

City of Falcon Heights Planning Commission

City Hall
2077 W. Larpenteur Avenue

Tuesday, February 26, 2019
7:00 p.m.

A G E N D A

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL: John Larkin _____ Tom Williams _____
 Colin Stemper _____ Matthew Kotelnicki _____
 Hawa Samatar _____ Scott Wilson _____
 Joel Gerich _____
 Council Liaison Harris _____ Staff Liaison Markon _____

C. APPROVAL OF MINUTES - January 22, 2019

D. AGENDA

1. Public Hearing to Consider Changes to City Code (Fences)

E. INFORMATION AND ANNOUNCEMENTS

F. ADJOURN

Next meeting: March 26, 2019

If you have a disability and need accommodation in order to attend this meeting, please notify City Hall 48 hours in advance between the hours of 8:00 a.m. and 4:30 p.m. at 651-792-7600. We will be happy to help.

**City of Falcon Heights
City Hall
2077 Larpenteur Avenue West**

**Minutes
Planning Commission Meeting
Tuesday, January 22, 2019
7:00 PM**

A. CALL TO ORDER: The meeting was called to order by John Larkin at 7:00 PM.

B. ROLL CALL:

Present: Larkin, Williams, Stemper, Kotelnicki, Wilson

Absent: Samatar and Council Liaison Harris

Staff Liaisons: Markon

Larkin thanked former members Murphy and Sunderland for their time and service to the Planning Commission. Both Commissioners stepped down in late 2018.

C. APPROVAL OF MINUTES: July 24, 2018, October 3, 2018
The minutes were approved as presented by unanimous consent.

D. AGENDA

1. Introduction of New Members

Scott Wilson introduced himself and gave a brief background. Joel Gerich, to be appointed as a Commissioner by the City Council at their January 23, 2019 meeting, also spoke about his background. Markon also shared that Councilmember Pamela Harris will be the liaison to the Commission in 2019.

2. Election of Officers

The following officers were nominated for 2019:

Chair – John Larkin

Vice Chair – Colin Stemper

Secretary – Tom Williams

The election of officers was approved by unanimous consent.

3. Approval of Standing Rules

Markon gave a brief introduction of the standing rules, which are approved each year. Commissioners debated the need for formality versus less formal decision making. Commissioners concluded that formal motions would remain in place for matters during a public hearing, but other business could be conducted with unanimous consent. Larkin suggested a change to the standing rules regarding the end time of Commission meetings. As currently read, Commission meetings will extend beyond 10:00 PM only by unanimous vote, and Public Hearings cannot extend beyond 9:30 PM. Larkin suggested these times be changed to 9:00 PM for adjournment and 8:30 PM for the end of Public Hearings.

The Standing Rules were approved with changes to the meeting end time provisions by unanimous consent.

4. 2019 Planning and Zoning Schedule

Markon briefly described the 2019 Planning and Zoning Schedule. This document is a means to show dates for Planning Commission meetings as well as deadlines for Planning Applications and posting Public Hearing notices. The Schedule will be posted on the City's website for the public and applicant's view. Copies will also be available in City Hall.

E. INFORMATION AND ANNOUNCEMENTS

1. 2019 Meeting Dates

The 2019 meeting dates are available on the meeting agenda. No meeting is scheduled for December 2019.

Larkin asked Markon to summarize the progress with the 2040 Comprehensive Plan. Markon shared that the City Council approved the Plan at their January 9, 2019 meeting. WSB submitted the Plan to the Metropolitan Council for their review and approval. The City Council will make a final approval in the spring.

Kotelnicki asked for a summary of the approval for the adult day center to be located at 1550 Larpenteur Ave W. Markon shared that the City Council approved the code amendment and conditional use permit for this project at their January 9, 2019 meeting. The center is now completing their license with the State and will soon apply for building permits to renovate the interior of the space.

F. ADJOURN

Adjourned at 7:32 PM.



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	February 26, 2019
Agenda Item	D1
Attachment	Code changes, Public Hearing Notice
Submitted By	Justin Markon, Community Development Coordinator

