



PLANNING COMMISSION

ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.

October 21, 2020 at 7:00 PM
Meeting will be held virtually on Zoom

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda
4. Approve Minutes September 16, 2020
5. Public Comment
6. Regular Business Items
 - a. Concept Plan – Rita Meadows
 - b. Zoning Code Rewrite Update
7. Discussion by Planning Commissioners
8. Adjournment

Website Link to Agenda and Packets: <https://www.stfrancismn.org/meetings>

There may be a quorum of St. Francis Council Members present at this meeting.

Zoom meeting Instructions:

Zoom meeting Instructions:

Time: Oct 21, 2020 07:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87250074416?pwd=ZkFoeSs5ajNubi9CSzJ3blQyOHFBQT09>

Meeting ID: 872 5007 4416

Passcode: Q0JELQ

One tap mobile

+13126266799,,87250074416#,,,,,0#,,726659# US (Chicago)

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Dial by your location

+1 312 626 6799 US (Chicago)

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Meeting ID: 872 5007 4416

Passcode: 726659

CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
September 16, 2020

1. **Call to Order:** The Planning Commission meeting was called to order at 7:12 pm by Chairman Zutz via Zoom
2. **Roll Call:** Present were Todd Gardner, Greg Zutz, Colleen Sievert, Tara Kelly and Joe Kollodge. Absent: Liz Fairbanks and William Murray

Others in attendance: Kate Thunstrom- Community Development Director, Kevin Robinson - City Council, Beth Richmond – City Planner
3. **Adopt Agenda:** Motion by Sievert, second by Gardner to approve the September 16 agenda. Motion carried 5-0.
4. **Approve Minutes:** Motion by Gardner, second by Kelly to approve the August 19, 2020 minutes. Motion carried 5-0.
5. **Public Comment:** None received
6. **Regular Business Items:**
 - a. City Acquisition of Real Property
Thunstrom reviewed the packet and attachments. The City and EDA look to acquire four properties in the downtown area off of Bridge Street and Ambassador Blvd. The City will acquire for the purposes of demolition and redevelopment which may include the development of a Civil Campus.

Thunstrom explained the process and steps of relocation. The group discussed the other City owned properties that surround the ones considered for acquisition. Thunstrom explained the steps the city has taken so far in regards to the development of a City Campus. Robinson also provided information on how the City is reaching out to other partners such as the library or post office.

Commission supported the idea of the Civic Campus and considered it an upgrade to the City. Per Zutz this had been discussed in 1998/99 from a group formed for the future of the City. One of the concepts was exactly what is being considered now. This is a win for the City to have a city hall on Bridge St – our main street. Sense of a center for the City and a favorable asset. It may also continue to support the need to connect Bridge and Hwy 37.

Commission Comments received as required for acquisition based on being a Comprehensive Plan City.
 - b. City Zoning District and Code discussion
Richmond reviewed a Zoning Code update through a presentation, *attached*. Identified that the update to continue compliance with the adopted 2040 Comprehensive Plan. This step allows consolidation of small updates needed

into one process. Zoning needs to evolve and reflect current trends and needs of the City. Statute provide the City nine months to update these pieces with the Comp Plan which brings us to the end of the year.

Discussion:

- When considering rezoning schools and public space to keep together, does this limit the number of properties in an area? This will keep similar uses together while correctly identifying the use of the properties, it does not contain limits.
- Like idea of keeping Bridge street a foot and boutique type of district verses the chain store and heavy traffic uses with drive throughs.
- It was favored to reduce area by rezoning if it makes sense to improve efficiencies. Green space isn't always quality park or open space. Desirable cities have quality park systems. Continue to work on improvements. City should strongly condition park space and how it is used.
- Requests for updates is coming from both existing residents, in demands such as bees or accessory structures while other changes are being recognized from questions that come from potential developers or businesses looking to locate into STF.
- Surprised at lack of commercial building in the last 10 years and hope we are not zoning them out.
- Commerce comes in many ways including park and trail systems. How can the zoning capture local and County park system to create commerce in STF.
- Setbacks need be realistic to ensure the character of a district. Some seem close or at property line. Are we reviewing to ensure working with businesses and not being over restrictive to not restrictive enough.

This was an informational only item to collect initial feedback of zoning and code updates.

7. Public Hearing:

a. Meadows of St. Francis PUD

Richmond reviewed the packet identifying the update of the zoning code from R3 to PUD-R3. This is a strategy to clean up existing structure issues and to allow the current builder to meet the City expectations of the plat approved and development in progress.

Discussion included:

- How did the project end up with these issues? Staff does not have the files to identify what was originally approved and agreements made. It is possible that these items were addressed when the development was originally platted but the files do not contain what is needed to make that determination. This will allow us to have that information and the builder to complete the project in compliance.
- Any consideration for park space? Since this is a clean up effort there are not any changes to the proposed uses that would allow a park to be considered.
- Issues related to parking and access; consider recommendation condition be that the parking is to be utilized for compact cars only in the driveway. There is no parking on the road and no guest parking in the development. The city at this point cannot require that parking be created but would require any future developments to address these issues more favorably. Seems as

streets were developed in an unreasonable size and that major errors were done. City needs to be aware of the aesthetics of how this will look going forward. Hope to not experience these issues again and not interested to cram a development in utilizing a PUD overlay.

Public Hearing Open - 8:32 pm

Public Hearing Closed – 8:33 pm with no comment

Staff was requested by the commission to review the possibility of streets being created into a one-way street. Staff will review prior to Council action.

