

BRAINERD PLANNING COMMISSION

Wednesday, December 4, 2013

6:00 p.m.

2nd Floor Conference Room

Agenda

1. Review issues associated with small houses
2. Discuss community center definition

Any individual needing special accommodations please call 218/828-2309

MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner 

DATE: November 27, 2013

RE: Workshop Topics

Small Houses

The scenario described at the last Planning Commission meeting by Commissioner Cole pointed out that there may some additional issues to work through regarding garages and accessory buildings before final draft small house language is developed.

Accessory Buildings

The number and size of accessory buildings has not been addressed. Following is possible language to address the issue:

1. Limit the size of the garage attached or detached to 16' x 20' or the size of the dwelling (whichever is less). Meaning a 300 sf house can have only a 300 sf garage whereas a 320 sf house can have a 320 sf garage, a 340 sf house can have a 320 sf garage, etc.
2. In addition to an attached garage one accessory building not to exceed 120 sf is allowed on a lot with a dwelling less than 700 sf.
3. Garages that are attached to a dwelling shall be constructed adjacent to the dwelling. Tuck under garages or dwellings above a garage are not remitted.

Another issue related to accessory buildings is the approval process. Should the addition of an accessory building a future attached garage or detached garage or storage building be subject to conditional use permit review?

Lot Coverage

Residential districts have a maximum lot coverage limitation of 60%. In looking at the Zoning Ordinance, consideration should be given to whether this limitation should be adjusted for small lots. If the above

limits (or something similar) are added, the maximum lot covered could be described to exclude lots on which small houses are located.

Large Lots

Discussion has centered on a small houses on small lots. It is understood that a small house proposal will require a conditional use permit review and neighborhood compatibility is a review criteria. However should the potential for a small house on a typical 7,000 (50' x 140) sf lot be possible? Or for example should they be limited to:

1. Lots that do not meet the minimum square footage requirement of the district in which it is located, or
2. Consider an appropriate minimum lot size such as 4,000 sf (or something smaller or larger). Meaning a small house cannot be constructed on lot larger than 4,000 sf.

Permitted Zoning Districts

Small house discussion has occurred with the understanding that it would occur as infill in the core area of the community where R-1 and R-1A Districts are located. However, there are several other zoning districts that permit single family residential. They include:

1. R-A, RURAL AGRICULTURAL DISTRICT
2. R-R, RURAL RESIDENTIAL DISTRICT
3. B-1, RESIDENTIAL-OFFICE DISTRICT

Discussion should occur about whether the possibility of small house development in these districts should be considered.

These may not be the only issues that need addressing. Please give thought to other "what if" scenarios and the effects on the Zoning Ordinance.

Attached is the current mal House/Infill Zoning Ordinance draft.

A recent e-mail from a local realtor about the small house issue is also attached.

Community Center Definition

Commissioner Lambert requested this item be included on the workshop agenda for discussion. The Planning Department has no additional information for the workshop.

SECTION 54
R-1, SINGLE FAMILY RESIDENTIAL DISTRICT

SMALL HOUSE AND INFILL DRAFT

Section:

- 515-54-1: Purpose and Intent
- 515-54-2: Permitted Uses
- 515-54-3: Accessory Uses
- 515-54-4: Interim Uses
- 515-54-5: Conditional Uses
- 515-54-6: Uses by Administrative Permit
- 515-54-7: Lot Area and Setback Requirements
- 515-54-8: Building Height
- 515-54-9: Building Performance Standards
- 515-54-10: Lot Coverage

515-54-1: Purpose and Intent. This district is established to allow and preserve areas in the City of quiet neighborhoods of one and two family homes, free from other uses except those which are compatible with residents of such a district.

515-54-2: Permitted Uses.

- A. Detached single family dwellings.
- B. Public recreation areas and related accessory buildings and structures.
- C. Residential facilities serving six (6) or fewer persons in a single family detached dwelling.
- D. Essential services as regulated by Section 36 of this Ordinance.

515-54-3: Accessory Uses.

- A. Garages and open off-street parking for private residential use subject to the provisions of Section 17.
- B. Fences as regulated by Section 19 of this Ordinance.
- C. Storage of recreational vehicles and equipment for private use as regulated by Section 24 of this Ordinance.
- D. Solar energy systems and structures.

- E. Home Businesses as regulated by Section 26 of this Ordinance.
- F. Tool houses and sheds and other such buildings for the storage of domestic tools, supplies and equipment subject to the provisions of Section 17 of this Ordinance.
- G. Private recreational facilities for the enjoyment of the residents of the principal building and their occasional guests.
- H. In home day care serving fourteen (14) or fewer persons in a single family detached dwelling.
- I. Radio and television receiving antennas, satellite dishes, TV Receive Only (TVRO) three (3) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, ham radio transmitters and television receivers as regulated by Section 35 of this Ordinance.

