

# City of Falcon Heights Planning Commission

City Hall  
2077 Larpenteur Avenue West

## AGENDA

Tuesday, August 27, 2024  
7:00 p.m.

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:            Scott Wilson \_\_\_\_                            Laura Paynter \_\_\_\_  
                                 Jacob Brooks \_\_\_\_                           Mike Tracy \_\_\_\_  
                                 Jim Mogen \_\_\_\_                                Rick Seifert \_\_\_\_  
                                 Jake Anderson \_\_\_\_

                                 Staff Liaison - Hannah Lynch \_\_\_\_  
                                 Council Liaison - Eric Meyer \_\_\_\_

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. Regular Meeting - February 27, 2024
2. Workshop - April 23, 2024
3. Workshop - May 28, 2024
4. Joint Workshop - June 12, 2024
5. Workshop - June 25, 2024
6. Workshop - July 23, 2024
7. Joint Workshop - August 7, 2024

E. PUBLIC HEARING

1. City Code Updates - ADUs, Parking Minimums, General Amendments

F. NEW BUSINESS

1. None.

G. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report
2. Council Liaison Report

H. ADJOURN

*Next regular meeting date: September 24, 2024*

**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

MINUTES

February 27, 2024 at 7:00 P.M.

**A. CALL TO ORDER: 7:00 P.M.**

**B. ROLL CALL:**

Scott Wilson <u>X</u>	Laura Paynter <u>X</u>
Jacob Brooks <u>X</u>	Mike Tracy <u>A</u>
Jim Mogen <u>X</u>	Rick Seifert <u>X</u>
Jake Anderson <u>A</u>	

Staff Liaison Lynch X  
Council Liaison Meyer A

**C. APPROVAL OF AGENDA**

Commissioner Paynter requested moving item E2 to item E1, and E1 to E2. A motion was made by Commissioner Brooks to approve the agenda with this change. Agenda was approved by consent.

**D. APPROVAL OF MINUTES**

1. January 23, 2024 - Regular Meeting
2. January 23, 2024 - Workshop

Commissioner Brooks made a motion to approve the minutes from the January 23, 2024 regular meeting and from the January 23, 2024 workshop. Minutes were approved by consent.

**E. PUBLIC HEARING**

1. Hollywood Court Permit Parking Petition

Chair Wilson invited Staff Liaison Lynch to give an overview of the permit parking petition for Hollywood Court. Staff Liaison Lynch explained Hollywood Court has historically had public street parking. It is a neighborhood located separate from the rest of the City's neighborhoods, and is right behind Amber Union. Since Amber Union opened, City staff has received an increasing number of concerns from residents about cars parking on the street during the night, loitering and increasing noise complaints.

The City offers residential permitted parking in several areas of the City, and it can be requested via a petition signed by 75% of owners of all residential structures in the area.

Staff Liaison Lynch continued that a few considerations regarding residential permit parking includes residents will need to pay \$15 per permit for vehicles one and two, and \$25 per permit for vehicles three through five. The City also offers temporary permits for guests, construction and service vehicles necessary for performing work on a property, and special event parking. These temporary permits are \$3 for up to two weeks. She also mentioned that additional regulations can be put on the parking, such as 2-hour parking only between the hours of 8 AM-4 PM, or 15-minute parking only unless by permit.

Chair Wilson opened the floor up to comments from citizens.

- Nicole Porter – 1590 Hollywood Court – Stated the residential permit parking is being seen as a last resort to fix issues they are seeing (overnight parking, overnight traffic, overnight noise). Stated Hollywood Court is very narrow and she can hear people talking from the road which isn't a problem during the day, but it is at night. Since the issues have begun, the sheriff's department has been called multiple times due to loitering vehicles and noise concerns from the traffic overnight, however by the time the officer arrives, the vehicle has already left. She stated she has tried to talk to Amber Union about the issue but they have been through three different management companies. She said two neighbors have contacted Amber Union and have been told it's not on their property so they cannot manage it, and there is no proof the people on the road are Amber Union residents. She stated it is also an issue when people turn around in the middle of the road instead of going to the end, which causes headlights to shine into her home in the middle of the night. She stated if the Planning Commission looks at restrictions, they are okay with those. She stated daytime parking would be fine, and possibly 10 PM – 7 AM, permit parking only.
- Judy Bailey – 1617 Hollywood Court – Stated she has lived on Hollywood Court for probably 50 years. She stated it is a sweet neighborhood and in the past they've organized their trash collection, but there aren't many things that bring them all together. This issue is something that has done that, though, and especially the people close to Snelling. Stated a few years ago there was an emergency on Hollywood Court, and there were cars on both sides, and she is concerned about emergency vehicles getting through. She stated she is further down the street so she has less of the noise and trash, but she understands the first six houses are dealing with issues. She says her first concern is about the public safety vehicles, and she would love her neighbors on the Snelling end to be more comfortable.
- Val Gyurci – 1607 Hollywood Court – Stated she is glad that Judy brought up the issue about trash because it's not only noisy, but trash is being left on the curbside at the east end of the street. The second thing was a question about the permits available for guest parking. She wants to make sure the request for guest permits are coming from a resident on Hollywood Court. Staff Liaison Lynch confirmed that yes, a resident must apply for a guest permit, and that these temporary permits are also available for special event parking and service and construction vehicles that may need to access homes on the road for work.

- Nicole Porter – 1590 Hollywood Court – Stated they do not have any sidewalks on Hollywood Court, and everyone has a path from the front door to the road. She stated people park in front of the paths and if emergency vehicles come in, they cannot take people out of the homes on stretchers if the path is blocked.

Chair Wilson called twice for additional speakers before calling for a motion to end the hearing. Commissioner Seifert moved to close the public hearing, hearing was closed by consent.

Chair Wilson then opened up the floor for Planning Commissioner comments and discussion.

- Commissioner Paynter asked Staff to explain how these permits would be enforced. Staff Liaison Lynch stated residents would have to call the non-emergency number for the sheriff's department and an officer would come out to issue a ticket.
- Commissioner Mogen asked if the person paying for a guest permit also needs to have been issued a residential permit. Staff Liaison Lynch stated it's likely not all residents will opt to get a residential parking permit, as they also have an alley behind their homes with access to driveways and garages. Because of this, if a resident was out of space back there and needed a guest parking permit, that would be allowed even if they did not have a residential parking permit.
- Commissioner Paynter asked if there were other options besides the 2-hour parking and 15-minute parking, or if they could limit it to only restricting night-time parking. City Administrator Linehan stated yes, the policy which was adopted in 1991, has key suggestions for how to regulate parking, but they are mostly based around UMN, thus restricting daytime parking to two hours or 15-minutes. He recommended any recommendation to City Council be accompanied by a recommendation to add another parking category to the parking policy, such as no parking 10 PM – 7 AM except by permit only. Commissioner Paynter asked if the policy has been reviewed since 1991. City Administrator Linehan stated he would think it had been as the City has implemented permit parking in other areas of the City since then.
- Commissioner Mogen noted the parking policy has two pieces, one that the residential permitting be the last option. It also says that staff should assess the nature of the problem, such as the counts there during the day and overnight, the width of the street, etc. Staff Liaison Lynch stated she does not have counts and the City is basing this off resident complaints and general issues that staff has seen flowing over from the property next door. She stated during the State Fair, there is only parking on one side of the street for emergency vehicles to get down there. She confirmed right now, two cars can be parked across from each other.
- Chair Wilson asked if it could be made to be one-sided parking year-round. City Administrator Linehan stated it could be. One of the considerations with Hollywood Court is they do have alleys behind the homes that Public Works plows during the winter. Emergency vehicles, while tight, can get down these alleys for access. He stated the width of the main road is comparable to other streets in the City and emergency vehicles can get down there. Chair Wilson

stated he recalls that at the end of Hollywood Court, there is no turnaround and rather you have to turn left or right and go down the alleys behind the homes.