Motion to recommend approval of the rezoning of Block 1 Meadows of St. Francis from r-3 Medium Density Residential to PUD R-3 with conditions and finding of fact as recommend by Staff and include the review to determine if street could be made into a one way by Sievert,
Second by Gardner, Motion passed 5-0

8. **Planning Commission Discussion:** Group discussed new businesses and development updates.
9. **Adjournment:** Motion by Gardner, second by Kelly to adjourn. Motion carried 5-0. Meeting adjourned at 8:42 pm.

Website Link to Packets and Minutes for the Planning Commission:
<https://www.stfrancismn.org/meetings>

Signed by: Kate Thunstrom

DATE APPROVED:

Zoning Code Update

Planning Commission – September 16, 2020

Agenda

- **Purpose of Update**
- **Topics of Particular Focus**
- **Zoning Districts**

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Agenda

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Purpose

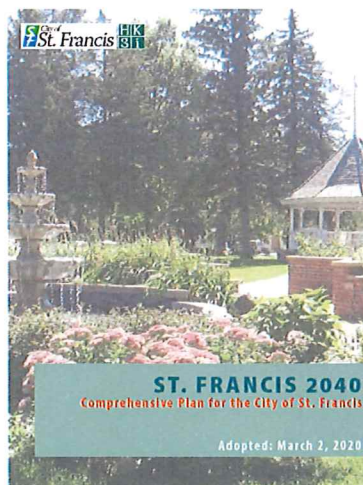
- **Implement the 2040 Comprehensive Plan**
- **Consolidate Code updates**
- **Reflect current trends**

Purpose

3

Implement the Comprehensive Plan

- **2040 Comprehensive Plan adopted March 2020**
 - City has 9 months to update zoning and subdivision regulations to comply with new Comprehensive Plan
- **Guiding Principles**
 - Focus on Home
 - Focus on Character and Form
 - Focus on Business and Economic Strength
 - Focus on Infrastructure
 - Focus on Natural Areas
- **Several Action Items identified in the Comprehensive Plan relate to this Code update**



Purpose

4

Comprehensive Plan Action Items

- Rezone parcels to **accommodate commercial and industrial** development
- Incorporate business and development supporting policy into the Zoning and Subdivision Ordinances
- Revise zoning and subdivision regulations as needed to **encourage a mix of housing types and prices** in development projects
- Update ordinances to maintain **housing functionality and livability** and to **address new technologies, market trends, and resident needs**
- **Streamline** permitting and development processes
- As part of the site plan review process, review how potential developments provide for effective linkages between housing and nearby community services and amenities
- Update the City's **park dedication** requirements
- Ensure that the City Zoning and Subdivision Ordinances comply with and implement the **transportation** chapter of the 2040 Comprehensive Plan
- Update the **stormwater management** portions of the City's Zoning and Subdivision Ordinances

Purpose

5

Consolidate Updates

- **Code is result of series of amendments to address historical issues**
- **More efficient to complete one larger update**
 - Eliminate inconsistencies
 - Reduce complexities for property owners
 - Clarify provisions that have been confused in the past
 - Revise grammar
- **Frequent requests for updates/amendments**
 - Topsoil
 - Residential driveways
 - Keeping of bees
 - Recreational motor vehicles
 - Drive-thrus

Purpose

6

Reflect Current Trends

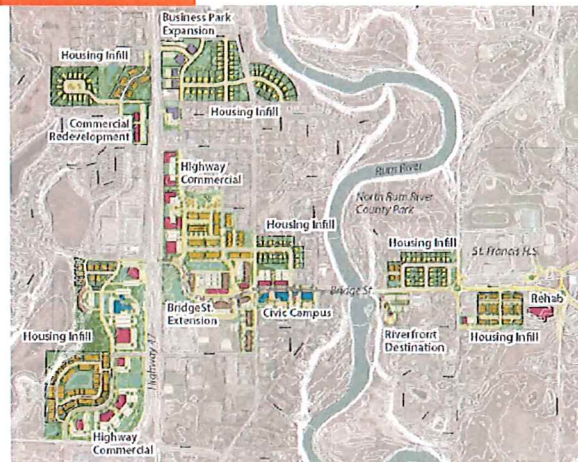
- **Bridge Street, Highway 47, Business Park areas**

- Support investment while encouraging appropriate commercial/industrial character

- **New uses**

- Moratoriums
 - Self-storage facilities
 - Auto uses
- ADUs
- Drive-thrus

FIGURE 3.5 ST. FRANCIS FORWARD PLAN GRAPHIC



Purpose

7

Topics of Particular Focus

- **Update Zoning Districts**
- **Update Zoning Map**
- **Miscellaneous Items**

Important
Topics

8

NOTES TO THE MAP

Legend

- Urban
- Suburban
- Rural
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Commercial
- Industrial
- Public Use
- Water
- Forest
- Open Space
- Transportation
- Other

Scale: 0 5 10 Miles

Inset Map: Washington, DC Region

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Abbreviation	Zoning District
A-1	Permanent Agriculture
A-2	Rural Estate Agriculture
A-3	Interim Agriculture
RR	Rural Residential
R-1	Urban Estate Single Family Residential
R-2	Urban Single and Two Family Residential District
R-3	Medium Density Residential
R-4	High Density Residential
B-1	Central Business
B-2	General Business
B-3	Business Park
I-1	Light Industrial
I-2	General Industrial
I-3	Isolated Industrial
PUD	Planned Unit Development
CO	Conservancy
RRM	Rum River Management
FP	Floodplain Overlay

