)
Outdoor recreation facility	C	-	-	-	155.107.E 154.306 (C)
Parks and open areas	P	P	P	P	

Commented [EB5]: There are no other standards for community services in the Zoning Code, only a definition

Commented [EB6]: There is only a definition within the Zoning Code of a day care center

Transportation and Communications					
Broadcasting or communication facility	<u>-</u>	C	C	C	<u>155.110.B</u>
Accessory Uses					
Home occupation	<u>P</u>	P	P	P	<u>155.111.A,B</u> <u>154.012 (12) (e)</u>
Bed and breakfast	<u>-</u>	-	C	C	<u>155.111.C</u> <u>154.310 (A)</u>
Domestic pets	<u>P</u>	P	P	P	
Family day care	<u>P</u>	P	P	P	<u>155.111.G</u> <u>154.012 (12) (d)</u>
Group family day care	<u>-</u>	C	C	C	<u>155.111.G</u> <u>154.012 (12) (d)</u>
Temporary sales	<u>P</u>	P	P	P	<u>155.107.B</u> <u>154.458 (B)</u>
Parking facility	<u>-</u>	-	-	C	
Solar equipment	<u>P</u>	P	P	P	<u>155.111.I</u> <u>154.310 (C)</u>
Swimming pools, hot tubs, and the like	<u>P</u>	P	P	P	<u>155.111.J</u>
Water-oriented accessory structures	<u>P</u>	P	P	P	<u>154.800</u>
<u>Restaurant</u>	<u>C</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>154.454 (P)</u>
<u>Drinking and Entertaining</u>	<u>C</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>154.454 (P)</u>
<u>Indoor Athletic Facility</u>	<u>C</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>154.307,</u> <u>154.454 (Q)</u>

Commented [EB7]: There are no standards for this. Only definition.

Commented [EB8]: There are no standards for these – only definition

<u>Semi-Transient Accommodations</u>	<u>C</u>	-	-	-	<u>154.302 (D) & 154.454 (R)</u>
Other structures typically incidental and clearly subordinate to permitted uses	<u>P</u>	P	P	P	

Commented [EB9]: The Commission may or may not wish to recommend this be approved as a conditional use.

§ 154.452 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 10-2, Lot Dimension and Setback Requirements.

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	GCC	LDR	MDR	HDR
Minimum Lot Area (sq. ft.)				
Single family detached dwelling	<u>9,000</u>	8,000	7,000	5,000
Two-family dwelling (per unit) ^a	-	5,000	4,000	3,000
Single-family attached (per unit) ^b	-	-	4,000	2,500
Multi-family dwelling (per unit)	-	-	4,000	1,800
Secondary dwelling	<u>154.454 (C) (1)</u>	see 155.102 <u>154.454 (C) (2)</u>	see 155.102 <u>154.454 (C) (2)</u>	see 155.102 <u>154.454 (C) (2)</u>
Live-work unit	-	-	-	3,600
Congregate Housing	-	-	See 155.102 <u>154.301 (C)</u>	See 155.102 <u>154.301 (C)</u>
Manufactured Home Park	-	-	See 155.102 <u>151.035-151.150</u>	See 155.102 <u>151.035-151.150</u>

Commented [EB10]: Calculated by multiplying minimum lot width (70') by typical lot depth of 130'. (this was how the other minimum lot area of other urban residential districts were determined)

Minimum Lot Width (feet)				
Single family detached dwelling	<u>70</u>	60	50	50
Two-family dwelling (per unit) ^a	<u>-</u>	35 <u>-</u>		
Single-family attached (per unit) ^b	<u>-</u>	-	25	20
Multi-family dwelling (per building)	<u>-</u>	-	75	60
Live-work unit	<u>-</u>	-	-	25
Maximum Height (feet)	<u>35</u>	35	35	50
Maximum Impervious Coverage	<u>30%</u>	40%	50%	75%
	<u>GCC</u>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>
Minimum Building Setbacks (feet)				
Front yard	<u>25</u>	25 ^c	25 ^c	20 ^c
Interior side yard ^e				
Principal Buildings (<u>living space</u>) ^{f,g}	<u>10</u>	10	10	10 ^d
Attached Garage or Accessory Structures ^{f,g}	<u>5</u>	5	5	10 ^d
Corner side yard ^{g,h}	<u>15</u>	15	15	15
Rear yard	<u>20</u>	20	20	20

Notes to Urban Residential Districts Table

a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.

b. Two-family units may be side-by-side with a party wall between them (“twin”) or located on separate floors in a building on a single lot (“duplex”). The per-unit measurements in this table apply to “twin” units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a “duplex” containing two vertically-separated units on a single lot.

c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard is also used for multifamily dwellings.

d. Single family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.

e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.

f. In situations where a garage or accessory building is set back less than 7 feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in Section 154.081) will be two (2) feet.

g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.

h. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

§ 154.453 DIMENSIONAL REQUIREMENTS AND PRESERVATION OF OPEN SPACE.

(A) *Averaging of Lot Area.* When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.

(B) *Lot Dimension Reductions.* Other reductions in dimensional standards may be considered as part of a planned unit development if these reductions provide for common open space within a development.

(C) *Lots Adjacent to Public Greenway Corridors.* On any lot that abuts a public greenway as depicted in the Comprehensive Plan the minimum setback for all structures, including accessory buildings, shall be the required rear yard setback for the district in which said structure is located.

§ 154.454 SITE DESIGN AND DEVELOPMENT STANDARDS.

Development of land within the urban residential districts shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in Articles 5, 6 and 7. The following standards apply to specific uses, and are organized by district.

(A) *Planned Unit Developments, All Urban Residential Districts.* A planned unit development may be submitted for consideration within any residential district, subject to the requirements and standards established in Section 154.800, Planned Unit Developments.

(1) A residential development that exceeds 15 units per acre in an HDR Zoning District may be allowed as a Planned Unit Development in accordance with the density bonus provisions of Section 154.800, Planned Unit Developments.

(B) *Single-Family Detached Dwellings, All Urban Residential Districts.* All single-family dwellings shall be at least twenty-four (24) feet in width, at least nine hundred sixty (960) square feet in area, and be placed on a permanent foundation.

(C) *Secondary Dwelling, ~~All Urban Residential Districts.~~* The purpose of a secondary dwelling is to provide life-cycle housing opportunities for family members or small households of one or two people, while providing more efficient use of large single-family dwellings or large lots.

(1) *GCC Districts.*

- a) A secondary dwelling unit may be located within a principal structure used as a single-family detached dwelling, or above a detached garage.
- b) There shall be no more than one secondary dwelling unit on the zoning lot.
- c) At least one dwelling unit on the zoning lot shall be owner-occupied.
- d) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for a single-family detached dwelling in the zoning district.
- e) The appearance of the building shall remain that of a single-family dwelling. Any new or additional entrances must face the side or rear of the building.
- f) Exterior finish materials, trim, roof pitch, windows, eaves and other architectural features of the addition must be the same or visually compatible with those of the original building.
- g) Shall not contain more than 30% of the principal building's total floor area or 800 square feet, whichever is less.
- h) Impervious limits for the lot within the zoning district in question shall not be exceeded.

(2) LDR, MDR, and HDR Districts.

- a) A secondary dwelling unit may be located within a principal structure used as a single-family detached dwelling, above a detached garage, or within a separate detached structure.
- b) There shall be no more than one secondary dwelling unit on the zoning lot.
- c) At least one dwelling unit on the zoning lot shall be owner-occupied.
- d) The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for a single-family detached dwelling in the zoning district.
- e) If the secondary unit is included in the principal building, the appearance of the building shall remain that of a single-family dwelling. Any new or additional entrances must face the side or rear of the building.
- f) Whether the secondary unit is an addition to an existing structure or a new detached structure, roof pitch, windows, eaves and other architectural features must be the same or visually compatible with those of the principal building. Exterior finish materials and trim must be the same or closely match in type, size and location the materials and trim of the original building.
- g) A secondary unit within the principal structure shall not contain more than 30% of the principal building's total floor area or 800 square feet, whichever is less. A detached secondary unit shall not exceed 1,000 square feet in gross floor area.
- h) Impervious limits for the lot within the zoning district in question shall not be exceeded.

(D) Wayside Stand, All Urban Residential Districts.