Item	Public Hearing to Consider Changes to City Code Related to Fences
Description	<p>Currently, the City Code related to zoning of fences is sparse in its specifics. Staff believe it is appropriate to recommend changes to the Code.</p> <p>A brief summary of the suggested changes includes:</p> <ul style="list-style-type: none"> • Naming a zoning permit as the proper permit required for fences. Currently, the Code states that a building permit must be pulled. The City Attorney brought to Staff attention that Minnesota Statutes exempt fences under seven feet in height from requiring a building permit. To enforce the zoning code, a zoning permit would be established. Staff recommend requiring a building permit for fences over seven feet (only approved by variance) to make sure footings are appropriate. The zoning permit would also regulate signs. • Adding language related to the type of materials allowed for fences. • Clarifies setback from right of way as well as 30-foot visibility triangle for corner lots. • Allows up to six inches of additional height for fence posts. <p>Staff would also like to consider a visibility area for lots abutting the corner of a street and alley. Occasionally, drivers cannot see around tall fences that are up to the property line when they are attempting to make a turn onto the street from an alley. Staff receive a few complaints about this each year. Staff request a discussion if there should be an established visibility triangle for these properties.</p> <p>Any approved changes to the Code would affect new projects moving forward. Fences already built would not have to be changed, but any alterations would have to comply with the new Code. The City Council will take final action on the suggested changes at its next regular meeting.</p>
Budget Impact	No impact

Attachment(s)	<ul style="list-style-type: none">• Summary of current and proposed changes to City Code• Visual picture of proposed zoning• Copy of Public Hearing Notice
Action(s) Requested	Staff recommends approving changes to the City Code related to fences.

Sec. 113-242. - Fences.

Fences may be allowed in any zone and are subject to the following:

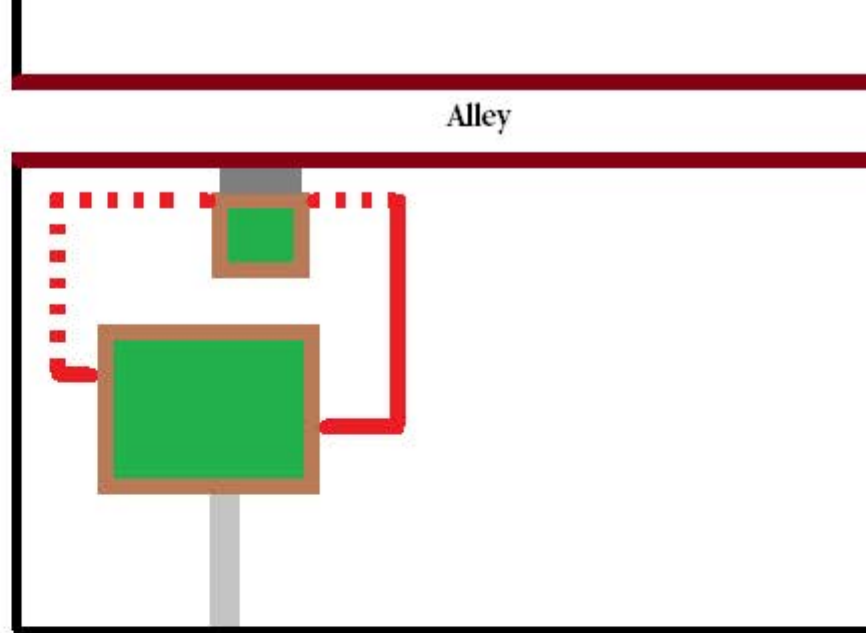
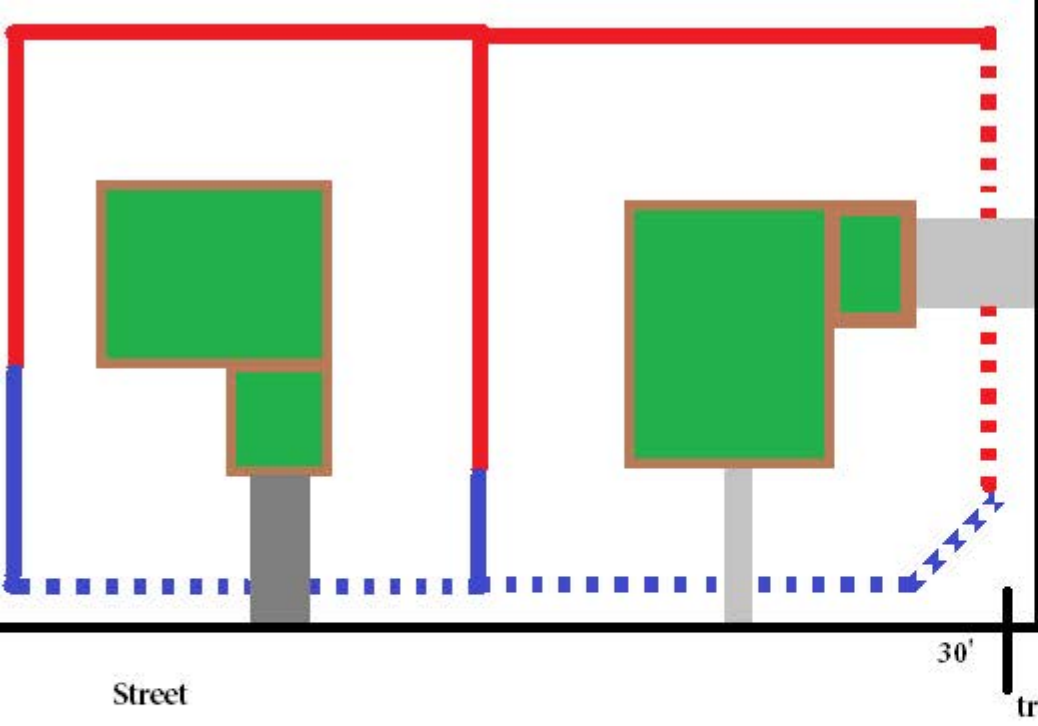
- (1) All fences shall be kept in good repair, painted, trimmed and well maintained. In the event a front yard fence is adjacent to and parallel with the front lot line (or side lot line on the street side of a corner lot), such fence shall be set back at least one foot from the street right-of-way or property line.
- (2) Solid walls in excess of six feet above adjacent ground grades shall be prohibited.
- (3) That side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property.
- (4) All fences shall require a building permit in addition to any other required permits.
- (5) No fences shall be permitted on public rights-of-way.
- (6) Fences may be permitted along property lines subject to the following:
 - a. Fences may be placed along property lines provided no physical damage of any kind results to abutting property.
 - b. Fences in commercial and industrial districts may be erected on the lot line to a height of six feet plus two feet for a security (barbed wire or other) arm.
 - c. Where the property line is not clearly defined, a certificate of survey may be required by the zoning administrator to establish the property line.
 - d. Fences located within the side and rear yard nonbuildable setback areas beginning at the front building line and fences located within the buildable area of a lot shall not exceed six feet in height from finished grade.
 - e. In residential districts, no fence along or within the front nonbuildable setback area shall be in excess of 36 inches in height.

