

ORDINANCE NO. 546, SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA ADOPTING
CHAPTER 10, SECTION 10.13 OF THE HASTINGS CITY CODE PERTAINING
TO:

ORIGINAL HASTINGS DESIGN STANDARDS

BE IT ORDAINED by the City Council of the City of Hastings as follows:

Sections 10.13 of the Hastings City code is adopted as follows:

SECTION 10.13A. R-2 - MEDIUM DENSITY RESIDENCE.

SUBD. 1. Intent. The intent of this Chapter in establishing a medium density residence district is to protect those predominately single family residential areas within Hastings that were developed in most part prior to World War II, encroachment from potential conflicting uses, and to provide for future residential and related development consistent with ~~proper existing development~~ existing neighborhood character and ~~with minimum~~ maintaining standards for the provision of health, light, air and visual appeal.

SUBD. 2. Uses Permitted.

- A. Same as permitted in the R-1 Low Density Residence District.
- B. Two family/multiple family dwellings, including both new construction and conversions of existing single family dwellings.
- C. Fire Stations and Library.
- D. Bed and Breakfast lodging facilities subject to the following criteria:
 1. That the facility shall be part of a formally designated local, state, or national historical structure.
 2. That a maximum of ten bed and breakfast units may be established in a structure.
 3. That the facility shall have a minimum size of 2,500 gross square feet.
 4. That all bed and breakfast units shall be established within the principle structure.
 5. That one off street parking space shall be provided for the home plus one space for each bed and breakfast unit.
 6. That not more than one identification sign not exceeding two square feet in area may be attached to each wall that faces a street.

7. That the lot on which a bed and breakfast facility is proposed shall have a minimum area of 7000 square feet plus 1000 square feet for each unit in excess of five units.

SUBD. 3. Uses by Special Permit.

- A. Residential Care Facilities—dependent and semi-independent subject to the conditions listed at Section 10.12, Subd. 3B.
- B. Neighborhood Commercial subject to the site plan requirements of Section 10.27, and the following provisions:
 1. Any business related activity occurring on the premises shall not cause any adverse changes to the residential character of the neighborhood.
 2. Adherence to the minimum parking standards of Section 10.09.
 3. The operation of any retail business, unless it is conducted entirely by mail, is prohibited. On-site sales shall be limited to those clearly incidental to services provided in the dwelling.
 4. Operation of any business shall be in conformance to the residential character of the neighborhood.
 5. Location of the property shall be considered. Properties not fronting on a major roadway or adjacent to a commercial zoning district may be unsuitable for operation of a neighborhood commercial uses.
 6. Any exterior changes necessary to conduct the business shall be sufficiently screened, properly designed, or separated by distance so as to be consistent with existing adjacent residential uses and compatible with the residential nature of the neighborhood.
 7. Shipment and delivery of products, merchandise, or supplies shall be limited to between 7:00 a.m. and 6:00 p.m. and shall occur only in single rear axle straight-trucks or smaller vehicles normally used to serve residential neighborhoods.
 8. Any interior changes necessary to conduct the business shall comply with all building, electrical, mechanical, and fire codes governing the use in a residential occupancy.
 9. Signage may consist of not more than one single faced unlighted wall sign per home with a maximum area of two square feet.
 10. The conduct of the business shall not generate noise, glare, vibrations, fumes, odors, or electrical interference detectable to normal senses outside of the dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television.
 11. No traffic shall be generated by such business in greater volumes than would normally be expected in a residential neighborhood. The home occupation shall not increase

