



PLANNING COMMISSION

AGENDA SECTION	PUBLIC HEARINGS
MEETING DATE	FEBRUARY 4, 2025

ITEM:	Zoning Ordinance Amendments to amend Chapter 9 – Land Use: 9.101 Purpose 9.103 Definitions 9.106 General Development Standards 9.107 Specific Development Standards 9.109 Residential Districts 9.110 Commercial Districts 9.111 Industrial Districts 9.113 Planned Unit Development Districts 9.114 Overlay Districts 9.115 Public and Open Space Districts	
DEPARTMENT:	Community Development	BY/DATE: Andrew Boucher, City Planner January 23, 2025

CASE NUMBER: 2025-PZ02
APPLICANT: The City of Columbia Heights
LOCATION: Citywide
REQUEST: Zoning Ordinance Amendment
PREPARED BY: Andrew Boucher, City Planner

INTRODUCTION:

Staff discussed potential updates to City Zoning Code – Chapter 9 Land Use at the January 7, 2025 Planning Commission Workshop based on the work related to the City’s efforts to implement a Complete Streets Policy for public and private development, SolSmart technical review and progress through their designation program, and incorporating these along with other recent zoning code updates into the City’s Design Standards. These amendments are described in each applicable zoning section as follows:

- A. 9.101 Purpose, Authority and Jurisdiction (B) *Purpose* amended to include (B)(11) “Encourage and strengthen solar development and use of renewable energy while protecting public health, safety, and welfare of its residents and furthering progress towards specific community goals and plans.”; amend (B)(2) to reflect other specific goals defined in plans such as the Energy Action Plan and other guiding documents.
- B. 9.103 Definitions amended to include the following definitions:
 - a. Amending *Accessory Building/Structure, Building and Structure* definitions to explicitly state that solar equipment and installations are not considered to be structures.
 - b. Adding *Community-scale solar energy system*: A solar photovoltaic system that qualifies for the Community Solar Gardens identified by the State of Minnesota Commerce Department’s Energy and Utilities.

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- c. Adding *Grid-connected solar energy system*: A solar photovoltaic system that is connected to an electric circuit served by an electric utility company.
 - d. Adding *Ground-mounted solar energy system (Accessory Use)*: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and the system is accessory to the primary use.
 - e. Adding *Ground-mounted solar energy system (Primary Use)*: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and is the primary land use for the parcel(s) on which it is located. Primary use systems are permitted through a discretionary approval process.
 - f. Adding *Roof-mounted solar energy system*: A solar photovoltaic system mounted on a rack that is ballasted on, or is attached to, the roof of a building or structure. Roof-mount systems are accessory to the primary use.
 - g. Adding *Solar energy system*: A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.
 - h. Adding *Solar photovoltaic system*: A solar energy system that converts solar energy directly into electricity, the primary components of which are solar panels, mounting devices, inverters, and wiring.
- C. 9.106** General Development Standards amended to include the following provisions:
- a. Removing language from (B) Lot Controls (13) Height limitations establishing a roof area maximum for mechanical and electrical equipment and adding language to include solar and other renewable energy equipment to allow equipment to exceed the maximum height limitation by up to 50%.
 - b. Amending (C) Accessory uses and structures (1)(c) to include solar and other renewable energy equipment are subject to the setback requirements for accessory structures, but are not considered buildings or structures.
 - c. Amending (H) Performance Standards (1) Purpose to exempt solar and renewable energy equipment and installations from performance standards.
 - d. Amending (P) Sign Regulations to include (8) Sign Design Standards Table containing standards related to types of signage allowed by zoning district, maximum area, height, illumination, setbacks, and any other applicable information in a form-based table.
 - e. Including (S) Table of Uses showing the permitted, conditional, and accessory uses for all residential, commercial, industrial, and public districts.
- D. 9.107** Specific Development Standards amended to include the following provisions:
- a. Including Roof-mounted solar energy system as a use and including as a specific development standard that the system “shall comply with applicable state and local fire codes to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide areas for smoke ventilation, and provide emergency egress from the roof.
 - b. Include Ground-mounted solar energy systems (accessory use) as a use and including as a specific development standard that “if the area under the system contains vegetative ground cover such as grass, native planting and vegetations, or pollinator habitats as the tilt and spacing allows for precipitation to drain into the pervious ground cover.”