- Commissioner Seifert stated he lives on a road that has State Fair parking only on one side and parking on both sides the rest of the year, and when there are two cars directly across, emergency vehicles can still get through. It's more of an issue when it's that way down the full road, but he doesn't believe it's going to be very often this is the case on Hollywood Court for a long period of time.
- Commissioner Brooks asked what would be another option before getting to parking permits. If all other options need to be exhausted, what are those other options. City Administrator Linehan stated the attempts made have been discussions with the sheriff's office where they too brought up issues they have with the parking and idling based on complaints from residents. He stated the next option would be to look at civil engineering to look at signage, how to make the flow correct, etc. The City's analysis and why Staff recommends going to this system and bringing it to the Planning Commission, is because the issues are not vehicle issues. It's the actions and activity, and the concerns are somewhat unique to this property. It's not a city-wide issue and is an issue for these residents specifically. He stated the permits are a tool that can be used for this, and the permit parking can be revoked in the future should the need change or the residents request it.
- Commissioner Mogen asked if there has been a time that permit parking has been revoked. City Administrator Linehan stated permit parking used to be all through the Falcon Woods neighborhood, however it was revoked on the north side because residents requested it be. He confirmed that this was resident-driven and not the City revoking the permit parking.
- Commissioner Mogen commented that his initial feeling is all the residents in the City live as a neighborhood, and he is concerned about residents at Amber Union being considered as a "they" versus "us." The idea of using tools of the City to exclude our neighbors from public places is also a problem. He doesn't like using a parking permit to exclude people from an area. He is also sympathetic to the management issues of the noise and the garbage, but he does not like the idea of closing off a neighborhood due to a couple of bad actors. He also doesn't believe that all the options have been exhausted, but he is not as stridently against this idea as he was when it was initially proposed.
- Commissioner Brooks asked why Tatum and Lindig have parking permits. Chair Wilson stated those are mainly due to UMN traffic and preventing cars from parking there the whole day for classes at the University. City Administrator Linehan confirmed that was likely the case, and these permit parking areas were also by resident petition. Chair Wilson stated these are very difficult issues, as Hollywood Court is having overnight problems instead of daytime.
- Commissioner Paynter appreciates Commissioner Mogen's concerns, however the residents of Amber Union don't really have a good reason to be on Hollywood Court at 2 AM, so she has a lot of sympathy for the residents who have taken the time to petition the City and ask for the parking permits. If the City decides to move forward with the permits, she feels the nighttime restriction makes the most sense, 10 PM - 7 AM.

- Commissioner Seifert is sympathetic to the property owners who have come within their rights to come to the City with a petition and they got the right number of signatures, and he is sympathetic with the problems they are having. He does like the idea of the nighttime restrictions and hopefully that would help with a lot of the issues. He is in support of the idea.
- Chair Wilson stated he sees the parking lot at Amber Union and it is never full, so he doesn't understand why people are parking on Hollywood Court. He does agree with Commissioners Paynter and Seifert and wants to make sure they can figure out a way to help them and also make sure it is enforced correctly to hopefully correct some behavior. He asked Staff Liaison Lynch for the next steps. She stated if they want to recommend approval to City Council, she recommends making a motion to amend the parking policy to include the "10 PM - 7 AM no parking except by permit only" regulation, and then a motion to City Council to approve Hollywood Court to have permit parking with that regulation. Chair Wilson stated his only concern would be if people need a guest over right away for an emergency and they don't have time to get a temporary permit, he doesn't want them to be ticketed. He doesn't know how often that would happen, though.

Commissioner Paynter made a motion for Hollywood Court to be allowed to have permit parking only for nighttime hours, 10 PM - 7 AM, and direct City staff to amend the parking policy accordingly. Chair Wilson called for a vote. The motion passed 4-1 with Commissioner Mogen in opposition.

## 2. EVSE City Code Updates

Chair Wilson invited Staff Liaison Lynch to give an overview of the EVSE city code updates. Staff Liaison Lynch stated this was something that was discussed at the January workshop. The City of Falcon Heights is part of the EV Smart Program which, for the past year, has been a resource of information on electric vehicles, charging equipment, how to make them accessible, and generally how to move the City forward with the electric vehicle movement. Right now City Code does not mention electric vehicles or electric vehicle charging equipment at all, but it is assumed it is permitted. The updates clarify that charge equipment is allowed as an accessory use in all zoning districts, and it is something the City supports.

The changes to City Code are adding definitions, allowing EVSEs as an accessory use in all zoning districts, allowing EVSE parking stalls to count toward minimum parking requirements, requiring signage designating the spaces for EV charging only unless no other parking spaces available, and requiring one EVSE stall to meet ADA requirements for parking lots with 10-20 parking stalls, two EVSE stalls to meet ADA requirements for parking lots with more than 20 parking stalls.

Chair Wilson opened up the floor for resident comments. Chair Wilson called twice more for speakers before calling for a motion to end the hearing. Commissioner Brooks moved to close the public hearing, hearing was closed by consent.

Chair Wilson then opened up the floor for Planning Commissioners to comment and hold discussion on the topic.

- Commissioner Paynter and Commissioner Seifert stated the changes looked great. Commissioner Mogen stated all the comments and changes from the workshop were captured in the changes here. Chair Wilson agreed that all comments were added.
- Commissioner Mogen stated he had one comment, that he would like to, in the future, consider the idea of having non-private charging in residential areas. Staff Liaison Lynch agreed this could always be amended in the future, and as part of the EV Smart program, as the world of EVs and EVSE changes, any updates that other cities may be looking at in this realm would be provided as education to staff.

Commissioner Mogen made a motion to recommend approval of the proposed ordinance to allow EVSEs as an accessory use throughout the city. Chair Wilson called for a vote. All were in favor. The motion passed 5-0.

## **F. NEW BUSINESS**

### **1. Cannabis Regulation Update**

Staff Liaison Lynch gave a brief update on the cannabis regulations. The city attorneys advise no changes need to be made at this time at the municipal level. The state is still working out administrative rules, and they do not expect applications for cannabis licenses to be available until early 2025. The Office of Cannabis Management is also still working on model ordinances.

## **G. INFORMATION AND ANNOUNCEMENTS**

### **1. Staff Liaison Report**

Staff Liaison Lynch stated the Larpenteur and Snelling Corridor Development Study had a focus group meeting last night with a good turnout of 25-30 people. She stated they were divided into four groups with each group having one section of the intersection at Larpenteur and Snelling to discuss. They were then divided into two groups to discuss the greenhouse and dry cleaner locations, followed by a discussion of the golf course and the multifamily house directly east of Town Square on Larpenteur.

She also stated the Partners in Energy program had a community meeting last Wednesday which also had a good turnout. This is a program the City is working on with the Environment Commission, Xcel Energy, and the Center for Energy and Environment to develop an Energy Action Plan for the City.

### **2. Council Liaison Report - None**



## H. ADJOURN

Commissioner Brooks made a motion to adjourn. Motion was carried by consent.  
Meeting was adjourned at 7:46 PM.

DRAFT

**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

**WORKSHOP MINUTES**

April 23, 2024 at 7:00 P.M.

