

DRAFT

ORDINANCE NO. 1727
AN ORDINANCE AMENDING CHAPTER 9 – LAND USE OF THE CITY CODE OF 2005
TO AMEND 9.106 GENERAL DEVELOPMENT STANDARDS AND 9.107 SPECIFIC DEVELOPMENT STANDARDS.

The City of Columbia Heights does ordain:

Section 1

The following language for General Development Standards is added, amended and deleted as provided in Section 9.106 of the City Code of 2005, is hereby established to read as follows:

(S) Table of Uses. The following tables include the permitted, conditional, and accessory uses for all residential, commercial, industrial, and public zoning districts; numbers indicate additional conditions for approval of use which can be found in City Code 9.107 Specific Development Standards.

1. RESIDENTIAL ZONING DISTRICTS					
A = Accessory Use C = Conditional Use P = Permitted Use PUD = Planned Unit Development Numbers indicate additional conditions for approval of use which can be found in City Code 9.107 Specific Development Standards.					
ZONING DISTRICTS	R-1 SINGLE-FAMILY RESIDENTIAL	R-2A/R-2B: TWO-FAMILY RESIDENTIAL	R-3: LIMITED MULTIPLE FAMILY RESIDENTIAL	R-4: MULTIPLE FAMILY RESIDENTIAL	P: PUBLIC AND OPEN SPACE
USE CLASSIFICATION					
Accessory building/structure.	A	A	A	A	
Accessory dwelling unit on a single-family property.	A	A	A	A	
Bed and breakfast home, accessory to a single-family dwelling.			C	C	
Cemeteries.					P
Community center.			C	C	C
Congregate living facilities, including rooming houses, group living quarters, nursing homes (27), senior housing, assisted living facilities, transitional housing and emergency housing (44).			C	C	
Convent or monastery, when accessory to a religious facility.	C	C	C	C	
County, regional, and city parks.	P	P	P	P	P
Day care center, adult or child.			C	C	
Decorative landscaping, gardening and other horticultural uses.	A	A	A	A	
Essential services.					P
Fences greater than six feet in height.	A	A	A	A	
Golf course.	C	C			
Government office.	C	C	C	C	
Government protective service facility.	C	C	C	C	
Greenhouses (residential). (24)	A	A	A	A	
Ground-mounted solar energy system (accessory use). (51)	A	A	A	A	A

Ground-mounted solar energy system (primary use). (51)	P	P	P	P	P
Home occupations.	A	A	A	A	
Joint driveway use between adjoining property owners.	C	C	C	C	
Licensed day care facility serving 12 or fewer persons. (16)	P	P	P	P	
Licensed day care facility serving more than 12 persons.				C	
Licensed group family day care facility serving 14 or fewer children.	P	P	P	P	
Living quarters for persons employed on the premises.					A
Manufactured home park.				C	
Multiple-family dwelling.				P	
Multiple-family dwelling with up to eight units per structure.			P		
Non-city governmental and public regulated utility buildings and structures necessary for health, safety, and general welfare of the community.					C
Off-street parking for an adjacent conforming commercial or industrial use, provided the lots are under common ownership, is not separated by a public right-of-way and front on the same public right-of-way.		C	C	C	
Operation and storage of such vehicles, equipment and machinery, which are incidental to the permitted or conditional uses allowed in the district.					A
Other accessory uses as determined by the Zoning Administrator.	A	A	A	A	
Playgrounds, athletic fields, recreational areas, and parking areas.	P	P	P	P	P
Private garages, carports, and parking spaces.	A	A	A	A	
Private swimming pools, tennis courts, and private recreational facilities operated for the sole use and convenience of the residents and their guests.	A	A	A	A	
Public parks and playgrounds.	P	P	P	P	P
Publicly owned and operated facilities.					P
Recreational facility, indoor.			C	C	C
Recreational facility, outdoor.			C	C	C
Recreational vehicles and equipment.					A
Religious facility/ place of worship. (35)	C	C	C	C	
Roof-mounted solar energy system. (50)	A	A	A	A	A
Shared family living arrangements.	A	A	A	A	
Signs as regulated by 9.106.	A	A	A	A	A
Single-family dwelling, detached.	P	P	P	P	
School, public or private, K-12. (39)	C	C		C	
School, vocational or business. (40)				C	

