

City of Falcon Heights
PLANNING COMMISSION AGENDA
May 23, 2000
7 p.m., City Hall

A. Tom Brace ____ Wayne Groff ____ Barb Heideman ____
Melissa Maher ____ Toni Middleton ____ Ken Salzberg ____
Irene Struck ____ Council Liaison Peter Lindstrom ____
Heather Worthington ____

B. CALL TO ORDER

C. APPROVAL OF MINUTES: March 28, 2000

D. PUBLIC HEARING

Item 1: Requesting recommendation to adopt an ordinance amending Chapter 9 of the Falcon Heights City Code defining permitted and conditional uses in the business districts.

Item 2: Requesting recommendation to adopt option 8 of the Minnesota State Building Code, pursuant to Rule 1306, Special Fire Protection Systems.

Item 3: Consideration of an ordinance amending the zoning code to clarify that one garage is permitted on a single-family property.

E. STAFF REPORTS AND UPDATE

1. Update on commercial properties

Item: 1
Date: 5/23/00

ITEM: Requested recommendation to adopt an ordinance amending Chapter 9 of the Falcon Heights City Code defining permitted and conditional uses in the business districts.

SUBMITTED BY: Heather Worthington, City Administrator

REVIEWED BY: Andrea McDowell Poehler, Attorney, Campbell Knutson

EXPLANATION/DESCRIPTION:

SUMMARY AND ACTION REQUESTED:

The Planning Commission is being asked to recommend the adoption of an ordinance regarding changes to the Standard Industrial Classifications (SIC) in the commercial code, in order to update the code to better reflect actual uses and descriptions.

BACKGROUND:

The City of Falcon Heights zoning code specifically states which types of businesses are allowed in business and commercial districts. We are updating existing codes with new classifications from the 1987 manual. In addition, we are including tanning salons as an allowed use in B-3 districts.

Goal 2: To maintain and promote the assets of the city's unique neighborhoods including commercial, residential, and open space uses for present and future generations.

Strategy 2: Work with businesses and homeowners to maintain a functional and desirable business and residential environment.

Action Item: Continue to review and communicate city code requirements to business and commercial property owners.

ATTACHMENT:

Ordinance outlining changes to the zoning code.

ACTION REQUESTED:

Recommend adoption of the ordinance amending the zoning code and replacing the Standard Industrial Classifications in the commercial code with updated standard language.

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. __

AN ORDINANCE AMENDING CHAPTER 9 OF THE
FALCON HEIGHTS CITY CODE DEFINING PERMITTED AND
CONDITIONAL USES IN THE BUSINESS DISTRICTS.

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

SECTION 1. Section 9-1.02 of the Falcon Heights City Code is amended to include the following definitions:

Apparel and Accessory Stores. Retail stores primarily engaged in selling new clothing, shoes, hats, underwear, and related articles for personal wear and adornment. Uniform stores, furriers, and custom tailors carrying stocks of materials are included.

Automobile Repair Establishments. Establishments primarily engaged in general automotive repair, including the installation, repair, or sale and installation of automotive exhaust systems and automotive transmissions.

Barber Shops. Establishments primarily engaged in furnishing barber and men's hair styling services, including barber colleges.

Beauty Shops. Establishments primarily engaged in furnishing beauty or hairdressing services. Beauty and cosmetology schools are included in this industry. Beauty shops include beauty and barber shops (combined), beauty culture schools, beauty shops or salons, cosmetology shops or salons, facial salons, hairdressers, manicure and pedicure salons, and unisex hairdressers.

Cable and Other Pay Television Services. Establishments primarily engaged in the dissemination of visual and textual television programs, on a subscription or fee basis. Establishments which are primarily engaged in cablecasting and which also produce taped program materials are included.

Commercial Art Services. Establishments primarily engaged in providing commercial art or graphic design services for advertising agencies, publishers, and other business and industrial users.

Commercial Photography Services. Establishment primarily engaged in providing commercial photography services for advertising agencies, publishers, and other business and industrial users.

Computer Programming, and Data Processing Services. Establishments primarily engaged in providing computer programming and data preparation and processing services. Establishments of this industry perform a variety of additional services, such as computer software design and analysis; modifications of custom software; and training in the use of custom software. Also included are application software programming, computer code authors, computer programs or systems software development (custom), computer software writers (freelance), software programming, calculating service, computer time-sharing, data entry, data processing, data verification, keypunch, leasing of computer time, optical scanning, rental of computer time, service bureaus (computer), and tabulating.

Convenience Store. A retail establishment which generally sells a limited range of food products, nonprescription drugs, candy and other perishable goods. This includes soda and similar beverage dispensing and food products, which can be heated and/or prepared on-site.

Dance Studios, Schools and Halls. Establishments primarily engaged in operating dance studios, schools, and public halls or ballrooms.