**A. CALL TO ORDER: 7:00 P.M.**

**B. ROLL CALL:**

Scott Wilson \_X\_                      Laura Paynter \_X\_  
Jacob Brooks \_X\_                     Mike Tracy \_A\_  
Jim Mogen \_A\_                        Rick Seifert \_X\_  
Jake Anderson \_A\_

Staff Liaison Lynch \_X\_  
Council Liaison Meyer \_X\_

**C. NEW BUSINESS**

1. City Code Updates - Discussion

Staff Liaison Lynch requested the Planning Commission discuss two topics: accessory dwelling units and parking minimums. She explained she attended the American Planning Association National Conference recently and the main themes of the conference were around housing, parking, and environment. She explained with the housing crisis, accessory dwelling units can be a good way to help address missing middle housing. She stated this would not fix the housing crisis in any way, but it can help offer some additional housing, and also allow for families to keep aging family members with them. Regarding parking, she stated many communities are doing away with parking requirements and it is something to discuss as the Falcon Heights' parking requirements are very high at two spaces per dwelling unit in multifamily properties.

The Planning Commission discussed the pros and cons of allowing accessory dwelling units within the City. They discussed potential lot size minimums and the different types of accessory dwelling units, such as internal, detached, and attached. Staff Liaison Lynch offered to bring back several versions of City Code incorporating these and different options for how to potentially permit them. The Planning Commission agreed. This will be brought back to the May 28, 2024 meeting.

The Planning Commission also discussed the current parking requirements in the City, as well as the movement of surrounding cities and cities throughout the

country to reduce or remove parking minimums from their city codes. The Commission stated they probably do need to be reduced in Falcon Heights, but don't necessarily need to be removed completely. Staff Liaison Lynch stated she would bring examples of options to the May 28, 2024 meeting.

#### **D. INFORMATION AND ANNOUNCEMENTS**

1. Staff Liaison Report - None.
2. Council Liaison Report - None.

#### **E. ADJOURN**

Workshop was adjourned at 8:00 PM.

DRAFT

**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

**WORKSHOP MINUTES**

May 28, 2024 at 7:00 P.M.

**A. CALL TO ORDER: 7:00 P.M.**

**B. ROLL CALL:**

Scott Wilson \_X\_                      Laura Paynter \_A\_  
Jacob Brooks \_X\_                     Mike Tracy \_X\_  
Jim Mogen \_X\_                        Rick Seifert \_X\_  
Jake Anderson \_X\_

Staff Liaison Lynch \_X\_  
Council Liaison Meyer \_X\_

**C. NEW BUSINESS**

1. City Code Updates - Accessory Dwelling Units

Staff Liaison Lynch began by going through drafted changes to City Code. Commissioners discussed types of ADUs to be permitted in the city (garage apartments, standalone, or internal ADUs), setbacks, height requirements, and licensing requirements. The Planning Commission directed Staff Liaison Lynch to perform research around short-term rentals and design standards. She will bring revise and bring findings back to the next Planning Commission meeting.

2. City Code Updates - Parking Minimums

Staff Liaison Lynch went through drafted changes to City Code regarding parking. It was agreed it would be beneficial to change the minimums for multifamily dwelling units to one parking space per dwelling unit, except that one and one-half parking spaces per dwelling unit are required for multiple units of ten or less that abut no parking. Commissioners also discussed seating requirements versus minimum parking for stadiums, churches, and other places of assembly, as well as shared parking. The Planning Commission directed Staff Liaison Lynch to look into church parking minimums in other cities in the area, and the rest of the drafted changes were tabled to the next meeting.

**D. INFORMATION AND ANNOUNCEMENTS**

1. Staff Liaison Report – Staff Liaison Lynch gave an update on the Larpenteur & Snelling Corridor Development Study and reminded Commissioners there would be a workshop on June 12 at 6 PM with City Council. She also reminded Commissioners that code enforcement on yard maintenance would begin on June 3 and to let their neighbors know.
2. Council Liaison Report – None.

**E. ADJOURN**

Workshop was adjourned at 8:25 PM.

DRAFT

**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

**JOINT WORKSHOP WITH CITY COUNCIL  
MINUTES**

June 12, 2024 at 6:00 P.M.

**A. CALL TO ORDER: 6:00 P.M.**

**B. ROLL CALL:**

Scott Wilson <input checked="" type="checkbox"/>	Laura Paynter <input checked="" type="checkbox"/>
Jacob Brooks <input checked="" type="checkbox"/>	Mike Tracy <input type="checkbox"/>
Jim Mogen <input checked="" type="checkbox"/>	Rick Seifert <input checked="" type="checkbox"/>
Jake Anderson <input checked="" type="checkbox"/>	

Staff Liaison Lynch   
Council Liaison Meyer

**C. NEW BUSINESS**

1. Larpenteur & Snelling Corridor Development Study Update

Staff Liaison Lynch opened the topic by explaining the Larpenteur & Snelling Corridor Development Study is one that has been needed since it was referenced in the 2040 Comprehensive Plan. She stated the City has held three workshops, including one open house, one resident workshop, and one business meeting. She introduced Kim Lindquist from WSB who has been working as the project manager and consultant for the Larpenteur & Snelling Corridor Development Study. Kim Lindquist explained this study would be one that could inform the City of how to view development along this corridor in the future. It could either become a part of the 2040 Comprehensive Plan via a comprehensive plan amendment or it could be held separate. Regardless of how it was adopted by the City, it will be good to have an official guiding document when developers approach the City with ideas.

Kim Lindquist presented several concept designs for four different areas within in the City. The first was the golf course property, with three different layout options. Staff Liaison Lynch explained this was a high level look at this, and Kim Lindquist explained a more in depth study would be needed if this was to be looked at closer in the future, once the University has made their plans more clear. The Planning Commission and City Council reviewed the three options and provided feedback.

The overall areas of concern regarding the three layouts for the golf course were commissioners and council members would like to see more of a grid layout (closest to option B), smaller single family residence lots and needing more through streets in these areas, potentially more townhomes, greenspace throughout instead of bordering the entire property, and ensuring multifamily properties have good access to transit and thus moving them closer to Larpenteur Avenue.

The second concept plan which had two main options were for the property located at 1871 Larpenteur Ave W. This property has a current PUD on it. Option A presented showed the layout for that existing PUD. Option B showed a townhome layout. Kim Lindquist also presented a third option which was not included in the packet which would require the residential lot directly to the right to be included in the plan. This option showed a multifamily building on it. There was conversation between commissioners and council members regarding adding an expiration for PUDs in City Code if they have not been developed and the preference for the townhomes. Regarding the third option which would have two lots, it was discussed that it may be good to set a principal that should lots on Larpenteur become available for redevelopment, this is the corridor where it would be good to have more density.

The third concept plan was of the commercial area where Warners' Stellian is located. Kim Lindquist explained during the business meeting, the manager at Warners' Stellian who is also one of the owners stated he likes the large amount of parking available. Commissioners and council members believe this due to be selling parking spaces for the State Fair. The concept plan shown is roughly the same layout as what currently exists, but cleans up the parking lot and adds more landscaped islands, and adds a new building with a patio to the north of the lot that could be used for a restaurant. Jim Mogen asked how this would work with City Code as it is currently written. Staff Liaison Lynch and City Administrator Linehan explained it would either have to be subdivided or done as a PUD. Kim Lindquist agreed with the PUD, as it would be sharing parking across different uses.

The final concept plan was for the Falcon Crossing shopping center, and had two options. The first option was the area with roughly the existing layout. The main changes were cleaning up the parking lot and adding better flow by utilizing landscaped islands, and closing the curb cut on Larpenteur closest to Snelling. The second option was the same as the first, but instead of one building, it was cut in two with a drive down the center to align with the single Larpenteur curb cut. The smaller out building would be used as retail or restaurant space. Commissioners and council members discussed these two concepts and explained the main issues with this area is the parking and flow of traffic. The Arona alleyway should be a one-way alley, but cars go both ways which makes it very difficult to navigate.

