

BILL NO. 2011-19

AMENDMENT TO RICHFIELD CITY CODE RELATED TO ZONING

AMENDING SUBSECTIONS 512.03; 512.07; 512.09; 525.11, SUBDIVISION 1; 527.11, SUBDIVISION 1; 532.11, SUBDIVISIONS 1 AND 2; 534.11, SUBDIVISIONS 1 AND 2; 537.03, SUBDIVISION 1; 544.13, SUBDIVISION 5 AND BY ADDING NEW SUBSECTION 534.07, SUBDIVISION 24 AND SUBSECTION 537.05, SUBDIVISION 11 RELATED TO HORTICULTURE, ANIMAL KENNELS, MINIMUM LOT AREAS, SETBACKS AND TATTOO SHOPS

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1 Subsection 512.03 of the Richfield City Code is amended to read as follows:

512.03. Permitted uses in all districts. Except when otherwise noted, the following uses shall be construed to be permitted in all zoning districts within the City.

- a) Public streets and highways;
- b) Underground public utilities;
- c) Parks and related recreational facilities owned by a governmental unit;
- d) Solar equipment as an accessory use; and
- e) ~~Horticulture on land which cannot be put to other uses, provided no sale of products is conducted on the lot.~~ community gardens as an accessory to an established institutional use (school, church, park), provided that plants and related materials are maintained in a clean and orderly manner and that waste is disposed of appropriately.

Section 5 Subsection 512.07 of the Richfield City Code is amended to read as follows:

512.07. Permitted, Conditional, Accessory and Prohibited Uses in Commercial Districts. The following table summarizes which land uses are classified as permitted, accessory, conditional or prohibited in the Commercial Districts. Refer to Sections 529 through 534 for complete regulations.

- P: Permitted
- A: Accessory
- C: Conditional

N: Null or not Permitted

Land Use	S-O	C-1	C-2
Adult businesses	N	N	P
Animal kennels	N	N	P/C
Apartments within a commercial building	A	A/C	C
Assembly, light manufacturing, warehouse	N	N	A
Auction houses	N	N	P
Auto mechanical / body repair	N	N	C
Auto detailing	N	N	C
Auto or boat sales	N	N	C
Auto stereo installation service	N	N	P
Auto washes	N	N	C
Barber or beauty shops	P/C	P/C	P/C
Bicycle stores	N	P/C	P/C
Bicycle repair shops	P/C	P/C	P/C
Bowling alleys	N	N	P
Carpet or paint stores	N	P/C	P/C
Cemeteries	N	N	C
Convenience store	N	P	P
Dance or physical culture studios	P	P	P
Day care facilities	C	P	P
Drug stores without drive-up facility	N	P/C	P/C
Drug stores with drive-up window	N	N	C
Emergency shelter	N	N	C
Enclosed storage	A	A	A
Fences, walls and hedges	A	A	A
Financial institutions without drive-up service	N	N	P
Financial institutions with drive-up service	N	N	C
Firearms related uses	N	N	C
Fortune telling	N	N	P
Funeral homes, mortuaries	N	N	C
Furniture or appliance stores	N	P/C	P/C
Governmental buildings	P	P	P
Grocery stores	N	P/C	P/C

Land Use	S-O	C-1	C-2
Hospital or 24-hour urgent care	P/C	P/C	P/C
Hotel or motel (6 or more units)	N	N	C
Junk yard	N	N	N
Libraries, public	P	P	P
Liquor store, municipal	N	N	P
Nursing home	P	P	N
Office, single-tenant – professional, executive or business	P/C	P/C	P/C
Office, multi-tenant – professional, executive, or business	P/C	P/C	P/C
Outdoor merchandising or storage (except as allowed by Section 1135 of the City Code)	N	N	N
Parking	A	A	A
Pawn shops & second hand goods dealers licensed under Section 1186 or 1187 of the City Code	N	N	C
Public utility, minor	A	A	A
Public utility, major	C	C	C
Religious institutions	N	N	P
Restaurant, take-out only (Class IV)	N	C	P
Restaurant, fast food / convenience food (Class III) or any restaurant with drive-up service	N	N	C
Restaurant, traditional or cafeteria (Class II)	N	C	C
Restaurant, full service (Class I)	N	N	C
Retail, general (single or multi-tenant)	N	P/C	P/C
Schools, public or private	N	N	P
Service station	N	N	C
Service station / convenience store	N	N	C
Service or non-auto repair shop	P/C	P/C	P/C

Land Use	S-O	C-1	C-2
Tattoo shops	N	N	C
Taxi or limousine service	N	N	P
Theater, movie or live entertainment	N	N	C
Veterinary clinic	N	N	P

Section 6

Subsection 512.09 of the Richfield City Code is amended to read as follows:

512.09. Permitted, Conditional, Accessory and Prohibited Uses in Mixed-Use Districts. The following table summarizes which land uses are classified as permitted, accessory, conditional or prohibited in the Mixed-Use Districts. Refer to Section 537 for complete regulations.