State licensed residential care facility serving six or fewer persons. (36)	P	P	P	P	
State licensed residential care facility serving 7 to 16 persons. (36)			C	C	
Temporary construction buildings.	A	A	A	A	
Town home dwelling with up to eight units per structure.			P	P	
Two-family dwelling. (45)		P	P	P	
Twinhome dwelling. (45)		P	P	P	

1. COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

A = Accessory Use C = Conditional Use P = Permitted Use PUD = Planned Unit Development
Numbers indicate additional conditions for approval of use which can be found in City Code 9.107 Specific Development Standards (C)

ZONING DISTRICTS	LB: LIMITED BUSINESS	GB: GENERAL BUSINESS	CBD: CENTRAL BUSINESS	I-1: LIGHT INDUSTRIAL	I-2: GENERAL INDUSTRIAL
USE CLASSIFICATION					
Accessory building.	A	A	A	A	A
Accessory Tobacco Retailer	P	P	P	P	P
Adult entertainment use. (1)				C	C
Animal kennel and/or shelter. (2)		C		C	
Arcade.		P	P		
Assembly, manufacturing and/or processing.		C		P	P
Auditorium/place of assembly.		P	P		
Automobile convenience facility. (3)		P			
Automobile and motorcycle repair, minor. (5)		C		C	C
Automobile and motorcycle repair, major. (4)				C	C
Automobile and motorcycle sales/rentals, new. (6)		C			
Automobile and motorcycle sales/rentals, used (in building). (7)		C			
Banquet hall. (47)		C	C		
Barbed wire fences. (8)				C	C
Bed and breakfast home, when accessory to a single-family dwelling. (9)	C				
Billiards hall.		P	P		
Body piercing shops.				P	P
Bowling alley.		P	P		
Brew pub. (46)		P	C		
Brew pub, not exceeding 2,000 barrels of malt liquor a year. (46)	C				
Brewer taproom. (46)		P	C	P	
Brewer taproom, not exceeding 2,000 barrels of malt liquor a year. (46)	C				
Car Wash. (10)		C			
Caretaker's residence.				A	
Clinic, medical or dental.	P	P	P		
Clinic, veterinary.	P	P	P		
Club or lodge.		P	P		

Community center. (12)		C	C	P	P
Concrete, asphalt or rock crushing operation. (11)				C	C
Congregate living facilities, including rooming houses, group living quarters, nursing homes (27), senior housing, assisted living facilities, transitional housing and emergency housing (44).	C				
Consignment/secondhand store. (13)		C			
Currency exchange. (14)		C			
Day care facility, adult or child. (15)		P			
Drive-up facility. (17)		A	A		
Drop-in facility. (18)		C			
Fences greater than six feet in height.	A	A	A		
Fences greater than seven feet in height.				A	A
Financial institution.		P	P		
Firearms dealer/shooting range. (20)		C			
Food service, convenience (fast food). (21)		P	P		
Food service, limited (coffee shop/deli).	P	P	P		
Food service, full service (restaurant/nightclub).		P	P		
Freight terminal. (22)				P	P
Funeral home. (23)	P	P			
Ground-mounted solar energy system (accessory use). (51)	A	A	A	A	A
Ground-mounted solar energy system (primary use). (51)	P	P	P	P	P
Government maintenance facility.	C	C		P	P
Government office.	P	P	P	P	P
Government protective service facility.	P	P	P	P	P
Greenhouse/garden center.		P			
Health/fitness club.		P	P		
Health/fitness clubs, not exceeding 4,000 gross square feet in area. (48)	C				
Hospital. (25)	C	C			
Hotel or motel.	C	P	P		
Incidental repair or processing necessary to conduct the permitted principal use, provided the accessory use does not exceed 30% of the floor area.		A	A		
Laboratory, medical.		P	P	P	P
Landscaping and other horticultural uses.	A	A	A	A	A
Licensed day care facility, child or adult. (16)	C		P		
Liquor store, off-sale.		P	P		
Maintenance facility.				P	P
Motor vehicle parts store.		P		P	P
Museum/gallery.	P	P	P		
Multiple-family dwelling.	P				
Single and Multiple-family residential, when located above a street level commercial use. (26)			P		
Off-street parking and loading areas.				A	A
Office.	P	P	P	P	P
Office/showroom.				P	P
Office/warehouse.				P	P
Outdoor sales or display. (28)		C	C	C	C
Outdoor storage. (29)		C	C	C	C
Parking ramp.		P	P	P	P