Council members and commissioners thanked Kim Lindquist. Kim Lindquist explained the next steps would be a draft to staff which would then be shared in another workshop, and then once edits were made, it would go before City Council for approval.

#### **D. ADJOURN**

Council Member Mielke made a motion to adjourn workshop. Workshop was adjourned at 7:02 PM.

DRAFT



**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

**WORKSHOP MINUTES**

June 25, 2024 at 7:00 P.M.

**A. CALL TO ORDER: 7:00 P.M.**

**B. ROLL CALL:**

Scott Wilson <u>X</u>	Laura Paynter <u>X</u>
Jacob Brooks <u>A</u>	Mike Tracy <u>X</u>
Jim Mogen <u>X</u>	Rick Seifert <u>A</u>
Jake Anderson <u>X</u>	

Staff Liaison Lynch X  
Council Liaison Meyer X

**C. NEW BUSINESS**

1. City Code Updates – Accessory Dwelling Units
2. City Code Updates – Parking Minimums

Staff Liaison Lynch sent all Commissioners an updated draft of the zoning chapter of City Code. They went through all changes. Changes discussed included updating home occupations to allow them to be conducted within accessory dwelling units, modifying the minimum size for accessory dwelling unit permitted in the city, the permitting process for renting accessory dwelling units, adding an expiration for planned unit developments, and different parking minimums for uses within the city. Commissioners also discussed future changes that need to be made to City Code, including possibly adding design standards while also decreasing the necessity for planned unit developments.

Staff Liaison Lynch marked all changes and stated she would draft them up and they could hold a workshop with City Council soon to go through these and gather feedback on moving forward.

**D. INFORMATION AND ANNOUNCEMENTS**

1. Staff Liaison Report – Staff Liaison Lynch let Commissioners know that the Larpenteur & Snelling Corridor Development Study is currently in a drafting phase and it will be going in front of City Council in August or September. She

also reminded Commissioners to keep their lawns mowed and to advise their neighbors.

2. Council Liaison Report - None.

#### **E. ADJOURN**

Workshop was adjourned at 8:45 PM.

DRAFT

**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

**WORKSHOP MINUTES**

July 23, 2024 at 7:00 P.M.

**A. CALL TO ORDER: 7:00 P.M.**

**B. ROLL CALL:**

Scott Wilson \_X\_                      Laura Paynter \_A\_  
Jacob Brooks \_A\_                      Mike Tracy \_A\_  
Jim Mogen \_X\_                         Rick Seifert \_X\_  
Jake Anderson \_X\_

Staff Liaison Lynch \_X\_  
Council Liaison Meyer \_A\_  
Council Liaison (Fill In) Gustafson \_X\_

**C. NEW BUSINESS**

1. City Code Updates - Accessory Dwelling Units & Parking Minimums

Staff Liaison Lynch opened by reminding Commissions of a joint workshop with City Council on August 7 at 6:30 PM to go over drafted amendments for accessory dwelling units and parking minimums. She explained the goal of tonight's workshop is to identify where we need Council's help with the amendments and where more discussion needs to take place.

The first main area of discussion with City Council should be around parking for ADUs, specifically if we need to require additional parking at a single-family residence for the ADU. She also stated there would need to be discussion around parking at multifamily dwelling units. Previously the Planning Commission was going to recommend one parking space per dwelling unit, but considering Amber Flats was barely approved at 1.26 spaces per dwelling unit, perhaps 1.50 would be a better solution. It may also be more appetizing to residents and Council Members who were opposed to Amber Flats due to parking concerns. Commissioner Mogen stated it was a matter of good policy versus politics and he would prefer to go into the workshop on August 7 with 1.25 or 1. Council Liaison Gustafson stated he did not believe the amendment would pass at 1 space per unit. Planning Commission discussed and agreed to go into the workshop with 1 space per unit drafted to then hold a discussion with City Council.

Staff Liaison Lynch stated she also wanted to gather feedback from City Council on the ADU requirements, as far as sizing, number of bedrooms, and design guidelines.

## 2. Adult-Use Cannabis Discussion

Staff Liaison Lynch gave a brief overview of the authorizations given to municipalities for regulating cannabis businesses. Cities are required to authorize at least one cannabis business per 12,500 residents, but can issue more permits if desired. Cities may also regulate business hours between 10 a.m. and 9 p.m. seven days a week, and the State statute prohibits the same of cannabis between 2 a.m. and 8 a.m. Monday through Saturday, and between 2 a.m. and 10 a.m. on Sundays. Cities may restrict the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a daycare, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field. Finally, Cities may zone businesses under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.

The Planning Commission discussed these requirements and authorization of the City to register these businesses and requested a meeting with Jack Brooksbank with Campbell Knutson P.A. to ask more questions about the updates.

## D. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report - Staff Liaison Lynch again reminded Commissioners about the joint workshop with City Council on August 7, 2024 at 6:30 PM.
2. Council Liaison Report - Council Liaison Gustafson gave a brief overview of the park building project to Commissioners. He stated bid estimates came in much higher on the building that expected so the project is on hold for a little while to determine next steps.

## E. ADJOURN

Workshop was adjourned at 8:16 PM.

**CITY OF FALCON HEIGHTS**  
Planning Commission  
City Hall  
2077 West Larpenteur Avenue

**JOINT WORKSHOP WITH CITY COUNCIL  
MINUTES**

August 7, 2024 at 6:00 P.M.

**A. CALL TO ORDER:** 6:00 P.M.

**B. ROLL CALL:**

Scott Wilson <u>X</u>	Laura Paynter <u>A</u>
Jacob Brooks <u>X</u>	Mike Tracy <u>X</u>
Jim Mogen <u>X</u>	Rick Seifert <u>X</u>
Jake Anderson <u>A</u>	

Staff Liaison Lynch X  
Council Liaison Meyer X

**C. NEW BUSINESS**

1. City Code Updates

Community Development Coordinator Lynch provides changes to City Code updates that she and the Planning Commission have been working on.

The first major update is Accessory Dwelling Units (ADU). Lynch explains Missing Middle Housing is a Senate Bill that did not pass this year and refers to house-scale buildings with multiple units in walkable neighborhoods. An ADU is defined as a second dwelling unit contained within a single-family dwelling or within a detached building located on the same lot as a single-family dwelling. They can help add to the housing supply without changing the look and feel of neighborhoods.

The Planning Commission proposes the following changes to the City Code related to ADU:

- Permitted in R-1 as an accessory use; permitted in other zoning districts if on a lot with one single-family residence
- Same setbacks as accessory buildings and garages
- Detached garages with an ADU may be two stories or 25' in height, whichever is less (otherwise 15' max)
- No more than one on a lot
- Either principal dwelling unit or ADU should be owner-occupied; must be under single ownership. ADU may not be sold independently of SFR.

- May be attached to, detached from, or internal to an SFR; may also be located within a garage.
- Only the SFR or ADU may be rented at once. At least one of those must be owner-occupied
- Home occupations are allowed in an ADU
- Must have at least 250 square feet of living area, max of 1000 square feet; but in no case may exceed 75% of principal dwelling unit's four-season living area
- May not occupy more than 40% of a required rear yard
- Maximum of two bedrooms
- May not be located closer to the front property line than the principal building
- Entryway must be connected to street or alley frontage with an improved walkway
- Must be constructed to be compatible with existing principal dwelling (design, form, height, materials, landscaping)
- ADU Parking – Currently drafted in code to not require additional parking outside of what is required for the existing single-family residence

Councilmember Wassenberg finds architectural unity favorable but it's hard to require. Commissioner Mogen adds the commission is concerned with odd-looking homes that do not fit within the neighborhood at all or use of different materials.