- P: Permitted
- A: Accessory
- C: Conditional
- N: Null or not Permitted

Land Use	MU-N	MU-C	MU-R
Residential			
Townhome development	P	N	N
Multi-family dwellings (min. 3 units)	P	P	P (but see 537.07 Subd. 2a)
Live-work units	P	P	N
Assisted living facilities, nursing, rest homes	P	P	N
Other			
Adult businesses	N	P	P
Animal kennels	C	C	C
Assembly & manufacturing accessory and subordinate to retail use	N	A	A
Auto mechanical / body repair	N	C	C
Auto detailing	N	C	C
Auto rental facilities as an accessory to primary office	N	A	A

Land Use	MU-N	MU-C	MU-R
or hotel use			
Auto sales	N	N	C
Clinics	A	P	P
Convenience store	P	P	P
Day care facilities	P	P	P
Drive-up window or teller service	N	C	C
Firearms related uses	N	N	C
Funeral homes, mortuaries	N	P	N
Governmental buildings	A	P	A
Health or athletic clubs, spas, yoga studios	N	P	P
Hotel or motel (6 or more units)	N	P	P
Hospitals	N	N	P
Libraries, public	P	P	N
Offices	A	P	P
Parking	A	A	A
Police sub-station	P	P	P
Public utilities	A	A	A
Recreational facilities, non-commercial, principal use	P	P	P
Religious institutions	P	P	A
Restaurant, take-out only (Class IV)	P	P	P
Restaurant, fast food / convenience food (Class III)	N	C	C
Restaurant, traditional or cafeteria (Class II)	P	P	P
Restaurant, full service (Class I)	N	C	P
Retail, neighborhood services	P	P	P
Retail, general services	C	P	P
Retail, regional services	N	C	P
Schools, public or private	P	P	C
Service station	N	P	P
Service station / convenience store	N	P	P
Tattoo shops	N	P	P
Theaters, movie or live entertainment	N	N	P
Transit facilities	A	A	A

Section X Section 525.11 of the Richfield City Code is amended to read as follows:

525.11. Dimensional and parking regulations for multi-family structures (excluding cluster home developments). Subdivision 1. The standards set out in this subsection apply in the MR-2 District.

Minimum lot size	15,000 sq. ft.
Minimum lot area	2,500 square feet per unit, adjusted as follows: a) For each parking stall under the multi-family structure or underground, subtract 500 square feet per dwelling unit from the minimum lot area per dwelling unit, but the total number of such subtractions shall not exceed the number of dwelling units. b) For each bedroom in excess of two in any one dwelling unit, add 500 square feet to the minimum lot area per dwelling unit.
Minimum lot width	75 feet
Minimum floor area	a) Efficiency – 400 square feet per unit. b) One-bedroom - 550 square feet per unit. c) Two-bedroom - 750 square feet per unit. d) More than two bedrooms - add 150 square feet per bedroom to that required for a two bedroom dwelling unit.
Maximum building height	35 feet
Maximum lot coverage (principal structure)	30 %
Outdoor open space requirements	a) Two or fewer bedrooms: 325 square feet minimum per dwelling unit. b) Three or more bedrooms: 425 square feet minimum per dwelling unit. c) Balconies and porches with at least 70 square feet and seven feet in width which are directly accessible by individual dwelling units may be counted as contributing 175 square feet to the outdoor open space requirements listed above.
Minimum Setbacks	a) Front: 30 feet. b) Side i) Interior: the height of building or 20 feet, whichever is greater. ii) Street: 30 feet c) Rear: the height of building or 25 feet, whichever is greater

Section X

Subsection 527.11 of the Richfield City Code is amended to read as follows:

527.11. Dimensional and parking regulations for multiple-family structures. Subdivision 1. The standards set out in this subsection apply in the MR-3 District.

Minimum lot size	60,000 sq. ft.
Minimum lot area	2,000 square feet per unit, adjusted as follows: <ul style="list-style-type: none"> a) For each parking stall under the multi-family structure or underground, subtract 500 square feet per dwelling unit from the minimum lot area per dwelling unit, but the total number of such subtractions shall not exceed the number of dwelling units. b) For each bedroom in excess of two in any one dwelling unit, add 500 square feet to the minimum lot area per dwelling unit.
Minimum lot width	150 feet
Minimum floor area	<ul style="list-style-type: none"> a) Efficiency - 400 square feet per unit. b) One-bedroom - 550 square feet per unit. c) Two-bedroom - 750 square feet per unit. d) More than two bedrooms - add 150 square feet per bedroom to that required for a two bedroom dwelling unit.
Maximum building height	50 feet
Maximum lot coverage (principal structure)	30 %
Outdoor open space requirements	<ul style="list-style-type: none"> a) Two or fewer bedrooms: 300 square feet minimum per dwelling unit. b) Three or more bedrooms: 400 square feet minimum per dwelling unit. c) Balconies and porches with at least 70 square feet and seven feet in width which are directly accessible by individual dwelling units may be counted as contributing 150 square feet to the outdoor open space requirements listed above.
Minimum setbacks	<ul style="list-style-type: none"> a) Front: 40 feet. b) Side <ul style="list-style-type: none"> i) Interior: the height of building or 30 feet, whichever is greater. ii) Street: 40 feet