Drinking Establishments, Bars and Taverns. Establishments primarily engaged in the retail sale of alcoholic drinks, such as beer, ale, wine, and liquor, for consumption on the premises.

Drug Stores/Pharmacies. Establishments engaged in the retail sale of prescription drugs, proprietary drugs, and nonprescription medicines, and which may also carry a number of related lines, such as cosmetics, toiletries, tobacco, and novelty merchandise. These stores are included on the basis of their usual trade designation rather than on the stricter interpretation of commodities handled. This industry includes drug stores which also operate a soda fountain or lunch counter.

Eating Establishments. Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption. Caterers and industrial and institutional food service establishments are also included in this industry.

Florists. Establishments primarily engaged in the retail sale of cut flowers and growing plants. This excludes retail nurseries and lawn and garden supply stores.

Food Stores. Retail stores primarily engaged in selling food for home preparation and consumption. Included are grocery and convenience food stores, meat and fish markets, fruit and vegetable markets, candy, nut, and confectionery stores, dairy products stores, retail bakeries, retail coffee stores, spice and herb stores, retail water and mineral water stores, and vitamin food stores.

Fuel Dealers. Establishments primarily engaged in the retail sale of fuel oil, liquefied petroleum gas (bottled gas), and coal and wood dealers.

Garment Pressing, and Agents for Laundries and Drycleaners. Establishments primarily engaged in providing laundry and drycleaning services but which have the laundry and drycleaning work done by others. Establishments in this industry may do their own pressing, finishing work, alterations and incidental repairs.

Hardware Stores. Establishments primarily engaged in the retail sale of a number of basic hardware lines, such as tools, builders' hardware, paint and glass, housewares and household appliances, and cutlery.

Health Care, Offices and Clinics. Establishments of health practitioners engaged in furnishing medical, surgical and other health services to persons, but does not include in-patient health care services. Included are individual practitioners, group clinics in which a group of practitioners are associated for the purpose of carrying on their profession, and clinic which provide the same services through practitioners that are employees. Practitioners may or may not be licensed or certified, depending on state law.

Home Furnishing, Appliance and Equipment Stores. Retail stores selling goods used for furnishing the home such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, other household electrical and gas appliances, radios, televisions, computers and software, consumer electronics, prerecorded audio and video tapes and disks, music, and musical instruments. Establishments selling electrical and gas appliances are included in this group only if the major part of their sales consists of articles for home use.

Hotels and Motels. Commercial establishments, known to the public as hotels, motor hotels, motels, or tourist courts, primarily engaged in providing lodging, or lodging and meals, for the general public. Hotels which are operated by membership organizations and open to the general public are included in this industry. Also included are auto courts, bed and breakfast inns, cabins and cottages, casino hotels, hostels, hotels (except residential), Inns (furnishing food and lodging), motels, recreational hotels, resort hotels, seasonal hotels, ski lodges and resorts, tourist cabins, and tourist courts.

Laundry and Garment Services. Establishments primarily engaged in furnishing laundry and garment services such as the repair, alteration, and storage of clothes for individuals and for the operation of hand laundries. Included are diaper service, dressmaking services.

Laundries-Power. Establishments primarily engaged in operating mechanical laundries with steam or other power. Included are family and commercial power laundries, and laundry collecting and distributing outlets operated by power laundries.

Laundromats-Self Serve. Establishments primarily engaged in the operation of coin-operated or similar self-service laundry and drycleaning equipment for use on the premises, or in apartments, dormitories, and similar locations.

Mailing Services. Establishments primarily engaged in furnishing services for direct mail advertising, such as creating, producing, and mailing of direct mail advertising. This industry also includes establishments primarily engaged in compiling and selling mailing lists.

Miscellaneous Retail Establishments. Retail establishments which fall into the following categories: drug stores, liquor stores, used merchandise stores (including antiques), miscellaneous shopping goods stores (sporting goods and bicycles, books, stationary, jewelry, hobby and toys, camera and photographic supplies, gift and novelty, luggage and leather, and sewing), nonstore retailers (catalog and mail order houses, automatic merchandising machine operators, and direct selling establishments), florists, tobacco stores and stands, news dealers and newsstands, optical goods stores and other miscellaneous retail establishments.

Motion Picture Theaters. Commercially operated theaters primarily engaged in the indoor exhibition of motion pictures.

Paint, Glass, and Wallpaper Stores, Retail. Establishments engaged in selling primarily paint, glass, and wallpaper, or any combination of these lines, to the general public. While these establishments may sell primarily to construction contractors, they are known as retail in the trade. Establishments which do not sell to the general public or who are known in the trade as wholesale are excluded.

Photocopying and Duplicating Services. Establishments primarily engaged in reproducing text, drawings, plans, maps, or other copy, by blueprinting, photocopying, mimeographing, or other methods of duplication other than printing or microfilming.