Mayor Gustafson clarifies the 40% requirement of the rear yard. Councilmember Wassenberg points out it is more restrictive than having an impervious surface requirement. Check the code on what constitutes an impermeable surface. Councilmember Meyer wonders if backyards are large enough in certain neighborhoods. He wants to ensure there is an option for everyone. Lynch explains there are other options such as in the basement or on top of the garage. Ultimately it would depend on the lot size and backyard.

Gustafson wonders how an ADU inside of a home is different from a duplex. Lynch explains that typically zoning is different from duplexes. These updates would also require the owner to occupy one of the units.

Commissioner Tracy asks about a separate address for the ADU. Lynch explains an ADU would be assigned Unit B and that would be shared with Ramsey County to add to addressing, the postal service as well as other agencies. Councilmember Mielke notes emergency vehicles will need to know the exact address. Lynch explains the new address will be updated in all emergency communication systems and the number needs to be visible from the street.

Lynch explains how the wording is being updated in the City Code. A definition for ADU was added. The one-story requirement for garages was removed. There are separate height requirements between one-story garages and 2 story garages to allow for ADU. Councilmember Mielke wonders if two-story garages are allowed now. Lynch comments it currently is not allowed. Linehan explains occupancy is the differentiating factor, storage is not problematic as long as it does not go above the height.

Gustafson wonders if someone has an ADU, would it require a rental license? Lynch answers yes, this would be added to the current licensing application as an option.

Wassenberg wonders about short-term rentals, which is a good purpose for ADU. Lynch adds there currently is no language regarding short-term rentals in City Code. She notes it's good to have owner occupancy for oversight.

Gustafson wonders about parking for ADUs. Lynch explains that this is a topic that requires a discussion as requiring 3 parking spots is up to the City Council. Wassenberg points out there could be different parking requirements for renting it out versus having a family member living there. Gustafson also believes the parking requirement depends on the purpose of the ADU. Lynch answers it's a difficult requirement to put in City Code. Councilmember Leehy notes it can be tricky to park on the street on certain blocks in Falcon Heights.

Commissioner Seifert explains he resides in the Northome Neighborhood, parking used to be an issue with surrounding apartment buildings, but there is less traffic and parking around the apartments now. Leehy notes, parking can be tricky during the winter with snow on the roads.

Chair Wilson believes it would not add more than one car per block, he believes people are having fewer vehicles nowadays. Lynch explains no more than 2 bedrooms are allowed for the ADU. Linehan adds if you think about how much of the current housing stock in the city has limited parking space and lot space a majority would not be able to add an ADU. Lynch wonders if the Council is ok with not adding a parking requirement. Gustafson believes there will be problems if there is not a 3-car minimum. He believes adding density and not allowing for enough parking creates issues and parking tickets, especially during the winter time when there is snow. Leehy agrees it is problematic in the wintertime, maybe it's something that could be looked at later. Wilson notes you can't go back to make changes and make people add parking if they already allowed the ADU and are at a maximum of impervious surface.

Wassenberg and Seifert discuss parking in the Northome neighborhood which has a mix of single-family homes and apartment buildings that used to take up more parking but ownership changed and now there are barely any vehicles that park in the neighborhood on the streets. Meyer agrees with not requiring an extra parking spot. Gustafson believes it should require 3 parking spots, and Leehy and Brooks agree. Mogen argues it would minimize the places that can allow ADUs. He regularly surveys city streets for parking and he never encounters parking problems. Wilson agrees and adds apart from the State Fair, but that is problematic for the whole city. Brooks wonders how many houses already have 3 parking spots. Lynch notes the issue is the Northome Neighborhood as they would be eliminated instantly with the 3-parking spot requirement. Seifert and Wassenberg add, that even most houses in Northome have expanded their garages and have a small driveway, already allowing for 3 cars.

Lynch moves on to discuss updates around Multifamily Parking Minimums. The current City Code states the following:

- Multifamily Dwellings – Currently requires two spaces per dwelling unit, except 2.5 per dwelling unit required for buildings with 10 or less that abut no street parking zones.
  - At least ½ of the spaces must be enclosed unless the property abuts an alley

The Planning Commission proposes the following changes:

- One space per dwelling unit, except 1.5 per dwelling unit required for buildings with 10 or less that abut no street parking zones.
  - Same requirement for ½ to be enclosed, unless abutting an alley

Lynch explains what was approved in the past in Falcon Heights and other cities.

Wassenberg notes if a large building has no parking on site or nearby. It becomes more problematic. He believes it should be 1.5 regardless of the size of the building. He notes not all street parking is available parking either, for example, it could be permitted parking. He suggests a minimum of 1 per unit, if curbside parking within a certain range is not available, then there should be a 1.5 requirement.

Mogen thinks it's a reasonable idea. Larger buildings have developers and analysts that consider the market demand. Amber Union does not have any parking adjacent to them, only a surface lot. Linehan adds most Larpenteur and Snelling would follow that rule.

Wassenberg wonders about the covered parking requirement and if that needs to remain in the City Code. Lynch explains the Planning Commission suggested updating that. Linehan believes that covered parking has provided issues as certain apartment buildings sell the covered parking garages for higher prices than their tenants are willing to pay, forcing them to park on the surface lot or street.

Lynch adds, you can require 2 parking spaces, but buildings can still rent them out forcing residents to park on the streets. The parking requirement gets waived for affordable housing.

Gustafson wonders about adding guest parking requirements like other surrounding cities. Wilson points out that transit-oriented developments do not require visitor parking, and Larpenteur and Snelling have transit nearby.

Mogen and Wilson point out that Falcon Heights is more comparable to Minneapolis and St. Paul than to the suburbs to the north. Both those cities moved away from parking requirements for new developments.

Leehy notes there is not enough parking in Minneapolis. Public transit does not always align with people's schedules. She would like to keep it at 2 parking spots requirement.

Wilson disagrees, he believes a 2-parking spot requirement is wasted space. It makes housing less affordable as building parking lots is expensive. The only spaces left for development are on Larpenteur and Snelling and those are both on bus lines.



Tracy brought up the parking issue from Amber Union residents parking on Hollywood Ct. and that was resolved pretty easily. So why require more than 1 parking spot? Lynch notes that overnight permitted parking has resolved the issue mostly.

Gustafson wonders about 1 parking spot per bedroom. Wilson explains there is not a lot of vehicles at Amber Union and they have numerous 3-bedroom units.

Mogen reiterates that developers know the market and know how to meet market demand.

Mielke wonders if the 2-parking spot requirement scares developers away. Tracy states developments are having fewer bedrooms as it is not as cost-effective, he believes we should look at what developers are doing as they have studied the market.

Linehan explains numerous buildings were built before zoning laws and PUDS. They don't have the amount of parking that currently is required in the City Code.

Meyer agrees with the points Mogen and Tracy make and agrees the developers take market and housing needs into consideration.

Mielke likes the planning commission recommendation.

Lynch wonders about the covered parking requirement and clarifies the 1 and 1.25 parking requirements across the board. The council agrees to scratch the covered parking requirements.

Lynch explains other City Code Changes the Planning Commission proposes:

- Removed underground parking credits
- Trash Cans, currently they are not allowed to be visible from the front of the street. 90% of the city is in violation. They suggest allowing them located behind the front line of the house (to the side of the house).