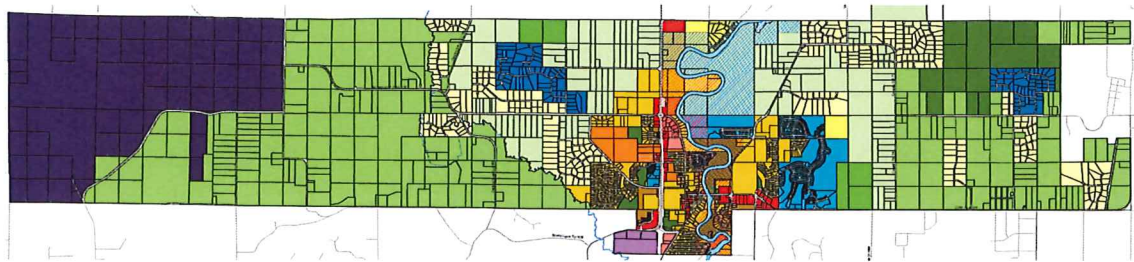
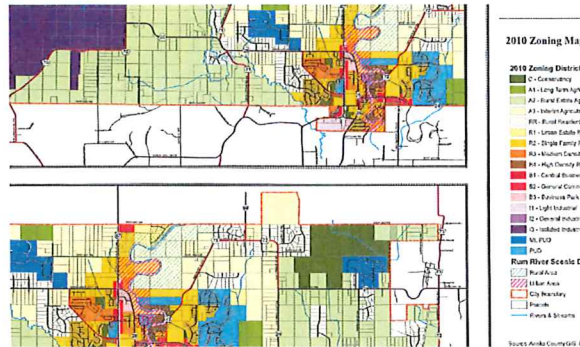
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Zoning District Updates

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Zoning Map

- **Revise map to comply with 2040 Comprehensive Plan**
- **Create map that is easier to use**
 - Includes entire City
 - Digital – easier to navigate and zoom in to an area



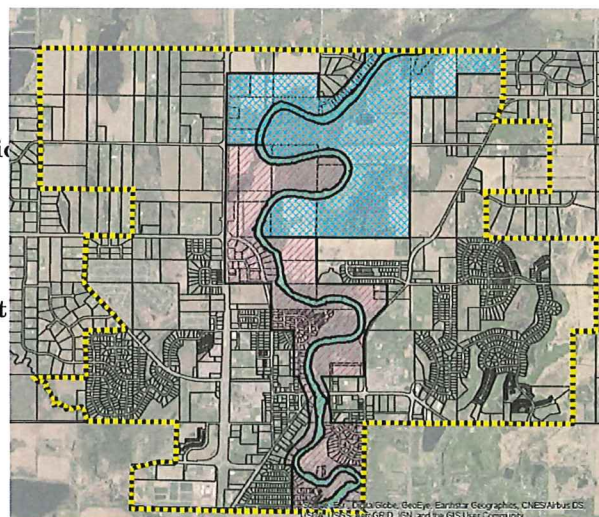
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Important
Topics

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Miscellaneous Items

- **Update Definitions**
 - Uses
 - Other Terms
- **Streamline and clarify Procedures section**
 - Site Plan Review
 - Planned Unit Development
- **Update Nonconforming provisions**
- **Update Rum River Management district**



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Important
Topics

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Next Steps

- **Goal: Complete update by end of 2020**
- **Current Focus: Zoning Districts and Uses**
- **Staff will provide regular updates to Planning Commission and City Council throughout process**

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
DATE: October 14, 2020
SUBJECT: Concept Plan
APPLICANT: Enrique Rieger
LOCATION: Block 1 Lot 2 of Rita Meadows (PID: 32-34-24-44-0024)
MEETING DATE: October 21, 2020
COMP PLAN: Medium Density Residential
ZONING: R-4, High Density Residential

OVERVIEW

Dr. Enrique Rieger has submitted a plan to solicit input on a proposed concept for the development of 14 single-family lots on a 6.7-acre site located south of Bridge Street on the St. Francis-Oak Grove border. This site was platted in 2007 as Block 1 Lot 2 of the Rita Meadows plat. The site is currently undeveloped. The western third of the site is wooded, while a large wetland covers the eastern two-thirds of the site (about 4.6 acres).

Anticipated land use actions for this project include rezoning to a PUD, easement vacation(s), and preliminary and final plats. Input is being sought from the Planning Commission and the City Council on the proposed concept prior to the preparation of application materials.



PROPOSED CONCEPT

Historically, this site was zoned R-4 to allow for an apartment building development which never came to fruition. The applicant is proposing 14 detached single-family lots. These lots vary in size between 5,400 sq. ft. and 9,045 sq. ft. The entire development is intended to be communal with opportunities for open spaces and gathering areas, both within the private lots and in the common areas of the plat. An HOA will be established to maintain the common areas of the development. The development will have access off of Poppy Street.

ANALYSIS

Comprehensive Plan

This land is currently guided Medium Density Residential by the Comprehensive Plan. This land use designation is intended for residential uses with densities ranging between 3 and 7 units per acre. The submitted concept shows 14 units on 2.06 buildable acres, for a density of 6.8 units per acre. The density and uses proposed are compatible with the Medium Density Residential land use category.