Photographic Studios, Portrait. Establishments primarily engaged in still or video portrait photography for the general public.

Radio Broadcasting Stations. Establishments primarily engaged in broadcasting aural programs by radio to the public. Included in this industry are commercial religious, educational, and other radio stations. Also included are establishments primarily engaged in radio broadcasting and which produce radio program materials.

Secretarial and Stenographic Services. Establishments primarily engaged furnishing secretarial, typing, word processing, resume writing, and court reporting services. This category also includes the services of editing, letter writing, and proofreading.

Tanning Salons. Establishments primarily engaged in providing tanning services to the public through the use of tanning beds, and other tanning equipment.

Television Broadcasting Stations. Establishments primarily engaged in broadcasting visual programs by television to the public, except cable and other pay televisions services.

Included in this industry are commercial, religious, educational, and other television stations. Also included are establishments primarily engaged in television broadcasting and which produce taped television program materials.

Video Rental Stores. Establishments primarily engaged in renting recorded video tapes and disks to the general public for personal or household use.

SECTION 2. Section 9-8.01, Subd. 2 of the Falcon Heights City Code is amended to read as follows:

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following specific uses:

- a. Barber shops, except barber colleges.
- b. Beauty shops, but excluding cosmetology schools.
- c. Convenience stores, excluding motor fuel facilities.
- d. Coin and philatelic (stamp) stores.
- e. Drug stores/pharmacies.
- f. Florists.
- g. Garment pressing, and agents for laundries and drycleaners, with a maximum of six employees.
- h. Health care, offices and clinics.
- i. Laundries - power, with a maximum of six employees.
- j. Laundromats - self serve.
- k. Miscellaneous retail establishments (small) (excluding repair and service establishments and gun shops) having a maximum floor area of 1,000 square feet which sell food, apparel and small specialty shopping goods including antique, sporting goods, book stationary, jewelry, camera, novelty and optical stores and small cafes and restaurants.
- l. Offices, business and professional.

SECTION 3. Section 9-8.01, Subd. 3(a) of the Falcon Heights City Code is amended to read as follows:

- a. Automobile repair establishments subject to the following conditions:
 1. The use is existing as of the date of adoption of this amendment.
 2. The structure and use shall not be expanded without city council approval, based upon finding that the expansion is a furtherance of the public health and safety and will not negatively impact the surrounding neighborhood.
 3. Any change in use shall be to the same or another B-1 permitted or conditional use.
 4. No more than five (5) cars shall be parked outdoors overnight at any one time, and cars shall be parked in an orderly fashion in a designated area.
 5. There shall be no outdoor storage of supplies, materials or trash.
 6. Trash containers and parking areas shall be screened from view from residential areas to the maximum degree practicable in consultation with city officials and upon approval by the city council after review by the planning commission.

SECTION 4. Section 9-9.01, Subd. 2(b) of the Falcon Heights City Code is amended to read as follows:

- b. Health Care, Offices and Clinics.

SECTION 5. Section 9-9.01, Subd. 3 of the Falcon Heights City Code is amended to read as follows:

Subdivision 3. Conditional Uses. The following uses are permitted subject to the issuance of a conditional use permit (C.U.P.):

- a. Bank drive-in facilities as an accessory use to a financial institution, with hours open to the public identified in the conditional use permit.
- b. Churches.
- c. Colleges and academies.

- d. Child care facilities and nursery schools subject to licensing by the State of Minnesota.
- e. Dance studios, schools and halls.
- f. Florist, garden supply and garden wholesale stores.
- g. Funeral homes and mortuaries.
- h. Limited fabricating and processing of a product in conjunction with any permitted use when such products are wholly processed within a building and such use is deemed appropriate and consistent with the character of the district and environs. Where such uses consist of more than one principal building, plans for such development shall be submitted as a planned unit development (P.U.D.).
- i. Historical buildings, museums, art institutes and galleries.
- j. Photographic studios, portrait.
- k. Radio broadcasting stations, television broadcasting stations, and cable and other pay television service stations, excluding external antenna systems.
- l. Research centers and laboratories excluding medical waste processing facilities.
- m. Schools or studios for music, art or interior design.
- n. Veterinary clinics with no animal boarding.

SECTION 6. Section 9-10.01, Subd. 2 of the Falcon Heights City Code is amended to read as follows:

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following uses:

- a. Auto parts and accessory stores.
- b. Apparel and accessory stores.
- c. Beauty and barbershops.
- d. Bowling alley.
- e. Coin and philatelic (stamp) store.