515-54-4: Interim Uses.

- A. Home Extended Businesses as regulated by Section 26 of this Ordinance.
- B. Temporary buildings associated with a public or private principal school building and used for classrooms.

515-54-5: Conditional Uses.

- A. Off-premise surface parking lots and parking ramps subject to provisions of Section 22 of this Ordinance.
- B. Bed and breakfast subject to provisions of Section 31 of this Ordinance.
- C. Non-profit and not-for-profit offices located in buildings owned by the Brainerd Independent School District, not used for classroom education and subject to the following minimum requirements:
 - 1. One (1) off-street parking space for each three hundred (300) square feet of office space.
 - 2. No individual exterior entrances.
 - 3. Business hours are limited from 7:00 a.m. to 9:00 p.m.
 - 4. No exterior business signs.
- D. Planned Unit Developments as regulated by Section 11 of this Ordinance.

- E. Government and public regulated utility buildings and structures necessary for the health, safety and general welfare of the community provided that when abutting a residential use in a residential use district, the property is screened and landscaped in accordance with Section 20 of this Ordinance.
- F. Public and private schools provided that:
 - 1. The site accesses a major collector.
 - 2. The site is landscaped in accordance with Section 20 of this Ordinance.
 - 3. Off-street parking is provided in accordance with Section 22 of this Ordinance.
 - 4. Off-street loading and service entrances are provided as regulated by Section 23 of this Ordinance.
 - 5. Emergency vehicle access is provided to and within the site.
- G. Hospitals provided that:
 - 1. Side yards are double the minimum requirements established for this district and are screened in compliance with Section 20 of this Ordinance.
 - 2. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
 - 3. All State Statutes and regulations governing such use are strictly adhered to and all required operating permits are secured.
- H. Places of worship and related buildings provided that:
 - 1. Side yards shall be thirty (30) feet.
 - 2. Adequate screening from abutting residential uses and landscaping is provided in compliance with Section 20 of this Ordinance.
 - 3. Adequate off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use in compliance with Section 22 of this Ordinance and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with Section 20 of this Ordinance.
 - 4. Adequate off-street loading and service entrances are provided and regulated where applicable by Section 23 of this Ordinance.

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515-54-6: Uses by Administrative Permit.

- A. Personal wireless service antennas as regulated by Section 35 of this Ordinance.

515-54-7: Minimum Lot Area and Setback Requirements.

A. Lot Area Requirements:

1. Lot size: Seven thousand (7,000) square feet
2. Lot Width: Fifty (50) feet
3. Lot Depth: Lot depth shall not exceed three (3) times the lot width for the buildable area of the lot

B. Principal Building Setbacks:

1. Front Yard: Twenty (20) feet
2. Side Yard: Five (5) feet
3. Side Yard (corner): Twenty (20) feet, fifteen (15) feet for an attached garage
4. Rear Yard: Twenty-five (25) feet

C. Accessory Building and Structure Setbacks:

1. Front Yard: Twenty (20) feet
2. Side Yard: Three (3) feet
3. Side Yard (corner): Fifteen (15) feet, twenty (20) feet if garage faces street
4. Rear Yard: Five (5) feet

515-54-8: Building Height.

- A. Dwellings shall not exceed thirty-five (35) feet in height. Permitted non-residential uses and conditional uses taller than thirty-five (35) feet shall require a Conditional Use Permit.
- B. Accessory building and structure height shall be governed by Section 17 of this Ordinance.

515-54-9: Building Performance Standards.

- A. Minimum floor area per dwelling unit: Seven hundred fifty (750) feet. DWELLINGS GREATER THAN THREE HUNDRED SQUARE FEET (350) AND LESS THAN

SEVEN HUNDRED FIFTY (750) SQUARE FEET ARE PERMITTED BY CONDITIONAL USE PERMIT AND SUBJECT TO 515-54-11: INFILL DESIGN STANDARDS.

- B. Minimum width/length of dwelling unit: Twenty-two (22) feet. DWELLINGS LESS THAN TWENTY-TWO (22) FEET WIDE ARE PERMITTED BY CONDITIONAL USE PERMIT AND SUBJECT TO 515-54-11: INFILL DESIGN STANDARDS.
- C. Each dwelling unit shall be located on a permanent foundation with a perimeter curtain wall in accordance with the Brainerd and Minnesota Building Code.

515-54-10: Lot Coverage.

- A. Residential Uses. Impervious surface lot coverage shall not exceed sixty (60) percent of the total lot area.
- B. Non-residential Uses. Impervious surface lot coverage shall not exceed fifty (50) percent of the total lot area unless otherwise allowed by a grading and drainage plan approved by the City Engineer.