- (1) No more than one stand per lot shall be permitted.
- (2) Adequate off-street parking shall be provided.

(E) Single-Family Detached Dwelling, All Urban Residential Districts

- (1) No parking shall be located in the front yard or between the front facade and the street except on a permitted driveway.
- (2) The primary entrance shall be located on the facade fronting a public street.

(F) Two-Family Dwelling, MDR and HDR Districts.

(1) No parking shall be located in the front yard or between the front façade and the street except on a permitted driveway.

(2) Access to the second dwelling unit shall be either through a common hallway with one front entrance, or by means of a separate entrance.

(3) New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a developed block may be redeveloped as two-family units, and no further two-family or higher density development is permitted once this threshold is reached. Lineal frontage shall be measured around the entire perimeter of the block.

(4) Two-family dwellings shall be designed to reflect the general scale and character of surrounding buildings on surrounding blocks, including front yard depth, building width height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(G) Single-Family Attached Dwelling (Townhouse), MDR District.

(1) A maximum of 8 units shall be permitted within a single building. Buildings with more than 8 units may be allowed as a conditional use.

(2) Townhouses shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front façade and the street.

(a) Townhouses that do not meet the minimum requirements for frontage along a street or that have frontage along a private street may be allowed as a conditional use.

(3) The primary entrance shall be located on the façade fronting a public street unless the townhouses are approved as a Conditional Use under division §154.455.(G)(2)(a) above; an additional entrance may be provided on the rear or side façade.

(4) New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a developed block (measured around the entire block perimeter) may be converted to townhouse units, and no further townhouse, two-family or higher-density development is permitted once this threshold is reached.

(5) Townhouse units shall be designed to reflect the general scale and character of existing buildings on surrounding blocks, including front yard

depth, height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(6) Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of 500 square feet per unit.

(H) *Multi-Family Building, MDR District.*

(1) A maximum of 8 units shall be permitted within a single building. Buildings with more than 8 units may be allowed as a Conditional Use.

(2) The multi-family building shall be designed to reflect the general scale and character of buildings on surrounding blocks, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(3) No parking shall be located in the front yard or between the front facade and the street.

(4) New housing types should be introduced in limited quantities to increase diversity and housing choice, not to replace whole blocks of existing housing. Therefore, no more than 1/4 of the lineal frontage of a block (measured around the entire block perimeter) may be developed as multi-family units, and no further multi-family, two-family or townhouse development is permitted on the block once this threshold is reached.

(5) Common open space for use by all residents or private open space adjacent to each unit (as a courtyard or balcony) shall be provided. Such open space shall comprise a minimum of 300 square feet per unit.

(I) *Funeral Home, HDR District.* A facility developed after the effective date of this chapter shall have access to an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two access points shall be provided.

(1) Additions or new construction shall be designed to reflect the general scale and character of the existing building and surrounding neighborhood, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(J) *Single-Family Attached Dwelling, HDR District.*

(1) A maximum of 10 units shall be permitted within a single building. Buildings with more than 10 units may be allowed as a conditional use.

(2) Townhouse dwellings shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front façade and the street.

(a) Townhouses that do not meet the minimum requirements for frontage along a street or that have frontage along a private street may be allowed as a conditional use.

(3) The primary entrance shall be located on the facade fronting a public street unless the townhouses are approved as a conditional use under division (J)(2)(b) of this section; an additional entrance may be provided on the rear or side façade.

(4) Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of 300 square feet per unit.

(K) Multi-Family Building, HDR District.

(1) No parking shall be located in the front yard or between the front façade and the street.

(2) Common open space for use by all residents or private open space adjacent to each unit (as a courtyard or balcony) shall be provided. Such open space shall comprise a minimum of 200 square feet per unit.

(L) Live-Work Unit, HDR District. The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise, and to provide neighborhood-oriented commercial services, while maintaining a generally residential character in which the work space is subordinate to the residential use.

(1) The work space component shall be located on the first floor or basement of the building.

(2) The dwelling unit component shall maintain a separate entrance located on the front or side façade and accessible from the primary abutting public street.

(3) The work space component of the unit shall not exceed 30% of the total gross floor area of the unit.

(4) A total of two off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit or underground/enclosed.

(5) The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.

(6) The business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

(7) The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than 2 workers on-site at any one time who live outside of the live-work unit.

(M) *Offices or Personal Services, HDR District.* The establishment shall not exceed 3,000 square feet in size, and may be located within a multi-family building or a freestanding building.

(1) Additions or new construction shall be designed to reflect the general scale and character of surrounding buildings, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(2) No parking shall be located in the front yard or between the front facade and the street.

(3) No building shall be constructed and no residential building shall be wholly or partially converted to such a use within a distance of 300 feet from any other retail or service business on the same street within the HDR District.

(N) *Neighborhood Convenience Store, HDR District.*

(1) The establishment shall not exceed 3,000 square feet in size, and may be located within a multi-family building or a free-standing building.

(2) Additions or new construction shall be designed to reflect the general scale and character of existing buildings on surrounding blocks, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(3) No parking shall be located in the front yard or between the front facade and the street.

(4) The use shall occupy a corner property. Any freestanding building developed on such a property shall have a minimum setback of 10 feet from each right-of-way line.

(5) No building shall be constructed and no residential building shall be wholly or partially converted to such a use within a distance of 500 feet from any other retail or service business on the same street within the HDR District.

(O) Development, GCC District.

(1) Open Space Required. A minimum of 50% of the gross acreage being developed as Golf Course Community must be designated as either a golf course and its accessory uses, or as open space.

(2) Buffers Required. All residential lots must be a minimum of 100 feet from external residential lots within the City on the periphery of the proposed Golf Course Community. The resulting buffer area shall be part of the required 50% open space. Buffer widths may be reduced as determined by Council in areas where existing mature vegetation and/or changes in topography occurring on the site proposed for development exist or are introduced to provide an effective year-round buffer.

(3) Connectivity. Trails, walkways, or paths must be provided within the development and make planned connections to external trails, walkways or paths within the community. There must also be internal trail connectivity between proposed housing and the golf course or main area of open space being established within the Golf Course community.

(4) Street Design. Adequate street design, placement and width is required to support the proposed uses within the community.

(P) Restaurant and Drinking and Entertaining, GCC District. Restaurants and drinking and entertaining establishments within the Golf Course Community must adhere to the following standards:

(1) Must be located within the same structure as the club house and pro shop so as to limit the number of structures within the golf course area.

(2) Hours of operation must be limited to the hours of 7am and 10pm, or as otherwise determined by Council.

(3) Drive-through service is prohibited.

(4) Maximum restaurant and/or drinking and entertaining establishment capacity to be determined by Council.

Commented [EB11]: The 50% open space requirement would allow more development within the acreage being guided for Golf Course Community. Currently, the total area being guided for golf course community is approximately 424 acres. The current planned lot area of the development is approximately 96 acres. The Commission may wish to increase the percentage of required open space if it wishes to further develop.

Changed “dedicated to” to “designated as”

Commented [EB12]: Some who spoke at the public hearing stated this buffer width was not wide enough.

Commented [EB13]: This was presented but not in the previous Commission draft ordinance. The Commission should consider if exceptions could be made based on this criteria.

Commented [EB14]: This comment was eliminated based on feedback from the Planning Commission that this is a City standard already and therefore not needed to be reiterated.

Commented [EB15]: Planning Commission recommendation to mandate that the restaurant be located within the same building as the pro shop and club house.

(5) Must meet applicable standards set forth by Lake Elmo Design Guidelines and Standards for commercial development.

Commented [EB16]: Planning Commission – recommended edit.

(Q) Indoor Athletic Facility, GCC District.

(1) Must be accessory to a golf course.

(2) Must be owned and operated by a private developer or homeowner's association and not by a freestanding commercial operation.

(R) Semi-Transient Accommodations, GCC District.

(1) Must be accessory to a golf course.

(2) Must be limited to boarding houses, as defined in 11.01.

(3) Must be owned and operated by either the owner of the golf course or homeowner's association and must not be a freestanding commercial operation.

Commented [EB17]: The Commission may or may not wish to include this as a conditional use. If not, these standards may be removed.

§ 154.455 RESIDENTIAL DISTRICT DESIGN STANDARDS.