- f. Commercial art services.
- g. Commercial photography services.
- h. Computer programming and data processing services.
- i. Dance studios, schools and halls.
- j. Eating establishments.
- k. Financial institutions and insurance establishments with hours open to the public no earlier than 8 a.m. and no later than 6 p.m. An automatic teller machine may operate 24 hours a day.
- l. Food stores, excluding the outdoor sales of produce, meat and seafood.
- m. Garment pressing, and agents for laundries and drycleaners.
- n. Hardware stores.
- o. Health services, offices and clinics.
- p. Home furnishing, appliance and equipment stores.
- q. Laundry and garment services.
- r. Laundromats - self serve.
- s. Mailing services.
- t. Miscellaneous retail establishments, including antique stores but excluding fuel dealers and gun shops.
- u. Motion picture theaters.
- v. Offices, business and professional.
- w. Office supply and art supply stores, retail.
- x. Paint, glass and wallpaper stores, retail.
- y. Personal service establishments as follows: tax return preparation services, diet

centers, costume and dress suit rental stores, photograph services.

- z. Photographic studios, portrait.
- aa. Physical fitness facilities.
- bb. Precious metal dealer with a precious metal dealer license.
- cc. Photocopying and duplicating shops, provided not more than six employees are employed on the premises at one time.
- dd. Public and essential service uses.
- ee. Schools and studios for art, music and interior design.
- ff. Secretarial and stenographic services.
- gg. Tanning salons.
- hh. Therapeutic massage enterprise (see 5-3.08 for license).
- ii. Video rental stores.

SECTION 7. Section 9-10.01, Subd. 3(h) of the Falcon Heights City Code is amended to read as follows:

- h. Drinking establishments, bars and taverns, subject to the city's licensing requirements, Chapter 5, Section 3 of the city code.

SECTION 8. Section 9-10.01, Subd. 3(j) of the Falcon Heights City Code is amended to read as follows:

- j. Hotels and motels by P.U.D.

SECTION 9. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2000, by the city council of the City of Falcon Heights.

CITY OF FALCON HEIGHTS

By: _____
Sue Gehrz, Mayor

ATTEST:

Heather Worthington, City Clerk

Item: 2
Date: 5/23/00

ITEM: Requesting recommendation to adopt option 8 of the Minnesota State Building Code, pursuant to Rule 1306, Special Fire Protection Systems.

SUBMITTED BY: Heather Worthington, City Administrator

REVIEWED BY: Greg Schmit, Building Inspector

EXPLANATION/DESCRIPTION:

SUMMARY AND ACTION REQUESTED:

The Commission is being asked to recommend adoption of the Minnesota Rule 1306 of the Uniform Building Code, option 8 (Group M, S, or F occupancies with 2,000 or more gross square feet).

BACKGROUND:

This rule requires commercial and multi-family structures with 2,000 or more gross square feet to install fire suppression systems. This is consistent with municipalities in the metropolitan area. This rule applies to existing structures (only in the case of renovation or addition) and new construction. The City of Falcon Heights Code does not currently include this provision. This rule will not affect single-family residential structures.

Goal 1: To protect the public health and safety

ACTION REQUESTED:

Recommend adoption of the Minnesota Rule 1306, Minnesota State Building Code, Option 8.

Item: 3
Date: 5/23/00

ITEM: Consideration of an ordinance amending the zoning code to clarify that one garage is permitted on a single-family property.

SUBMITTED BY: Heather Worthington, City Administrator

EXPLANATION/DESCRIPTION:

SUMMARY AND ACTION REQUESTED:

The planning commission is being asked to consider an ordinance amending the zoning code to clarify that there is only one garage permitted on a single family property. This is a clarification of the zoning code which doesn't specifically state that only one garage is permitted but infers it though a number of regulations on accessory structures and driveway area that limit off street parking on a lot, but these can be unclear. The staff's concern is that a house with an attached garage might build a second detached garage of 1,000 square feet or less. This would not preclude a property owner from having an attached garage or a detached accessory structure and a detached accessory structure for storage or outdoor use that is not a garage (the code already prohibits "pole" barns). A property cannot have two driveways nor two driveway entrances which also controls the number of garages. As of this writing, there have been no requests for two garages on a single-family residential lot.

BACKGROUND:

A property is permitted a maximum of 1,000 square feet of detached accessory structures. The number varies depending upon the width of the lot since accessory structures can cover no more than 40% of the required rear yard. Although there have been no requests for a second garage, it is easier to clarify that only one is permitted than rely on all the other sections of the code for this information. This change will make it much easier for residents planning to construct a new garage or an additional storage area to see the rule clearly stated in the zoning code.

PROPOSED LANGUAGE:

Chapter 9, Section 4.01 Single Family Residential

Subdivision 3 Permitted Accessory Structures

- c. One private garage or carport and parking space as regulated in 9-2.04

9-2.04 contains provisions related to accessory structures of all types for all properties and does not need to be amended at this time

ACTION REQUESTED:

Discussion

Public Hearing

Recommend adoption of the ordinance amending the zoning code to clarify that one garage is permitted on a single-family property.