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- E. 9.109 Residential Districts, 9.110 Commercial Districts, 9.111 Industrial Districts, and 9.115 Public and Open Space Districts are all amended to remove the permitted, conditional, and accessory uses and relocating these into a form-based table in 9.106 General Development Standards (S) Table of Uses.
- F. 9.113 Planned Unit Development amended to include “solar, renewable energy systems, and beneficial electrification” as part of (C) Areas of Flexibility as well as (D) Review Procedure to include references to guiding documents in Planned Unit Development consideration.
- G. 9.114 Overlay Districts (D) Design Overlay District is amended to include reference in (1) Purpose, supporting the goals of the comprehensive plan, Energy Action Plan, Safe Streets for All, and the City’s Complete Streets Policy. Other amendments included are to (2) Establishment and (3) Design Guidelines of the Design Overlay Districts to read as follows:
- a. Central Avenue Design District. The Central Business District, extending from 37th to 42nd Avenues, includes a number of historic or architecturally interesting buildings, including the Heights Theatre. Most office and storefront buildings meet the sidewalk, while shopping centers and franchise buildings are set back behind parking lots. Architectural styles are diverse, from historic commercial or Mediterranean Revival (the theater) to 20th century modern. Several off-street ramps help to reduce the need for surface parking. Recent streetscape improvements and developments of the Public Safety building as well as the mixed-use City Hall redevelopment project have enhanced the pedestrian character of this district. This district contains numerous neighborhood oriented multi-tenant shopping centers including restaurants, personal and professional services, retail, and multi-family developments. Redevelopment of the City’s Public Safety and City Hall has contributed to the character of this district.
 - b. 40th Avenue Design District. Fortieth Avenue has its own character, combining housing with institutions such as City Hall John P. Murzyn Hall, smaller commercial businesses including restaurants, multi-tenant buildings with professional and personal services, as well as housing and places of worship. Commercial buildings tend to be single-story, set back 5 to 10 feet from the sidewalk, and have extremely limited parking options that causes some properties to have legal nonconforming status. Housing is predominantly single-family, although additional townhouse and multifamily development is envisioned in the Downtown Master Plan (2000). Future redevelopment and reconfiguration of 40th should take into consideration of the parking needs of the existing businesses and seek opportunities to enhance street parking.
 - c. Highway Design District. The Highway District extends along Central Avenue from 42nd Avenue north to the City boundary. This segment has a distinctly different character than the CBD: most buildings are set far back from the street behind large parking lots or along frontage roads. Central Avenue is a six-lane highway through most of this area, and the road width and traffic speeds combine to make the area less pedestrian-friendly. The Highway District has issues related to stormwater quality and quantity that are apparent when there is significant or torrential rainfalls. With these conditions in mind for future redevelopment and reconfiguration of Central Avenue, Complete Streets elements shall be implemented when these are feasible and there are identified conflict points, stormwater issues, areas that are “under-lit”, barriers to pedestrian/bicyclist movements, or referenced in guiding documents such as Complete Streets, ADA Transition Plan, and Safe Streets for All.
- (3)(c). Support the implementation of city-wide guiding documents and standards.

Staff has not received any comments on the proposed zoning text amendments.

ZONING ORDINANCE AMENDMENT

FINDINGS OF FACT

Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

(a) The amendment is consistent with the comprehensive plan.

The City's 2040 Comprehensive Plan identifies strengthening the identify and image of the community as a desirable place to live, work, and play as well as preserving and enhancing the existing viable commercial and industrial areas within the community. The zoning code amendments proposed will help achieve more consistency with the 2040 Comprehensive Plan.

(b) The amendment is in the public interest and is not solely for the benefit of a single property owner.

The zoning text amendments are in response to recommended best practices from technical staff with SolSmart to support public and private development of renewable energy resources as well as incorporating city-wide guiding documents and consolidating sections of code to be more streamlined and readable.

(c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.

The amendment is not to change the zoning classification of a particular property.

(d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.

The amendment is not to change the zoning classification of a particular property.

RECOMMENDATION

Staff recommends the following zoning text amendment to the Zoning Code:

- A. Approval of Draft Zoning Ordinance Amendment No. 1711 amending City Code 9.101 Purpose, 9.103 Definitions, 9.104 Administration and Enforcement, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, 9.111 Industrial Districts, 9.113 Planned Unit Development District, 9.114 Overlay Districts, and 9.115 Public and Open Space Districts as presented.

RECOMMENDED MOTION(S):

MOTION: Move to waive the reading of draft Ordinance amendment No. 1711, there being ample copies available to the public.

MOTION: Move to recommend City Council approve draft Ordinance amendment No. 1711, a Zoning Ordinance Amendment, as presented.

ATTACHMENT(S):

Draft Ordinance No. 1711

Public Hearing Notice