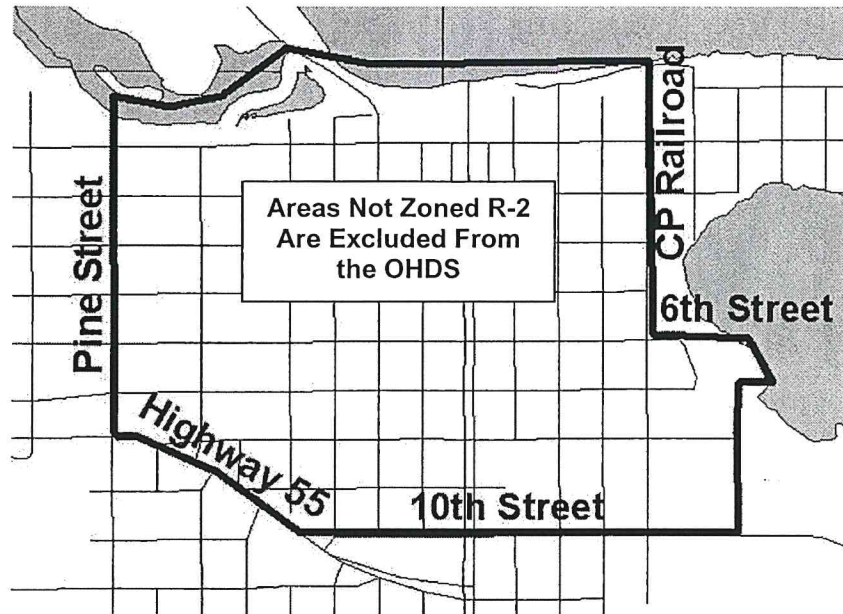
parking requirements by more than four additional parking spaces at any given time in addition to the parking spaces required by the occupants. Any need for parking generated by the conduct of the home occupation shall be met off of the street.

12. No business shall be allowed which jeopardizes the health and safety of city residents.
 13. The Fire Marshal may conduct a fire safety inspection of the space proposed to be used for the home occupation. Occupancy shall meet all applicable fire codes prior to opening for business as well as thereafter.
- C. Towers as regulated by Section 10.05 Subd. 12 of this chapter.

SUBD. 4. Original Hastings Design Standards

- A. Intent** - Original Hastings Design Standards (OHDS) preserve and enhance traditional neighborhood design by reflecting the general characteristics of buildings dating from 1845 to 1940, the predominate era for building construction within the OHDS District. OHDS regulations ensure traditional neighborhood design by incorporating design features such as alleys, carriage houses, front porches, period sensitive housing design, sidewalks, and traditional street lighting. Design standards create and enhance the character of older neighborhoods by establishing regulations to guide property development and rehabilitation consistent with the unique historic character of the neighborhood. The OHDS are derived from the *Design Guidelines for Original Hastings*, adopted in 2003 by the City Council as part of the *Heart of Hastings Master Plan*.
- B. Designated District** – OHDS shall be effective for portions of the R-2 District as indicated in Figure 10.13-1 and shall be further identified on the Official Zoning Map. Areas not zoned R-2 are excluded from the OHDS.