Zoning/Lot Dimensions/Setbacks

The land is currently zoned R-4 High Density Residential. The R-4 district is not compatible with the Medium Density Residential land use category established by the Comprehensive Plan. Therefore, this parcel would likely be rezoned to a lower intensity residential zoning district as part of the ongoing zoning code update.

The applicant is requesting to rezone this area to a Planned Unit Development (PUD). The PUD tool is used to allow for flexibility in developments in exchange for high-quality, creative design, the preservation of unique or high quality natural features, the creation of a variety of life-cycle housing options, or other, similar public benefits. In this case, City Staff understands that this is a uniquely-shaped parcel constrained by the location of the large wetland that may need some flexibility in order for it to be developmentally viable.

This PUD would be based off of the zoning requirements found in the R-2 District.

	Proposed PUD	R-2
Minimum Lot Area	5,400 sq. ft.	12,000 sq. ft.
Lot Width	60 ft.	100 ft.

The proposed lots range in size between 5,400 sq. ft. and 9,045 sq. ft. with widths between 60 and 90 feet. All of the lots would be undersized for the R-2 district in both lot area and lot width, thus necessitating the PUD approach.

On future plans, the applicant should specify the front, side, and rear setbacks for each lot. Structures within PUDs are required to have a building separation of no less than 12 feet and be set back from the curb no less than 15 feet.

Access, Streets, & Parking

The existing parcel has frontage on both Poppy Street and Lake George Blvd. Due to the location of the wetland on the east side of the parcel, the proposed single-family lots will have access to the City's street network via Poppy Street.

A 60-foot right-of-way (ROW) is required for all public streets within the City. The required ROW diameter for a cul-de-sac is 120 feet and the maximum allowable cul-de-sac length is 500 feet. The applicant has indicated that he may be interested in creating a private street to serve the development, which may be allowed through a PUD. If that is the case, Staff would support a reduction of the ROW to 50 feet wide. The concept as shown provides streets that are roughly 12 feet wide. Streets of this width would not be acceptable within a development. Regardless of if the streets are public or private, the concept would need to be adjusted to account for the necessary ROW. This will likely drastically change the layout of the lots.

A street is proposed along the southern property line of the parcel, ending in a cul-de-sac near the wetland. This can be used to provide access to the parcels to the south which are currently landlocked. This street will be required to meet City standards as well as wetland setback and buffer requirements. The road shown south of Lot 12 infringes on the boundary of the wetland. Wetland mitigation would be required.

Two streets are proposed running north through the property to the northern property line, each ending in a cul-de-sac. While staff supports the possibility of providing access to the parcels to the north and

south of this property, multiple streets of the proper width are likely not practical or feasible on this property. This layout would also create three double-frontage lots, which are not permitted within the City, nor are they an efficient use of infrastructure. Staff suggests reconfiguring the lots and streets to remove the double-frontage lots and provide a street or streets which provide the property ROW width.

In addition to the private driveways and garages on each lot, 12 additional off-street parking spaces are proposed to be provided within the development. The smaller lots are planned to include single-car garages while the larger lots are planned to include two-car garages. The additional 12 spaces are intended to be used by residents and guests to the development for overflow parking.

Sidewalks/Trails

No sidewalks or trails are shown on the concept. Sidewalks are required along one side of all residential streets within the City.

Staff would also suggest the applicant consider the opportunity for a trail near the wetland to provide all neighborhood residents access to the open space on the site.

Natural Areas & Open Space

A large wetland and proposed open space area make up roughly two-thirds of the site. This wetland will be maintained and the appropriate vegetative buffer and structure setback will be enforced on any future development. A wetland delineation will be required to be submitted as part of any preliminary plat application.

The western portion of the site is fairly wooded. Staff has talked with the applicant about his desire to preserve as many trees as possible. The applicant is also proposing to enhance the wooded area immediately surrounding the wetland with additional trees. A landscaping plan will be required with any preliminary plat application.

Easements

There are existing drainage and utility easements in place over the existing wetland and surrounding the property lines of the parcel which were established with the Rita Meadows plat. These easements would need to be vacated and reestablished as part of any future plat. The easement over the wetland would still be required.

Homeowners Association (HOA)

PUDs are required by Code to establish a homeowners' association which is responsible for the maintenance of all elements of common ownership within the PUD. The responsibilities of the HOA would need to be specified at the time of final plat approval, but they could include private street ownership and maintenance, snow removal and lawn care, and maintenance of natural areas and trails.

Utilities

This development would be served by public utilities. Sewer and water are available in Poppy Street. The developer would be required to extend the utilities into the property to serve the lots.

Stormwater

No stormwater facilities are shown on the concept plan. Stormwater ponds would likely be needed on the site as described in Code Section 10-93. A stormwater management plan with detailed calculations to determine the size and type(s) of stormwater facilities needed would be required for the next phase of development.

PLANNING COMMISSION ACTION

The Planning Commission is requested to provide feedback to the applicant on the proposed concept. Comments shared are not binding to the City nor do they constitute official assurances or representations of the City on future recommendations or approvals. The City Council will also review the concept and provide feedback.

ATTACHMENTS

- Concept Plan

Lot St. Francis, MN 55070
xix Poppy St NW

xxxx Poppy St NW

Lot size = 6.69 Acres. $\angle$

2.06 Acres Builder = 48%

4.63 Acres Wetland = 52%

Dimensions = $274 \times 1129 \times 261 \times 1129$

To: Beth.

From: EmRique. 10/7/2020.



