

SECTION 512 - ZONING: DISTRICTS

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SECTION 512 - ZONING: DISTRICTS
(ADDED, BILL NO. 2007-19)

512.01. Zoning districts. Subdivision 1. Establishment of districts. In order to carry out the purposes and provisions of this code, the city is hereby divided into the following zoning districts: (Amended, Bill 2008-12, 2009-5, 2009-7)

Residential Districts	
Single Family Residential	R
Low Density Single Family Residential	R-1
Two Family Residential	MR-1
Multi-Family Residential	MR-2
High Density Multi-Family Residential	MR-3
Commercial Districts	
Service Office	S-O
Neighborhood Business	C-1
General Commercial	C-2
Mixed-Use Districts	
Mixed-Use Regional	MU-R
Mixed-Use Community	MU-C
Mixed-Use Neighborhood	MU-N
Industrial Districts	
Industrial	I
Planned Unit Development Districts	
Planned Residential	PR
Planned Two Family Residential	PMR-1
Planned Multi-Family Residential	PMR
Planned Neighborhood Commercial	PC-1
Planned General Commercial	PC-2
Overlay Districts	
Airport Impact Overlay District I (Safety)	AIO-1
Airport Impact Overlay District II (Noise)	AIO-2
Penn Avenue Corridor Overlay District	PAC

Subd. 2. District boundaries. The location and boundaries of the zoning districts established in this code, other than airport overlay districts, are set forth in “Appendix 1” to this code which delineates the legal descriptions of land within each zoning district. Appendix 1 is on file and open to public inspection during regular city office hours in the Office of Community Development. The location and boundaries of the overlay districts are identified in section 541 of this code. (Amended, Bill 2009-5)

Subd. 3. Lots which lie within two zoning districts. Where a district boundary line divides a lot of record placing it into two separate zoning districts, the provisions of this code which pertain to either zoning district may be applied to the entire lot or for a distance of 30 feet from such district boundary line, whichever is less.

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: (Amended, Bill No. 2008-12)

- 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.

512.05. Permitted, Conditional, Accessory and Prohibited Uses in Residential Districts. The following table summarizes which land uses are classified as permitted, accessory, conditional or prohibited in the Residential Districts. Refer to Sections 514 through 527 for complete regulations.

- P: Permitted
- A: Accessory
- C: Conditional
- N: Null or Prohibited

Land Use	R	R-1	MR-1	MR-2	MR-3
Residential					
Single-family detached dwellings	P	P	P	N	N
Two-family dwellings	C	N	P	P	P
Twin homes	N	N	C	N	N
Multi-family dwellings (>3 units)	N	N	N	P/C	P/C
Cluster home developments	C	N	C	C	N
Other					
Bed and breakfast inns	C	C	N	N	N
Cemeteries	C	N	N	N	N
Day care facilities	P/C	P	P/C	P/C	P/C
Emergency shelters	C	N	C	C	C
Fences, walls and hedges	A	A	A	A	A
Foster family homes	A/C	A/C	A/C	A/C	A/C
Garages / carports for a residential structure	A	A	A	A	A
Gazebos / greenhouses	A	A	A	N	N
Governmental buildings	P	N	C	C	C
Home occupations	A	A	A	A	A
Libraries (public)	P	N	C	C	C
Parking	A	A	A	A	A
Private driveways	A	A	A	A	A
Public utilities, major	C	C	C	C	C
Public utilities, minor	A	A	A	A	A
Recreational facilities, non-commercial, principal use	C	C	C	N	N
Religious institutions	C	N	C	C	C
Residential care facilities	P	P	P/C	P/C	P/C
Roomer	A	A	N	N	N
Satellite dish antennas	A	A	A	A	A
Schools, public or private	C	N	C	C	C
Storage buildings	A	A	A	A	A
Swimming pools, private	A	A	A	A	A
Telecommunication towers	C	C	C	C	C
Utility buildings accessory to telecommun. towers & antennas	A	N	A	A	A

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
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	N
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 medical clinic	P/C	P/C	P/C
Hotel or motel	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
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

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	P	P	P
Live-work units	P	P	N
Assisted living facilities, nursing, rest homes	P	P	N
Other			
Adult businesses	N	P	P
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 or hotel use	N	A	A
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	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

Land Use	MU-N	MU-C	MU-R
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
Theaters, movie or live entertainment	N	N	P
Transit facilities	A	A	A

512.11. Permitted, Conditional, Accessory and Prohibited Uses in the Industrial District. The following table summarizes which land uses are classified as permitted, accessory, conditional or prohibited in the Industrial District. Refer to Section 539 for complete regulations.

