

**City of Falcon Heights Planning Commission**  
**Minutes of the Planning Commission Workshop: Special Event Ordinance**  
**October 23, 2012**

Commissioners met for the workshop at 7:00 p.m. All Commissioners were present, as well as Planning Director Jones. Councilmember Harris was absent.

The purpose of the workshop was to discuss the broad shape and goals of an ordinance that could serve the needs of the businesses that met with the Commission in September while ensuring that any negative impacts on adjacent neighborhoods would be minimized. The following summary is condensed from a lengthy and detailed discussion.

Commissioners expressed their appreciation for the presence of representatives from the Coffee Grounds, Stout's Pub and Dinos last month and for all the information they shared and the discussion. These were the only businesses that came forward, and they were all interested in similar types of events:

- Outdoor food service, probably under a tent (extension of what the businesses already do within their establishments, not a "new" use)
- "Family friendly"
- Occasional – once a year (Dino's) to four or five times a year (Coffee Grounds)
- Weekend only, including Friday night
- Outdoor music, amplified
- Possible service of alcohol

Commissioners had indicated from the beginning of these discussions that they favored some kind of special permitting as opposed to making this use generally permitted or an accessory use. They were provided this evening with sample ordinances from cities which allow special events by some kind of administrative permit or special permit: the City of Medina, City of North St. Paul, City of Plymouth, City of Roseville, and the City of Savage.

The discussion began with a "big picture" look at the issues and the process. At this point, Commissioners felt that if a good ordinance could be crafted that "fits" then the public hearing for that ordinance would be ample opportunity to take public input. It would give residents something concrete to react to, rather than a lot of amorphous "what ifs."

Commissioners concluded that they could define this evening the general shape of what would be needed, hold one more workshop on a preliminary (November), and then turn it over to the City Attorney to create a formal draft. If all goes well, the public hearing could be held in January or February. This would give the Commission and Council time to act and have something in place by May, when summer event permits would have to be applied for (assuming a 30-days-in-advance policy is adopted).

There remained considerable concern about noise and parking. The businesses concerned are so close to residential properties that there is bound to be disruption to neighbors. Yet, on limited occasions, a certain amount of disruption might be tolerable, especially if events are managed responsibly. The City could always refuse to approve future permits if the experience was bad and caused a lot of complaint. Commissioners acknowledged that they do not know how it would work out, but the consensus was to "try it."

The next step was to review model ordinances provided to see if one or more of them have elements that would suit the needs of Falcon Heights. After lengthy discussion, Commissioners settled on the North St. Paul model as the best general framework.

They liked the provision in the Medina ordinance that exempts from permit requirements any event attended by fewer than 200 people at one time that does not involve the sale of alcohol (this would cover most Coffee Grounds events), also events that are regulated by the city through the use of another ordinance. Private parties would always be exempt.

Commissioners favor the parking plan requirements of the Plymouth ordinance.

Commissioners want the following additional provisions:

- No special events allowed during the State Fair
- Each event no longer than 2 days
- 24 hours additional set-up time and 24 hours take-down time would be allowed
- No more than 3 permitted events per year, per business
- Events end by 9 p.m.
- Permit applicants must provide plans for parking, security, noise control, crowd control
- Provision for preventing event parking at neighboring businesses unless a written agreement is provided by the neighboring business (staff addition). The owners of Warner Stellian contacted staff before the meeting to express concern about this issue.

Some items might be provided for in administrative policy instead of the ordinance. The city attorney may have recommendations. Since Falcon Heights does not have any other used by special permit, this is going to have to be defined – which was done a few years ago for Interim Use Permits. That will be left to the city attorney, also the language connecting this ordinance up with other parts of the code, as necessary.

Commissioners will meet formally on November 27 (after Thanksgiving) for the official fourth quarter meeting, then adjourn to consider a rough draft from staff before sending this off to the city attorney.

The workshop adjourned at about 9:00 p.m.