Review of Design. For certain development activity as specified in the *Lake Elmo Design Guidelines and Standards Manual*, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the *Lake Elmo*

Design Guidelines and Standards Manual and shall follow the review procedures specified in §154.506.A.

§ 154.456 ACCESSORY USES AND STRUCTURES.

Accessory uses are listed in the Urban Residential District Use Table as permitted or conditional accessory uses. Accessory uses and structures in the urban residential districts shall comply with the following standards and all other applicable regulations of this subchapter.

(A) *Phasing.* No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.

(B) *Incidental to Principal Use.* The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.

(C) *Subordinate to Principal Use.* The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served.

(D) *Function.* The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.

(E) *Location*. The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

§ 154.457 RESIDENTIAL ACCESSORY STRUCTURES.

In all residential districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

(A) *Attached structures*. An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

- (1) The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located; and
- (2) The structure shall not exceed the height of the principal building to which it is attached.

(B) *Attached garages*.

(1) Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:

- (a) The front of the garage is recessed at least 4 feet behind the plane of the primary facade;
- (b) The front of the garage is recessed at least 4 feet behind a porch if the garage is even with the primary facade; or

(2) The width of the attached garage shall not exceed 60% of the width of the entire principal building facade (including garage) fronting the primary street.

(3) Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.

(4) Garage doors or openings shall not exceed 14 feet in height.

(C) *Detached structures*. Detached accessory structures shall be permitted in residential districts in accordance with the following requirements:

- (1) Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
- (2) Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
- (3) Pole barns, as defined herein, exceeding 120 square feet shall be prohibited.
- (4) No more than 30% of the rear yard area may be covered by accessory structures.
- (5) Garage doors or openings shall not exceed 14 feet in height.

§ 154.458 ACCESSORY USES.

(A) *Exterior Storage in Residential Districts.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

- (1) Laundry drying;
- (2) Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding 6 months shall be screened or stored out of view of the primary street on which the house fronts;
- (3) Agricultural equipment and materials, if these are used or intended for use on the premises;
- (4) Off-street parking and storage of vehicles and accessory equipment, as regulated in § 154.095;
- (5) Storage of firewood shall be kept at least 10 feet from any habitable structure and screened from view from adjacent properties; and
- (6) Outdoor parking.

(B) *Temporary sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to 2 per calendar year per residence, not to exceed four 4 days in length.

§ 154.459 ACCESSORY USES AND STRUCTURES NOT LISTED.

Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in **Article 7, Specific Development Standards**. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-_____ was adopted on this ____ day of _____ 2017, by a vote of ____ Ayes and ____ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-____ was published on the ____ day of _____, 2017.

Definitions and Standards of Allowed Uses in Golf Course Community Zoning District

(Note: This is not part of the ordinance amendment – information only)

Single Family Detached. A building containing only one dwelling unit, surrounded by landscape area or yards on all sides.

Secondary Dwelling. A residential dwelling unit, but not a manufactured home, located on the same lot as a single family dwelling unit, either within the principal structure, above a detached garage, or within a detached structure.

Wayside Stand. A temporary structure or vehicle used for the seasonal retail sale of agricultural goods, floriculture, and horticulture produced by the operator of the wayside stand, which is clearly a secondary use of the premises and does not change the character thereof.

Family Day Care. A residence licensed by the Minnesota Department of Human Services in which no more than 10 children at any one time receive care, maintenance and supervision by someone other than their relatives or legal guardians for less than 24 hours per day.

Standard Restaurant. An establishment whose principal business is the sale of food and/or beverage to customers in a ready to consume state, and whose principal method of operation includes one or both of the following: 1) customers, normally provided with an individual menu, are served their food and beverage by restaurant employees at the same table or counter at which the food and/or beverage are consumed, 2) a cafeteria-type operation where food and beverage generally are consumed within the restaurant building.

Indoor Athletic Facility. A commercial recreation facility that provides completely enclosed or indoor recreation space, such as racquet clubs, indoor skating rinks, swimming pools, or gymnasiums.

§ 154.307 STANDARDS FOR INDOOR RECREATION/AMUSEMENT.

A. *Indoor Athletic Facility, Indoor Recreation.* Facilities that would generate substantial traffic shall be located with access to a street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two (2) entry points to such facilities shall be provided.

(Ord. 08-080, passed 5-21-2013)

Golf Course. A tract of land for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters. Included would be executive or par 3 golf courses. Specifically excluded are independent driving ranges or miniature golf facilities, which are classified as outdoor recreation facilities.

§ 154.306 STANDARDS FOR OUTDOOR RECREATION USES.

A. *Golf Course.*

1. *Location.* The facility shall have access to a collector or higher classification street. A minimum of two (2) entry points to such facilities shall be provided.

2. *Site Plans.* Site plans for such facilities shall indicate all proposed recreation areas, building uses and locations, sanitary facilities, storage areas, parking, circulation and other information needed to assess the impacts of the proposed operation on surrounding properties and the road network.

3. *Accessory Uses.* The following accessory uses are permitted in conjunction with a golf course: A driving range, putting greens, pro shop, club house and locker facilities, maintenance buildings, course shelters, and cart storage facilities. Other accessory uses may require a separate conditional use permit.

4. *Resource Protection.* Golf courses shall be designed with consideration of environmental resources, including:

- a. Water recycling and conservation through on-site storage and use facilities;
- b. Use of landscaped buffers and other Best Management Practices (BMP's) to minimize fertilizer runoff and other chemicals from entering surface water bodies; and
- c. Use of landscaping and site layout to preserve and enhance wildlife habitat.

5. *Buffering.* A planted buffer may be required to screen adjacent residential and other uses.

6. *Other Conditions.* Other conditions may be imposed to mitigate the potential impacts of the use.

Outdoor Recreation Facility. A commercial recreation facility that is primarily an open-air facility, such as baseball fields, swimming pools, skating rinks, golf driving ranges, or miniature golf facilities.

§ 154.306 STANDARDS FOR OUTDOOR RECREATION USES.

C. Outdoor Recreation Facility. Facilities that would generate substantial traffic, such as playing fields or aquatic centers, shall be located with access to a street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two (2) entry points to such facilities shall be provided.

Semi-Transient Accommodations. Semi-transient accommodations include boarding houses, rooming houses, fraternity and sorority houses, or lodging rooms, as defined by this chapter. Semi-transient accommodations do not include CONDOMINIUM-HOTELS, as defined in § 11.01.

BOARDING HOUSE. A building other than a motel or hotel where, for compensation and by pre-arrangement for definite periods, meals or lodging are provided for 3 or more unrelated persons, but not to exceed 8 persons.

LODGING ROOM. A room rented as sleeping and living quarters, but without cooking facilities. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as 1 lodging room.

