



Our Vision

Red Wing thrives as a vibrant, creative river town that values its natural environment, welcomes all people, and unlocks opportunity for everyone.

Our Mission

We strive to create a sustainable, healthy, accessible, resilient, and equitable community where every person feels at home.

Meeting Announcement and Agenda Advisory Planning Commission Regular Meeting City Council Chambers, 315 West 4th Street, Red Wing, MN & Virtually Tuesday, July 15, 2025, at 7:00 PM

This meeting will be held in the City Hall Council Chambers and virtually via Webex at the same time. Members of the public can join this meeting either in person at City Hall or virtually. To join this meeting via Webex, [click this link](#) and use the password 2025. To join via telephone, please dial (415) 655-0001. Enter access code 2557 079 6148 and password 2025 when prompted.

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of Agenda

5. Approval of Minutes

5.A. Motion to Approve May 20, 2025, Regular Meeting Draft Minutes.

5.B. Motion to Approve June 17, 2025, Workshop Meeting Draft Minutes

6. Public Comment

We now invite anyone to share their thoughts on a topic that is not on the agenda. We welcome all opinions and ideas. We appreciate you stating your name at the lectern, and please remember that personal attacks may be ruled out of order. You will have up to three minutes to comment, and we appreciate your time in coming tonight.

7. Motions & General Business

7.A. Public Hearing - Rezoning and Conditional Use Permit Request by Second Amendment Club, LLC, 602 West Avenue.

7.B. Review and Direction - Proposed Zoning Text Amendments to Repeal and Replace Chapter 11, Division 25

8. Communication Items

8.A. Staff Status Report (Verbal)

8.B. Commissioner Comments

8.C. Council Liaison Comments

9. Adjournment

Accommodations for signing interpreter, Braille, large print, etc. can be made. Call City Hall at 385.3600 seven days prior to the need. Hearing assistance devices are available during meetings.

**Red Wing Advisory Planning Commission
Regular Meeting
City Council Chambers
May 20, 2025**

Commissioners Present: Chair Brad Wronski; Commissioners George Hintz, Susan Langer, Ethan Seaberg, Bryan Soper, and Sue Guerber

Commissioners Absent: All members were in attendance

Others Present: Steve Kohn, Planning Manager / Staff Liaison; Brandy Howe, Community and Economic Development Facilitator; Ron Goggin, Council Liaison

1. Call to Order

Chair Wronski called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

Chair Wronski led the recitation of the Pledge of Allegiance.

3. Roll Call

Chair Wronski reported that Commissioner Mahoney was unable to attend the meeting.

4. Approval of Agenda

A motion was made by Commissioner Langer, seconded by Commissioner Guerber and unanimously carried, to approve the agenda as presented.

5. Approval of Minutes

A. Motion to Approve Draft Minutes from the April 15, 2025, Regular Meeting.

Chair Wronski pointed out a minor error on Page 1, Item 5.

A motion was made by Commissioner Hintz, seconded by ~~Chair~~ Commissioner Guerber and unanimously carried, to approve the meeting minutes as drafted.

A motion was made by Chair Wronski, seconded by Commissioner Soper and unanimously carried, to approve the meeting minutes as corrected.

B. Motion to Approve Draft Minutes from the April 29, 2025, Workshop.

A motion was made by Commissioner Guerber, seconded by Commissioner Seaberg and unanimously carried, to approve the workshop minutes as drafted.

6. Public Comment

Chair Wronski reviewed the public comment procedure. There was no public comment. A motion was made by Commissioner Seaberg, seconded by Commissioner Hintz and unanimously carried, to close the public comment period.

7. Motions & General Business

A. Public Hearing to Consider Short Term Rental Use at 1025 W. 4th Street - Paul Carolan.

Planning Manager Kohn reviewed the application and stated that the owners wish to rent their home when they are away. He commented that the owners have not requested to host events at the property. He noted that the maximum number of guests would be 9. He reviewed the parking situation for the property. He indicated that there are no other short-term rental properties within 400 feet of the property under discussion.

Manager Kohn referenced suggested Findings of Fact in support of approving the application. He stated that the application meets the City's requirements and noted that staff recommends approval. He noted that the owners are in the process of obtaining State licensing. He stated that one written comment was received prior to the meeting.

Chair Wronski reviewed the Public Hearing procedure and opened the Public Hearing for this item at 7:10 p.m. No one spoke during the Public Hearing. Manager Kohn summarized an email from a neighbor, who recommended that the owners work with a rental company such as Airbnb or Vrbo and that the property be rented on the weekends only.

A motion was made by Commissioner Guerber, seconded by Commissioner Seaberg and unanimously carried, to close the Public Hearing. The Public Hearing was closed at 7:13 p.m.

Commissioner Langer spoke in support of the application. Chair Wronski commented that the requirements have been met.

A motion was made by Commissioner Seaberg, seconded by Commissioner Hintz and unanimously carried, to accept the Findings of Fact and recommend approval of the application as submitted.

B. Public Hearing to Consider Short-Term Rental Use at 1515 W. 4th Street – Engberg Properties.

Manager Kohn reviewed the application, stating that the property was purchased with the intention of using it as a short-term rental, noting that it has been recently renovated. He noted that the maximum number of guests would be 5. He discussed parking on the site. He noted that the short-term rental ordinance does not require a garage, noting that a garage would need to be constructed if the property is converted back to a residential use in the future. He noted that State licensing has been approved. Manager Kohn pointed out the location of the property on an aerial photo, noting that there is one other short-term rental property in the area.

Manager Kohn commented that the property has already been utilized as a short-term rental, in violation of the City Code, noting that the applicant has indicated that this was an error on their part.

Manager Kohn stated that the application appears to meet all of the regulations. He referenced suggested Findings of Fact to support approval of the application. He stated that the applicant has not requested to host events at the property. Manager Kohn indicated that no comments were received prior to the meeting.

Chair Wronski reviewed the Public Hearing procedure and opened the Public Hearing for this item at 7:20 p.m. No one spoke during the Public Hearing. A motion was made by Commissioner Seaberg, seconded by Commissioner Hintz and unanimously carried, to close the Public Hearing. The Public Hearing was closed at 7:23 p.m.

Commissioner Langer commented regarding the positive transformation of this home. A motion was made by Commissioner Hintz to recommend approval of the application as submitted, with the condition that the property not be rented until all requirements have been met. The motion was seconded by Commissioner Seaberg, a vote was conducted, and the motion carried unanimously.

C. Public Hearing to Consider a Comprehensive Plan Amendment and to Consider the PUD Final Development Plan, and Final Plat for HOPE HEIGHTS at 1407 W. Fourth Street.

Manager Kohn provided background information and referenced past Planning Commission discussion of the proposed development. He stated that on April 28 the City Council adopted a resolution approving a Conditional Use Permit for a Planned Unit Development preliminary plan, stormwater management plan, and preliminary plat for the development. He stated that consideration of a Comprehensive Plan amendment was recommended.

Manager Kohn reviewed a revised site plan for the proposed development. He indicated that a former drainage and utility easement has been removed from the site plan and a new easement dedicated. He pointed out the location of an alley and highlighted other changes from the preliminary plat.

Manager Kohn discussed a proposed amendment to the Comprehensive Plan that would change the description of the site from a mixed use corridor to medium density residential, consistent with the rest of the neighborhood.

Manager Kohn stated that the proposed development is consistent with the Comprehensive Plan language in terms of promoting a variety of housing units and supporting in-fill of vacant parcels consistent with the historic character of the neighborhood.

Manager Kohn reviewed recommendations that have been provided to the applicant relating to the grading plan. He noted that it has been recommended that minor changes to the site plan, the grading plan, and the utility plan be reviewed by the City Engineer before the plat can be recorded and before any work can begin. He stated that a developer agreement is in the process of being drafted that will describe how the public infrastructure and alley will be installed along with financial responsibilities. Manager Kohn noted that the width of the alley has been increased from 12 feet to 18 feet. He discussed planned rain gardens.

Manager Kohn reviewed the Planning Commission actions that are being requested at this time. He stated that staff recommends approval, with the following conditions:

- 1) Final grading, street / alley construction, and utility plans must be submitted for review and approval by the City Engineer prior to the commencement of any construction activity on the site.
- 2) The applicant shall enter into a developer's agreement, acceptable to the City Attorney, with the City of Red Wing prior to the recording of the plat.
- 3) A separate City Council action will be required to vacate any portion of the existing drainage and utility easement associated with the vacated Jackson Street right-of-way. The Planning Commission and staff have reviewed the proposal and find it compatible with the 2040 Plan.
- 4) The proposed rain gardens are planned to be vegetated with turf / sod, will not hold water for extended periods of time, and will be maintained by normal mowing practices. Rain gardens cannot be altered or used for parking, storage, or any other use and shall remain open. Any future proposed plantings will require approval from the Public Works Department and must be maintained by the property owner. Any major maintenance or repairs to the rain gardens or associated stormwater infrastructure will be the responsibility of the City of Red Wing.

Chair Wronski reviewed the Public Hearing procedure and opened the Public Hearing for this item at 7:40 p.m. It was clarified that the purpose of the Public Hearing would be to address the proposed Comprehensive Plan amendment. No one spoke during the Public Hearing. Manager Kohn summarized an email from Sandy Clay, the daughter of Judy Walbridge, who lives adjacent to the site, who inquired about the possibility of locating single family homes next to existing single family homes and recommended architectural features on the homes that would fit with the character of the neighborhood. Manager Kohn stated that he replied to the email, indicating that there would be a mix of single family homes and twin homes along with several design options.

A motion was made by Commissioner Soper, seconded by Commissioner Guerber and unanimously carried, to close the Public Hearing. The Public Hearing was closed at 7:43 p.m.

A motion was made by Commissioner Seaberg for the Planning Commission to recommend approval of the proposed Comprehensive Plan amendment along with the PUD final development plan and the final plat for HOPE HEIGHTS, with the suggested conditions of approval. The motion was seconded by Commissioner Hintz, and vote was conducted, and the motion carried unanimously.

D. Discussion and Staff Direction Regarding Zoning and Future Land Use for the Former Bay View Nursing and Rehabilitation Center Site and Other Potential Planning / Zoning Actions to Address Housing Related Goals Identified in the City Council 2024-2026 Strategic Plan.

Community and Economic Development Facilitator Howe referenced discussion during a recent Advisory Planning Commission workshop related to housing. She reviewed the broad policy goals for housing that have been included in the City Council Strategic Plan:

- 1) Understand the issues and amount of need for housing.
- 2) Remove barriers to new housing.
- 3) Create more opportunities for new housing across all affordability levels with public and private community partners.
- 4) Improve and maintain existing housing.

Ms. Howe then summarized the housing goals from the 2040 Plan:

- 1) Boost revitalization and in-fill development in already built areas to accommodate community growth and improve livability.
- 2) Encourage higher density housing as a component of redevelopment projects.
- 3) Increase the quantity and diversity of affordable housing for a range of household types.
- 4) Encourage reuse and renovation of existing institutional buildings for housing development.
- 5) Resolve the housing shorting by increasing the quality and diversity of housing development.
- 6) Identify and promote sites that could attract development of new market-rate rental housing.

Ms. Howe discussed a potential housing opportunity relating to the former Bay View Nursing and Rehabilitation Center site. She reviewed some of the advantages of this site, including river views, a location within a census tract that is eligible for low-income housing tax credits, and a potential partnership with HUD. She also reviewed some of the challenges of the site, including the fact that the property has been vacant for several months, during which time the building has become hazardous. She also noted that the site has been designated in the 2040 Plan as an institutional site and is presently zoned for low-density housing.

Ms. Howe reviewed photos of the site and described the current conditions of the property. She detailed Red Wing's four residential zoning districts and reviewed current density maximums.

Ms. Howe reviewed potential Zoning Code amendments for consideration:

- 1) Remove discretionary review.
- 2) Create a density bonus.
- 3) Create a new high-density district.
- 4) Amend the PUD ordinance to eliminate the density restriction.

Commissioner Langer inquired regarding the parking lot that is adjacent to the Bay View property. Manager Kohn estimated the size of this area. Commissioner Langer asked whether it would be possible to utilize this lot for a parking area for a potential housing development on the Bay View site. Manager Kohn indicated that the area could be used for parking, open space, or housing development. He stated that, because of the slope, the area might best be used for underground or enclosed parking.

Chair Wronski referenced past discussion of higher-density housing on the Bay View site. Commissioner Soper discussed the need for rezoning to encourage higher density housing development. He asked whether elimination of the density restriction would be retroactive to previously approved developments. Manager Kohn cautioned against creating unintended consequences and referenced other standards. He also discussed the option of increasing the density maximums within existing zoning districts. He noted that Red Wing's density maximums are low compared with other communities.