Commissioners and Councilmembers agree with the proposed change. Other changes include:

- Home Occupations, allowable in accessory dwelling units, and updated definition to one from APA dictionary.
- Maximum building height, two stories or 25', whichever is lesser in height. To make consistent throughout City Code,
- Removed fall-out shelter and guesthouses, both could be covered under ADU
- Family Definition, removed exclusive of servants, added domestic partnership. Still keeping max of 4 people, not related.
- Vacant properties, updated to exclude inhabited ADU unless both the ADU and SFR are unoccupied.
- Add an expiration to a PUD. Currently, there is no expiration if a PUD is approved. It's problematic if a property does not get developed. Lynch suggests adding an expiration time for when a PUD does not get developed, they would

have to request an extension. She explains she wants to do more research into the issue and is not ready to move forward yet. Mielke wonders if a change in ownership ends it. Lynch notes not currently. Leehy agrees a phased aspect would be beneficial, specifically when there are financial hick-ups.

- Vacant Properties – Excluded uninhabited ADUs unless both the ADU and single-family residence are unoccupied.
- Other grammatical updates.

Lynch explains next steps would be to draft an ordinance with changes to the City Code. The Planning Commission will hold a Public Hearing. The Planning Commission will then vote for a recommendation of approval or denial to the City Council. Lastly, the City Council will vote for approval or denial.

Linehan notes zoning code requires a public hearing with the Planning Commission.

Wassenberg wants to note available curb parking to be explained. Lynch wonders what happens if that available parking becomes unavailable. He considers not permitted parking not available. It's not considered not available it's not reserved, they can collect a permit from City Hall. Not-available curb parking does not exist, because permitted parking is still available.

Lynch explains what other items she wants to update in City Code. For example, cannabis businesses within the City, but more research is needed.

City Council thanks the Planning Commission.

#### **D. ADJOURN**

Commissioner Mogen made a motion to adjourn workshop, seconded by Commissioner Brooks. Workshop was adjourned at 8:02 PM.



## ITEM FOR DISCUSSION

<b>Meeting Date</b>	August 27, 2024
<b>Agenda Item</b>	E1
<b>Attachment</b>	See notes below.
<b>Submitted By</b>	Hannah Lynch, Community Development Coordinator / Planner

<b>Item</b>	City Code Updates
<b>Description</b>	<p>The City Code frequently needs updates as issues are raised and code is enforced by Staff. Staff and the Planning Commission have drafted potential updates to City Code regarding accessory dwelling units and parking minimums for review and discussion by City Council.</p> <p>Changes of Note Include:</p> <ul style="list-style-type: none"> <li>• Addition of the accessory dwelling units <ul style="list-style-type: none"> <li>○ Permitted on a lot with a single-family residence</li> <li>○ Either ADU or SFR needs to be inhabited by the property owner</li> <li>○ No more than one ADU permitted on a property</li> <li>○ Not required to have additional parking outside of what is required for a SFR</li> <li>○ Can be located in a separate building, in the SFR, or in a garage</li> <li>○ Home occupations can take place in an ADU</li> <li>○ If renting the ADU, must comply with all rental housing regulations as listed in Building chapter of City Code</li> </ul> </li> <li>• Parking Minimums <ul style="list-style-type: none"> <li>○ Multifamily properties - Changed to one parking space per unit, and 1.5 spaces per multifamily dwelling unit with ten or less spaces that abut no street parking</li> </ul> </li> <li>• Trash Cans - Currently City Code states they cannot be seen from the road. Updated to state they can be placed behind the front line of the home. This would allow them to be seen from the street. After a review of the city, probably 80% of the city is in violation of the current requirement.</li> <li>• Fall-out shelters and guesthouses removed from City Code.</li> <li>• Updated building chapter to include ADU permitting requirements for rentals and for vacant structures</li> </ul>
<b>Budget Impact</b>	None.

<b>Attachment(s)</b>	E1.1 -Public Hearing Notice - Posted E1.2 -Public Hearing Notice - Newspaper E1.3 - Newspaper Affidavit of Publication E1.4 - Letter of Support - Saint Paul Area Association of Realtors E1.5 - Draft Ordinance 24-XX Amending Chapter 113 of the Falcon Heights City Code E1.6 - Draft Ordinance 24-XX Amending Chapter 105 of the Falcon Heights City Code E1.7 - Draft Ordinance 24-XX Amending Chapter 38 of the Falcon Heights City Code
<b>Action(s) Requested</b>	Staff requests the Planning Commission discuss drafted updates, any comments from the public hearing, and make a recommendation to City Council for approval.

# CITY OF FALCON HEIGHTS, MINNESOTA

## PUBLIC HEARING NOTICE

**NOTICE IS HEREBY GIVEN**, that the Falcon Heights Planning Commission at its regular meeting at 7:00 p.m. on August 27, 2024, in the City Hall Council Chambers, 2077 W. Larpenteur Ave, will hold a public hearing to consider updating City Code to allow accessory dwelling units, modify parking requirements, clarify language, and address other minor inconsistencies and necessary corrections.

The proposed updates will be available upon request no later than Friday, August 23, 2024. It will also be available on the City's website at [www.falconheights.org](http://www.falconheights.org). If you have any questions regarding the public hearing, please contact Hannah Lynch, Community Development Coordinator, at 651.792.7600 or [hannah.b.lynch@falconheights.org](mailto:hannah.b.lynch@falconheights.org).

Dated: August 15, 2024

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Hannah Lynch, Community Development Coordinator  
City of Falcon Heights, Minnesota

**CITY of FALCON HEIGHTS**  
***PUBLIC HEARING NOTICE***

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**AFFIDAVIT OF PUBLICATION  
STATE OF MINNESOTA  
COUNTY OF RAMSEY**

Kayla Tsuchiya, being duly sworn on oath, says: that she is, and during all times herein state has been, Inside Sales Representative of Northwest Publication, LLC., Publisher of the newspaper known as the Saint Paul Pioneer Press, a newspaper of General circulation within the City of St. Paul and the surrounding Counties of Minnesota and Wisconsin including Ramsey and Kanabec. That the notice hereto attached was cut from the columns of said newspaper and was printed and published therein on the following date(s):

**Saturday, August 17, 2024**  
**Monday, August 19, 2024**

**Newspaper Ref./AD Number#: 71521120**

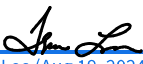
**Client/Advertiser: City of Falcon Heights**

Kayla Tsuchiya  
Kayla Tsuchiya (Aug 19, 2024 11:51 CDT)

**AFFIANT SIGNATURE**

**Subscribed and sworn to before me this  
19th day of August, 2024**

**True Lee**

  
True Lee (Aug 19, 2024 11:59 CDT)

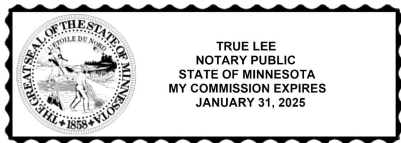
**NOTARY PUBLIC**

**Ramsey County, MN  
My commission expires January 31, 2025**

**CITY of FALCON  
HEIGHTS  
PUBLIC HEARING  
NOTICE**

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August 13, 2024

Honorable Mayor Gustafson and Falcon Heights City Council,

The Saint Paul Area Association of Realtors® (SPAAR) is a member organization representing approximately 8,000 Realtors® who live and work in 12 counties and nearly 200 municipalities east of the Mississippi, including Falcon Heights. SPAAR and its members are dedicated to helping build better communities. SPAAR members support property rights and efforts to increase housing inventory, including Falcon Heights adoption of the Accessory Dwelling Unit (ADU) ordinance.

Part of building stronger, more prosperous communities is offering current and future residents an abundance of housing options at prices they can afford. For several years now, the United States, and Minnesota, have endured a housing crisis. Fewer and fewer homes are available to buy or rent and prices continue to rise, this makes housing less accessible to more and more people. This is why SPAAR supports Falcon Heights's adoption of this ADU ordinance.

ADUs have a multitude of benefits not just for their owners, but for the community. ADUs can...