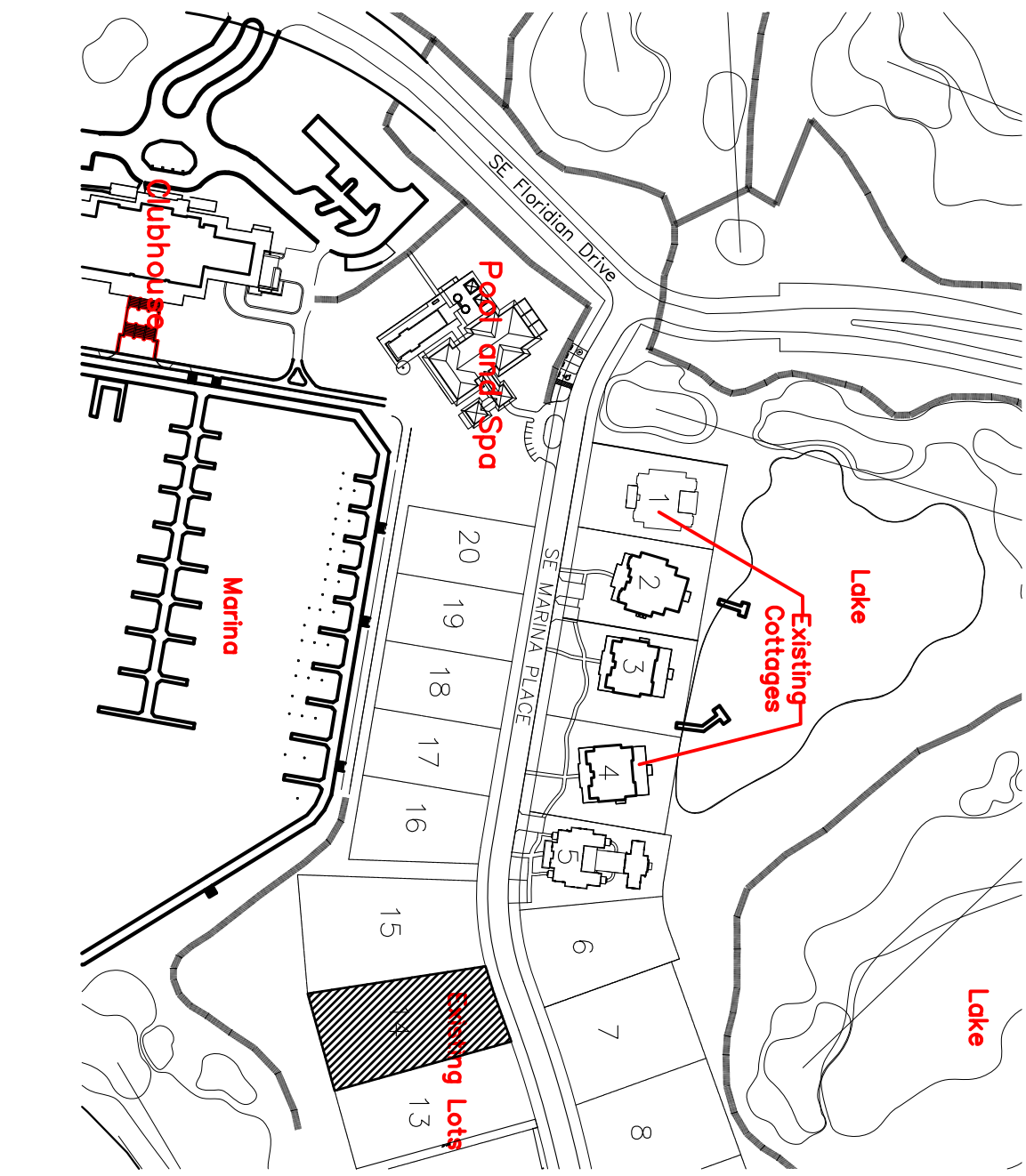
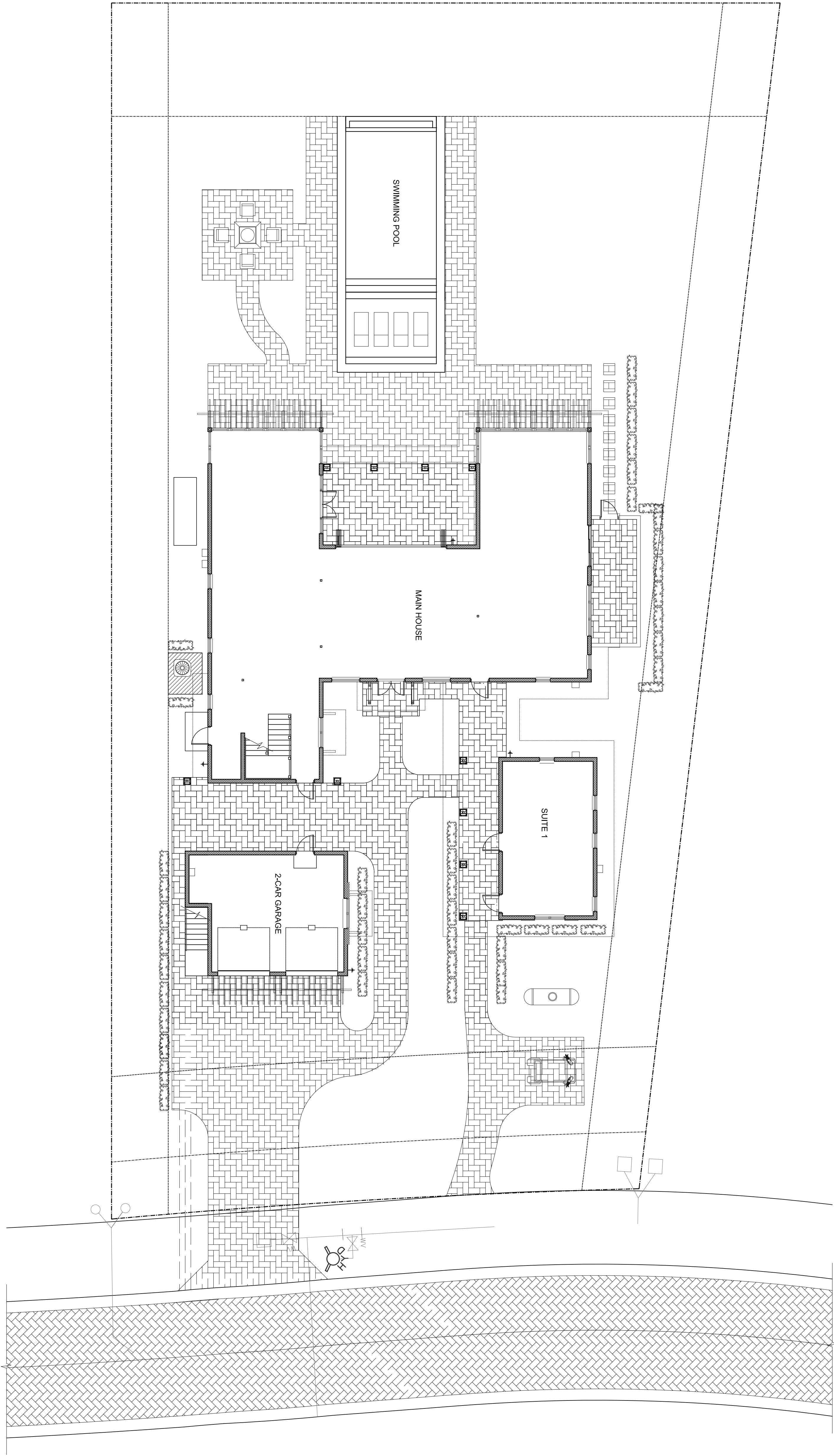
§ 154.301 STANDARDS FOR RESIDENTIAL AND RELATED USES..

D. Semi-Transient Accommodations (Boarding, Rooming Houses, etc.)

1. The operator shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

2. All new construction or additions to existing buildings shall be compatible with the scale and character of the existing building and surrounding neighborhood.

3. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the neighborhood.



BUILDING AREA TABULATIONS	
AREA	SQ. FT.
MAIN HOUSE 1ST FLOOR	2,838.34
SUITE # 1 1ST FLOOR	495.44
MAIN HOUSE 2ND FLOOR	1,572.95
SUITE # 2 2ND FLOOR	563.66
TOTAL FLOOR A/C	5,470.39
2 CAR GARAGE	582.31
GOLF CAR PARK	337.19
REAR TERRACE	387.03
ENTRY	59.99
COVERED CORRIDOR	312.47
COVERED TERRACE 2ND FLOOR	346.66
MASTER DEED FRONT BALCONY 2ND FLOOR	49.99
MASTER DEED REAR BALCONY 2ND FLOOR	93.33
SUITE # 3 REAR BALCONY 2ND FLOOR	184.61
TOTAL UNDER ROOF	2,353.58
TOTAL	7,823.97

PERMIT SET 06.12.2014

PROJECT # 13051

DRAWING NAME

SITE PLAN & LOCATION PLAN

SHEET #:

A-0.03

PLOT DATE:
06.12.2014

PROJECT

FLORIDIAN COTTAGE # 14

CITY OF PORT ST LUCIE
FLORIDA

CLIENT

FLORIDIAN GOLF
RESORT, LLC
4409 MONTROSE
SUITE 200
HOUSTON, TEXAS 77006

GS4studios
experimentation in architecture

2365 Vista Parkway, Suite 16
West Palm Beach, FL 33411
TEL: 561.866.6178

Peter T. Stromberg, ,RA, NCARB
AR0015893

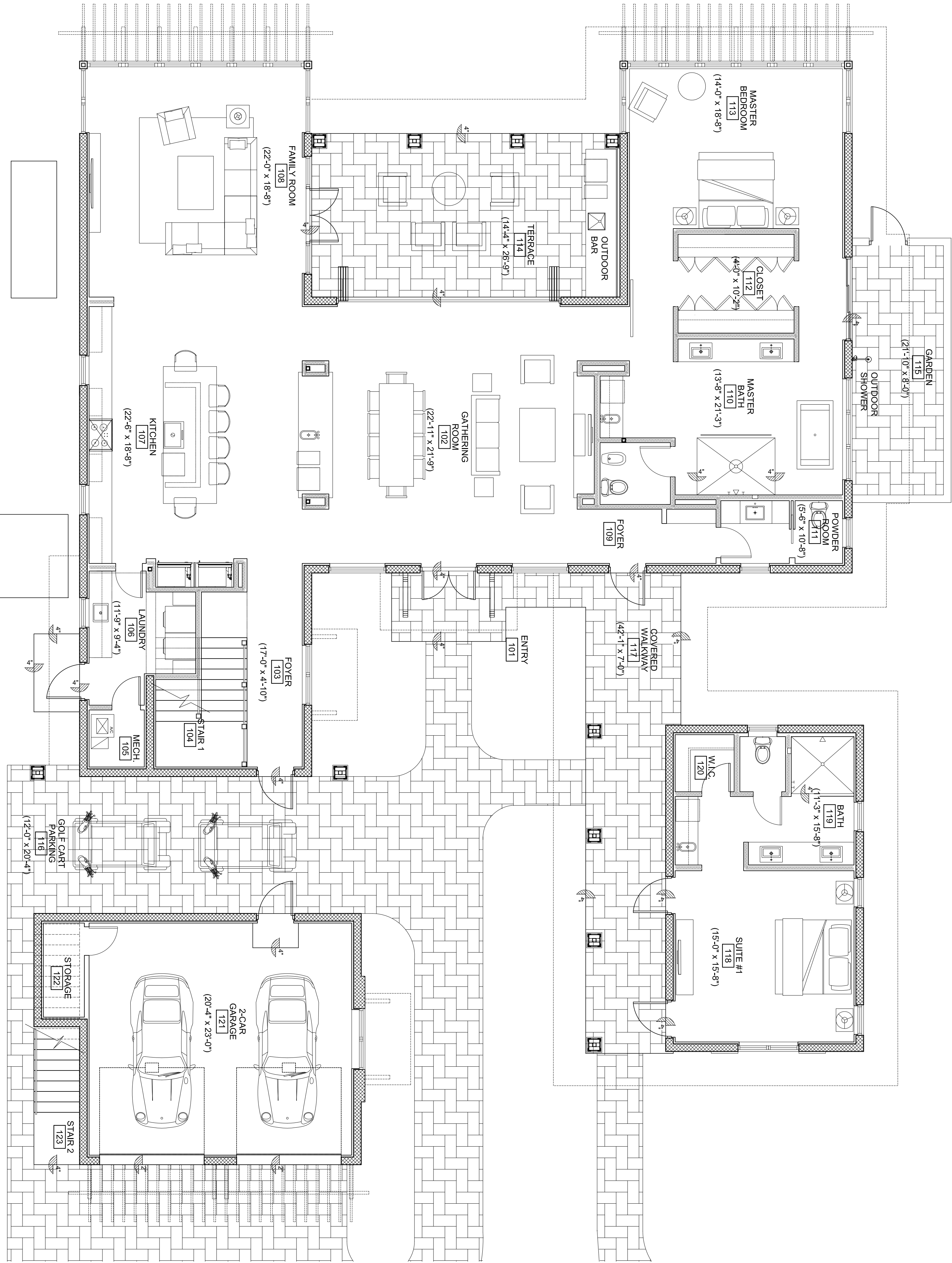
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To the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and Chapter 633, Florida Statutes.

ISSUE	DESCRIPTION	DATE
1.		
2.		
3.		
4.		
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8.		



GROUND FLOOR PLAN

SCALE: 3/16"=1'-0"

1

A-1.01

PERMIT SET 06.12.2014

PROJECT # 13051

DRAWING NAME

GROUND FLOOR PLAN

SHEET #:

A-1.01

PLOT DATE:
06.12.2014

PROJECT

FLORIDIAN COTTAGE # 14

CITY OF PORT ST LUCIE
FLORIDA

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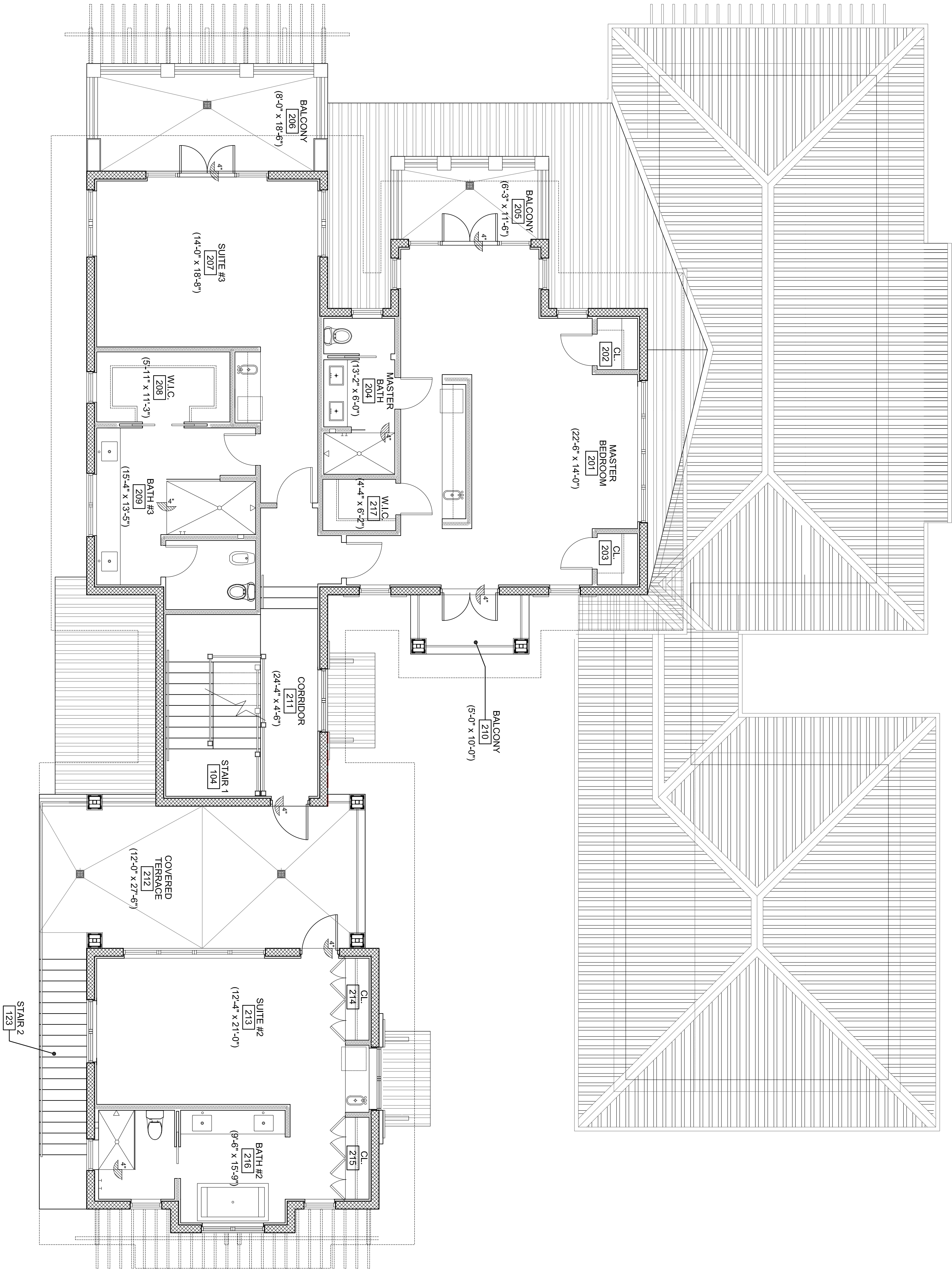
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ISSUE DESCRIPTION

DATE

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SECOND FLOOR PLAN

1

SCALE: 3/16"=1'-0" A-1.02

PERMIT SET 06.12.2014

PROJECT # 13051

DRAWING NAME

SECOND FLOOR PLAN

SHEET #:

A-1.02

PLOT DATE:
06.12.2014

PROJECT

FLORIDIAN COTTAGE # 14

CITY OF PORT ST LUCIE
FLORIDA

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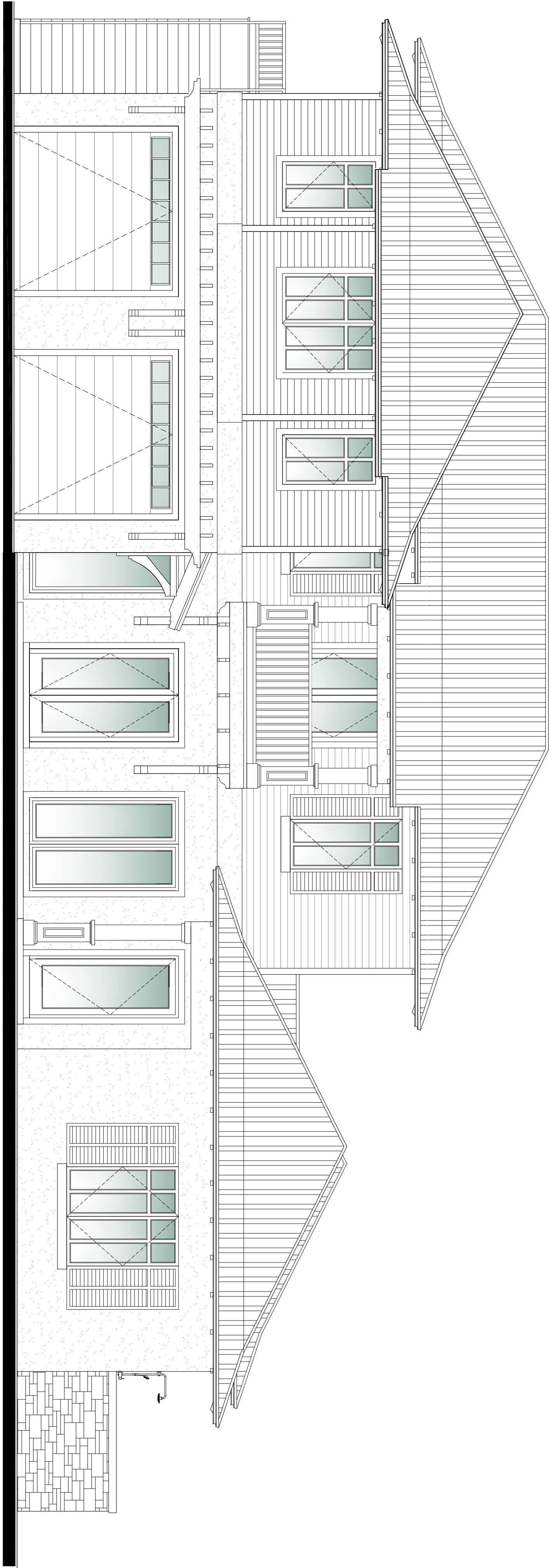
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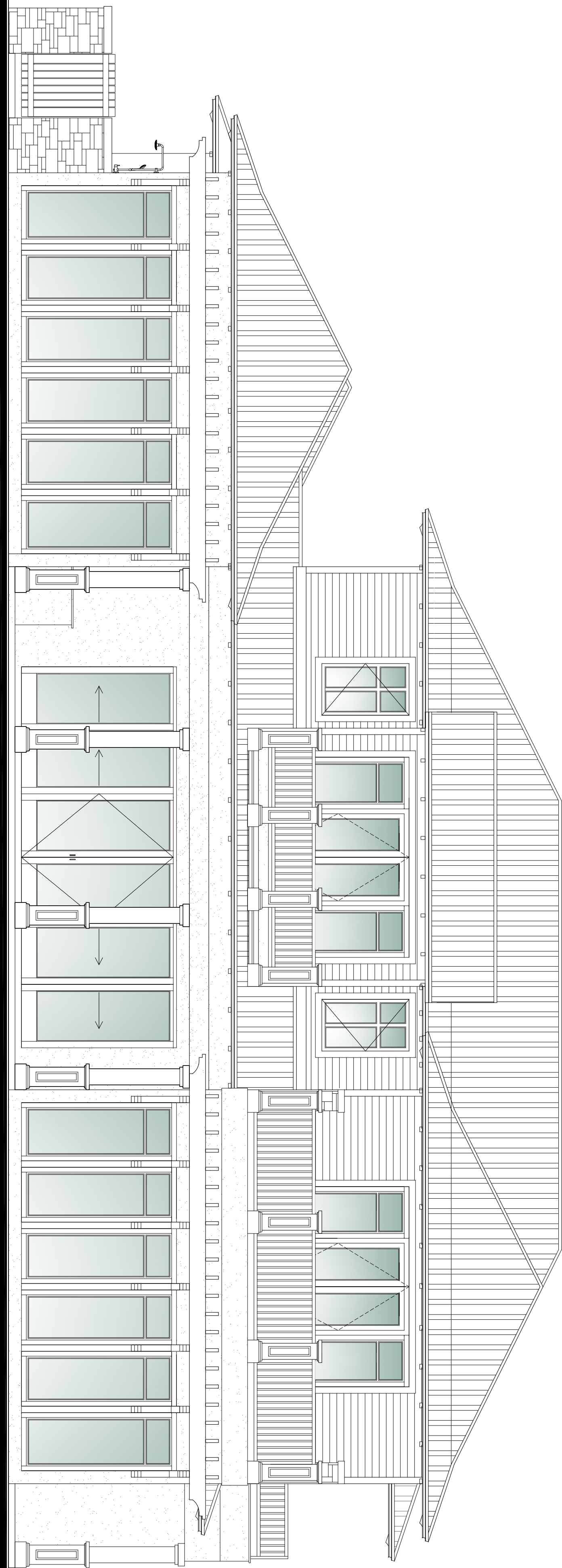
ISSUE	DESCRIPTION	DATE
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8.		



FRONT ELEVATION

SCALE: 1/4"=1'-0"

A-2.01



REAR ELEVATION

SCALE: 1/4"=1'-0"

A-2.01

PERMIT SET 06.12.2014

PROJECT # 13051

SHEET #:

A-2.01

PLOT DATE:
06.12.2014

DRAWING NAME

BUILDING ELEVATION

PROJECT

FLORIDIAN COTTAGE # 14

CITY OF PORT ST LUCIE
FLORIDA

CLIENT

FLORIDIAN GOLF
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ISSUE	DESCRIPTION	DATE
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REVISIONS

PROJECT

FLORIDIAN
COTTAGE #6

TITLE

FURNITURE
PLAN

PROJECT NO.