Approx. Scale 1 = 15 feet

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
DATE: October 14, 2020
SUBJECT: Zoning Code Rewrite Update – Overview
MEETING DATE: October 21, 2020

Staff is focusing the discussion of the Development Code Rewrite Update project this month on various elements of the proposed zoning districts including purpose statements, allowable uses, and dimensional regulations. A list of draft zoning district purpose statements have been attached for your review.

Use standards will also be a topic of discussion at this meeting. To ease review and discussion, a memo has been prepared for each of the following topics: Automobile Sales, Accessory Dwelling Units, Mobile Food Units, Outdoor Dining, Rural Event Centers, and Short-Term Vacation Rentals.

For all of these uses, one aspect that needs to be discussed is whether the uses should be permitted with standards or if a conditional use permit should be required. While the requiring of a conditional use permit does give the Planning Commission and City Council more oversight, it also is an extra cost and time burden for the applicant. At this time, Staff has written most of the regulations as if the uses would be permitted with standards.

ZONING DISTRICT PURPOSE STATEMENTS - DRAFT

A-1 Permanent Agriculture District

The A-1, Permanent Agriculture District is intended to accommodate those farms willing to make long term commitments to agricultural operations. This district is intended to contain those areas of St. Francis in the rural service area where, because of the land capability, and capital investment in farming operations, it is necessary to preserve, promote, maintain, and enhance the use of land for long term agricultural purposes. This district will be used solely at the request of area farmers.

A-2 Rural Estate-Agriculture District

The purpose of the A-2 District is to provide suitable areas of the City to be retained and utilized for agricultural uses, un-sewered residential in a rural pattern, and open space, and to prevent rapid urbanization and provide economy in public expenditures.

UR Urban Reserve District

The purpose of the UR District is to reserve land for future urban development. Areas within this district face imminent urbanization. Uses which do not hinder the future possibility of urban development in the area, such as interim agriculture or large lot, un-sewered residential are appropriate in this district. At such time as the land is developed, the land shall be rezoned out of this district.

RR Rural Residential District

The purpose of the RR District is to accommodate and preserve existing un-sewered single unit residential homes developed at low densities (no greater than one (1) unit per five (5) acres). This district is not meant to be expanded further.

R-1 Urban Low Density Detached Residential District

The purpose of the R-1, Urban Low Density Residential District is to provide for detached single-unit residential uses served by municipal sanitary sewer. Two-unit residential uses may also be located in this district.

R-2 Medium Density Detached and Attached Residential District

The R-2 District is intended to support a mixture of detached and attached residential units served by municipal sanitary sewer. This district is appropriate for smaller lot detached units and limited attached units such as townhomes and rowhouses.

R-3 High Density Residential District

The R-3 District is intended to provide for higher density attached residential housing types in a vertical or horizontal orientation within the Urban Service Area. This district is intended to support areas of greater concentrations of commercial, employment, and public activity.

B-1 Central Business District

The purpose of the B-1, Central Business District, is to provide for the establishment of a mix of cultural, civic, entertainment, retail, service, office, and multi-unit housing uses in the area along the Bridge Street corridor. Consideration for pedestrian and bicycle access shall be integrated.

B-2 General Business District

The purpose of the B-2, General Business District is to provide for higher intensity retail, office, and service-oriented business along arterial roadways. The uses in this District shall be oriented toward motorists and rely on higher volumes of traffic.

BPK Business Park District

The BPK district is intended to provide for a mix of compatible office and light industrial uses situated in transitional areas near the City's main transportation corridors. Uses in this district are limited to those that are compatible with lower intensity residential and business uses and which have limited amounts of truck traffic in comparison to higher intensity industrial uses.

I-1 General Industrial District

The purpose of the I-1, General Industrial District is to provide areas suitable for the location of higher-intensity industrial activities which have adequate and convenient access to major streets and provide effective controls for "nuisance" and pollution characteristics. This district is intended to be located fully within the City's urban service area.

I-2 Isolated Industrial District

The general intent of this district is to accommodate industrial users that, due to the nature of their operations, must be isolated from urban areas.

PUD Planned Unit Development District

The purpose of the PUD, Planned Unit Development District is to provide for the integration and coordination of land parcels as well as the combination of varying types of residential, commercial and industrial uses to create a flexible development which provides a public benefit.

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
SUBJECT: Zoning Code Rewrite – Automobile Sales

The City has received several requests to permit automobile sales, particularly online automobile sales, within the City. The online aspect of this use has increased throughout the region in recent years. Following an application for a conditional use permit for online automobile sales use, the City enacted a moratorium on all auto uses in order to consider where this use might fit best within the City and what standards may be needed. Automobile sales, leasing, and rental are proposed to be permitted with standards in the BPK district and a conditional use in the I-1 district.

Potential Definition:

The use of any building or portion thereof, or other premises or portion thereof for the display, sale, rental, or lease of new or used motor vehicles.

Proposed Use Standards:

Automobile Sales, where allowed in this Ordinance, shall be subject to the following standards:

- a) Automobile sales uses shall have frontage on Highway 47.
- b) Any auto sales use adjacent to a residential district shall be screened from view following screening requirements in City Code Section 10-20 Fencing/Screening/Landscaping.
- c) All automobile sales uses and dealers shall obtain the appropriate license from the State of MN.
- d) No fewer than 5 parking spaces per tenant shall be provided. The number of tenant and customer parking spaces provided shall meet or exceed the City's parking requirements for auto sales as established in Code Section 10-19 General Parking, Access, and Loading Requirements.
- e) Parking areas on-site shall be designed in accordance with City Code Sections 10-19-4 and 10-19-8.
- f) All cars parked on the property shall be licensed and registered or current dealer-owned inventory.
- g) Wrecked cars shall not be allowed on-site.
- h) No automobile repair or service is permitted on-site.
- i) Hours of operation shall be limited to 7am to 10pm.
- j) All exterior lighting on the site shall meet the regulations established in City Code Section 10-16-8 Exterior Lighting.