- Increase property values
- Increase the availability of rental housing
- Make rental housing in the community more affordable
- Provide the owner with additional income
- Serve as housing for aging parents, caretakers, or kids

ADUs have many benefits for both individual owners and the communities where they are located. Residents in Ramsey County understand this. In a poll SPAAR conducted in 2023, 65% of voters in Ramsey County had a very or somewhat favorable view of ADUs. SPAAR is hopeful that Falcon Heights will adopt the Accessory Dwelling Unit ordinance with this in mind.

I look forward to continuing to work with you and your staff on public policy initiatives to best serve the housing needs of residents in your community. If SPAAR, our members, or I can be of any assistance, please do not hesitate to contact me at any time.

Best regards,

Amy Peterson  
2024 President - Saint Paul Area Association of Realtors®  
763-242-6741  
[Amy@RealtorAmy.com](mailto:Amy@RealtorAmy.com)



ORDINANCE NO. 24-XX

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTER 113 OF THE FALCON HEIGHTS CITY  
CODE ALLOWING ACCESSORY DWELLING UNITS, UPDATING PARKING  
MINIMUMS, AND GENERAL ADMINISTRATIVE EDITS

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION I.** The following definitions in Section 113-3 of the City Code of Falcon Heights, Minnesota, are hereby added, amended to read, or deleted as follows (Deletions are shown with a strikethrough. Additions are underlined):

*Accessory building* means a subordinate building, ~~or a portion of the main building,~~ which is located on the same lot as the main building and the purpose of which is clearly incidental to that of the principal building.

*Accessory dwelling unit* means a second dwelling unit contained within a single-family dwelling or within a detached building located on the same lot as a single-family dwelling. This definition includes accessory dwelling units constructed in connection with a private garage, a private garage converted into an accessory dwelling unit, or a newly constructed detached building located on the same lot as a single-family dwelling.

*Dwelling, ~~multiple multifamily, or apartment building,~~* means a residential building, or portion of a building, ~~contained~~ containing two three or more dwelling units which may or may not be served by a common entrance.

*Dwelling, seasonal,* ~~means a residential building not capable of yearround occupancy due to nonwinterized construction or inadequate nonconforming yearround on-site sewer treatment systems.~~

*Dwelling, single-family,* means a dwelling designed exclusively for and occupied by one family.

*Dwelling unit, accessory.* See accessory dwelling unit.

*Family* means an individual or two or more persons each related by blood, marriage, domestic partnership, adoption, or foster care arrangement living together as a single housekeeping unit, or group of not more than four persons not so related, maintaining a common household, ~~exclusive of servants.~~

*Garage, private,* means a detached ~~one-story~~ accessory building or portion of the principal building, including a carport, which is used primarily for the storing of passenger vehicles, trailers, recreational vehicles, or farm trucks.

*Governing body* means the city council of the City of Falcon Heights, Minnesota.

*Home occupation* ~~means any gainful occupation or profession, engaged in by the occupant only, of a dwelling and carried on within a dwelling unit and not in any accessory building.~~ means an occupation carried on in a dwelling unit by the resident thereof, provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

**SECTION II.** Section 113-174(d) of the City Code of Falcon Heights, Minnesota, is hereby amended to add a new subsection (16) to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

(16) Accessory dwelling units as provided in section 113-240.

**SECTION III.** Section 113-177(g)(2) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

(2) Maximum principal building height two stories or 254-feet, except as provided by section 113-243 of this chapter. Accessory buildings are subject to section 113-240.

**SECTION IV.** Section 113-178(g)(2) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

(2) Maximum principal building height two stories or 254-feet, except as provided by section 113-243 of this chapter, three stories or 35 feet maximum allowed by CUP or PUD. Accessory buildings are subject to section 113-240(f).

**SECTION V.** Section 113-209(f)(3) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

(3) The following prepared by LHB for lot 1, block 1:

Architectural site plan w/landscape layout dated August 18, 2014;

First floor plan dated August 18, 2014;

Yard storage building - Color option 1 dated July 28, 2014 or yard storage building - Color option 2 dated August 18, 2014;

Exterior elevations - Color option 1 dated August 18, 2014 or exterior elevations - Color option 2 dated July ~~\*\*\*~~28, 2014.

**SECTION VI.** Subsection (e), (f) and (o) of Section 113-240 of the City Code of Falcon Heights, Minnesota are hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (e) *Yard setbacks; building locations.* The corner side yard setback for accessory buildings, including garages and accessory dwelling units, shall adhere to the setback requirement for principal buildings as described in section 113-174(e)(2) (20 percent of the lot width). The rear yard and interior side yard setbacks shall be those required for garages and accessory buildings on interior lots. Lots smaller than 75 feet wide shall have a minimum corner side yard setback requirement of not less than fifteen feet. Garages on these lots may be located closer than 15 feet from the corner side lot line if the vehicular access door does not face the side street. In no case shall a garage or other accessory building be located within the corner side yard.
- (f) *Height limitations.* No accessory building in a residential district shall exceed the height of the principal building. No detached garage in a residential district shall exceed 15 feet in height, unless it contains an accessory dwelling unit. A detached garage containing an accessory dwelling unit may not exceed two stories or 25 feet in height, whichever is lesser in height.
- (o) *Prohibited use.* No accessory building or structure shall be used for living purposes or as a dwelling unit, unless it is an authorized accessory dwelling unit under this chapter.

**SECTION VII.** Section 113-240 of the City Code of Falcon Heights, Minnesota is hereby amended to add a new subsection (u) to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (u) *Accessory dwelling units.* Accessory dwelling units shall conform to the following standards where allowed as a permitted accessory use:
  - (1) An accessory dwelling unit shall be located on a lot occupied by a single-family dwelling.
  - (2) No more than one accessory dwelling unit shall be allowed on a lot.
  - (3) Either the principal dwelling unit or the accessory dwelling unit shall be owner-occupied and both dwelling units shall be under unified ownership. The accessory dwelling unit may not be sold independently of the principal dwelling unit and may not be a separate tax parcel.
  - (4) An accessory dwelling unit may be attached to, detached from, or internal to a single dwelling unit building. Accessory dwelling units attached or internal to a single dwelling unit building must be fully separated from the principal dwelling unit by means of a wall or floor and have a separate entrance than the principal dwelling unit. The separating wall may have a door connecting the accessory dwelling unit to the principal dwelling unit.
  - (5) Only one unit, either the accessory dwelling unit or principal dwelling unit, may be rented at one time. For the purposes of this provision, a “rented” accessory dwelling

unit is one that is being occupied by a person or persons other than the family occupying the principal dwelling unit. Rented accessory dwelling units must comply with all provisions outlined in chapter 105, article iv.

- (6) The accessory dwelling unit must comply with all current Minnesota State Building Code provisions as they apply to single family dwelling buildings.
- (7) An accessory dwelling unit shall be assigned a unique address identifier to differentiate it from the principal dwelling. All accessory dwelling units shall be identified by "Unit A" following the primary property address. It shall be the responsibility of the property owner to inform the United States Postal Service (USPS) of the new address.
- (8) A detached accessory dwelling unit may be located above a detached garage or within a separate, existing or newly constructed, accessory building meeting the standards for accessory buildings established in this section.
- (9) Home occupations meeting the definitions and requirements of section 113-391 are permitted in accessory dwelling units.
- (10) Dimensional standards for all accessory dwelling units shall conform to the following guidelines:
  - a. The maximum height of an accessory dwelling unit shall meet the requirements as set forth in section 113-240(f).
  - b. An accessory dwelling unit shall include at least 250 square feet of living area, up to a maximum of 1000 square feet of living area, but in no case shall an accessory dwelling unit exceed 75% of the principal dwelling's four-season living area (exclusive of the accessory dwelling unit). For the purposes of this provision, "living area" shall include kitchen areas, bathrooms, living rooms, bedrooms (including the closet with defines the bedroom), and other rooms, and shall exclude utility rooms, hallways, entryways, storage areas, and garages.
  - c. An accessory dwelling unit shall not occupy more than 40 percent of the area of a required rear yard.
  - d. An accessory dwelling unit must meet all setback standards as outlined in section 113-174.
  - e. An accessory dwelling unit shall include a maximum of two bedrooms.
  - f. All accessory dwelling units shall meet the standards for principal buildings; notwithstanding this requirement, detached accessory dwelling units shall not be located closer to the front property line than the principal building.
- (11) The entryway to a detached accessory dwelling unit shall be connected to a street or alley frontage with an improved walkway.
- (12) An accessory dwelling unit shall be constructed so as to be compatible with the existing principal dwelling, as well as the surrounding neighborhood in terms of design, form, height, materials, and landscaping.