Commissioner Seaberg commented that past higher density housing development proposals have faced strong opposition from neighborhood residents. Chair Wronski commented that residents do not seem to understand how representative government is designed to operate. He commented about the need to clarify the process and remove barriers to development. Commissioner Hintz commented regarding the advantages and unique nature of the Bay View site. He stated that, even if an additional story is added, the height of the structure would be no taller than some of the Victorian homes in the neighborhood. He also commented regarding current parking trends in high-density housing developments. He spoke in support of high-density housing development on the site. Commissioner Langer commented regarding the merits of encouraging public engagement in the process, noting the importance of sharing information with and listening to residents.

Commissioner Guerber asked whether discussion was requested specifically about the Bay View site or housing development in general. Manager Kohn indicated that discussion could pertain to the Bay View property or housing development in general.

Commissioner Guerber commented that residents often do not pay attention until a proposal impacts their neighborhood. She suggested discussion of ways to engage the public in a more general discussion about zoning.

Commissioner Langer suggested using the Bay View site discussion as an opportunity to encourage a broader public discussion about zoning.

Commissioner Soper asked about the potential repercussions of creating a new high-density residential zoning district. Manager Kohn provided additional information. He discussed some of the advantages but also noted concerns about potential spot zoning.

Commissioner Seaberg suggested scheduling a public discussion of the Bay View site and zoning in general, in advance of a specific proposal being submitted.

Commissioner Hintz spoke in support of increasing the density of existing residential zones before considering a new high-density zoning district.

Commissioner Soper suggested being proactive rather than reaction in terms of resolving the zoning issue on the Bay View site and other potential redevelopment sites, to remove barriers and speed up the development process. Commissioners expressed agreement with these comments.

Chair Wronski asked about the zoning of Jordan Plaza. Manager Kohn noted that this property is zoned B-3. He discussed the standards in this zone and commented that a 120-unit development is being proposed for the former malting company site. He also discussed the RM-1 and RM-2 zoning districts, which allow additional density and slightly taller structures.

Potential next steps in terms of Planning Commission action were discussed. Manager Kohn summarized discussion of potentially creating a RM-3 district along with looking at changes to RM-1 and RM-2 zoning districts. He discussed the need to address and clarify building height and setback regulations.

Council Liaison Goggin suggested discussion of potential development sites using maps, including the zoning considerations in these areas. Manager Kohn provided additional information and examples.

Manager Kohn requested clarification of considering specific redevelopment sites for zoning changes at this point. Commissioners expressed agreement with this approach.

Commissioner Langer commented that the owner-occupied townhouses that were built on Third Street are very nice. Manager Kohn provided additional information.

8. Communication Items

A. Status Report.

Manager Kohn stated that he had nothing to report.

B. Commissioner Comments.

There were no Commissioner comments.

C. Council Liaison Comments.

Council Liaison Goggin had no comments.

9. Adjournment

The meeting adjourned at 8:32 p.m.

**Workshop Meeting of the Red Wing Advisory Planning Commission
Community Development Building
June 17, 2025**

Commissioners Present: Chair Brad Wronski, George Hintz, Chris Mahoney, Susan Langer, Bryan Soper, and Sue Guerber

Commissioners Absent: Vice Chair Ethan Seaberg

Others Present: Kyle Klatt, Community Development Director; Steve Kohn, Planning Manager/APC Staff Liaison; Brandy Howe, Community Development and Economic Development Facilitator; Council Liaison, Ron Goggin; and Council Member Vicki Jo Lambert

1. Call to Order

Chair Wronski called the meeting to order at 7:06 p.m.

2. Roll Call

Commissioner Seaberg communicated earlier that he would be absent.

3. Approve Agenda

Commissioner Langer made a motion, seconded by Commissioner Mahoney, to approve the agenda as drafted. Motion carried unanimously.

4. Workshop Items

4.A. – Discuss Potential Zoning Text Amendments to Division 25 Regarding Density Allowances. Howe provided a proposed zoning text amendment to Division 25, for discussion purposes, that would create a new “RM-3” District for high density residential uses, adjust existing district density goals, allow more housing types in the R-1 zone, and significantly reduce the size of the division by condensing information into a single, user-friendly chart. The discussion also included parking requirements for multiple-family housing.

The Planning Commission discussed possible locations for the new RM-3 District and its potential impacts on surrounding neighborhoods and properties, including height allowances and parking. The proposal would allow 80 units per acre, or up to 100 units per acre if approved as part of a Planned Unit Development (PUD). It was noted that the City or an applicant could initiate a rezoning to RM-3.

The potential impacts of allowing reduced parking requirements per unit was discussed. The Planning Commission consensus was that easing the standard of two (2) off-street parking stalls per dwelling unit should be considered for multiple-family projects. Staff will work on refining a proposal on possibly revising current parking standards.

4.B. – Discuss Former Bay View Nursing and Rehabilitation Center Site. Staff provided an update on the status of the property in terms of security, current ownership, and possible avenues for a change in ownership and redevelopment of the site.

Possible Planning Commission actions to address the future land use of the site were discussed.

4.C. – Discuss 2025 Work Plan Topics. Due to time constraints, this item was not specifically addressed during the meeting; however, it was noted that multiple topics on the Work Plan were touched on during the discussions for the other agenda items. Work Plan topics are ongoing and will be addressed at a later time.

5. Adjournment

Chair Wronski adjourned the meeting at 8:34 p.m.



Planning Commission Meeting, July 15, 2025

Agenda Item

7.A. – Rezoning and Conditional Use Permit (CUP) Request by Second Amendment Club, LLC, 602 West Avenue

Action Requested

Motion to Adopt Staff Recommendation

Attachments

- Public Hearing Notice
- Application Submittals
- Aerial Photo
- Public Comments Received Prior to Public Hearing
- Zoning Map

Prepared By

Steve Kohn, Planning Manager, July 11, 2025

Background

Second Amendment Club, LLC, 602 West Avenue, has submitted an application to rezone its property from Two-Family Residential (R-2) to Civic District (C) in order to accommodate a mixed use of the property, including “Offices”, “Community Services”, and “Accessory Commercial Apartment”. Offices and Community Services uses are permitted uses in the Civic District. An Accessory Commercial Apartment use requires a Conditional Use Permit (CUP) in the Civic District. The Civic District does not require off-street parking. The structure was most recently used by a non-profit organization as an artist center, which was defined as a Community Services use, which requires a CUP in the current R-2 District.

Please see the applicant’s submittals for more details regarding the proposal.

Analysis

The property is zoned R-2 but is located at the southern edge of the “Historic Mall District” which has a high concentration of churches, government buildings, parks, and other civic buildings. The majority of parcels along the Mall are currently zoned Civic District. See the attached Zoning Map. The building has historically been used as a church and is located on a small lot adjacent to residential

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structures. The size of the structure, lack of yard, and its age and condition make this a unique property for reuse.

The parcel is surrounded on both sides by residential uses. The area is considered to be part of the Downtown Activity Center, as described in Chapter 4 of the 2040/Comprehensive Plan. In general, the area represents the most diverse activity center in the community, with a large variety of civic uses, services, offices, retail, housing, and cultural attractions.

The building was vacant and deteriorated when a non-profit art based “Community Services” use purchased the property and made improvements several years ago. A Variance was granted to the former owner in 2019 for parking requirements, since the site only has one (1) indoor parking space. The applicant is requesting the rezoning to allow a mixed use of the property, but also to be compliant with parking requirements; the Civic District does not require off-street parking. The R-2 District would require parking for the proposed residential use, the proposed office use, and the community services use, which obviously cannot be met on-site. Please note that the application indicates that the majority of the building would be used for a Community Services use; however, this use may actually be better defined as a “Membership Organization”, which is similar and has basically been used interchangeably in the past for similar situations. The applicant has indicated that the organization is in its infancy and has no members and has not started hosting any meetings or events. Technically, a Membership Organization use requires a Certificate of Compliance in the Civic District. If this use is determined to need a Certificate of Compliance, staff will work with the applicant to get needed approvals.

The creation of a dwelling unit and a small professional office in the structure is supported by the 2040 Plan, which encourages mixed uses and upper level apartment units. The bulk of the property will be used in a manner very similar to its recent use and should see similar traffic patterns.

The proposed use appears to be consistent with the neighborhood and the structure, which was originally built as a church. The proposed use appears to be consistent with the existing zoning in the area, but is notably at the southern edge of the Historic Mall District and its Civic zoned parcels. The 2040 Plan future land use map shows the parcel as “Public/Semi-Public” based on its historical uses and location to other similar uses and buildings.

Staff has received several comments from residents with concerns regarding the proposal and specifically parking. See attached comments. The parking Variance granted in 2019 to the former owner did not receive any negative public hearing comments and staff is not aware of any major parking complaints related to the former owner and their operations. Again, this use should have similar use and parking need patterns. Although parking can be tight on Sunday mornings and weekdays, parking does not seem to be a problem on most evenings and weekends.

It appears that the site is appropriate for the proposed uses. No major exterior changes to the principal structure are proposed. Minor interior work and continued rehabilitation of the indoor public spaces are planned.

The Planning Commission must consider the following before making a recommendation to the City Council regarding the proposed CUP; staff comments are in bold:

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- 1) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. **It does not appear that the proposal will be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The new residential use and building will meet all current State Building Code and Fire Code requirements. The proposed reuse of the former church building appears to be compatible with the former use. The property is located on the southern edge of the Downtown Activity Center and the proposed use is consistent with the Activity Center.**
- 2) The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement or surrounding property for uses permitted in the district or substantially diminish property values. **It does not appear that the proposed use will be injurious to the use and enjoyment of other property in the vicinity or will impede the normal and orderly development and improvement of surrounding property uses. The proposed residential use is consistent with adjacent uses. The proposed reuse of the rest of the building appears to be compatible with the former uses. It does not appear that the proposed use would diminish property values in the area.**
- 3) Adequate utilities, access roads, drainage, or other necessary facilities have been or will be provided. **Public utilities already exist. Adequate public parking is nearby and it appears the use will not conflict with existing peak parking times of other nearby uses.**
- 4) Adequate measures have been or will be taken to minimize traffic congestion in public streets. **West 6th Street and West Avenue are more than adequate to serve the proposed use. Substantial public parking is provided on W. 6th Street and West Avenue. The area is within walking distance of other attractions and nearby residential neighborhoods.**
- 5) The conditional use permit is consistent with the applicable policies of the Comprehensive Plan. **The Comprehensive Plan encourages reuse of existing historic structures, with compatible uses. The property is located within the Downtown Activity Center, which encourages the proposed use, including the incorporation of upper level housing options. It appears the proposal is consistent with the Comprehensive Plan.**
- 6) The conditional use shall, in all other respects, conform to the applicable regulations or the district in which it is located. **The proposed project appears to meet all requirements of the Civic Zoning District and the Red Wing Zoning Code.**

In regard to the rezoning request, the Red Wing Zoning Ordinance states that the City Planning Commission shall make findings with respect to the following and shall submit the same together with its recommendation to the City Council (staff comments are in **bold**):

- 1) Whether the amendment is consistent with the Comprehensive Plan. **The Comprehensive Plan encourages redevelopment and reuse of historic structures. The Comprehensive Plan encourages upper level residential uses in mixed use structures. The**

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Comprehensive plan shows the property as “Public/Semi-Public” in the future land use map; the Civic Zoning District is consistent with this land use classification.

- 2) Whether the amendment is in the public interest and is not solely for the interest of a single property owner. **The zoning for this property has been an issue in the past and will continue to be without rezoning to Civic District. The proposed rezoning appears to be in the public interest.**
- 3) Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property. **The property is located in the Historic Mall District which is mainly zoned Civic and has similar civic minded uses. The structure was built as a church and its future uses are better suited to the Civic District, instead of the current R-2 District. The proposed zoning and use would be compatible with the area.**
- 4) Whether 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 present zoning classification, where the amendment is to change the zoning classification of particular property. **Several residential structures in the southern portion of the Historic Mall District have been removed over the past few decades for expansion of other institutional uses in the area. The City of Red Wing initiated a rezoning of the Historic Mall District in 2014 to better represent existing uses and future uses. This rezoning proposal is consistent with these trends and actions.**

Based on this analysis, it appears that the rezoning request is appropriate.

Staff Recommendation

Based on the above analysis, staff recommends a motion to recommend approval of the proposed Rezoning from R-2 to Civic and the Conditional Use Permit to allow an “Accessory Commercial Apartment” on the upper level of 602 West Avenue, as submitted.

Item 7.A.



PUBLIC HEARING NOTICE

Notice is hereby given that the City of Red Wing Advisory Planning Commission will hold a public hearing in the City Council Chambers at City Hall on Tuesday, July 15, 2025, at 7:00 p.m., to hear and make a recommendation on a Rezoning and Conditional Use Permit (CUP) request by Second Amendment Club, LLC, 602 West Avenue. The applicant is proposing to rezone 602 West Avenue from Two-Family Residential (R-2) to Civic District (C) in order to accommodate a mixed use of the property, including "Offices", "Community Services", and "Accessory Commercial Apartment". Offices and Community Services uses are permitted uses in the Civic District. An Accessory Commercial Apartment use requires a CUP in the Civic District. The Civic District does not require off-street parking. The structure was most recently used by a non-profit organization as an artist center.

Parcel Number: 55-005-0160. Part of Lots 8 and 9, Block 3, ORIGINAL PLAT OF CITY OF RED WING, City of Red Wing, Goodhue County, Minnesota, beginning at the northeasterly corner of Lot 9, thence southeasterly along the easterly line of said Lot 9, a distance of 51.00 feet, thence southwesterly, parallel with the northerly line of said Lot 9, a distance of 89.79 feet to an iron pipe; thence northwesterly, parallel with the easterly line of said Lots 8 and 9, a distance of 51.00 feet to the northerly line of said Lot 9; thence northeasterly, along the northerly line of said Lot 9, a distance of 89.79 feet to the point of beginning. More commonly known as 602 West Avenue.

Written or oral comments to said Rezoning and Conditional Use Permit may be presented at this public hearing or filed with the City Clerk prior to this hearing. Each response will be duly considered and evaluated before any formal action is taken by the Planning Commission. This meeting will also be held virtually. If you wish to share a public comment regarding the proposal, you may send an email with your comments by 3:00 p.m. on Tuesday, July 15, 2025, to steve.kohn@redwingmn.gov or by calling 651-385-3622 to leave your contact information and a voicemail with your comments. You may also request a link to join the meeting via Webex.

The applicant and the public will have the opportunity to present comments on the Advisory Planning Commission's recommendations at a City Council meeting. The purpose of allowing comments is to provide the applicant and the public with the opportunity to directly address the Council on the matter. The comment period cannot be used for the presentation of new information as all relevant information needs to be provided to the Advisory Planning Commission at the public hearing. If new information is presented to the City Council that was not considered at the public hearing of the Advisory Planning Commission, the Council may vote to send the matter back to the Advisory Planning Commission. All comments will be kept

to the customary 3-minute limit. The first available City Council meeting is scheduled for 6:00 p.m. on July 28, 2025.

Melissa Hill
City Clerk
City of Red Wing, Minnesota

Date: **July 2, 2025**

Publish once in the Republican Eagle: **July 5, 2025**

NOTE: The City of Red Wing Zoning Ordinance requires that this notice be mailed to each of the owners of all property located within 500 feet of the property described above.

LYNNE TORGERSON
602 WEST AVENUE
RED WING, MINNESOTA 55066
TELEPHONE: (612) 986-9006
L@Lynnetorgerson.com

June 17, 2025

City of Red Wing
Planning Department
315 West Fourth Street
Red Wing, Minnesota 55066

Re: Application for Re-Zoning
CUP

Dear City of Red Wing:

I hereby respectfully submit my application for re-zoning, and, a CUP.

Attached please find:

1. General Zoning Application and Form
2. Check for \$550.00 for application fee
3. Architectural drawings/Floor Plan
4. Site Plan
5. Legal description

Below, is the Narrative.

This is an old church building located at the cross streets of West Avenue and Sixth. My understanding is that the church was built in the late 1800s, and then, in or about 1908, it was moved 5 blocks to its current location.

The structure and layout of the building does not need to be changed. However, the building is in need of a significant amount of repairs. It is also in need of cleaning, and painting, and re-decorating. A new roof was obtained in 2022. New wiring was obtained in 2021. Some water remediation was also done.

It is a 2 level building, approximately 4500 square feet. Therefore, each level should be approximately 2250 square feet. On the Main Level, is located a large sanctuary, with beautiful stained glass windows.

Behind the sanctuary, is 3 offices and a bathroom. This is the area where a Conditional Use Permit is needed. This area is to be used an apartment for the resident owner. The bathroom now has a claw foot tub, as well as a sink and toilet. The corner office is converted to a bedroom. The middle office would be a living and dining room. The south side office would be a law office. A washer has been hooked up, a sink, a dryer with vent has also been installed. A Conditional Use Permit is needed for this Accessory Commercial Apartment (Upper Level).

There is a wheelchair lift from the Mezzanine to the Main Level, and back. The wheelchair lift is accessed from the street level, 3rd entrance.

There is a tuck under garage on the north side of the building.

The Mezzanine Level (lower level) has a large open room, an area for a kitchen, which hopefully one day can be converted into a commercial kitchen, 2 compliant bathrooms, a utility room, and a back room that needs finishing, which could be used as a conference room.

The name of the official owner of the building is Second Amendment Club LLC. I, Lynne Torgerson, had planned to purchase the building in my name. The bank wanted the building in the name of the LLC.

The plan for Second Amendment Club is to have monthly meetings, (perhaps more often depending upon interest levels), at which there would be speakers, teaching on Second Amendment law (not like at a school or university, just teaching by a lawyer or others knowledgeable), and gun laws, and just to have a place where Second Amendment supporters can gather. My understanding that under the current structure of the building, approximately 49 people maximum would be allowed. Perhaps the events could be catered. The proposed use is clearly civic minded, which would be appropriate in a Civic District.

There is also interest in renting out space for church services, and, weddings. There is also interest in renting

out the space to other organizations, political organizations. There is also interest in renting space to individual lawyers or the like, where they could meet with clients.

The southwest corner office would be used as a law office. There would also be an administrative/office area in the southwest corner of the sanctuary, just outside the law office area.

Thus, the proposed uses are COMMUNITY SERVICE, OFFICES, AND RELIGIOUS INSTITUTIONS.

It would be a public establishment, generally providing a local service to people of the community. The service would be ongoing.

Currently, the property is zoned R-2, which is residential. So, amending the zoning to Civic District is more consistent with the Comprehensive Plan. The benefit of the organization is to the community at large, and not just to a single property owner. Zoning as Civic District is a better use of the property, in this area, rather than a single family home or residence. The use is consistent with the neighborhood, which is church and government, and this is law, and church, and government related; there is a church across 2 streets, and the government center is across the street. Additionally, the property will be improved, taken care of, and not left to disintegrate and delapidate. (From the records, it appears the property was vacant for several years, which is extremely unhealthy for a property; the property was then purchased by Heidi Bacon, who did extensive repairs to the property, and now the baton has been passed to the current owner). The property has significant potential, and it is planned to make it clean and beautiful and functioning and useful. The plan for the décor is Victorian/medieval theme, which should be beautiful and fun.

The actual structure of the building does not need to be modified. It's original planning was more than adequate. The same applies to outdoor property and landscaping. There is not much land, with the exception of a tree on the north side of building, which was placed by the city. (With all due respect, the tree should be removed, as it has grown too large for the property, its branches are dangerously close to the 150 year old, fragile, stained glass windows, whose value greatly exceeds

that of a tree, and the tree branches have completely immersed all of the electrical wires. But, that is for another day).

As for the conceptual site plan, attached is a photo of the exterior of the property. No exterior changes are proposed.

There is only one building, the old church, and it is approximately 4500 square feet.

As the attached conceptual site plan shows, there are curbs on the east side and north side of the building, and one drive way to th tuck under garage on the north side. Across the street, is a large public parking area, all along 6th Street.

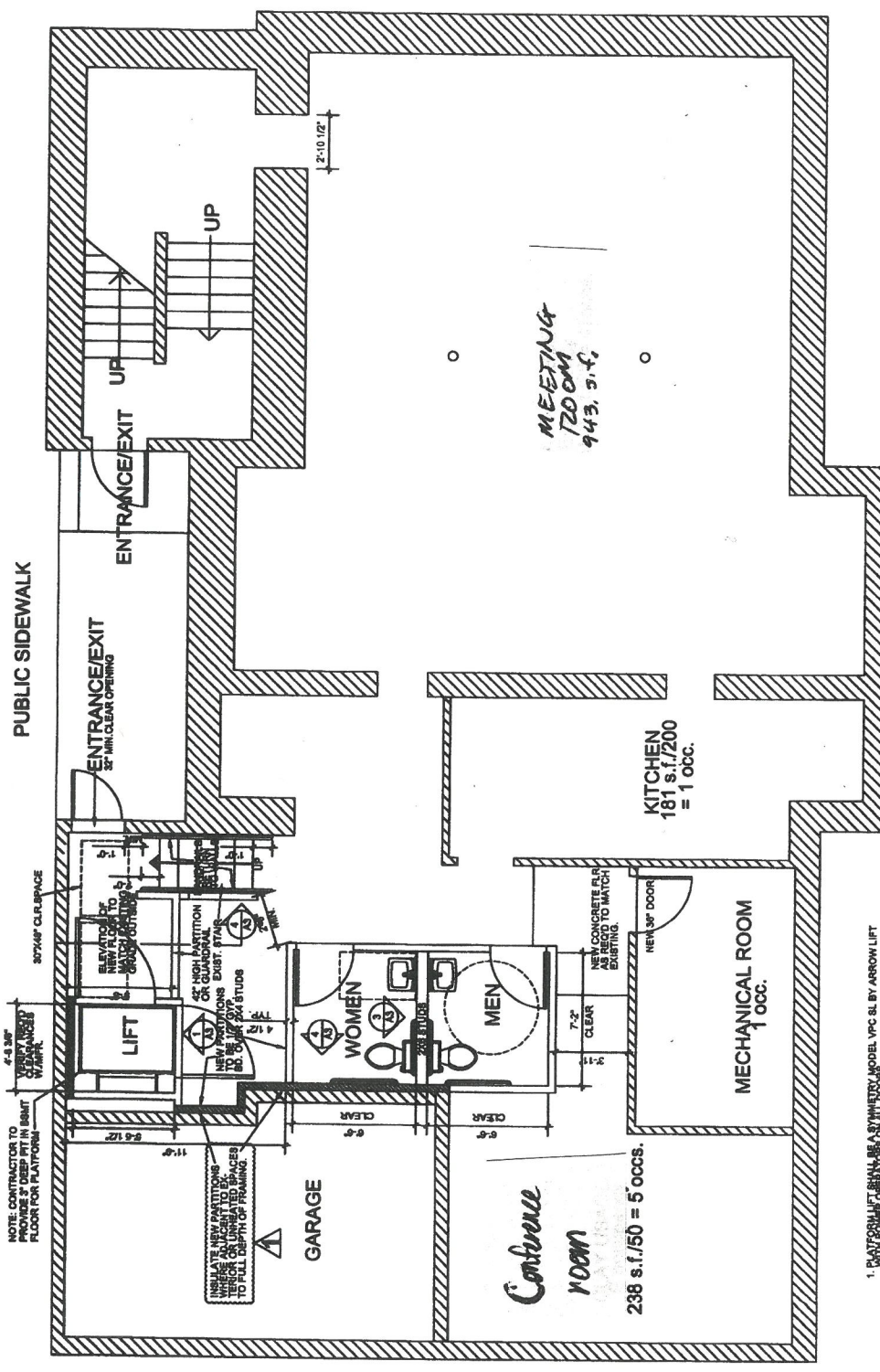
There is nothing further that needs to be done re grading, erosion control, and Stormwater Management Plan, as this is all already established. The property is city sewer connected, water connected, gas connected, electric connected.

The plan would be to have 2 official employees. This could grow. There are also several locals businesses for which jobs have and will be created, such as lawn, snow, plumbers, electricians, contractors, handyman, painters, phone, internet, etc.

For all of the foregoing reasons, it is respectfully requested that the property be re-zoned Civic District, and that a CUP be issued for the Accessory Commercial Apartment (Upper Level).

Thank you for your time and consideration.

Respectfully submitted,
Lynne Torgerson



PUBLIC SIDEWALK

ENTRANCE/EXIT
27" MIN. CLEAR OPENING

ENTRANCE/EXIT
27" MIN. CLEAR OPENING

INSULATE NEW PARTITIONS WHERE ADJACENT TO EXISTING PARTITIONS TO FULL DEPTH OF FINISHING.

GARAGE

WOMEN
MEN

Conference Room
238 s.f./50 = 5 OCCS.

KITCHEN
181 s.f./200 = 1 OCC.

MECHANICAL ROOM
1 OCC.

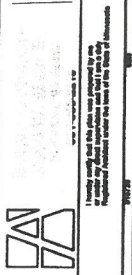
MEETING ROOM
943, s.f.

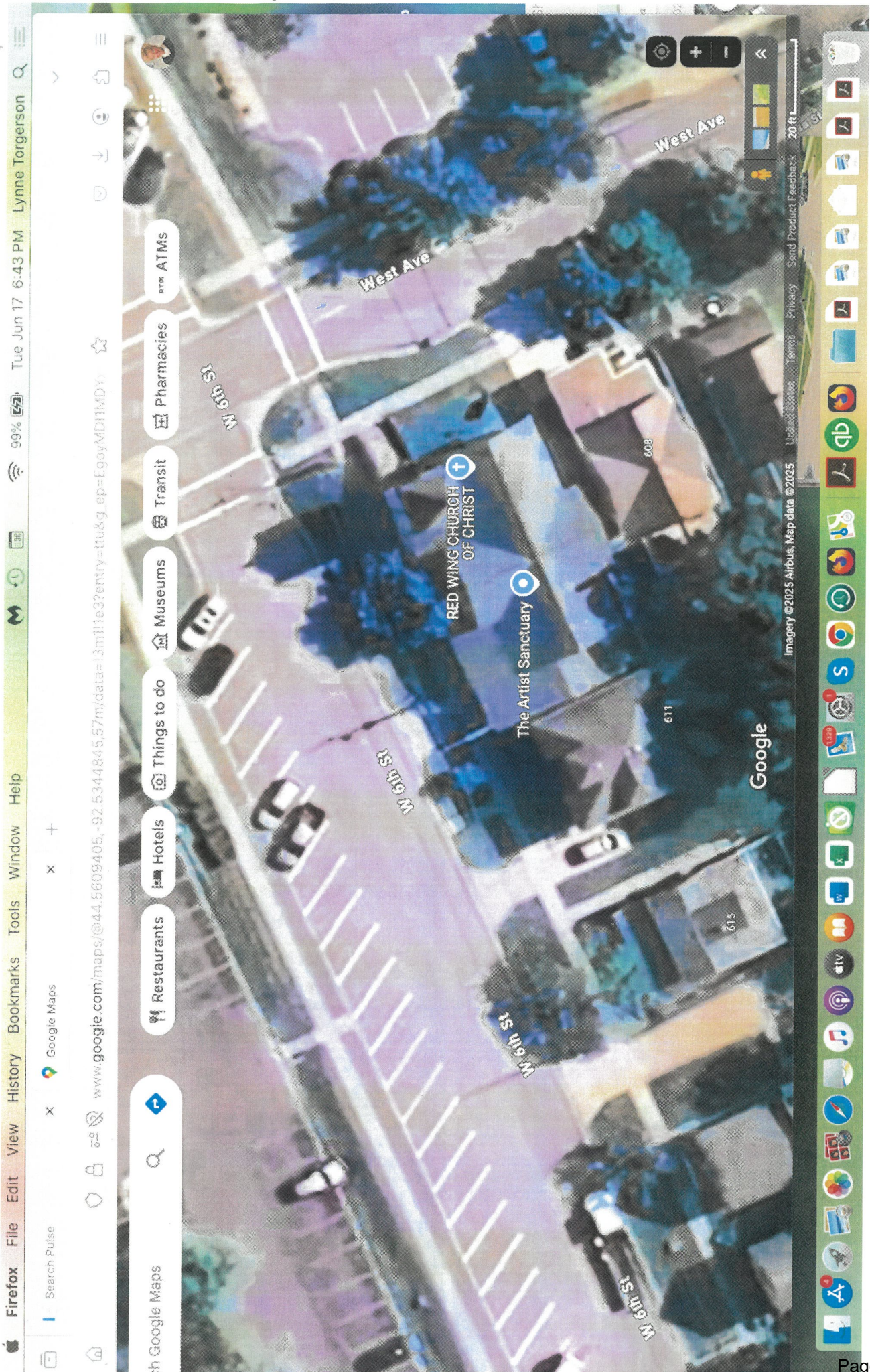
1. PLATFORM LIFT SHALL BE ASYMMETRY MODEL VPC 6L BY ARROW LIFT.
2. EXISTING WALLS TO REMAIN ARE SHOWN HATCHED.
3. INSTALL A FIRE ALARM SYSTEM FOR THIS LEVEL PER MFC 907.2.3.
4. FIRE EXTINGUISHERS SHALL BE PROVIDED AND INSTALLED PER THE MINNESOTA FIRE CODE.
5. MEANS OF EGRESS ILLUMINATION FOR BOTH LEVELS SHALL BE PROVIDED PER MFC 100.

SECOND AMENDMENT CLUB, LLC
602 WEST AVENUE
RED WING, MN 55066

LOWER LEVEL FLOOR PLAN
Scale: 1/4" = 1'-0"
02/20/2020
Revisions
A 02/27/2020

SHEET
A1





SITE PLAN page 1

Firefox File Edit View History Bookmarks Tools Window Help Tue Jun 17 6:41 PM Lynne Torgerson

602 West Ave - Google Maps

www.google.com/maps/place/602+West+Ave,+Red+Wing,+MN+55066/@44.5607883,-92.5

602 West Ave

602 West Ave Building

Directions Save Nearby Send to phone Share

602 West Ave, Red Wing, MN 55066

Suggest an edit on 602 West Ave

Add a missing place

Add your business

Add a label

Restaurants Hotels Things to do Transit Parking Pharmacies

RED WING CHURCH OF CHRIST

West Ave

602 West Ave

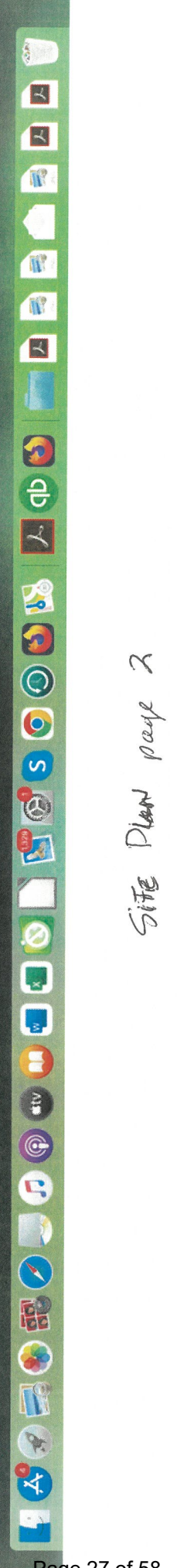
608 614 621 611 615 627 618

602 West Ave

Layers

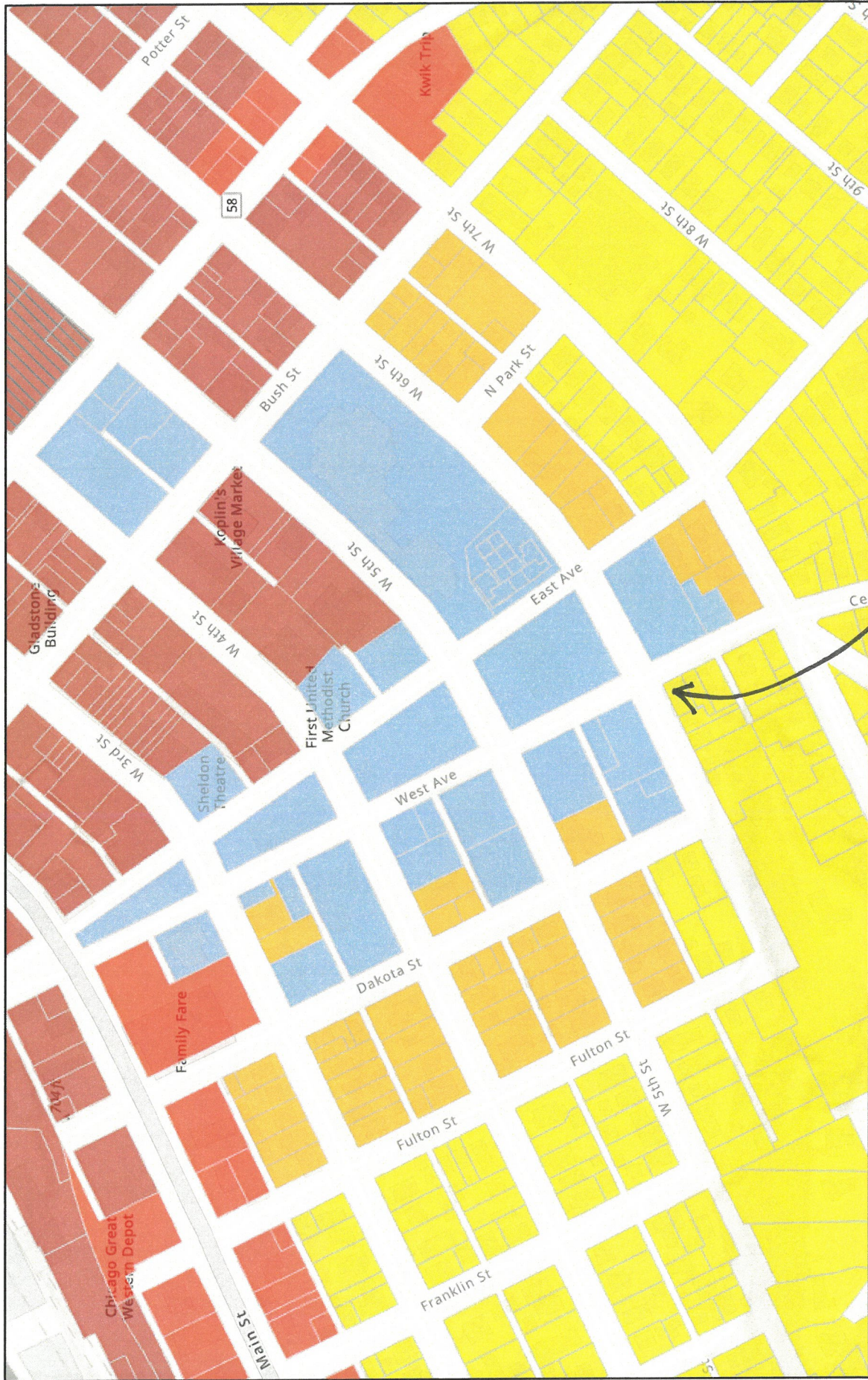
Google

Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 United States Privacy Send Product Feedback 50 ft



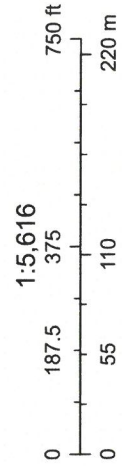
Site Plan page 2

ArcGIS Web Map



7/11/2025, 12:22:28 PM

- Parcels
- B3-Central Business
- CI-Civic
- 11-Light Industrial
- B2-General Business
- R2-Residential Two (5-8 units/acre)
- RM1-Residential Multi-Family One (8-16 units/acre)
- 12-General Industrial
- Overlay PUD
- Zoning Public
- World_Hillshade



1:5,616

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS,

602 WEST AVE.

Kohn, Steve

From: alandavidgoodman@gmail.com
Sent: Sunday, July 6, 2025 10:57 AM
To: Kohn, Steve
Cc: John Hesford; Mark Josephson; Cindy H; Converse, Lil; Kris Goodman
Subject: Rezone 602 Avenue West

As a local resident at 523 East Avenue (Central Park Condominiums), I strongly object to the potential rezoning of 602 Avenue West to Civic District. The utilization of this historic/park-like area for commercial use(s) does not make sense. The current residential (two family) use potential of the property makes the most sense in Red Wing with its current shortage of housing.

Commercial uses are best restricted to our current commercial area which periodically has vacancies for commercial purposes. In addition, parking surrounding the existing County Buildings are almost always full during the work-week. A change of use in this area could negatively affect the parking situation.

Alan Goodman, 523 East Avenue, Unit 104
Sent from my iPhone

Kohn, Steve

From: Lillian C <lillianconverse@gmail.com>
Sent: Wednesday, July 9, 2025 9:56 AM
To: Kohn, Steve
Cc: John Hesford; Mark Josephson; Cindy H; Kris Goodman; Alan Goodman; wesley converse
Subject: Re: Rezoning 602 West Ave (Second Amendment Club LLC, Lynne Torgerson, Registered Agent)

We are writing to express our opposition to the proposed rezoning for the property located at 602 West Avenue. As owners of a home located at 523 East Ave, Unit 213 (Central Park Condominiums) Red Wing, we are concerned about the negative impact this proposal would have on parking.

We understand that 602 West Avenue has historically served community-oriented purposes, first as a Church and most recently as an art sanctuary. While these uses were generally compatible with the surrounding residential properties, the new proposal for a law office for a criminal defense attorney and additional office/meeting space for a non-profit represents a shift in purpose. We believe the zoning g should not be changed.

Our most pressing concerns center on parking and housing shortages. The properties immediately adjacent to 602 West Avenue, on both West Avenue and W. 6th Street, are almost all residential. That area is already impacted by limited parking due to the government buildings and churches.

Furthermore, we firmly believe that changing the current zoning to "Civic" is ill-advised for this specific parcel. The current zoning seems better suited, given the surrounding residential properties.

Sincerely,
Wes and Lillian Converse

CHRISTINE & KEVIN BESTUL, W. 6TH ST,

Kohn, Steve

From: Cris & Kev B <criskevb@gmail.com>
Sent: Friday, July 11, 2025 10:10 AM
To: Kohn, Steve
Subject: Rezoning 602 West Avenue

We have read the public hearing notice for this property and have a few questions. We live with a block of this property.

How many businesses are the property owners looking to place in the offices in this building? Questioning because this is all residential. Will it bring lots of noise and traffic to the property?

Is the Second Amendment club a membership club? Will they be holding meetings? If so, how many people would be in attendance and how often would the meeting be?

There is limited on street parking spaces across the street and these are used now by the churches, goodhue county, residents who own homes/rent homes and have no parking available on there properties as it is an older residential community. They are also used by the Airbnb short stay and the extended stay AirBNB in this area. Parking in the winter for residents can be hard sometimes because we try to move for plows. Otherwise it ends up a mess for everyone as the plows have to weave in and out of cars and leave lots of snow and less parking. Will it transform our residential neighborhood?

Is there only going to be an apartment for the resident or are they looking to add more for others? Are they looking to put a hostel in this building?

These are the questions I would like to see clarified. Most Civic district zoning is usually public land uses, such as government buildings, schools, hospitas, non profits or places of worship.

Thank you for the notification and the chance to ask questions.

ArcGIS Web Map



7/11/2025, 12:22:28 PM

- Parcels
- B3-Central Business
- C1-Civic
- R2-Residential Two (5-8 units/acre)
- I1-Light Industrial
- B2-General Business
- RM1-Residential Multi-Family One (8-16 units/acre)
- I2-General Industrial
- Overlay PUD
- World_Hillshade

602 WEST AVE.

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS.



TO: Red Wing Advisory Planning Commission Members

FROM: Brandy Howe, Community and Economic Development Facilitator

DATE: July 15, 2025

ITEM: 7.B.

Title

Review and direction – proposed zoning text amendments to repeal and replace Chapter 11, Article II, Division 25.

Attachments

- Draft amendment to Chapter 11, Article II, Division 25 (red line version)
- Draft amendment to Chapter 11, Article II, Division 25 (clean version)
- Chapter 11, Article II, Division 25 (existing regulations)

Purpose

The proposed amendments advance Planning Commission work plan objectives and the housing goals in the City Council's 2024-2026 Strategic Plan by:

1. Reorganizing existing Article II, Division 25 for simplicity and to eliminate redundancy.
2. Modifying the residential district standards for incremental density increases.
3. Clarifying the method of calculating density.
4. Reducing the parking requirement for multifamily residential.
5. Creating a new RM-3 zoning district.
6. Establishing consistency between zoning districts and the planned land use categories in the 2040 Community Plan.

Plans and Guiding Documents

City Council 2024-2026 Strategic Plan

Goal: Remove Barriers to New Housing

Action Steps:

- Identify sites for rezoning to multifamily residential
- Review and consider updating the zoning ordinance to provide more opportunities for all types of housing
 - o Expand opportunities for duplex, triplex, and quad units in R-1 and R-2 districts
 - o Increase the maximum density in RM-1 and RM-2 districts
 - o Review the maximum density requirements in residential districts (lot size, lot width, units per acre, maximum coverage, etc.)
 - o Consider reducing parking requirements for residential uses

2040 Community Plan

Goal 4.A action steps:

- Promote a balance of sizes and types of housing with a mix of single family attached, detached, multi-unit, owner-occupied, renter-occupied, and other housing opportunities.

Goal 8.A: action steps:

- Evaluate zoning standards to provide additional housing flexibility and reduce housing costs.
 - o Consider zoning regulation changes that would allow flexibility for tiny houses, accessory units, and grandparent housing.
 - o Evaluate and consider changes to the zoning regulations that would reduce parking requirements for various housing types.
 - o Consider reducing the minimum lot size for residential zoning districts to allow for smaller home sizes.
- Support the development of new smaller detached homes.
 - o Consider zoning regulation changes that allow for smaller home development.
 - o Provide incentives for the construction of homes that are smaller in size.

Goal 8.D. action steps:

- Identify and promote sites that could attract development of new market rate rental housing.
- Identify and promote methods for reducing residential lot costs to increase housing production.

Discussion

The following list discusses each proposed amendment as shown in the draft amendment to Division 25.

Section Reference	Description of Amendment
25-010(A)-(E)	<ul style="list-style-type: none">- District language modified for consistency with the 2040 Community Plan land use categories.- Net acreage standards are moved to section 25-030.- New RM-3 district is created to provide high density zoning district that exceeds the 24-dwelling unit maximum of the RM-2 district.
25-020	<ul style="list-style-type: none">- R-1 modified to allow one and two-family dwellings by right and 3-and 4-unit dwellings by conditional use.- R-2 modified to allow 1-, 2-, and 3-unit dwellings by right, and 4-unit dwellings with a certificate of compliance.- RM-1 and RM-2 include the R-2 changes and allows 5-8-unit dwellings with a certificate of compliance.- RM-3 is created to maximize density by permitting all dwellings by right or with a certificate of compliance (except mobile home parks). Other uses match those of the RM-2 zoning, except for bed and breakfasts, which are typically located in single-family structures, which are not permitted).
25-030	<ul style="list-style-type: none">- Density Ranges

	<ul style="list-style-type: none"> ○ The standard density ranges have been adjusted for consistency with the 2040 Community Plan. Residential density is determined as net developable area. ○ The creation of the RM-3 district will enable the creation of development sites for higher density projects. - Minimum Lot Area <ul style="list-style-type: none"> ○ The proposed lot area per dwelling unit type is derived from Missing Middle Housing and adapted to Red Wing based on the current zoning standards. - Minimum Lot Width and Minimum Lot Depth removed; the additional restrictions on density are unnecessary. - Building setbacks and density requirements for the RM-3 district are intended to maximize the use of land for increasing density while still maintaining yards and building separations. - The height of the RM-2 is decreased to 50 feet. This will limit the overall height in this district as well as the RM-3 to approximately 4-5 stories.
25-040	<ul style="list-style-type: none"> - Multifamily parking is reduced from 2 spaces per dwelling unit to 1 space per studio, 1.5 spaces per 1-bedroom unit, and 2 spaces per 2+ bedroom units. Note that if these changes are approved, modifications will be necessary to Division 60 related to off-street parking regulations for consistency.

ARTICLE II – BASE DISTRICT REGULATIONS

DIVISION 25: RESIDENTIAL DISTRICT REGULATIONS

25-010 Residential Zoning Districts

- A) **Single Family Residential Low Density (R-1) District.** The R-1 ~~Single Family~~ District is ~~designed to be the most restrictive of the residential districts. The intent is to provide for an environment of~~ guided for predominately low density onesingle-family detached dwellings (attached and detached), small multifamily dwellings, and accessory dwelling units, along with other residential facilities ~~which that~~ serve ~~the~~ residents in the district or ~~local~~ neighborhood. Densities should range from three to five units per acre.
- B) **Two Family Residential (R-2) District.** The R-2 ~~Two Family Residential~~ District is ~~intended to provide for moderate to medium density residential development (approximately four to eight units/acre) with an emphasis on~~ guided for two family and single family ~~residential uses~~ dwellings and moderate density apartments and condos. This district is also intended ~~to provide~~ for alternative development types and ~~for~~ in-filling opportunities for parcels, which for various reasons have been bypassed by development. Densities should range from five to eight units per acre.
- C) **Multiple Family Residential (RM-1) District.** The RM-1 ~~Multiple Family Residential~~ District is ~~designed to provide sites~~ guided for multiple ~~family~~ dwellings and single-family dwellings as ~~well as structures and~~ related uses ~~which will generally~~ that serve residents in the district or local neighborhood. ~~as zones of transition between the non-residential districts and moderate density single family districts. A RM-1 district allows moderate density apartments of up to three stories with a floor area not to exceed 50 percent of the lot area.~~ Densities should range from ~~8~~ 9 to 16 units per acre.
- D) Multiple Family Residential (RM-2) District. The RM-2 ~~Multiple Family Residential~~ District is ~~designed to provide sites~~ guided for multiple family dwellings and attached single-family dwellings (attached and detached), as well as related uses that serve residents in the district or neighborhood. ~~structures and related uses which will generally serve as zones of transition between the non-residential districts and moderate density single family districts. A RM-2 district allows higher density apartments of up to nine stories with a floor area not to exceed four times the lot area. RM-2 districts are intended to provide higher density housing for easy access and close proximity to commercial, office, service and other employment and activity centers in the community.~~ Densities range from 12 to 24 units per acre.
- E) High Density Multiple Family Residential (RM-3) District. The RM-3 District guided for high density residential as well as related uses that serve residents in the district or neighborhood. Densities range from 24 to 80 units per acre.

25-020 Residential Zoning Districts Use Classification Chart

Land Use Category	R-1	R-2	RM-1	RM-2	<u>RM-3</u>	Additional Regulations
<u>Residential</u>						
Single Family Detached	P	P	P	NP	<u>NP</u>	
Single Family Attached	CP	CP	P	P	<u>P</u>	
Duplex (<u>side-by-side</u>)	CP	P	P	P	<u>P</u>	
<u>Duplex (stacked)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Triplex (side-by-side)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Triplex (stacked)</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Fourplex (stacked)</u>	<u>C</u>	<u>CC</u>	<u>CC</u>	<u>CC</u>	<u>CC</u>	
Multifamily Residential 3-4 (<u>5-8</u> units)	NP	C	CCC	CCC	<u>CC</u>	
Multifamily Residential 5-9 ⁺	NP	C ¹	C	C	<u>CC</u>	
Boarding House	NP	C	C	C	<u>CC</u>	
Manufactured Home Park	C	C	NP	NP	<u>NP</u>	
<u>Institutional Residential</u>						
Congregate Housing	NP	C	CC	CC	<u>CC</u>	
Family Day Care	P	P	P	P	<u>P</u>	
Group Family Day Care	P	P	P	P	<u>P</u>	
Group Home	P	P	P	P	<u>P</u>	
Group Residential Facility	C	C	CC	CC	<u>CC</u>	
Halfway House	NP	C	C	C	<u>C</u>	
<u>Institutional and Public Uses</u>						
Cemetery	C	C	C	C	<u>C</u>	
Colleges and Universities	C	C	CC	CC	<u>CC</u>	
Community Services	NP	C	C	C	<u>C</u>	
Golf Course	C	C	NP	NP	<u>NP</u>	
Medical Facilities	NP	C	C	C	<u>C</u>	
Outdoor Recreation Facility	C	C	C	C	<u>C</u>	
Parking Facility	NP	NP	C	C	<u>C</u>	
Parks and Open Areas	P	P	P	P	<u>P</u>	
Public and Private Schools	CC	CC	CC	CC	<u>CC</u>	
Religious Institutions	C	CC	CC	CC	<u>CC</u>	
<u>Commercial Uses</u>						
Bed and Breakfast	C	C	C	NP	<u>NP</u>	55-160
Broadcasting and Communication	NP	NP	CC/C	CC/C	<u>CC/C</u>	55-240
Commercial Historic Site	C	C	C	C	<u>C</u>	55-150
Day Care Center	C	C	C	C	<u>C</u>	
Funeral Home	NP	NP	CC	CC	<u>CC</u>	
Neighborhood Convenience Store	NP	C	C	C	<u>C</u>	
Nursing and Personal Care	C	C	CC	CC	<u>CC</u>	
Offices	NP	NP	CC	CC	<u>CC</u>	
<u>Special Uses</u>						
Home Occupation	CC/C	CC/C	CC/C	CC/C	<u>CC/C</u>	55-170
Interim Use	CC	CC	CC	CC	<u>CC</u>	55-115
Parking Facility	NP	NP	C	C	<u>C</u>	
Planned Unit Development	C	C	C	C	<u>C</u>	47-010
Short-Term Rental-Owner Occupied	CC	CC	CC	CC	<u>CC</u>	<u>55-119</u>
Short-Term Rentals	IUP	IUP	IUP	IUP	<u>IUP</u>	<u>55-119</u>
<u>Table Notes</u>						
C – Conditional Use						
CC – Certificate of Compliance						
IUP – Interim Use Permit						
<u>NP</u> – Not Permitted						

P – Permitted

1. Multifamily (5+ units) as part of a PUD involving the reuse of an existing institutional/commercial building.

25-030 Residential District Site and Development Standards

	R-1	R-2	RM-1	RM-2	RM-3
<u>Density Range⁷</u>					
Standard range	1-43-5	45-8 du/acre	89-16	12-24 du/acre	24-80 du/ac
With approved PUD	8 du/acre	10 du/acre	18 du/acre	24 du/acre	100 du/acre
<u>Minimum Lot Area by Structure Type (values listed are per dwelling)</u>					
Single Family Detached (on septic system)	2.5 acres	NP	NP	NP	NP
Single Family Detached	7,200 sq. ft.	7,200 sq. ft.	7,200 sq. ft.	NP	NP
Single Family Attached/Duplex	3,900 sq. ft.	3,600 sq. ft.	3,600 sq. ft.	3,600 sq. ft.	3,600 sq. ft.
Triplex (Side-by-Side)	5,500 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	4,500 sq. ft.
Triplex (Stacked)	4,000 sq. ft.	3,300 sq. ft.	3,300 sq. ft.	3,300 sq. ft.	3,300 sq. ft.
Multifamily (4-8 units)	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.
Multifamily (9+ units)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Multifamily— One bedroom / efficiency	NP	1,200 sq. ft.	1,300 sq. ft.	990 sq. ft.	
Two bedroom	NP	2,400 sq. ft.	2,600 sq. ft.	1,110 sq. ft.	
Three bedroom	NP	3,600 sq. ft.	3,900 sq. ft.	1,320 sq. ft.	
Four bedroom	NP	4,800 sq. ft.	5,200 sq. ft.	1,320 sq. ft.	
<u>Minimum Lot Width</u>					
Principal Structure					
At building line	-	60 feet	60 feet	70 feet	
At frontage on existing road	-	60 feet	60 feet	70 feet	
Single Family Detached					
At building line	60 feet	60 feet	60 feet	NP	
At frontage on existing road	60 feet	60 feet	60 feet	NP	
Single Family Attached					
At building line	50 feet	50 feet	50 feet	50 feet	
At frontage on existing road	50 feet	50 feet	50 feet	50 feet	
<u>Minimum Lot Depth</u>					
	-	-	110 feet ¹	110 feet ¹	
<u>Building Setbacks</u>					
Principal Building					
Front yard	24 feet	24 feet	24 feet	24 feet	10 feet
Street side yard	20 feet	20 feet	20 feet	20 feet	10 feet
Interior side yard	8 feet	8 feet	8 / 15 feet ²	15 feet	8 feet
Rear yard	25 feet	20 feet	25 feet	20 feet	10 feet
Accessory Buildings					
Principal building	10 feet ³	10 feet ³	10 feet ³	10 feet ³	10 feet ³
Front yard	24 feet	24 feet	24 feet	24 feet	10 feet
Street side yard	20 feet	20 feet	20 feet	20 feet	10 feet
Interior side yard	8 feet	5 feet	5 feet	5 feet	5 feet
Rear yard	10 feet ⁴	5 feet	8 feet	8 feet	8 feet
<u>Maximum Lot Coverage</u>					
	n/a	n/a	70 percent	70 percent	80 percent
<u>Maximum Height</u>					

Principal Building	30 feet (2-stories)	30 feet (2-stories)	40 feet (3-stories)	108-50 feet (9-stories)	<u>50 feet</u>
Accessory Buildings	16 feet ⁵	16 feet ⁵	16 feet ⁵	16 feet ⁵	<u>16 feet⁵</u>
Door height	12 feet ⁶	12 feet ⁶	12 feet ⁶	10 feet ⁶	<u>10 feet⁶</u>
<u>Accessory Buildings</u>					
Max Number of Buildings	2	2	2	2	<u>2</u>
Max total square footage	1,200 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	<u>None</u>	<u>1,000 sq. ft.</u>
Max per dwelling unit	-	-	500 sq. ft.	220 sq. ft.	=
<u>Table Notes</u>					
1. The minimum lot depth for buildable land is 110 feet, and the maximum lot depth on all lots less than 5 acres will be three times the lot width.					
2. 8 feet SF/15 MF					
3. 10 feet (*except as provided in Division 55-050(C))					
4. Unless <u>abutting</u> alley – then 8 feet					
5. 16 feet (unless approved by a CUP for projects that demonstrate a functional need for a greater height or involve the replacement of an existing historic carriage house or proposes to match the roof design/pitch to the property’s primary structure)					
6. 12 feet (for both attached and detached garages, unless approved by a CUP for projects that demonstrate a functional need for a greater garage door height)					
6-7. <u>Residential density is expressed as the number of housing units per net acre of developable land, which is calculated as the total lot area excluding land that is constrained for development by existing and approved public rights-of-way.</u>					

25-040 Off-Street Parking Requirements

- A) Off-street parking spaces shall be required for all permitted uses according to the following schedule. All parking areas shall conform to the design requirements as set forth in Division 60 of this Chapter.

Single Family Detached	Two <u>2</u> spaces per dwelling unit, one per unit must be located in a garage
Single Family Attached	
Duplex	
Multifamily Residential	<u>1.0 space per studio</u> <u>1.5 spaces per one bedroom dwelling unit</u> <u>2 spaces per 2+ bedroom dwelling units</u>
Family Day Care	One <u>1</u> space per employee on the largest work shift, plus one space for loading and unloading
Group Family Day Care	
Group Home	1 <u>One</u> space per employee on the largest work shift
Parks and Open Areas	No requirement

- B) Homes with attached garages are encouraged to set the garage at least 4 feet behind the front facade or front porch or be side- or rear-loaded (except houses with tuck under garages). The front yard may be reduced to 20 feet when garages are set back or side- or rear-loaded.
- C) Detached garages must be set back four feet behind the front facade or front porch or must be side- or rear-loaded.
- D) Exceptions shall be allowed in the following situations upon approval by the Zoning Administrator of a certificate of compliance and shall apply only to one- and two-car garages.
- 1) In the case of the replacement of an existing garage that does not meet accessory building setback requirements or in the case of the construction of a new garage on an existing lot of

record that has not had a garage in place with the primary residential building, every reasonable effort shall be made to meet the dimensional setback requirements, but the Zoning Administrator shall be allowed to approve lesser setback requirements if it is shown that there is no reasonable alternative.

- 2) In no case shall the Zoning Administrator approve a building setback of less than two feet.
- 3) In these cases where the Zoning Administrator approves a lesser setback, the Zoning Administrator shall send a written notice to all abutting property owners making them aware of the Zoning Administrator's decision and providing them an opportunity to object in writing to this decision within 20 calendar days of the date that the notification is mailed. If no objection is received by the Zoning Administrator within that 20-day calendar period, the application shall be approved and valid on the following day. In such cases where a written objection is received within 20 calendar days, the Zoning Administrator shall schedule a public hearing with the Advisory Planning Commission at the next available meeting date and said application shall be treated as a conditional use permit application.

ARTICLE II – BASE DISTRICT REGULATIONS

DIVISION 25: RESIDENTIAL DISTRICT REGULATIONS

25-010 **Residential Zoning Districts**

- A) **Single Family Residential Low Density (R-1) District.** The R-1 District is guided for single-family dwellings (attached and detached), small multifamily dwellings, and accessory dwelling units, along with other residential facilities that serve residents in the district or neighborhood. Densities should range from three to five units per acre.
- B) **Two Family Residential (R-2) District.** The R-2 District is guided for two family and single family dwellings and moderate density apartments and condos. This district is also intended for alternative development types and in-filling opportunities for parcels, which for various reasons have been bypassed by development. Densities should range from five to eight units per acre.
- C) **Multiple Family Residential (RM-1) District.** The RM-1 District is guided for multi-family dwellings and single-family dwellings as well as related uses that serve residents in the district or local neighborhood. Densities should range from 9 to 16 units per acre.
- D) **Multiple Family Residential (RM-2) District.** The RM-2 District is guided for multiple family dwellings and attached single-family dwellings (attached and detached), as well as related uses that serve residents in the district or neighborhood. Densities range from 12 to 24 units per acre.
- E) **High Density Multiple Family Residential (RM-3) District.** The RM-3 District guided for high density residential as well as related uses that serve residents in the district or neighborhood. Densities range from 24 to 80 units per acre.

25-020 Residential Zoning Districts Use Classification Chart

Land Use Category	R-1	R-2	RM-1	RM-2	RM-3	Additional Regulations
<u>Residential</u>						
Single Family Detached	P	P	P	NP	NP	
Single Family Attached	P	P	P	P	P	
Duplex (side-by-side)	P	P	P	P	P	
Duplex (stacked)	P	P	P	P	P	
Triplex (side-by-side)	P	P	P	P	P	
Triplex (stacked)	C	P	P	P	P	
Fourplex (stacked)	C	CC	CC	CC	CC	
Multifamily Residential (5-8 units)	NP	C	CC	CC	CC	
Multifamily Residential 9+	NP	C ¹	C	C	CC	
Boarding House	NP	C	C	C	CC	
Manufactured Home Park	C	C	NP	NP	NP	
<u>Institutional Residential</u>						
Congregate Housing	NP	C	CC	CC	CC	
Family Day Care	P	P	P	P	P	
Group Family Day Care	P	P	P	P	P	
Group Home	P	P	P	P	P	
Group Residential Facility	C	C	CC	CC	CC	
Halfway House	NP	C	C	C	C	
<u>Institutional and Public Uses</u>						
Cemetery	C	C	C	C	C	
Colleges and Universities	C	C	CC	CC	CC	
Community Services	NP	C	C	C	C	
Golf Course	C	C	NP	NP	NP	
Medical Facilities	NP	C	C	C	C	
Outdoor Recreation Facility	C	C	C	C	C	
Parking Facility	NP	NP	C	C	C	
Parks and Open Areas	P	P	P	P	P	
Public and Private Schools	CC	CC	CC	CC	CC	
Religious Institutions	C	CC	CC	CC	CC	
<u>Commercial Uses</u>						
Bed and Breakfast	C	C	C	NP	NP	55-160
Broadcasting and Communication	NP	NP	CC/C	CC/C	CC/C	55-240
Commercial Historic Site	C	C	C	C	C	55-150
Day Care Center	C	C	C	C	C	
Funeral Home	NP	NP	CC	CC	CC	
Neighborhood Convenience Store	NP	C	C	C	C	
Nursing and Personal Care	C	C	CC	CC	CC	
Offices	NP	NP	CC	CC	CC	
<u>Special Uses</u>						
Home Occupation	CC/C	CC/C	CC/C	CC/C	CC/C	55-170
Interim Use	CC	CC	CC	CC	CC	55-115
Parking Facility	NP	NP	C	C	C	
Planned Unit Development	C	C	C	C	C	47-010
Short-Term Rental-Owner Occupied	CC	CC	CC	CC	CC	55-119
Short-Term Rentals	IUP	IUP	IUP	IUP	IUP	55-119
<u>Table Notes</u>						
C – Conditional Use						
CC – Certificate of Compliance						
IUP – Interim Use Permit						
NP – Not Permitted						

P – Permitted

1. Multifamily (5+ units) as part of a PUD involving the reuse of an existing institutional/commercial building.

25-030 Residential District Site and Development Standards

	R-1	R-2	RM-1	RM-2	RM-3
<u>Density Range⁷</u>					
Standard range	1-4 du/acre	5-8 du/acre	9-16 du/acre	12-24 du/acre	24-80 du/ac
With approved PUD	8 du/acre	10 du/acre	18 du/acre	24 du/acre	100 du/acre
<u>Minimum Lot Area by Structure Type (values listed are per dwelling)</u>					
Single Family Detached (on septic system)	2.5 acres	NP	NP	NP	NP
Single Family Detached	7,200 sq. ft.	7,200 sq. ft.	7,200 sq. ft.	NP	NP
Single Family Attached/Duplex	3,900 sq. ft.	3,600 sq. ft.	3,600 sq. ft.	3,600 sq. ft.	3,600 sq. ft.
Triplex (Side-by-Side)	5,500 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	4,500 sq. ft.
Triplex (Stacked)	4,000 sq. ft.	3,300 sq. ft.	3,300 sq. ft.	3,300 sq. ft.	3,300 sq. ft.
Multifamily (4-8 units)	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.
Multifamily (9+ units)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
<u>Building Setbacks</u>					
Principal Building					
Front yard	24 feet	24 feet	24 feet	24 feet	10 feet
Street side yard	20 feet	20 feet	20 feet	20 feet	10 feet
Interior side yard	8 feet	8 feet	8 / 15 feet ²	15 feet	8 feet
Rear yard	25 feet	20 feet	25 feet	20 feet	10 feet
Accessory Buildings					
Principal building	10 feet ³	10 feet ³	10 feet ³	10 feet ³	10 feet ³
Front yard	24 feet	24 feet	24 feet	24 feet	10 feet
Street side yard	20 feet	20 feet	20 feet	20 feet	10 feet
Interior side yard	8 feet	5 feet	5 feet	5 feet	5 feet
Rear yard	10 feet ⁴	5 feet	8 feet	8 feet	8 feet
<u>Maximum Lot Coverage</u>	n/a	n/a	70 percent	70 percent	80 percent
<u>Maximum Height</u>					
Principal Building	30 feet	30 feet	40 feet	50 feet	50 feet
Accessory Buildings					
Door height	16 feet ⁵	16 feet ⁵	16 feet ⁵	16 feet ⁵	16 feet ⁵
	12 feet ⁶	12 feet ⁶	12 feet ⁶	10 feet ⁶	10 feet ⁶
<u>Accessory Buildings</u>					
Max Number of Buildings	2	2	2	2	2
Max total square footage	1,200 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	None	1,000 sq. ft.
Max per dwelling unit	-	-	500 sq. ft.	220 sq. ft.	-
<u>Table Notes</u>					
1.					
2. 8 feet SF/15 MF					
3. 10 feet (except as provided in Division 55-050(C))					
4. Unless abutting alley – then 8 feet					
5. 16 feet (unless approved by a CUP for projects that demonstrate a functional need for a greater height or involve the replacement of an existing historic carriage house or proposes to match the roof design/pitch to the property's primary structure)					

6. 12 feet (for both attached and detached garages, unless approved by a CUP for projects that demonstrate a functional need for a greater garage door height)
7. Residential density is expressed as the number of housing units per net acre of developable land, which is calculated as the total lot area excluding land that is constrained for development by existing and approved public rights-of-way.

25-040 Off-Street Parking Requirements

- A) Off-street parking spaces shall be required for all permitted uses according to the following schedule. All parking areas shall conform to the design requirements as set forth in Division 60 of this Chapter.

Single Family Detached	2 spaces per dwelling unit, one per unit must be located in a garage
Single Family Attached	
Duplex	
Multifamily Residential	1.0 space per studio 1.5 spaces per one bedroom dwelling unit 2 spaces per 2+ bedroom dwelling units
Family Day Care	1 space per employee on the largest work shift, plus one space for loading and unloading
Group Family Day Care	
Group Home	1 space per employee on the largest work shift
Parks and Open Areas	No requirement

- B) Homes with attached garages are encouraged to set the garage at least 4 feet behind the front facade or front porch or be side- or rear-loaded (except houses with tuck under garages). The front yard may be reduced to 20 feet when garages are set back or side- or rear-loaded.
- C) Detached garages must be set back four feet behind the front facade or front porch or must be side- or rear-loaded.
- D) Exceptions shall be allowed in the following situations upon approval by the Zoning Administrator of a certificate of compliance and shall apply only to one- and two-car garages.
- 1) In the case of the replacement of an existing garage that does not meet accessory building setback requirements or in the case of the construction of a new garage on an existing lot of record that has not had a garage in place with the primary residential building, every reasonable effort shall be made to meet the dimensional setback requirements, but the Zoning Administrator shall be allowed to approve lesser setback requirements if it is shown that there is no reasonable alternative.
 - 2) In no case shall the Zoning Administrator approve a building setback of less than two feet.
 - 3) In these cases where the Zoning Administrator approves a lesser setback, the Zoning Administrator shall send a written notice to all abutting property owners making them aware of the Zoning Administrator's decision and providing them an opportunity to object in writing to this decision within 20 calendar days of the date that the notification is mailed. If no objection is received by the Zoning Administrator within that 20-day calendar period, the application shall be approved and valid on the following day. In such cases where a written objection is received within 20 calendar days, the Zoning Administrator shall schedule a public hearing with the Advisory Planning Commission at the next available meeting date and said application shall be treated as a conditional use permit application.

ARTICLE II – BASE DISTRICT REGULATIONS

DIVISION 25: RESIDENTIAL DISTRICT REGULATIONS

25-010 Single Family Residential Low Density (R-1) District.

A) **Purpose.** The R-1 Single Family District is designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominately low density one-family detached dwellings along with other residential facilities which serve the residents in the district or local neighborhood. Densities should range from three to five units per acre.

B) **Permitted Principal Uses.**

- 1) Family Day Care
- 2) Group Family Day Care
- 3) Group Home
- 4) Parks and Open Areas
- 5) Single Family Detached

C) **Uses Requiring A Certificate of Compliance.**

- 1) Home Occupation (Meeting Criteria)
- 2) Interim Use
- 3) Public and Private Schools
- 4) Short-Term Rentals – Owner Occupied

D) **Conditional Uses.**

- 1) Bed and Breakfast
- 2) Cemetery
- 3) Colleges and Universities
- 4) Commercial Historic Site
- 5) Day Care Center
- 6) Duplex
- 7) Golf Course
- 8) Group Residential Facility
- 9) Home Occupation (Not Meeting Criteria)
- 10) Manufactured Home Park
- 11) Nursing and Personal Care
- 12) Outdoor Recreation Facility
- 13) Planned Unit Development
- 14) Religious Institutions
- 15) Single Family Attached

E) **Interim Uses (Interim Use Permit Required)**

- 1) Short-Term Rentals

F) Dimensional Requirements.

1) Single Family Detached Dwellings

Lot Area	7,200 SF per dwelling unit
Lot Width – At Building Line	60 feet
– Frontage on Existing Roads	60 feet
Front Yard Setback	24 feet
Side Yard Setbacks – Interior	8 feet
– Corner	20 feet
Rear Yard Setback	25 feet
Maximum Height	30 feet (two stories)

Homes with attached garages are encouraged to set the garage at least 4 feet behind the front facade or front porch or be side- or rear-loaded (except houses with tuck under garages). The front yard may be reduced to 20 feet when garages are set back or side- or rear-loaded.

2) Other Density Requirements

Single Family Attached/Duplex	Lot Area 3,900 SF per unit
Single Family Attached	Lot Width at Building Line – 50 feet per unit Frontage on Existing Roads – 50 feet per unit
Planned Unit Development	8 units per acre
Lot with Septic System	2.5 acres

3) Accessory Buildings

Maximum Height Above Grade	16 feet (unless approved by a CUP for projects that demonstrate a functional need for a greater height or involve the replacement of an existing historic carriage house or proposes to match the roof design/pitch to the property’s primary structure)
Maximum Door Height	12 feet (for both attached and detached garages, unless approved by a CUP for projects that demonstrate a functional need for a greater garage door height)
Distance to Principal Structure	10 feet (*except as provided in Division 55-050 C))
Front Yard Setback	24 feet
Side Yard Setback	8 feet
Street Side - Side Yard Setback	20 feet

Rear Yard Setback	10 feet (unless alley – 8 feet)
Maximum Number of Accessory Buildings	2
Maximum Total Accessory Buildings SF	1,200 SF

Detached garages must be set back four feet behind the front facade or front porch or must be side- or rear-loaded.

Exceptions shall be allowed in the following situations upon approval by the Zoning Administrator of a certificate of compliance and shall apply only to one- and two-car garages. In the case of the replacement of an existing garage that does not meet accessory building setback requirements or in the case of the construction of a new garage on an existing lot of record that has not had a garage in place with the primary residential building, every reasonable effort shall be made to meet the dimensional setback requirements, but the Zoning Administrator shall be allowed to approve lesser setback requirements if it is shown that there is no reasonable alternative. In no case shall the Zoning Administrator approve a building setback of less than two feet. In these cases where the Zoning Administrator approves a lesser setback, the Zoning Administrator shall send a written notice to all abutting property owners making them aware of the Zoning Administrator’s decision and providing them an opportunity to object in writing to this decision within 20 calendar days of the date that the notification is mailed. If no objection is received by the Zoning Administrator within that 20-day calendar period, the application shall be approved and valid on the following day. In such cases where a written objection is received within 20 calendar days, the Zoning Administrator shall schedule a public hearing with the Advisory Planning Commission at the next available meeting date and said application shall be treated as a conditional use permit application.

- G) **Off-Street Parking Requirements.** Off-street parking spaces shall be required for all permitted uses according to the following schedule. All parking areas shall conform to the design requirements as set forth in Division 60 of this Chapter.

Family Day Care	One space per employee on the largest work shift, plus one space for loading and unloading
Group Home	One space per employee on the largest work shift
Single Family Detached	Two spaces per dwelling unit, one per unit must be located in a garage
Parks and Open Areas	No requirement

25-020 Two Family Residential (R-2) District.

- A) **Purpose.** The R-2 Two Family Residential District is intended to provide for moderate to medium density residential development (approximately four to eight units/acre) with an emphasis on two family and single family residential uses. This district is also intended to provide for alternative development types and for in-

filling opportunities for parcels, which for various reasons have been bypassed by development.

B) Permitted Uses.

- 1) Duplex
- 2) Family Day Care
- 3) Group Family Day Care
- 4) Group Home
- 5) Parks and Open Areas
- 6) Single Family Detached

C) Uses Requiring A Certificate of Compliance.

- 1) Home Occupation (Meeting Criteria)
- 2) Public and Private Schools
- 3) Religious Institutions
- 4) Short-Term Rentals – Owner Occupied

D) Conditional Uses.

- 1) Bed and Breakfast
- 2) Boarding Houses
- 3) Cemetery
- 4) Colleges and Universities
- 5) Commercial Historic Site
- 6) Community Services
- 7) Congregate Housing
- 8) Day Care Center
- 9) Golf Course
- 10) Group Residential Facility
- 11) Halfway House
- 12) Home Occupation (Not Meeting Criteria)
- 13) Manufactured Home Park
- 14) Medical Facilities
- 15) Multiple Family Residential (3-4 Units)
- 16) Neighborhood Convenience Store
- 17) Nursing and Personal Care
- 18) Outdoor Recreation Facility
- 19) Planned Unit Development
- 20) Single Family Attached
- 21) Multiple-Family Residential (5+ Units) as Part of a PUD Involving the Reuse of an Existing Institutional/Commercial Building.

E) Interim Uses.

- 1) Short-Term Rentals

F) Dimensional Requirements.

1) Single Family and Duplex Dwellings - Lot Area

Single Family Detached	7,200 SF per dwelling unit
Single Family Attached/Duplex	3,600 SF per dwelling unit

2) Multiple Family Structures with three Families or More - Lot Area

One Bedroom Multifamily or Efficiency	1,200 SF
Two Bedroom Multifamily	2,400 SF
Three Bedroom Multifamily	3,600 SF
Four Bedroom Multifamily	4,800 SF

3) All Principal Structures

Lot Width – At Building Line – Frontage on Existing Roads	60 feet
	60 feet
Front Yard Setback	24 feet
Side Yard Setbacks – Interior – Corner	8 feet
	20 feet
Rear Yard Setback	20 feet
Maximum Height	30 feet (two stories)

Homes with attached garages are encouraged to set the garage at least 4 feet behind the front façade or front porch or be side- or rear-loaded (except houses with tuck under garages). The front yard may be reduced to 20 feet when garages are set back or side- or rear-loaded.

4) Other Density Requirements

Single Family Attached	Lot Width at Building Line – 50 feet per unit Frontage on Existing Roads – 50 feet per unit
Planned Unit Development	Up to 10 units per acre
Lot with Septic System	Not Permitted

5) Accessory Buildings

Maximum Height Above Grade	16 feet (unless approved by a CUP for projects that demonstrate a functional need for a greater height or involve the replacement of an existing historic carriage house or proposes to match the roof design/pitch to the property’s primary structure)
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Maximum Door Height	12 feet (for both attached and detached garages, unless approved by a CUP for projects that demonstrate a functional need for a greater garage door height)
Distance to Principal Structure	10 feet (*except as provided in Division 55-050C))
Front Yard Setback	24 feet
Side Yard Setback	5 feet
Street Side - Side Yard Setback	20 feet
Rear Yard Setback	5 feet
Maximum Number of Accessory Buildings	2
Maximum Total Accessory Buildings SF	1,000 SF

Detached garages must be set back at least four feet from the front facade or front porch or be side- or rear-loaded

Exceptions shall be allowed in the following situations upon approval by the Zoning Administrator of a certificate of compliance and shall apply only to one- and two-car garages. In the case of the replacement of an existing garage that does not meet accessory building setback requirements or in the case of the construction of a new garage on an existing lot of record that has not had a garage in place with the primary residential building, every reasonable effort shall be made to meet the dimensional setback requirements, but the Zoning Administrator shall be allowed to approve lesser setback requirements if it is shown that there is no reasonable alternative. In no case shall the Zoning Administrator approve a building setback of less than two feet. In these cases where the Zoning Administrator approves a lesser setback, the Zoning Administrator shall send a written notice to all abutting property owners making them aware of the Zoning Administrator’s decision and providing them an opportunity to object in writing to this decision within 20 calendar days of the date that the notification is mailed. If no objection is received by the Zoning Administrator within that 20-day calendar period, the application shall be approved and valid on the following day. In such cases where a written objection is received within 20 calendar days, the Zoning Administrator shall schedule a public hearing with the Advisory Planning Commission at the next available meeting date and said application shall be treated as a conditional use permit application.

- G) **Off-Street Parking Requirements.** Off-street parking spaces shall be required for all permitted uses according to the following schedule. All parking areas shall conform to the design requirements as set forth in Division 60 of this Chapter.

Duplex	Two spaces per dwelling unit, one per unit must be located in a garage
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Family Day Care	One space per employee on the largest work shift, plus one space for loading and unloading
Group Home	One space per employee on the largest work shift
Single Family Detached	Two spaces per dwelling unit, one per unit must be located in a garage
Parks and Open Areas	No requirement

25-030 Multiple Family Residential (RM-1) District.

A) **Purpose.** The RM-1 Multiple Family Residential District is designed to provide sites for multiple family dwelling structures and related uses which will generally serve as zones of transition between the non-residential districts and moderate density single family districts. A RM-1 district allows moderate density apartments of up to three stories with a floor area not to exceed 50 percent of the lot area. Densities should range from 8 to 16 units per acre.

B) Permitted Uses.

- 1) Duplex
- 2) Family Day Care
- 3) Group Family Day Care
- 4) Group Home
- 5) Parks and Open Areas
- 6) Single Family Attached
- 7) Single Family Detached

C) Uses Requiring A Certificate of Compliance.

- 1) Broadcasting and Communication (Meeting Criteria)
- 2) Colleges and Universities
- 3) Congregate Housing
- 4) Funeral Home
- 5) Group Residential Facility
- 6) Home Occupation (Meeting Criteria)
- 7) Interim Use
- 8) Nursing and Personal Care
- 9) Offices
- 10) Public and Private Schools
- 11) Religious Institutions
- 12) Short-Term Rentals – Owner Occupied

D) Conditional Uses.

- 1) Bed and Breakfast
- 2) Boarding Houses
- 3) Broadcasting and Communication

- 4) Community Services
- 5) Cemetery
- 6) Commercial Historic Site
- 7) Day Care Center
- 8) Halfway House
- 9) Home Occupation (Not Meeting Criteria)
- 10) Medical Facilities
- 11) Multiple Family Residential (3-4 Units)
- 12) Multiple Family Residential (5 + Units)
- 13) Neighborhood Convenience Store
- 14) Outdoor Recreation Facility
- 15) Parking Facility
- 16) Planned Unit Development

E) **Interim Uses.**

- 1) Short-Term Rentals

F) **Dimensional Requirements.**

1) **Lot Area per Dwelling Unit**

Single Family Detached	7,200 SF
Duplex/Single Family Attached	3,600 SF
One Bedroom Multifamily or Efficiency	1,300 SF
Two Bedroom Multifamily	2,600 SF
Three Bedroom Multifamily	3,900 SF
Four Bedroom Multifamily	5,200 SF

2) **Principal Structures**

Lot Width	
At Building Line	60 feet
Frontage on Existing Roads	60 feet
Front Yard Setback	24 feet
Side Yard Setbacks:	
Interior (Multiple Family)	15 feet
(Single Family)	8 feet
Corner	20 feet
Rear Yard Setback	25 feet

Housing with attached garages are encouraged to set the garage at least 4 feet behind the front façade or front porch or be side- or rear-loaded (except houses with tuck under garages). The front yard may be reduced to 20 feet when garages are set back or side- or rear-loaded.

Maximum Lot Coverage	70 percent
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Maximum Height	40 feet (three stories)
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3) Other Density Requirements

Single Family Attached	Lot Width at Building Line – 50 feet per unit Frontage on Existing Roads – 50 feet per unit
Planned Unit Development	Up to 18 units per acre
Lot with Septic System	Not Permitted

- 4) **Lot Depth.** The minimum lot depth for buildable land is 110 feet, and the maximum lot depth on all lots less than 5 acres will be three times the lot width.

5) Accessory Buildings

Maximum Height Above Grade	16 feet (unless approved by a CUP for projects that demonstrate a functional need for a greater height or involve the replacement of an existing historic carriage house or proposes to match the roof design/pitch to the property’s primary structure)
Maximum Door Height	12 feet (for both attached and detached garages, unless approved by a CUP for projects that demonstrate a functional need for a greater garage door height)
Distance to Principal Structure	10 feet (*except as provided in Division 55-050C))
Front Yard Setback	24 feet
Side Yard Setback	5 feet
Street Side - Side Yard Setback	20 feet
Rear Yard Setback	8 feet
Maximum Number of Accessory Buildings	2
Maximum Total Accessory Buildings SF	500 SF per Dwelling Unit
Maximum Total Accessory Buildings SF for Single-Family Attached & Detached	1,000 SF

Detached garages must be set back four feet behind the front facade or front porch or be side- or rear-loaded.

Exceptions shall be allowed in the following situations upon approval by the Zoning Administrator of a certificate of compliance and shall apply only to one- and two-car garages. In the case of the replacement of an existing garage that does not meet accessory building setback requirements or in the case of the construction of a new garage on an existing lot of record that has not had a

garage in place with the primary residential building, every reasonable effort shall be made to meet the dimensional setback requirements, but the Zoning Administrator shall be allowed to approve lesser setback requirements if it is shown that there is no reasonable alternative. In no case shall the Zoning Administrator approve a building setback of less than two feet. In these cases where the Zoning Administrator approves a lesser setback, the Zoning Administrator shall send a written notice to all abutting property owners making them aware of the Zoning Administrator’s decision and providing them an opportunity to object in writing to this decision within 20 calendar days of the date that the notification is mailed. If no objection is received by the Zoning Administrator within that 20-day calendar period, the application shall be approved and valid on the following day. In such cases where a written objection is received within 20 calendar days, the Zoning Administrator shall schedule a public hearing with the Advisory Planning Commission at the next available meeting date and said application shall be treated as a conditional use permit application.

- G) **Off-Street Parking Requirements.** Off-street parking spaces shall be required for all permitted uses according to the following schedule. All parking areas shall conform to the design requirements as set forth in Division 60 of this Chapter.

Duplex	Two spaces per dwelling unit, one per unit must be located in a garage
Family Day Care	One space per employee on the largest work shift, plus one space for loading and unloading
Group Family Day Care	One space per employee on the largest work shift, plus one space for loading and unloading
Group Home	One space per employee on the largest work shift
Multifamily Residential	Two spaces per dwelling unit, one per unit must be located in a garage.
Single Family Attached	Two spaces per dwelling unit, one per unit must be located in a garage
Single Family Detached	Two spaces per dwelling unit, one per unit must be located in a garage
Parks and Open Areas	No requirement

25-040 **Multiple Family Residential (RM-2) District.**

- A) **Purpose.** The RM-2 Multiple Family Residential District is designed to provide sites for multiple family dwelling structures and related uses which will generally serve as zones of transition between the non-residential districts and moderate density single family districts. A RM-2 district allows higher density apartments of up to nine stories with a floor area not to exceed four times the lot area. RM-2 districts are intended to provide higher density housing for easy access and close

proximity to commercial, office, service and other employment and activity centers in the community. Densities range from 12 to 24 units per acre.

B) Permitted Principal Uses.

- 1) Duplex
- 2) Family Day Care
- 3) Group Family Day Care
- 4) Group Home
- 5) Parks and Open Areas
- 6) Single Family Attached

C) Uses Requiring A Certificate of Compliance.

- 1) Broadcasting and Communication (Meeting Criteria)
- 2) Colleges and Universities
- 3) Congregate Housing
- 4) Funeral Home
- 5) Group Residential Facility
- 6) Home Occupation (Meeting Criteria)
- 7) Interim Use
- 8) Nursing and Personal Care
- 9) Offices
- 10) Public and Private Schools
- 11) Religious Institutions
- 12) Short-Term Rentals – Owner Occupied

D) Conditional Uses.

- 1) Bed and Breakfast
- 2) Boarding Houses
- 3) Broadcasting and Communication
- 4) Cemetery
- 5) Commercial Historic Site
- 6) Community Services
- 7) Day Care Center
- 8) Halfway House
- 9) Home Occupation (Not Meeting Criteria)
- 10) Medical Facilities
- 11) Multiple Family Residential (3-4 Units)
- 12) Multiple Family Residential (5 + Units)
- 13) Neighborhood Convenience Store
- 14) Outdoor Recreation Facility
- 15) Parking Facility
- 16) Planned Unit Development

E) **Interim Uses.**

- 1) Short-Term Rentals

F) **Dimensional Requirements.**

1) **Lot Area per Dwelling Unit**

Single Family Detached	Not Permitted
Single Family Attached/Duplex	3,600 SF
One Bedroom Multifamily or Efficiency	990 SF
Two Bedroom Multifamily	1,110 SF
Three Bedroom Multifamily	1,320 SF
Four Bedroom Multifamily	1,320 SF

2) **Principal Structures**

Lot Width

At Building Line.....	70 feet
Frontage on Existing Lots	70 feet

Front Yard Setback.....	24 feet
Side Yard Setbacks	
Interior	15 feet
Corner	20 feet
Rear Yard Setback.....	20 feet

Maximum Lot Coverage	70 percent
Maximum Height	108 feet (9 stories)

Housing with attached garages is encouraged to set the garage at least 4 feet behind the front facade or front porch or be side- or rear-loaded (except houses with tuck under garages). The front yard may be reduced to 20 feet when garages are set back or side- or rear-loaded.

3) **Other Density Requirements**

Single Family Attached	Lot Width at Building Line – 50 feet per unit Frontage on Existing Roads – 50 feet per unit
Planned Unit Development	Up to 24 units per acre
Lot with Septic System	Not Permitted

- 4) **Lot Depth.** The minimum lot depth for buildable land is 110 feet and the maximum lot depth on all lots less than 5 acres will be three times the lot width.

5) **Accessory Buildings**

Maximum Height Above Grade	16 feet (unless approved by a CUP for projects that
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	demonstrate a functional need for a greater height or involve the replacement of an existing historic carriage house or proposes to match the roof design/pitch to the property's primary structure)
Maximum Door Height	10 feet (for both attached and detached garages, unless approved by a CUP for projects that demonstrate a functional need for a greater garage door height)
Distance to Principal Structure	10 feet (*except as provided in Division 55-050 C))
Front Yard Setback	24 feet
Side Yard Setback	5 feet
Street Side - Side Yard Setback	20 feet
Rear Yard Setback	8 feet
Maximum Number of Accessory Buildings	2
Maximum Total Accessory Buildings SF	220 SF per Dwelling Unit

Detached garages must be set back four feet behind front facades or front porches or be side- or rear-loaded.

- G) **Off-Street Parking Requirements.** Off-street parking spaces shall be required for all permitted uses according to the following schedule. All parking areas shall conform to the design requirements as set forth in Division 60 of this Chapter.

Duplex	Two spaces per dwelling unit, one per unit must be located in a garage
Family Day Care	One space per employee on the largest work shift, plus one space for loading and unloading
Group Family Day Care	One space per employee on the largest work shift, plus one space for loading and unloading
Group Home	One space per employee on the largest work shift
Multifamily Residential	Two spaces per dwelling unit, one per unit must be located in a garage.
Single Family Attached	Two spaces per dwelling unit, one per unit must be located in a garage
Parks and Open Areas	No requirement

25-050 Residential Zoning Districts Use Classification Chart.

Residential Use Classifications		NP Not Permitted P Permitted C Conditional Use Permit CC Certificate of Compliance			
		Zoning District			
Use	R-1	R-2	RM-1	RM-2	
<u>Residential</u>					
Congregate Housing	NP	C	CC	CC	
Duplex	C	P	P	P	
Family Day Care	P	P	P	P	
Group Family Day Care	P	P	P	P	
Group Home	P	P	P	P	
Group Residential Facility	C	C	CC	CC	
Halfway House	NP	C	C	C	
Home Occupation (Meeting Criteria)	CC	CC	CC	CC	55-170
Home Occupation (Not Meeting Criteria)	C	C	C	C	55-170
Manufactured Home Park	C	C	NP	NP	
Multiple Family Residential					
3-4 Units	NP	C	C	C	
5 + Units	NP	NP	C	C	
Semi-Transient Accommodations	NP	C	CC	CC	
Single Family Attached	C	C	P	P	
Single Family Detached	P	P	P	NP	
<u>Institutional and Public Uses</u>					
Cemetery	C	C	C	C	
Colleges and Universities	C	C	CC	CC	
Community Services	NP	C	C	C	
Golf Course	C	C	NP	NP	
Medical Facilities	NP	C	C	C	
Outdoor Recreation Facility	C	C	C	C	
Parks and Open Areas	P	P	P	P	
Public and Private Schools	CC	CC	CC	CC	
Religious Institutions	C	CC	CC	CC	
<u>Commercial Uses</u>					
Bed and Breakfast	C	C	C	C	55-160
Broadcasting and Communication	NP	NP	CC/C	CC/C	55-240
Commercial Historic Site	C	C	C	C	55-150
Day Care Center	C	C	C	C	
Funeral Home	NP	NP	CC	CC	
Neighborhood Convenience Store	NP	C	C	C	
Nursing and Personal Care	C	C	CC	CC	
Offices	NP	NP	CC	CC	
<u>Special Uses</u>					
Interim Use	CC	CC	CC	CC	55-115
Parking Facility	NP	NP	C	C	
Planned Unit Development	C	C	C	C	47-010