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
SUBJECT: Zoning Code Rewrite – Accessory Dwelling Units

Accessory dwelling units (ADUs) have been identified as a need for the community. As previously discussed, Accessory Dwelling Units (ADUs) are dwellings located on the same lot as a primary home and have their own entrance, kitchen, living area, and bathroom. They are also sometimes called in-law suite, granny flat, or carriage house. ADUs are a common zoning topic today because of the national challenge of housing affordability and availability. In general, ADUs are often considered by cities for the following reasons:

- ADUs provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others
- Homeowners who create ADUs benefit from added income and the presence of others on their property
- Offer a lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character
- They provide additional options for renters, who are able to be a part of neighborhoods rather than larger complexes
- They provide options for smaller one or two person households, many of whom may want to stay within their neighborhood

The following provides a draft definition for consideration and a list of potential standards compiled from best practices around the country. The potential standards are presented by topic with examples of precedent language or thresholds to consider. Specific zoning regulations will be drafted once direction is received from the Planning Commission.

Potential Definition

A self-contained dwelling unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is located within or attached to an existing residential dwelling.

Potential Zoning Districts

A review of precedent codes finds that, in general, ADUs are allowed in estate or single-family districts. There are a few examples, generally in more dense cities, of ADUs being allowed in townhomes and medium density districts. Staff recommends that, at a minimum, ADUs be allowed in the UR, RR, and R-1 districts.

Potential Standards

Topic	Sample language and/or thresholds
Type	• Internal – within the principal structure, such as a converted basement or attic. • Attached – share one or more walls with the principal structure. These are generally constructed as additions or conversions of attached garages • Detached – these may be the conversion of an existing, detached garage, additions to a detached garage, or freestanding structures
Lot Size	• Not all codes require a minimum lot size • Standards for lot size also seem to vary relative to what type of ADU is allowed. • In general, the codes reviewed had ADUs being allowed for lots 6,000 sq. ft. to 1 acre.
Lot Coverage	Few examples ranged from 20% to 35%. This may be an approach instead of lot size.
Minimum ADU Size	Generally, vary from 200 to 500 square feet. Recommend that at least meet minimum building code standards for efficiency unit.
Maximum ADU Size	• Sometimes these vary depending on type of ADU • Many different standards used, including maximum square footage, percent of finished floor area, and percent of footprint. Some codes do the lesser of size and percent. Example thresholds include: ○ 650 to 1,000 square feet ○ Percentage of finished floor area (30%, 50%) ○ Percentage of footprint (33%, 40%)
Owner Occupied	• Example standard – The owner(s) of the residence in which the accessory dwelling unit is created must continue to occupy at least one of the dwelling units as their primary residence, except for a bona fide temporary absence.
Parking Spaces	• Example standard - Off-street parking spaces must be available for use by the owner-occupant(s) and tenant(s) • Potential thresholds ○ None required ○ 1 required for ADU, 2 required for main home ○ 2 required for ADU, 1 required for main home ○ 2 required for ADU, 2 required for main home ○ Primary home must have 4 off-street spaces
Entrance location	Example standard – any new, separate outside entrance serving an accessory dwelling unit shall be located on the side or in the rear of the building.

Topic	Sample language or thresholds
Water/Sewer Connection	Some communities require the water/sewer connection to be connected to the existing home while others require it to come from the street. City engineering input would be helpful. One reason for the standard to come from the house may be to prevent the units from being separated.
Number of Occupants	2 to 4 for the accessory dwelling unit
Max Number of ADUs	Example standard – Only one accessory dwelling unit may be created with a single-family dwelling
Independent Sale of ADU	Deed restriction limiting independent sale and restrictions to the size limitations and other requirements
Short-term rental	In some communities this is prohibited.
Home occupation	Can either the owner-occupant or tenant have a home occupation?

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
SUBJECT: Zoning Code Rewrite – Mobile Food Unit

Mobile Food Units (MFUs) include a variety of mobile food and beverage service establishments, including food trucks and food carts. MFUs have risen in popularity over the last few years. This popularity has increased with the occurrence of the COVID-19 pandemic. The City does not currently have a codified process to allow these types of uses, either on public or private property.

The sample regulations below have been provided for discussion. The State of Minnesota licenses MFUs, using different processes for different types of MFUs. In order to operate in St. Francis, a MFU would be required to obtain all necessary permits from the State as well as a permit from the City to operate. City permitting regulations would be included in the Business Chapter of the Code. The standards we are discussing tonight would be included in the zoning chapter and would mainly be intended to regulate those MFUs which are used as accessory uses on private land.

The main categories to discuss tonight include:

- Location
- Length of Stay
- Hours of Operation
- Signs
- Operational Requirements
- Restaurant/Event Protections

Proposed Definition:

A Mobile Food Unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either:

- Motorized or trailered, operating no more than 21 days annually at any one place, or operating more than 21 days annually at any one place with the approval of the regulatory authority; or
- Operated in conjunction with a permanent business licensed under Minnesota Statutes, chapters 157 or 28A at the site of the permanent business by the same individual or company, and readily movable, without disassembling, for transport to another location.