FIGURE 10.13 -1 OHDS District

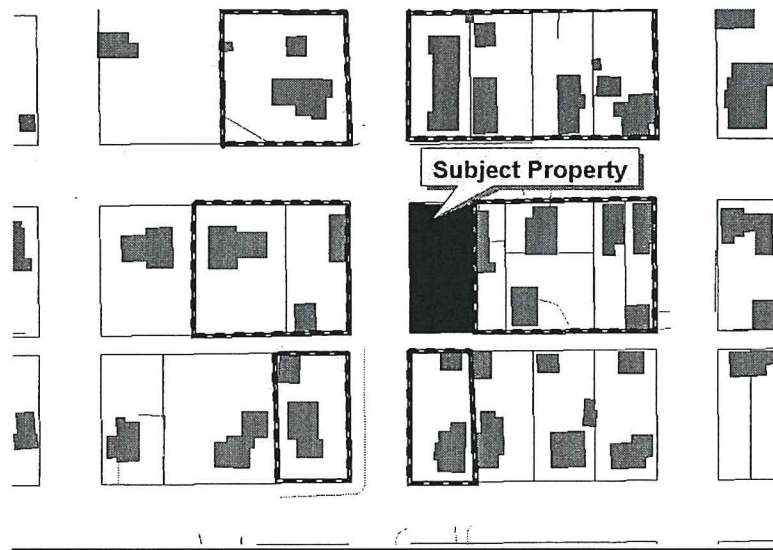


- C. Applicability** – The OHDS are applicable to all new residential development within the OHDS District. Substantial Modifications to existing residential buildings shall also adhere to the Design Standards. Substantial Modifications are defined as building improvements affecting the exterior of a structure exceeding five (5) percent of its current building market value as defined by the Dakota County Assessor.
- D. Exemptions** – The following activities shall be exempt from Original Hastings Design Standards:
1. Accessory buildings under 120 square feet.
 2. Fences, decks, porches, and patios within the rear yard or interior side yard. Corner side yards abutting a right-of-way shall not be exempt from the Design Standards.
 3. Areas of a home or structure not directly part of an alteration or improvement.
 4. Alterations or improvements to the interior of a structure not affecting the outward appearance.
- E. Relationship to Historic Preservation Districts and Standards** – Original Hastings Design Standards are different from and complimentary to established Historic Preservation Districts and Standards. Original Hastings Design Standards focus less on historic re-creation, but on the consistency of new and rehabilitated buildings to the established traditional character, bulk, height and form of the neighborhood. Provisions of Section 2.18 – Heritage Preservation Code still apply to properties within the OHDS that are within a

designated Heritage Preservation District or individually designated as a Historic Preservation Site.

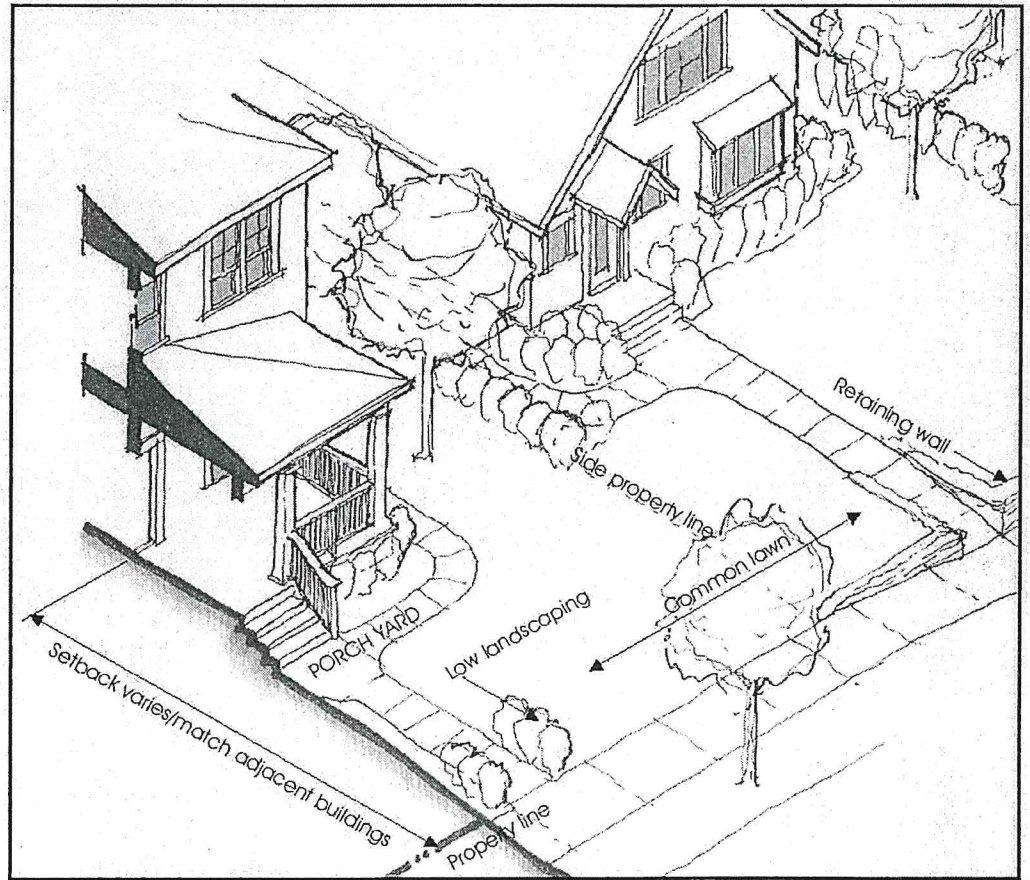
- F. **Garages** – New garages directly accessing a public street shall be prohibited if an improved alley way abuts the property.
- G. **Immediate Neighborhood** – The immediate neighborhood as used to determine OHDS applicability shall include all properties along street frontages within 150 feet of the subject parcel as indicated in Figure 10.13-2.

FIGURE 10.13-2 Immediate Neighborhood



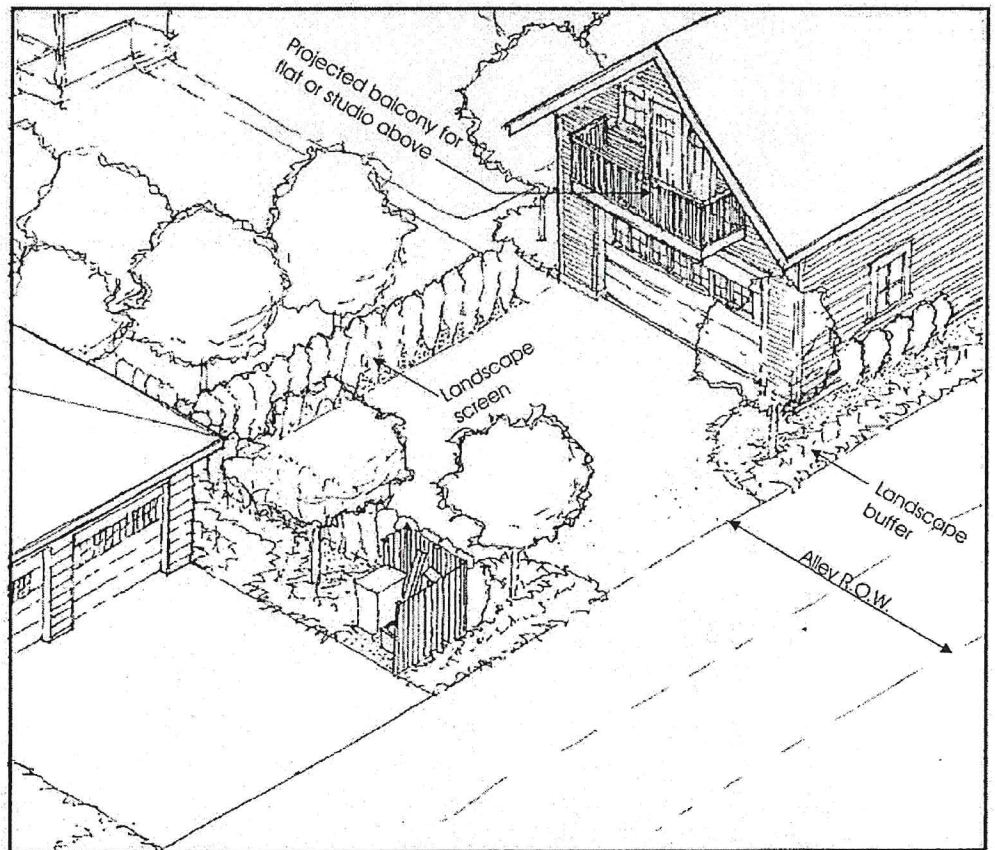
- H. **Immediate Neighborhood Average** - The Immediate Neighborhood Average is defined as a range between 10 percent above and 10 percent below the mean for a given design standard within the Immediate Neighborhood.
- I. **Frontage Types** – Application of OHDS are based upon the following frontage types:
 - 1. **Front Yard** – Front yards contain a landscaped lawn between the street/sidewalk and the residence. Structure setbacks shall be consistent with the Immediate Neighborhood Average. Fences may be constructed in accordance with the Chapter 10.05 Accessory Structure requirements. Raised porches are encouraged.

FIGURE 10.13-3 Front Yard



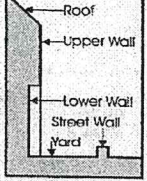
2. **Garage\Alley** – Neighborhood alleys provide service and garage access to residential uses in order to preserve the pedestrian character of the primary street frontage. Detached or semi-detached garages can front the alley in one of the two configurations shown in the sketch below. Lofts in 1.5 story garages may be suitable for residential use. Garages are further regulated under the Accessory Structure provisions of the Zoning Ordinance.

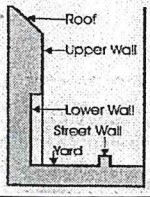
FIGURE 10.13-4 Garage\Alley



J. Design Standards – Original Hastings Design Standards are outlined in Figure 10.13-5

FIGURE 10.13-5 ORIGINAL HASTINGS DESIGN STANDARDS

	<u>Front Yard</u>	<u>Garage/Alley</u>
<u>Yard Use</u>	Pedestrian only. No vehicle parking or drives in front yard if abutting an improved alley way	Vehicle Parking. Pedestrian path to rear entry. If abutting an improved alley way
<u>Yard and Street Wall Materials</u>	Landscaping predominant. Concrete, brick or stone paths.	Paved driveway. Landscaped buffer. Screen walls – Brick or painted wood.
<u>Yard and Street Wall Technique</u>	Lawn and Trees predominant. Wall or fence shall match building style. Ground floor shall be raised above grade 24 to 48 inches if containing a porch.	Wall or fence to match building style.
<u>Building Wall</u>	Front Yard setback varies to match Immediate Neighborhood Average. Sideyard setback conforms to Residential Lot District Requirements of Section 10.26	Side loaded garage must have 5 foot green space between drive and alley. Maximum setback for all garages is 25 feet.
<u>Building Width</u>	<u>Must conform to the Immediate Neighborhood Average</u>	
<u>Entry Level Wall Openings</u>	30 to 50 percent transparent window and door openings	Size and shape of windows to match main building.
<u>Entry Level Wall Materials</u>	Brick or stone masonry in historic size and pattern. Cement Stucco. Wood lap, vinyl, cementitious or drop siding with maximum 5 inches exposed.	Same materials as on main building.
<u>Entry Level Wall Technique</u>	Historic window, door and porch detailing. Main entry from roofed porch. Porch optional with a minimum 8 foot depth, but no less than 5 feet from sidewalk/curb.	Historic Window and door detailing to match main building.



	<u>Front Yard</u>	<u>Garage\Alley</u>
<u>Upper Level Wall Openings</u>	Reflect bay pattern and size of <u>Immediate Neighborhood Average</u> . 25 to 50 percent window openings	Reflect entry level bay width.
<u>Upper Level Wall Materials</u>	Brick or stone masonry in historic size and pattern. Cement Stucco. Wood lap, vinyl, cementitious or drop siding with maximum 5" exposed	
<u>Upper Level Wall Technique</u>	Detailing to be consistent with historic building style of the <u>Immediate Neighborhood Average</u> .	
<u>Entry Shelter Type</u>	<u>Cantilevered roof shelter over entry or covered porch. Relate to entry openings. Door must face the front street</u>	<u>Residential use of garage shall require a cantilevered roof shelter over entry.</u>
<u>Entry Shelter Materials</u>	<u>Wood or iron framed structure. Wood, metal, or composition shingle roof consistent with Immediate Neighborhood Average.</u>	
<u>Entry Shelter Technique</u>	<u>Detailing consistent with historic building style and Immediate Neighborhood Average</u>	
<u>Roof Style and Pitch</u>	<u>Steep pitch (8:12 minimum) gable roof. Lower pitch Italianate hip or porch roof</u>	<u>Same as main building.</u>
<u>Roof Materials</u>	<u>Low slope membrane roof. Steep pitch metal, wood, slate or composition shingle roof</u>	<u>Same as main building.</u>
<u>Roof Technique</u>	<u>Cap parapet with integral or projecting cornice. Consistent with historic building style and the Immediate Neighborhood Average</u>	<u>Same as main building.</u>
<u>Roof Height</u>	<u>Roof Height shall be consistent with the Immediate Neighborhood Average</u>	

- K. Administration** – The Planning Department shall administer the Design Standards consistent with Section 10.27, Site Plan Procedures. Any building improvement affecting the exterior of a structure exceeding five (5) percent of its current building market value as defined by the Dakota County Assessor shall be reviewed by the Planning Commission and approved by the City Council. The Planning Director shall have the authority to determine conformance of any project to the Original Hastings Design Standards that do not require Planning Commission review and City Council approval.
- L. Appeals** – Any appeal of an administrative decision shall be forwarded to the Board of Zoning Adjustment and Appeals as outlined in Section 2.04 of the Hastings City Code.
- M. Effective Date** - The provisions of this ordinance shall apply to all properties in the R-2 OHDS overlay district immediately upon passage and publication of this ordinance.

SECTION 10.13B. NC – NEIGHBORHOOD CONSERVATION.

~~**SUBD. 1. Intent.** The intent of the NC District is to provide standards that protect the residential character of single family areas surrounding the downtown. This District is intended to provide regulations that promote traditional neighborhood design. Residential neighborhoods surrounding the downtown incorporate many traditional neighborhood design features such as alleys, carriage houses, front porches, period sensitive housing design, sidewalks, and traditional street lighting. Preserving and enhancing traditional neighborhood design is the goal of this District.~~

~~**SUBD. 2. Uses Permitted.**~~

- ~~A. Same as permitted in the R-1 Low Density Residence District, and R-2 Medium Density Residence District.~~
- ~~B. Accessory living quarters in accordance with the City of Hastings Building Code.~~

~~**SUBD. 3. Uses by Special Permit.**~~

- ~~A. Same as permitted by Special Use Permit in the R-2 Medium Density Residence District.~~

~~**SUBD. 4. Building and Site Design.** Approvals granted through building permit, site plan, special use permit, or planned residential development shall require conformance with the Neighborhood Conservation District Standards of the Original Hastings Design Guidelines as adopted by the City Council.~~

SECTION 10.13C OSR—Open Space Redevelopment District

~~**SUBD. 1.—Intent.** The intent of the OSR District is to provide standards that allow existing single and two family patterns to continue, but anticipate larger scale redevelopment of areas that may be the result of public improvement projects such as commuter rail, street systems, and storm water treatment facilities. Attached housing areas that result from redevelopment should be designed in a manner to connect open spaces to adjacent greenway/preserve areas along Lake Isabel.~~

~~**SUBD. 2.—Uses Permitted.**~~

~~A.—Same as permitted in the R-1 Low Density Residence, and R-2 Medium Density Residence District.~~

~~**SUBD. 3.—Uses by Special Permit.**~~

~~A.—Same as permitted by Special Use Permit in the R-2 Medium Density Residence District.~~

~~B.—Planned Residential Development per Section 10.14, Subd. 2e, provided residential densities do not exceed that of the Comprehensive Plan Land Use District.~~

~~**SUBD. 4.—Building and Site Design.** Approvals granted through building permit, site plan, special use permit, or planned residential development shall require conformance with the Open Space Redevelopment District Standards of the *Original Hastings Design Guidelines* as adopted by the City Council.~~

Source: Ordinance No. 497, Second Series

Adopted: July 7, 2003

SECTION 10.99. VIOLATION A MISDEMEANOR.

Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

ADOPTED by the Hastings City Council on this 20th day of March, 2006



Michael D. Werner, Mayor

ATTEST:



Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 20th day of March, 2006, as disclosed by the records of the City of Hastings on file and of record in the office.



Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings
101 4th St.
Hastings, MN 55033