	c) Rear: The height of building or 35 feet, whichever is greater
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Section X

Subsection 532.11 of the Richfield City Code is amended to read as follows:

532.11. Dimensional requirements. Subdivision 1. The following dimensional requirements apply to the C-1 district. All dimensions are in feet unless otherwise indicated.

Minimum lot width	Interior lot: 60	Corner lot: 75
Minimum lot area	8,000 square feet	
Maximum impervious surface coverage	80 percent	

Setbacks – building	Principal building	Accessory building
Front (see also Subd. 2)	30	30
<u>Adjacent to arterial roads</u>	<u>See Subdivision 2</u>	
Rear (see also Subd. 4)		
Adjacent to R, R-1 or MR-1 District	15 <u>10</u>	8
Adjacent to non-R, R-1 or MR-1 District	5	5
Street / corner side (but see Subd. 3 & 4)	20	20
Interior side (see also Subd. 4)		
Adjacent to R, R-1 or MR-1 District	15 <u>10</u>	10 <u>8</u>
Adjacent to non-R, R-1 or MR-1 District	5	5
Maximum building height	30	15
Story limitations	2 stories	1 story

Setbacks – parking (measured from the property line)	
Front (but see Subd. 5)	8
Side / corner side (but see Subd 5)	8
Interior side	
Adjacent to R, R-1 or MR-1 District	10
Adjacent to non-R, R-1 or MR-1 District	5

Section X

Subsection 532.11, Subdivision 2 of the Richfield City Code is amended to read as follows:

Subd. 2. Front setback reductions and maximums.

- a) The front setback requirement for a principal building on a lot may be reduced to no less than the average front setback of the existing principal building(s) abutting such lot, to a minimum of 25 feet, except when adjacent to a single-family house.
- b) The front setback requirement for a principal building on a lot located along an arterial road may be reduced to five (5) feet when a customer entrance is provided along that wall of the building.
- c) The maximum front setback for a principal building on a lot located along an arterial road is 40 feet or the average front setback of the existing principal building(s) abutting such lot, whichever is greater. In no case shall the front setback for a principal building exceed 60 feet.

Section x

Subsection 534.07 of the Richfield City Code is amended by adding new Subdivision 24 to read as follows:

Subd. 24. Accessory outdoor animal relief area to animal kennel, provided the following conditions are met:

- a) The outdoor relief area shall not be located in the front yard;
- b) The outdoor relief must meet setback requirements;
- c) The outdoor relief area shall be screened from view of neighboring properties as approved by the City;
- d) The outdoor relief area shall be for the use of dogs only;
- e) No dogs shall remain unattended in the outdoor relief area;
- f) The outdoor relief area shall not be used as an outdoor kennel, animal run, animal play area or any other use not specifically identified in the conditional use permit;
- g) The outdoor relief area shall be maintained in a clean and sanitary condition at all times;
- h) Solid waste material shall be removed a minimum of once per day and disposed of in a sanitary manner; and

- i) If required by the Public Works Department, a filtration bed shall be constructed to ensure that liquid waste will not enter into the ground or the City's storm water system.

Section X

Subsection 534.11 of the Richfield City Code is amended to read as follows:

534.11. Dimensional requirements. Subdivision 1. The following dimensional requirements apply to the C-2 District. All dimensions are in feet unless otherwise indicated.

Minimum lot width	Interior lot: 75	Corner lot: 90
Minimum lot area	9,000 square feet	
Maximum impervious surface coverage	85 percent	

Setbacks – building	Principal building	Accessory building
Front (see also Subd. 2)	35	35
<u>Adjacent to arterial roads</u>	<u>See Subdivision 2</u>	
Rear (see also Subd. 4)		
Adjacent to R, R-1 or MR-1 District	20 <u>15</u>	8
Adjacent to non-R, R-1 or MR-1 District	5	5
Street / corner side (but see Subd. 3)	25	25
Interior side (see also Subd. 4)		
Adjacent to R, R-1 or MR-1 District	20 <u>15</u>	20 <u>8</u>
Adjacent to non-R, R-1 or MR-1 District	0	0
Maximum building height (but see Subd. 5)	40	15
Story limitations	3 stories	1 story

Section X

Subsection 534.11, Subdivision 2 of the Richfield City Code is amended to read as follows:

Subd. 2. Front setback reductions and maximums.

