



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
Deanna Kuennen, CED Director
FROM: David Wanberg, City Planner
MEETING DATE: February 12, 2019
SUBJECT: Ordinance 2018-15 Amending Section 11-430 of Appendix B of the Faribault Code of Ordinances related to Parking Requirements for Residential Uses in the Central Business District (Second Reading)

Background:

On November 27, 2018, the City Council approved the first reading of Ordinance 2018-15, which eliminates a provision in the City's Unified Development Ordinance that requires a new residential use in the central business district to provide parking within 400 feet of the residential use. However, before taking action on the second reading of the ordinance, the Council directed that the Joint Committee of the City Council revisit issues associated with residential parking in the downtown – especially issues related to a proposed residential parking permit system.

The Joint Committee discussed the residential parking permit issues at its January 29, 2019 meeting and directed City Staff to bring back Ordinance 2018-15 to the February 12, 2019 City Council meeting for the second reading. No changes were made to the ordinance since the first reading.

Recommendation:

Approve the second reading of Ordinance 2018-15 based on the written findings in the ordinance. Approval requires a majority vote of the City Council.

Approve the summary publication of Ordinance 2018-15. Approval requires a 5/7th vote of the City Council.

Attachments:

- Ordinance 2018-15
- Summary publication of Ordinance 2018-15

**CITY OF FARIBAULT
ORDINANCE 2018-15**

**AMENDING SECTION 11-430 OF APPENDIX B
OF THE FARIBAULT CODE OF ORDINANCES RELATED TO
PARKING REQUIREMENTS FOR RESIDENTIAL USES IN THE
CENTRAL BUSINESS DISTRICT**

WHEREAS, Section 11-430 of Appendix B of the Faribault Code of Ordinances currently requires all new residential uses in the Central Business District (CBD) to provide at least one parking space per residential unit within four hundred (400) feet of the main entrance to the building; and

WHEREAS, a Downtown Parking Committee appointed by the Faribault City Council recommended to the City Council in 2018 to eliminate the provision of Section 11-430 of Appendix B of the Faribault Code of Ordinance related to parking requirements for residential uses in the CBD for the following reasons:

1. The existing Ordinance does not require parking for nonresidential uses in the CBD, such as restaurants, offices, and banquet facilities – consequently, elimination of the current residential parking requirements would result in consistent parking requirements for all uses in the CBD; and
2. The existing Ordinance does not necessarily facilitate the creation of new parking in the CBD because the Ordinance allows new residential uses to lease existing parking spaces from another property in the CBD; and
3. The existing Ordinance may hinder some property owners in the CBD from developing residential uses to help cash flow their buildings and strengthen the CBD consistent with Community Vision 2040; and
4. The City of Faribault is actively pursuing opportunities to provide additional parking in the CBD; and

WHEREAS, Community Vision 2040 presents a strong vision for downtown Faribault that includes development of market rate and high-end residential uses in the Central Business District (CBD); and

WHEREAS, the Planning Commission held a properly noticed public hearing on November 19, 2018 to consider the subject ordinance amendment to eliminate the requirement for new residential uses in the CBD to provide the required parking within four hundred (400) feet of the residential use; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the subject ordinance amendment based on the following applicable findings as required by Section 2-150 of Appendix B – Unified Development Regulations of the City Code of Ordinances:

1. The amendment is consistent with the applicable policies of the City's Land Use Plan; and
2. The amendment is in the public interest and is not solely for the benefit of a single property owner.

WHEREAS, the Planning Commission further found that the subject ordinance amendment would contribute to strengthening the Central Business District in a manner consistent with Community Vision 2040; and

WHEREAS, the City Council concurs with the findings of the Planning Commission and hereby makes the identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1. Ordinance Amendment. Section 11-430 of Appendix B of the Faribault Code of Ordinances is hereby amended by deleting the stricken language (~~stricken language~~) as follows:

Sec. 11-430. - Residential uses.

- (A) Residential uses are permitted in the Central Business District, secondary to ground floor commercial uses, with the maximum number of units based on the lesser of the calculations shown below. ~~In addition to area requirements, all residential uses must provide at least one private parking space per unit within four hundred feet of the main entrance to the building.~~

- (1) The area of the parcel divided by two thousand (2,000), times the number of floors in the building above ground-floor; or
- (2) The number of units that satisfy area requirements as follows:
 - (a) Efficiency and one-bedroom units, 600 square feet
 - (b) Two-bedroom units, 700 square feet
 - (c) Three-bedroom units and above, 900 square feet

Section 2. Findings. The recitals set forth in this Ordinance are incorporated into and made part of this Ordinance, and where applicable, constitute the findings of the City Council.

Section 3. Effective Date. This ordinance amendment shall take effect and be in force after its passage and publication in accordance with Section 3.05 of the City Charter.

First Reading: November 27, 2018

Second Reading: February 12, 2019

Publication: February 19, 2019

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Summary Publication

CITY OF FARIBAULT

ORDINANCE 2018-15

**AMENDING SECTION 11-430 OF APPENDIX B OF THE FARIBAULT CODE OF
ORDINANCES RELATED TO PARKING REQUIREMENTS FOR RESIDENTIAL USES
IN THE CENTRAL BUSINESS DISTRICT**

On February 12, 2019, the Faribault City Council adopted Ordinance 2018-15, which eliminates a provision in Section 11-430 of the City's Unified Development Ordinance that requires a new residential use in the central business district to provide parking within 400 feet of the residential use. A complete copy of the ordinance is on file at City Hall, 208 NW 1st Avenue, Faribault, Minnesota and is available for public review during normal business hours.

First Reading: November 27, 2018
Second Reading: February 12, 2019
Publication: February 19, 2019