Potential Use Standards:

Topic	Sample standards and/or thresholds
Location	• On public property – need City permit (regulated by business codes) ○ On public/private street if street is closed to nonemergency vehicles ○ In park or other city property with prior written approval

	○ May not travel in or operate on public sidewalks or trails • On private property: permitted with standards accessory use ○ Need City permit (administrative) ○ Need written approval from property owner (B-1, B-2, BPK) ○ May operate on private residential property for “one-time” catering purposes – not open to the general public ○ May not obstruct ingress or egress from commercial buildings during building hours of operation • Each MFU needs proper licenses/permits from City and State of MN which must be posted at all times on MFU.
Length of Stay	• Limit number of days per 12-month period (21) – annual permit • Allow MFUs year-round or limit to warm-weather months? • Annual vs. Temporary permit • Prohibit overnight parking? Could also permit for a certain number of nights. • Limit number of days in a row?
Hours of Operation	• Options include: ○ Limiting hours to regular business hours (7am to 10pm) ○ Could allow extended evening hours where appropriate while maintaining 10pm near residences ○ Could only allow during the lunch period ○ CC could exempt hours on per-event basis
Sign Code	• Could require MFUs to meet sign code • Could allow 1 sign per mobile food unit
Operation	• No tables/chairs permitted • Independent power supply screened from public view, complying with noise regulations • Waste/recycling receptacles required for each MFU • Waste to be removed from site daily • Dispose of gray water daily (not into city stormwater drains) • Need to keep area around MFU clean (daily) and MFUs in good repair with neat appearance • Operators may not call attention to that permittee’s business by crying out, blowing a horn, ringing a bell, loud music, or by any loud or unusual noise, or by use of any amplifying device • MFUs may not be left unattended nor remain at an authorized location outside allowed hours of operation
Restaurant/Event Protections	• MFUs may not locate within 300 feet from the perimeter of any pre-approved festival, sporting event, or civic event unless a license is issued to be part of the festival or event; • MFUs may not operate within 100 feet from the public entrance to any restaurant and/or any portion of a restaurant’s

	outdoor dining area during that restaurant’s hours of operation unless the licensee obtains permission from restaurant owner/manager
Miscellaneous	• Out-of-service MFUs must comply with all applicable zoning ordinance requirements • MFU operators may not claim endorsements by the city based on permit

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
SUBJECT: Zoning Code Rewrite – Outdoor Dining

Outdoor dining is a use that has grown in popularity, particularly with the 2020 COVID-19 pandemic because of its ability to provide adequate outdoor eating space for diners. Outdoor dining is not a use which is included in the existing zoning code. This use is proposed to be most appropriate as an accessory use which is permitted with standards within the B-1 and B-2 zoning districts.

Potential Definition:

A specified outdoor area for dining which is accessory to a principal restaurant or food service establishment use.

Proposed Use Standards:

Outdoor Dining, where allowed in this Ordinance, shall be subject to the following standards:

- a) An outdoor dining use shall not be located in interior side or rear yard if it is adjacent to a residential district. An outdoor dining use may be located in an interior side or rear yard adjacent to a mixed-use district, provided that any adjacent residential uses are not located on the first floor.
- b) Outdoor dining areas where liquor will be served shall be clearly designated and contained within the site by use of a fence or other means.
- c) Tables or chairs associated with the outdoor dining use shall not obstruct the area used to provide for an adequate pedestrian flow.
- d) Any dining area within the public right-of-way shall apply for and obtain the necessary permits from the regulating authority.
- e) No speakers or other electronic devices are permitted outside of the principal structure.
- f) Hours of operation shall be limited to 7am to 10pm.
- g) Additional parking will not be required if the outdoor seating area does not exceed 500 sq. ft. or 10 percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 sq. ft. or 10 percent of gross building area, whichever is less.

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
SUBJECT: Zoning Code Rewrite – Rural Event Venue

Rural Event Venues, also known as wedding barns or rural retreat centers, are venues found on rural lands which are used to host a variety of different events, from weddings to corporate retreats. The trend for rural venues for retreats, weddings, and other gatherings has grown in popularity over the last few years, providing space and a more rural atmosphere which is not as easily found in more urban settings. While this use is not currently allowed within the City, it would be beneficial to create regulations as it continues to be a trend in the marketplace. This use would be most appropriate as a “permitted with standards” use in the A-2 Rural Estate-Agriculture zoning district.

Potential Definition:

A structure or designated area used for celebration, weddings, ceremonies, receptions, corporate functions or similar activities for the benefit for someone other than the property owner that takes place on an occasional basis. This does not include uses accessory to single-family uses, such as private parties, gatherings and similar activities.

Proposed Use Standards:

Rural Event Venues, where allowed in this Ordinance, shall be subject to the following standards:

- a) If the owner of the rural event venue use is not the owner of the property on which it is operated, then the owner of the property shall be a consentor to the interim use permit application and have a letter on file with the City stating her/his permission for the use to occur and her/his acknowledgement of the standards required for the use.
- b) Rural event venues shall have direct access to an arterial or collector street.
- c) The responsible road authority shall grant written permission for such use at the proposed location.
- d) All structures and portions of the parcel used for the rural event venue, including temporary structures, shall be located at least 200 feet from property lines and 300 feet from neighboring residential dwellings.
- e) Adequate parking for employees and customers shall be provided on site and shall meet parking standards of Section 10-19 General Parking, Loading, and Access Requirements.
- f) Adequate restroom facilities shall be provided.
- g) If there is a commercial kitchen on-site or if the facility has its own liquor license, an individual sewage treatment system shall be provided that complies with Section 3-4 and regulations from the Minnesota Pollution Control Agency (MPCA). If food and/or alcohol are provided by a caterer, the site, at the discretion of the Planning Commission, may permit the use of a holding tank or provide restroom facilities via portable toilets.
- h) All buildings used in conjunction with the use shall meet the requirements of the state building code, including state mandated accessibility requirements.
- i) Local and state health and liquor regulations shall be met if food or beverages are served.