- a) The front setback requirement for a principal building on a lot may be reduced to no less than the average front setback of the existing principal building(s) abutting such lot, to a minimum of 30 feet, except when adjacent to a single-family house.

- b) The front setback requirement for a principal building on a lot located along an arterial road may be reduced to five (5) feet when a customer entrance is provided along that wall of the building.
- c) The maximum front setback for a principal building on a lot located along an arterial road is 40 feet or the average front setback of the existing principal building(s) abutting such lot, whichever is greater. In no case shall the front setback for a principal building exceed 60 feet.

Section X

Subsection 537.03, Subdivision 1 of the Richfield City Code is amended to read as follows.

537.03. Permitted Uses. Subdivision 1. The following table establishes permitted, conditionally permitted and accessory uses for the Mixed Use Districts.

Table 1. Uses of the Mixed-Use District

The following abbreviations are used within the use table:

P= permitted use A= accessory use
 C= conditionally permitted N= not permitted

Use	MU-R	MU-C	MU-N
COMMERCIAL			
Regional retail services	P	C	N
General retail services	P	P	C
Neighborhood retail services	P	P	P
Restaurant Class I (serving alcohol)	P	C	N
Restaurant Class II (traditional/cafeteria)	P	P	P
Restaurant Class III (fast food/convenience)	C	C	N
Restaurant Class IV (take out only)	P	P	P
Service Station / convenience store	P	P	N
Convenience store	P	P	P
Offices and clinics	P	P	A
Hotel/motel (defined as 6 or more rooms)	P	P	N
Mortuaries and funeral chapels	N	P	N
Health or athletic clubs, spas, yoga studios	P	P	N
Theaters, movie or live entertainment	P	N	N
Auto sales or lease –new vehicles	C	N	N
Auto mechanical or body repair shops	C	C	N
Auto detailing	C	C	N
Auto rental facilities accessory to a primary office or hotel use	A	A	N
Assembly and manufacturing accessory and subordinate to a retail use	A	A	N
Drive-up window or teller service	C	C	N

Use	MU-R	MU-C	MU-N
Adult business establishments as defined and regulated under Subsection 1196 of the City Code	P	P	N
Tattoo shops	P	P	N
Firearms related uses	C	N	N
Licensed day care facilities	P	P	P
<u>Animal kennels</u>	<u>C</u>	<u>C</u>	<u>C</u>
<i>RESIDENTIAL</i>			
Dwelling, townhouse	N	N	P
Dwelling, multi-family (min. 3 units)	P	P	P (but see 537.07, Subd. 2a)
Live – work units	N	P	P
Assisted living facilities, nursing, rest homes	N	P	P
<i>INSTITUTIONAL/PUBLIC</i>			
Places of worship	A	P	P
Government offices	A	P	A
Police sub-station	P	P	P
Schools	C	P	P
Library	N	P	P
Parks	P	P	P
Hospitals	P	N	N
Transit facilities	A	A	A
Public utility	A	A	A

Section X

Subsection 537.05 of the Richfield City Code is amended by adding new Subdivision 11 to read as follows:

Subd. 11. Animal kennels.

- a) MU-N: Animal kennels shall be permitted in the MU-N District provided the following conditions are met: That full soundproofing is installed on all interior walls (including ceiling) and that the area requirements of Subsection 537.07, Subd. 2 are met.
- b) MU-C: Animal kennels shall be permitted in the MU-C District provided the following conditions are met: That if located in a multi-tenant building, soundproofing is installed on all walls (including ceiling) that are adjacent to another tenant or residential common area.

- c) MU-R: Animal kennels shall be permitted in the MU-R District provided the following conditions are met: That if located in a multi-tenant building, soundproofing is installed on all walls (including ceiling) that are adjacent to another tenant or residential common area.
- d) Outdoor relief areas in MU Districts: Outdoor relief areas shall be permitted in the MU Districts provided that the conditions listed in 534.07, Subd. 24 are met.

Section X

Subsection 544.13, Subdivision 5 of the Richfield City Code is amended to read as follows:

Subd. 5. Parking Lot Setbacks. Unless otherwise noted parking lots shall be set back in accordance with the following:

- a) Parking lots must be set back eight (8) feet from the right-of-way.
- b) Parking lots must be set back five (5) feet from adjacent commercial, multi-family residential and mixed use property.
- ↻) Parking lots must be set back 15 feet from adjacent single-family and two-family residential property with appropriate screening as required by Subsection 544.03 Subd. 5 for residential sites or Subd. 6 for commercial.

Section X

This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of September, 2011.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk