



Request for Council Action

Originator Community Development	Item City Code Amendment to Chapters 19 and 21		
Agenda Section HEARING/PUBLIC INPUT Ordinances	By JEF	Approved	Date September 26, 2013

Item # 3

Case # 10000F-13

GENERAL INFORMATION

Applicant: City of Bloomington

Request: Consider an ordinance to make multiple amendments to Chapters 19, 21 and 22 of the City Code establishing the Lindau Mixed Use (LX) and Innovation and Technology (IT) Zoning Districts, modifying multiple City Code sections to reference the LX and IT Zoning Districts, and establishing definitions for multiple land uses

CHRONOLOGY

Planning Commission Agenda: 09/26/13 - Public hearing scheduled.

DEADLINE FOR AGENCY ACTION

The applicant has waived the agency action deadline for this application.

STAFF CONTACT

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APPLICABLE REGULATIONS

Chapter 19 - Zoning
 Chapter 21 - Zoning and Land Development

Council Action	Motion by _____ Second by _____ to _____

PROPOSAL

The proposed ordinance includes amendments to City Code Chapters 19 and 21 to: 1) establish two new zoning districts – Lindau Mixed Use (LX) and Innovation and Technology (IT); 2) modify multiple City Code sections to reference the new LX and IT Zoning Districts; and 3) establish definitions for multiple land uses listed in the new zoning districts, which are not currently defined.

The proposed ordinance is attached. This staff report is intended to be read in conjunction with the proposed ordinance as it provides commentary on the proposed districts and uses, standards, and related issues.

BACKGROUND

The zoning amendments were recommended in the South Loop District Plan (SLDP) adopted by the City Council on August 21, 2012. The SLDP established two new land use guide designations (Lindau Mixed Use and Innovation and Technology) to reflect the long-term development vision for the South Loop District. The recommended amendments to the Land Use Guide Plan of the Bloomington Comprehensive Plan were formally adopted by the City Council on March 4, 2013.

To achieve required consistency between the land use guide designation and zoning, properties subject to land use changes are also proposed to be rezoned. Rezoning to apply the new zoning districts will occur once the new districts are adopted. At the same time, rezoning will occur on several other properties to replace current commercial zoning designations that are being phased out, with the new commercial zoning designations establish in 2006. As noted below, property rezoning is anticipated to occur later in 2013 or early 2014.

Vision and Goals

The uses and development standards proposed in the two new zoning districts are intended to foster the development vision described in the SLDP - *to transform the character of South Loop into a vibrant, mixed use and walkable urban neighborhood.*

Key elements of the vision include:

- Foster a more urban character and compact development pattern;
- Support a mix of uses and higher densities;
- Create a walkable neighborhood with pedestrian oriented amenities;
- Promote transit orientation;
- Create sense of identity and place,
- Promote high quality building and public realm design; and
- Foster sustainable development.

Ordinance Input Process

In developing the draft City Code amendments, input was received from several other city departments, including Legal, Public Works, Buildings and Inspections, and the Port Authority.

In addition, information about land use and zoning changes was provided to the South Loop property owners during several informational meetings and open houses held during the preparation and formal review of the SLDP. Staff also held a series of meetings with property owners and stakeholders subject to recommended land use changes. During those meetings, anticipated zoning amendments were also discussed.

This fall staff will conduct meetings with property owners subject to rezoning. Property owners will have the opportunity to meet individually with staff to discuss the implications of the proposed zoning changes prior to commencement of public hearings on the property rezoning, which are anticipated to occur in December or January.

Comparative Analysis

In developing the LX and IT zoning district uses and standards, staff reviewed existing comparative standards in place in Bloomington's new mixed use commercial zoning districts (B-4 and C-5) as well as codes from around the Metro and the Country, in addition to studies and guidelines prepared by professional planning and development industry organizations.

Relationship between Chapters 19 and 21 of the Code

While the City continues the update process, many of the provisions in the City Code pertaining to land use and development remain in Chapter 19, Zoning. Chapter 21, Zoning and Land Development was created to shift standards from Chapter 19 to Chapter 21. Until the reorganization is completed, both Chapters 19 and 21 collectively serve as the Zoning Ordinance of the City.

OVERVIEW AND ANALYSIS

Individual chapters in the City Code are organized into separate articles and divisions to address specific topics. Amendments are proposed to various articles and divisions in Chapters 19 and 21 as described below.

Amendments to Chapter 19

Amendments to Chapter 19 are needed to incorporate references to the new LX and IT Zoning Districts and to provide definitions for uses not currently included in the City Code.

ARTICLE I. GENERAL DEFINITIONS

- **Sec. 19.03 DEFINITIONS** - Amendments to this section are proposed to add definitions for several uses proposed in the LX or IT zoning districts that are not currently defined. In addition, some minor amendments to existing definitions are proposed to clarify language and improve organization.

ARTICLE III. ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USES

- **Sec. 19.24. ZONING DISTRICTS AND ZONING DISTRICT ORDINANCES AND MAPS.** – Amendments to this section are proposed to reorganize the primary zoning district categories and to add the LX and IT zoning districts to appropriate categories. Specifically, a new primary zoning district heading – Mixed Use Districts – is proposed under which the LX district and other existing mixed use districts (CX-2, CO-2, and HX-R) are placed. The IT district is proposed to be added under the Industrial Districts heading.

ARTICLE IV. DISTRICT REGULATIONS

- **SEC. 19.42. EXCEPTIONS AND ADDITIONS TO SETBACK AND LOT WIDTH REQUIREMENTS.** A minor amendment is proposed to this section to clarify that prevailing setback requirements do not apply in the LX or IT Districts or in other non-residential districts.

ARTICLE V. PERFORMANCE STANDARDS

- **SEC. 19.50.02 ACCESSORY BUILDINGS** – Amendments to this section are proposed to indicate the accessory building standards that will apply in the IT District.
- **SECTION 19.63.08 EXTERIOR MATERIALS AND FINISH** – Amendments to this section are proposed to indicate the regulations for exterior materials that will apply to the LX and IT Districts.

ARTICLE X. SIGN REGULATIONS

- **SEC. 19.113. CLASS IV SIGN DISTRICTS** – Amendments to this section are proposed to add the IT District to the Class IV Sign District and to add a reference to temporary sign for interim uses in the IT District.
- **SEC. 19.115.02 CLASS VIII DISTRICT** – Amendments to this section are proposed to add the LX District to the Class VIII Sign district, to specify minimum front setbacks for freestanding signs in the LX District, and to clarify the allowed width and extension of projecting signs.

Amendments to Chapter 21

The proposed ordinance amends Chapter 21 to establish two new zoning districts to coincide with two new land use categories established with the adoption of the SLDP. Both districts are intended to allow for a broad mix of uses and foster high levels of site and building design.

ARTICLE II. DISTRICTS AND USES

Division F – Specialized Zoning Districts

Following is a summary of the significant features of the proposed new districts and commentary on the benefits and intent of the districts.

- **Section 21.207.02 - LX, LINDAU MIXED USE** - The LX district is designed to provide for a dense mix of commercial, hospitality, and office uses in a compact area with excellent accessibility to transit service and a high level of amenities.

Significant features include:

- Mixed Use Concept focused along Lindau Lane
- Similar to existing (C-5) Freeway Mixed Use District
- Residential uses are not permitted as all parcels in the LX district are within the Airport Runway Overlay District.
- Foster Greater Intensity - minimum FAR 0.7 required

- Minimum Height Requirement - 60% of building footprint must be at least 30 feet in height
- Building Placement and Setbacks – locate buildings closer to the street
- Parking Placement – locate to the side and rear of principal buildings
- Support structured and shared parking
- Increased Building Design Requirements

Benefits and Intent:

- Create a high intensity mixed commercial spine connecting two anchor development in the South Loop District (MOA and Bloomington Central Station);
 - Encourage development densities that support and leverage transit investments in the district;
 - Encourage active street level uses to enhance pedestrian amenities and walkability;
 - Promote a more urban character and attractive streetscape through building placement and design; and
 - Reduce the visual impact of parked vehicles.
- **Section 21.207.03 - IT, INNOVATION AND TECHNOLOGY** - The IT district is designed to encourage a flexible mix of regionally-oriented, low impact and high technology manufacturing and office uses.

Significant features include:

- Flexible mix of low impact manufacturing, office, commercial and hospitality uses
- Support existing low impact manufacturing uses
- Residential uses are not permitted as all parcels in the IT district are within the Airport Runway Overlay District.
- Building Placement and Setbacks – allow buildings closer to the street
- Parking Placement – in select areas, locate to the side and rear of principal buildings

Benefits and Intent:

- Foster low impact, high technology manufacturing and office uses in a high amenity location
- Reduce the visual impact of parked vehicles; and
- Minimize incompatible uses.

Division H. Uses

- **Section 21.209 - Use Tables** – This section was amended to add the LX and IT Districts to the use tables that define the permitted, conditional, interim, and accessory uses in each zoning district.

ARTICLE III. DEVELOPMENT STANDARDS

Division A. General Standards

- **Section 21.301.01 – DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS** – This section was amended to add the LX and IT Districts to the table defining the required floor area ratio, building floor area, impervious surface area, site width and site area standards in each zoning district. In addition, a minor text change is proposed to Sec. 21.301.01(b)(1) to clarify how floor area ratio is calculated in multi-phased development projects.

- **Section 21.301.02 – STRUCTURE PLACEMENT** – This section was amended to add the LX and IT Districts to the table defining the required building setbacks in each zoning district. In addition, minor text changes are proposed to replace the term “adjacent” with “abutting” (Sec. 21.301.02(b)(3)) and to add a new sub-point (Sec. 21.301.02(b)(4)) to provide for flexibility in the application of required maximum building setbacks.

PUBLIC OUTREACH

Notice of the public hearing on the proposed amendments to the City Code was published in the official newspaper (SunCurrent). Notice was also sent via e-mail to 593 people who have registered for the “Zoning Ordinance Updates” e-subscribe group and 858 people who have registered for the “Planning Commission” e-subscribe group. In addition, the proposed amendments and supporting information contained in the staff report were posted on the City website prior to the September 26, 2013 public hearing. When land is proposed to be rezoned to the two new districts later this year, notice will be mailed to all impacted landowners as well as all landowners within 500 feet of land proposed for rezoning.

RECOMMENDATION

In Case 10000F-13, staff recommends approval of an ordinance to amend Chapters 19 and 21 of the City Code establishing the Lindau Mixed Use (LX) and Innovation and Technology (IT) Zoning Districts, modifying multiple City Code sections to reference the LX and IT Zoning Districts, and establishing definitions for multiple land uses.

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