- P: Permitted
- A: Accessory
- C: Conditional
- Pr: Prohibited
- N: Ordinance is silent

Land Use	
Adult businesses	P
Bottling operation	P
Cold storage	P
Computer assembly	P
Electric appliance manufacturing	P
Electronic components assembly	P
Food products manufacturing	P
Laboratories for testing or research	P
Living quarters for security personnel	A
Lumber or building materials sales	P
Metal products manufacturing	P
Paper products manufacturing	P
Parking	A

Land Use	
Pawn shops & second hand goods dealers licensed under Section 1186 or 1187 of the City Code	C
Rubber or plastics products manufacturing	P
Satellite dish antennas	A
Stone, clay or glass products manufacturing	P
Telecommunication towers	C
Textile products manufacturing	P
Wood products manufacturing	P

512.13. Airport impact overlay districts. Subdivision 1. Purpose and intent. Two overlay districts are established in the city to address unique land use situations related to the proximity of the Minneapolis-St. Paul International Airport (Wold-Chamberlain Field) (“MSP Airport”). The airport impact overlay districts are established to protect the public health, safety, order, convenience, prosperity and general welfare and to promote the appropriate use of land in the vicinity of the MSP Airport. (Amended, Bill 2009-5)

Subd. 1a. Airport Impact Overlay District I (Safety)(AIO-1). The Airport Impact Overlay District I (Safety) is established to implement the 2004 Minneapolis-St. Paul International Airport (Wold-Chamberlain Field) Zoning Ordinance (hereinafter 2004 MSP Zoning Ordinance). The AIO-1 District is intended to promote the most appropriate use of land by preventing the creation or establishment of certain uses subject to the 2004 MSP Zoning Ordinance and Minnesota Statutes. (Added, Bill No. 2008-12; Amended, Bill 2009-5)

Subd. 1b. The Airport Impact Overlay District II (Noise) (AIO-2) is intended to reduce the impact of airport noise on residential land uses by establishing standards for noise attenuation in new construction and by establishing guidelines for noise attenuation in the rehabilitation or remodeling of existing residential land uses.

Subd. 1c. The regulations for airport impact overlay districts are set forth at section 541 of this code.

Subd. 2. (Repealed, Bill 2009-5)

Subd. 3. (Repealed, Bill 2009-5)

Subd. 4. Uses. All permitted, accessory, conditional and interim uses allowed in the underlying zoning district are allowed in the Airport Runway Overlay District with the exception of the following prohibited uses.

- a) Within the portion of the Airport Runway Overlay District designated as Safety Zone B as contained in Section V Land Use Safety Zoning of the 2004 MSP Zoning Ordinance and shown on MSP Zoning Map Safety Zones – Plate SZ-20, the following uses are prohibited unless a variance permitting the use is granted by the Board of Adjustment established by the 2004 MSP Zoning Ordinance:
 - (i) Amphitheaters;
 - (ii) Campgrounds;
 - (iii) Churches;
 - (iv) Fuel storage tank farms;
 - (v) Above-ground fuel tanks;

- (vi) Gasoline stations;
 - (vii) Hospitals;
 - (viii) Nursing homes;
 - (ix) Residential uses (including low, medium and high density residential uses);
 - (x) Schools;
 - (xi) Stadiums;
 - (xii) Theaters;
 - (xiii) Trailer courts;
 - (xiv) Ponds or other uses that might attract waterfowl or other birds such as putrescible waste disposal operations, wastewater treatment facilities and associated settling ponds, and dredge spoil containment areas; provided, however, the prohibition on ponds or other uses that might attract waterfowl or other birds shall not apply to acres below an elevation of eight hundred (800) feet above mean sea level along the Bluff of the Minnesota River.
- b) Within the portion of the Airport Runway Overlay District designated as Safety Zone C as contained in Section V Land Use Safety Zoning of the 2004 MSP Zoning Ordinance and shown on MSP Zoning Map Safety Zones – Plates SZ-13, SZ-14, SZ-15 and SZ-20 no land use shall violate the height restrictions imposed by the 2004 MSP Zoning Ordinance and described in Subsection 512.13 Subd. 4 of this code.

Subd. 5. Height restrictions. Except as necessary and incidental to Airport operations, no new structure shall be constructed or established; no existing structure shall be altered, changed, rebuilt, repaired or replaced; and no tree shall be allowed to grow or be altered, repaired, replaced or replanted in any way so as to project above any Airspace Surface as shown on MSP Zoning Map Airspace Zones – Plates A-13, A-14, A-15, A-19 and A-20.

Subd. 6. Exemption for established residential neighborhoods. The following regulations shall apply to an “established residential neighborhood in a built-up area” as defined in 2004 MSP Zoning Ordinance:

- a) A low density residential structure or isolated low density residential lot as defined in 2004 MSP Zoning Ordinance which existed in an “established residential neighborhood in a built-up area” on or before January 1, 1978, and all other land uses with existed in an established residential neighborhood in a built-up area on or before June 30, 1979, shall be subject to the height restrictions of Subdivision 4, but shall not be subject to the Safety Zone B restrictions of Subdivision 3. In addition, such structure, lot or use shall be deemed a conforming use that shall not be prohibited under the 2004 MSP Zoning Ordinance.

- b) In Safety Zone B in an established residential neighborhood in a built-up urban area or in an area immediately adjacent to such a neighborhood, existing low, medium and high density residential uses may be improved and expanded, and new low, medium and high density residential uses may be developed, all subject to the height restrictions of Subdivision 4 and all other provisions of this code.

Subd. 7. 2004 MSP Zoning Ordinance use variances. Within the Airport Runway Overlay District, variance to allow uses listed as prohibited in the Airport Runway Overlay District that are granted by the Board of Adjustment as contained in the 2004 MSP Zoning Ordinance may only be established in the City of Richfield to the extent that they comply with all of provisions of this code. A use not allowed in the underlying zoning district shall not be established under any circumstances.