515-54-11: DESIGN REQUIREMENTS

ALL RESIDENTIAL INFILL DEVELOPMENT AND NEW DWELLINGS LESS THAN SEVEN HUNDRED FIFTY (750) SQUARE FEET IN AREA AND/OR DWELLINGS LESS THAN TWENTY-TWO (22) FEET WIDE SHALL ADHERE TO THE FOLLOWING DESIGN REQUIREMENTS. WHILE CREATIVITY AND VARIATION IN ARCHITECTURAL DESIGN IS ENCOURAGED, THE PURPOSE OF THESE REQUIREMENTS IS TO ENSURE COMPATIBILITY OF INFILL DEVELOPMENT WITH THE CHARACTER OF NEARBY EXISTING RESIDENTIAL STRUCTURES.

RESIDENTIAL INFILL DEVELOPMENT SHALL MEET THE FOLLOWING DESIGN CRITERIA, AS DEFINED BY THE PREDOMINANT CHARACTER OF THE EXISTING RESIDENTIAL BLOCK FRONT. THE BLOCK FRONT SHALL CONSIST OF ALL RESIDENTIAL PROPERTIES ALONG BOTH SIDES OF THE PUBLIC OR PRIVATE RIGHT-OF-WAY ON WHICH THE DEVELOPMENT FRONTS. THE BLOCK FRONT SHALL BE MEASURED FROM INTERSECTION TO INTERSECTION, TO THE ROAD END, OR 200 FEET IN EITHER DIRECTION FROM THE DEVELOPMENT SITE, WHICHEVER IS NEAREST.

1. BUILDING ORIENTATION ON INFILL LOTS SHALL MATCH THE PREDOMINANT ORIENTATION OF OTHER BUILDINGS ALONG THE BLOCK FRONT.
2. ACCESS AND LOCATION OF OFF-STREET PARKING ON INFILL LOTS SHALL BE SIMILAR TO THE PREDOMINANT CHARACTER FOR EXISTING DEVELOPMENT ALONG THE BLOCK FRONT. PRIMARY VEHICULAR ACCESS SHALL BE THROUGH REAR ALLEYS WHERE SUCH RIGHTS-OF-WAY EXIST, AND ON-SITE PARKING SHALL BE LOCATED TO THE REAR OF PROPOSED STRUCTURES, INsofar AS THIS IS CONSISTENT WITH THE PREDOMINANT CHARACTER OF THE BLOCK FRONT.
3. ROOFS ON PROPOSED INFILL RESIDENTIAL STRUCTURES SHALL BE SIMILAR IN SLOPE AND STYLE TO EXISTING DEVELOPMENT AND SHALL INCORPORATE ANY OR ALL OF THE FOLLOWING FEATURES, INsofar AS SUCH FEATURES ARE COMPATIBLE WITH EXISTING DEVELOPMENT ON THE BLOCK FRONT:
 - A. DORMERS;
 - B. GABLED OR HIPPED ROOFS;
 - C. PITCHED ROOFS;
 - D. PARAPETS OR CORNICES.
4. UNLESS IT IS THE PREDOMINANT EXISTING STYLE ON THE BLOCK FRONT, FLAT ROOFS SHALL NOT BE ALLOWED.
5. HORIZONTAL FACADES LONGER THAN 25 FEET SHALL BE TREATED TO REDUCE BUILDINGS MASS AND VISUAL BULK USING AT LEAST ONE OF THE FOLLOWING TECHNIQUES:
 - A. BAYS OR RECESSES (MINIMUM DEPTH OF 18 INCHES);
 - B. WINDOW PATTERNS;
 - C. CONTRASTING MATERIALS OR COLORS;
 - D. UPPER STORY SETBACKS;
 - E. BALCONIES.

THE APPLICANT SHALL DEMONSTRATE THAT THE SELECTED TECHNIQUES ARE EITHER CURRENTLY PRESENT ON THE BLOCK FRONT OR ARE NOT SUBSTANTIALLY INCOMPATIBLE WITH EXISTING DEVELOPMENT.

Mark Ostgarden

From: Mahoney, Doreen <DoreenMahoney@edinarealty.com>
Sent: Saturday, November 23, 2013 2:00 PM
To: Mark Ostgarden
Subject: Draft ordinance for small house and in-fill standards

Dear Mr. Mostgarden,

I strongly believe in the need for communities to have plenty of affordable housing.

I do have a concern that when housing is very small the occupants, not having sufficient storage space indoors, will store personal property outdoors which will be unsightly and become a neighborhood standards enforcement problem. Neighborhood standards must be enforced or property values will go down.

Funds for enforcement of standards must be available. If not, then I do not think this is a good idea.

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