DATE: 8-20-2012

SCALE: AS NOTED

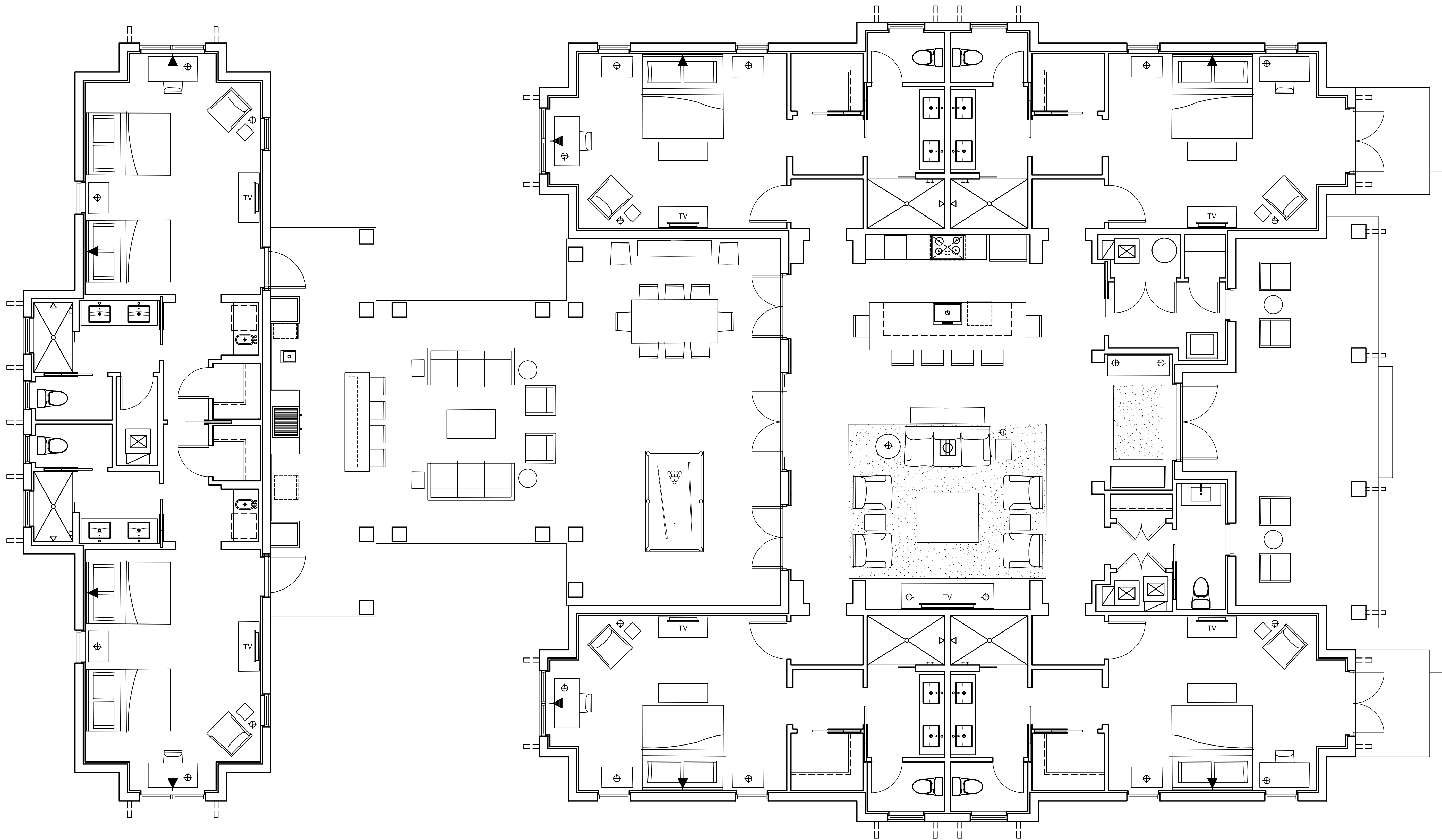
DRAWN BY: AL VERES

CHECKED BY:

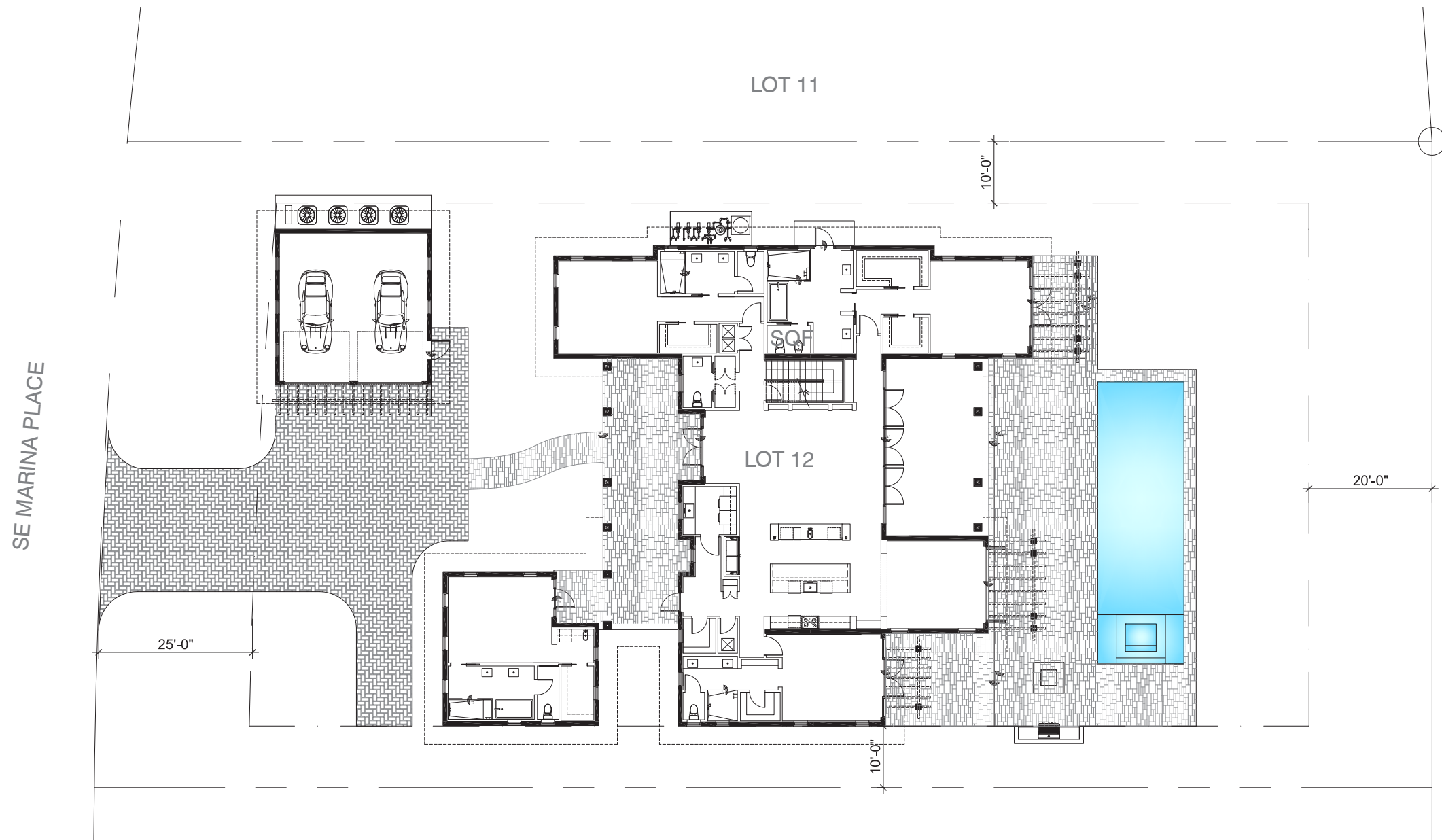
APPROVED BY:

SHEET NO.

ID-1



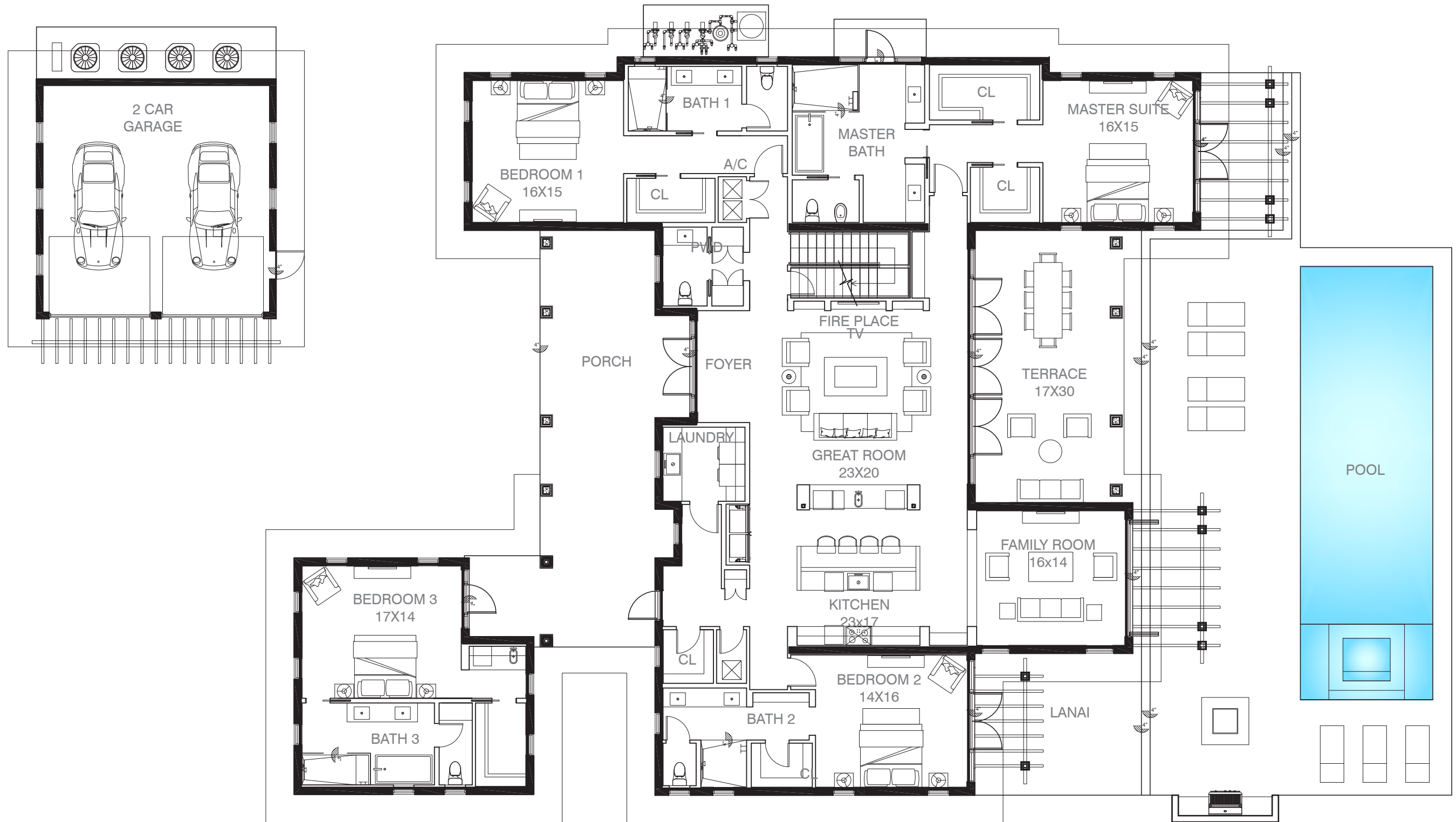
1 FURNITURE PLAN
SCALE: 1/4" = 1'-0"



Scale: 1/16"=1'-0"
 Total area A/C= 4,985 sf

GARCIA STROMBERG
 GS4studios





Scale: 3/32" = 1'-0"
Area A/C 1st = 3,885 sf

GARCIA STROMBERG
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Scale: 1/8"=1'-0"

GARCIA STROMBERG
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Front Elevation (West)

02.17.2016
Page 6

Kreimer is not in favor of the motion. He thinks they should just wait for the Comprehensive Plan Amendment process and see what the Council comes back with. Larson is in agreement with that. Williams stated that in defense of the motion, it is reasonable to give the City Council an alternative since there was not a specific recommendation one way or another on the request that was before them.

Public Hearing – Zoning Text Amendment to create “Golf Course Community” Zoning.

Becker started her presentation of the ZTA for the Golf Course Community Zoning District. This is a rough draft of what a golf course community would look like as a land use plan. Becker went through the uses that would be allowed in GCC either as permitted or conditional uses. The density for residential would be 1.5-2.49 units per acre. Becker went through the minimum lot size and setbacks and comparisons to LDR zoning and why staff is recommending these. The recommended open space is something that they need to discuss. Staff is recommending 50% of the gross acreage be dedicated to either a golf course, its accessory uses or as open space. There would be a 100 foot buffer required from external residential lots within the City. The buffer area shall be part of the required 50% open space. This buffer may be reduced by the council if there is a visual buffer provided. There must be connectivity and adequate street design to support the proposed uses. There are a number of site development standards set forth for allowed and conditional uses, in addition to the ones already established in the City Code. Staff also is proposing to add semi-transient accommodations at the request of Royal Golf. If this use is added, there would be standards specific to Golf Course Community. The only comment that the City has received from the public hearing notice is to include more standards for indoor recreational facility.

Dodson asked if the semi-transient accommodations would be considered commercial. Wensman stated that would probably be used for the owners or relatives of residents who live in the community.

Williams thinks that on page 14 of proposed zoning code (O) (4), regarding street designs can be struck as they are required to meet current street standards anyway.

Clark Schroeder, Royal Golf Course, stated that the concept of the cottages is something they have not fully vetted out, but is still in the idea stage. Schroeder stated that the buffers are currently very similar to the OP buffer setbacks. Dodson is wondering why the City would deal with the cottage issue now if it is just a concept and not at a future date so they can really think about what conditions might be necessary. Wensman stated that they would not have to approve this tonight. They noticed the public hearing for tonight, but it could come back at a future date.

Public Hearing opened at 10:35 pm

Ann Bucheck, 2301 Legion Ave, she hopes that the public hearing is extended as this is the first time that they are hearing about some of these things. She feels that adding 4 more cottages increases the density again. She doesn't think the cottages are necessary on site which is more like a B & B. There a lot of places to stay in the area and she does not feel these are necessary at the golf course. She does not feel the minimum lot size should be reduced from the 20,000 square feet. She feels this area does not need the substantial traffic indicated with the recreational use. She does not want to see any exterior secondary dwellings as they are not appropriate for this development. There is a standard of a 100 foot buffer. She would argue to make it bigger vs. smaller. She would like the public hearing extended as new things have been brought up and the public has not had a chance to look at them completely.

Tim Mandel, 2479 Lisbon Ave, he is wondering if they can issue a conditional use permit for anything they want on this property. This is not a commercially zoned property, and these cottages would be "commercial". He does not want to see a lot of these more "commercial" things put in as if the golf course fails, those buildings will be used for other things.

Public Hearing closed at 10:42 pm

Dodson would like to change the lower end of the density from 1.5 to .9 to allow for the lowest density possible. Kreimer is concerned about that because of what it will do to the other areas to keep minimums for the Met Council.

Williams is concerned about the secondary dwelling. He is fine if it is inside the dwelling, but he is not in favor of having additional structures on the properties. If this is specific to Golf Course Community, he would like the definitions and standards for secondary dwelling to read a residential unit located within the principle structure or above an attached garage. Becker stated that this is a definition for this use for anywhere that this is allowed, not just for Golf Course Community.

M/S/P: Williams/Dodson, motion to have a definition for secondary dwelling specific to Golf Course Community that reads a residential secondary dwelling unit is located within the principle structure or above an attached garage, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Williams/Kriemer, motion to add letter Q on page 15 to add indoor recreation Golf Course Community district this a conditional use only if it is owned and operated by the same entity that owns and operates the golf course or CIC. This is not allowed as a free standing commercial operation open to the public, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Williams/Dodson, motion to change Item (O) (3) connectivity on page 14 to read “Trails, walkways and paths must make planned connections to planned external trails and walkways and paths within the community, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Dodson/, motion to delete Item (O) (4) on page 14 regarding street design, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Dodson/, motion to delete Item (O) (4) on page 14 regarding street design, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Williams/Dodson, move to require that the restaurant and drinking establishments must be in the same structure as the clubhouse and golf shop, ***Vote: 5-0, motion carried unanimously.***

M/S/P: Dodson/Williams, move to require the clubhouse follow the city’s commercial design guidelines and standards manual for Lake Elmo, ***Vote: 5-0, motion carried unanimously.***

Williams is not in favor of including the semi-transient accommodations without further definition. Kreimer stated that he doesn’t feel that they need to do that now. Wensman stated that this would be the time to include it and get the definition set, otherwise they will need to do a zoning text amendment in the future. Handt suggested that they could table this to the next meeting which would give staff time to draft the standards.

There was discussion regarding the 9000 square feet minimum lot size and how that number was arrived at.

M/S/P: Williams/Kreimer, move to table the addition of a Golf Course Community Zoning District to the Zoning Code until standards are received for the semi-transient accommodations, ***Vote: 5-0, motion carried unanimously.***

Public Hearing – Zoning Text Amendment amending the City’s Shoreland Management Overlay District

Becker started the presentation with some history regarding the Shoreland Ordinance. In 2014, a Shoreland ordinance was drafted that was modeled after Woodbury’s. It was submitted to the DNR, but the DNR did not approve it. In 2016, staff started working to make amendments to submit to the DNR. Definitions were removed, 4 water bodies were removed, Berschen’s Pond was added, and the language for water oriented accessory structures was kept. The DNR suggested that the City include a Forest Land Conversion as a conditional use with standards. They also suggested deleting the riparian dedication, changed the setbacks and impervious standards. Standards are