Pawnshop. (30)		C		P	P
Precious metal dealerships. (31)		C			
Printing/publishing.		P	P	P	P
Private garages, carports, and parking spaces.	A	A	A		
Private swimming pools, tennis courts, and private recreational facilities operated for the sole use and convenience of the residents and their guests.	A				
Public parks and playgrounds.	P	P	P	P	P
Recreational facility, indoor. (33)	C	C	C	P	P
Recreational facility, outdoor. (34)	C	C	C	P	P
Recreational vehicles sales, new. (32)		C			
Recreational vehicles sales, used (in building). (32)		C			
Religious facilities/places of worship (35)		C	C		
Retail sales.	P	P	P	P	P
Roof-mounted solar energy system. (50)	A	A	A	A	A
Salvage operation/transfer station. (38)				C	C
Seasonal sales stands. (49)	A	A	A		
Self-service storage facility.				P	P
Service, professional. (19)	P	P	P		
School, performing/visual/marital arts. (41)	C	P	P		
School, vocational or business. (40)	C	P	P		
Shopping center. (42)		P			
Signs as regulated by 9.106.	A	A	A	A	A
Single-family dwelling, when accessory to a commercial use.	C				
Tobacco Product Shops (43)	P	P	P	P	P
State licensed residential care facility, correctional. (37)				C	C
State licensed residential care facility. (36)	C		C		
Studio, professional.	P	P	P		
Studio, radio and television.		P	P	P	P
Tattoo shops.				P	P
Temporary construction buildings.	A	A	A	A	A
Theater, live performance.			P		
Theater, movie.			P		
Warehousing and/or distribution.				P	P

Section 2

The following language for Specific Development Standards is added, amended and deleted as provided in Section 9.107 of the City Code of 2005, is hereby established to read as follows:

(36) Residential care facility.

(a) If serving more than six residents, the use shall be located at least 1/4 mile (1,320 feet) from all existing residential care facilities or correctional residential care facilities, regardless of the licensing status of such facilities. Residential care facilities serving six or fewer residents shall be exempted from the distance radius and zoning regulations except as otherwise required by law.

(b) The use shall not be located in a two-family or multiple-family dwelling unless it occupies the entire structure.

(c) The facility shall be located on a parcel meeting the minimum lot size for a single-family dwelling plus an area of 300 square feet for each resident over six. The maximum number of residents may be specified as a condition of the conditional use permit in order to meet this requirement.

(d) On-site services shall be for residents of the facility only, except where the facility is located within a multi-story commercial structure and maintains distinct separation (architecturally or by schedule) between residential and non-residential clients.

(e) The building and any exterior fenced areas shall meet the setback requirements of the zoning district in which the use is located.

(f) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be compatible with other buildings in the neighborhood.

(g) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

(h) The primary purpose of the facility cannot be to treat juveniles who have violated criminal statutes relating to sex offenses or who have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses.

(i) The facility shall not provide accommodations to treat persons whose tenancy would constitute a direct threat to the health and safety of other individuals.

(j) The facility shall not accept court ordered referrals for treatment in lieu of incarceration without adequate security.

(k) The facility shall meet all applicable housing, building and fire codes and be licensed as required by the State of Minnesota.

(l) If the size, location, licensing or purpose of the facility changes, a new or amended conditional use permit may be required.

First Reading:

Offered by:

Seconded by:

Roll Call:

Second Reading:

Offered by:

Seconded by:

Roll Call:

Date of Passage:

Amáda Márquez Simula, Mayor

Attest:

Sara Ion, City Clerk/Council Secretary