**SECTION VIII.** Section 113-310(1)(b) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- b. At least two ~~and not more than four~~ parking spaces are required for each dwelling unit. At least one of the parking spaces must be enclosed.

**SECTION IX.** Section 113-310(2)(e) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- e. Off-street parking spaces required (one space equals 350 square feet) shall be as follows for:

*Multiple-family dwellings.* At least ~~two~~one parking spaces per dwelling unit except that ~~two~~one and ~~one-half~~quarter parking spaces per dwelling unit are required for multiple units of ten or less that abut no parking (on street curb) zones. ~~At least one-half of the required spaces shall be enclosed unless the property abuts an alley. (Garage requirements may be waived for apartment projects designed and intended for occupancy by low income families.)~~ Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements. In the event the final calculation of parking spaces includes half a parking space, the total number of parking spaces should be rounded up.

**SECTION X.** Section 113-313 of the City Code of Falcon Heights, Minnesota is hereby deleted in its entirety.

**SECTION XI.** Section 113-314(b) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (b) *Parking for seating facilities.* In stadiums, sport arenas, churches and other places of public assembly, in which patrons or spectators occupy benches, pews or other similar seating facilities, each ~~2420~~ inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this chapter.

**SECTION XII.** Section 113-315(c) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (c) *Signs.* No signs shall be located in any parking area except as necessary for orderly operation of traffic movement and/or electric vehicle charging, and such signs shall not be a part of permitted advertising space. Signs shall conform to zoning district regulations.

**SECTION XIII.** Section 113-315(r) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (r) *Off-street parking requirements.* Off-street parking spaces required (one space equals 350 square feet) shall be as follows unless the city determines, based upon a professional analysis of parking for any specific use, that a reasonable parking ratio for such use should be otherwise:
- (1) One- and two-family residences. At least two ~~Two~~ spaces per dwelling unit, ~~but not to exceed four per unit.~~ Accessory dwelling units used in conjunction with a single-family residence are not required to have additional parking added to the standard single-family residence parking requirement.
  - (2) Multiple-family dwellings. At least ~~two~~ one parking spaces per dwelling unit except that ~~2½~~ one and one-quarter parking spaces per dwelling unit are required for multiple units of ten or less that abut no parking (on street curb) zones. ~~At least one half of the required spaces shall be enclosed. (Garage requirements may be waived for apartment projects designed and intended for occupancy by low income families.)~~ In the event the final calculation of parking spaces includes half a parking space, the total number of parking spaces should be rounded up.
  - (3) Churches, theaters, auditoriums, mortuaries, and other places of assembly. One space for each ~~three~~ five seats or for each ~~five~~ ten feet of pew length. Based upon maximum design capacity.

**SECTION XIV.** Section 113-369(b) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (b) No cellar, garage, recreational vehicle or trailer, basement with unfinished exterior above or accessory building shall be used at any time as a dwelling unit; unless authorized as an accessory dwelling unit under this chapter.

**SECTION XV.** Section 113-370(b)(6) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (6) In single-family residential districts (R-1), closed refuse or garbage containers, so long as they are stored in a side yard, adjacent to the residence, and shall not be placed in the front yard of the residence. ~~not visible from the street.~~

**SECTION XVI.** Section 113-378 of the City Code of Falcon Heights, Minnesota is hereby deleted in its entirety.

**SECTION XVII.** Section 113-379 of the City Code of Falcon Heights, Minnesota is hereby deleted in its entirety.

**SECTION XVIII.** Section 113-391(d)(6) of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (6) No home occupation shall be permitted within an accessory building, unless the accessory building is permitted as an accessory dwelling unit (as defined in this chapter).

**SECTION XIX.** Section 113-392 of the City Code of Falcon Heights, Minnesota is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

No cellar, garage, tent, trailer, basement, or unfinished home or accessory building, shall be used as a dwelling unit, unless it is an authorized accessory dwelling unit under this chapter.

**SECTION XX. Effective date.** This ordinance is effective immediately upon its passage and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2024, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Randall C. Gustafson, Mayor

ATTEST:

\_\_\_\_\_  
Jack Linehan, City Administrator

**ORDINANCE NO. 24-XX**

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 105 OF THE FALCON HEIGHTS CITY  
CODE ALLOWING ACCESSORY DWELLING UNITS**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION I.** Section 105-1(a) of the City Code of Falcon Heights, Minnesota, is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (a) *Purpose.* The placement of numbers indicating correct addresses on all principal structures and accessory dwelling units within the city is deemed to be in the interests of health, welfare and safety of its residents. Properly numbered structures will allow for identification for police and fire protection purposes.

**SECTION II.** The definition of “rental dwelling” in Section 105-87 of the City Code of Falcon Heights, Minnesota, is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

*Rental dwelling* means any single-family dwelling, accessory dwelling unit, duplex dwelling or triplex dwelling, which is rented for more than four consecutive months in any calendar year. Rental dwelling does not include Minnesota Department of Health–licensed rest homes, convalescent care facilities, nursing homes, hotels, motels, managed home-owner associations, cooperatives, or on-campus college housing.

**SECTION III.** Section 105-89 of the City Code of Falcon Heights, Minnesota, is hereby amended to add a new subsection (9) to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (9) If property contains an accessory dwelling unit, property owner must reside on the property and verify their permanent residency in either the single-family residence or accessory dwelling unit on the property.

**SECTION IV.** The definition of “vacant properties” in Section 105-120 of the City Code of Falcon Heights, Minnesota, is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

*Vacant Properties* means a property with a building or buildings constructed or reconstructed for a business or residential purpose that is unoccupied. This definition does not



include an uninhabited accessory dwelling unit, unless both the accessory dwelling unit and single-family residence are unoccupied.

**SECTION V. Effective date.** This ordinance is effective immediately upon its passage and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2024, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Randall C. Gustafson, Mayor

ATTEST:

\_\_\_\_\_  
Jack Linehan, City Administrator

**ORDINANCE NO. 24-XX**

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 38 OF THE FALCON HEIGHTS CITY  
CODE REGARDING REFUSE CONTAINER PLACEMENT**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION I.** Section 38-21(b) of the City Code of Falcon Heights, Minnesota, is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (b) *Placing of nondisposable containers.* Where alleys are ~~plotted~~ platted and open for traffic, nondisposable containers shall be placed at the rear of the property adjoining the alley. Where no such alley exists, nondisposable containers shall be ~~placed at a point that is reasonably accessible to the front of the house.~~ stored in a side yard, adjacent to the residence, and shall not be placed in the front yard of the residence.

**SECTION II. Effective date.** This ordinance is effective immediately upon its passage and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2024, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Randall C. Gustafson, Mayor

ATTEST:

\_\_\_\_\_  
Jack Linehan, City Administrator