- j) Hours of operation shall be limited to 7 a.m. to 10 p.m. The Planning Commission may grant approval for modified hours of operation.
- k) Any outdoor lighting shall be arranged so as to reflect the light away from adjoining property and right-of-way and shall comply with the regulations listed in Section 10-16-8 Exterior Lighting.
- l) All signs for the rural event venue shall meet the regulations listed in Section 10-23 Signs.
- m) All garbage shall be kept in rubbish containers that are stored out of view of a public street.
- n) Overnight accommodations may be provided for guests attending the event at the venue.
 - a. The length of stay for guests shall be limited to 3 consecutive nights.
 - b. Meals shall not be provided beyond the food and beverages served during the actual event.
 - c. These accommodations shall be considered a hotel room for tax purposes.
- o) Local law enforcement shall be notified prior to event.

PLANNING REPORT

TO: City of St. Francis Planning Commission
FROM: Beth Richmond, Consulting Planner
SUBJECT: Zoning Code Rewrite – Short-Term Vacation Rentals

Staff has developed regulations for discussion pertaining to short-term vacation rentals. While the City does not have a lot of rentals at this time, it would be beneficial to have regulations as it is a continuing trend in the marketplace due to platforms like Airbnb and Vacation Rental by Owner (VRBO). Users of short term home rentals often enjoy the “neighborhood” or “residential” feel of their accommodations, which is typically less costly than a traditional hotel or other lodging. The ability to rent out property for the short term also brings the benefit of supplemental income to the homeowner. Some of the cost savings are due to the lack of regulations, in the form of permits, zoning constraints, licenses, or taxes, which often apply to lodging uses but not residential uses. City approaches to short-term vacation rentals vary across the region, including not regulating them; prohibiting them; only allowing them in owner-occupied units; permitting them with standards; requiring a conditional use permit; and licensing them.

Proposed Regulations

Definition

The following is a draft definition that would be included in the definitions section of the code.

Short term vacation rental. A dwelling, or portion thereof, that is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 consecutive days.

Regulations

It is recommended that the City consider creating a license or permit for short term vacation rentals as zoning may not be able to adequately address the operational aspects that also have the potential for impacting the surrounding properties. Staff recognizes though that there are additional administrative burdens of a license or permit process. Thus, to best protect the City until a permit or license process is possible, the following are proposed regulations so as to allow short term vacation rentals as a permitted with standards accessory use.

- A) **Number of guests.** The maximum number of overnight guests will be limited to two times the number of bedrooms rented plus one.
- B) **Events.** Events are not allowed to be hosted by transient guests on the premises. An event means a gathering on the premises of more than three un-registered transient guests. Events hosted by the property owner are allowed, but must abide by all applicable City ordinances and policies.
- C) **Dwelling requirements.**
 - 1) The dwelling must be connected to city sewer and water.

- 2) Rooms used for sleeping shall have an egress windows and smoke detectors.
 - 3) The guest(s) must have access during their entire stay to a full bathroom, including sink, toilet, and tub or shower.
 - 4) Accommodation of guests is not allowed in recreational vehicles, tents, accessory structures, fish houses, or similar structures.
- D) **Parking.**
- 1) All guest parking must be accommodated on improved surfaces on the premises. No on-street parking is allowed for guests.
 - 2) At a minimum, parking shall be provided at the following rate:
 - (a) 1 space for each 1-2 bedroom rental
 - (b) 2 spaces for each 3 bedroom rental
 - (c) Spaces equal to the number of bedrooms minus one for each 4 and 4+ bedroom rental
 - 3) In short term vacation rentals where the property owner resides on the premise, additional off-street parking for personal use must be provided at a rate of one parking space per two bedrooms not dedicated to the guest use.
- E) **Proximity of assistance.** If not residing on the property, the property owner or a manager/representative must be located within 30 miles of the property. The property owner shall maintain with the City the name, address, phone number, and email for the local contact or managing agent for the property.
- F) **Guest records.** A guest record must be maintained, including the name, address, phone number, and vehicle license plate information for all guests. This record must be provided to the City within 48 hours of a request for the guest record.
- G) **Guest disclosures.** The property owner must disclose in writing to their transient guests the following rules and regulations. This disclosure shall be conspicuously displayed in the home:
- 1) The name, phone number and address of the owner, operating lessee or managing agent/representative.
 - 2) The maximum number of guests allowed at the property.
 - 3) The maximum number of vehicles allowed at the property and where they are to be parked.
 - 4) City nuisance ordinances requirement that noise levels be reduced between 10 p.m. and 7 a.m. and that this will be enforced by the St. Francis Police Department.
 - 5) Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities.
 - 6) No events are allowed to be hosted on the premises.
- H) **Garbage.** All garbage must be kept in rubbish containers that are stored out of view of a public street.
- I) **Signage.** No signage pertaining to the short-term vacation rental is allowed on the property.