(Code 1993, § 9-2.06)




Sec. 113-242. - Fences.

Fences may be allowed in any zone and are subject to the following:

- (1) All fences shall require a zoning permit in addition to any other required permits.
- (2) Fences seven feet in height or taller shall require a building permit.
- (3) Fences in residential districts shall be comprised of chain-link, wood, plastic, or metal, but shall not be electric, barbed, weaved, or welded wire, except as allowed as a security arm.
- ~~(1)~~(4) All fences shall be kept in good repair, painted, trimmed and well maintained. ~~In the event a front yard fence is adjacent to and parallel with the front lot line (or side lot line on the street side of a corner lot), such fence shall be set back at least one foot from the street right-of-way or property line.~~
- ~~(2)~~ Solid walls in excess of six feet above adjacent ground grades shall be prohibited.
- ~~(3)~~(5) That side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property.
- ~~(4)~~ All fences shall require a building permit in addition to any other required permits.
- ~~(5)~~ No fences shall be permitted on public rights-of-way.
- (6) In the event a fence is adjacent to and parallel with the front lot line, side lot line on the street side of a corner lot, or rear lot line adjacent to and parallel with an alley, such fence shall be set back at least one foot from the street and alley right-of-way or property line.
- (7) Fences are not allowed in a thirty-foot visibility triangle on street corners. This area is measured beginning at the intersection of the projected property lines of two intersecting streets, thence thirty (30) feet along one property line, thence diagonally to a point thirty (30) feet from the point of beginning.
- ~~(7)~~(8) Fences may be permitted along property lines subject to the following:
 - a. Fences may be placed along property lines provided no physical damage of any kind results to abutting property.
 - b. Fences in commercial and industrial districts may be erected on the lot line to a height of six feet above grade plus two feet for a security ~~(barbed wire or other)~~ arm. The security arm may be barbed, weaved, or welded wire.
 - c. Where the property line is not clearly defined, a certificate of survey may be required by the zoning administrator to establish the property line.
 - d. Fences located within the side and rear yard nonbuildable setback areas beginning at the front building line and fences located within the buildable area of a lot shall not exceed six feet in height from finished grade. Fence posts may extend an additional six inches.
 - e. In residential districts, ~~no fences~~ along or within the front nonbuildable setback area shall ~~be in excess of~~ not exceed 36 inches in height from finished grade. Fence posts may extend an additional six inches.



30'
30'
traffic visibility triangle

-  Max height 6 feet, 0 feet setback
-  Max height 6 feet, 1 foot setback
-  Max height 3 feet, 0 feet setback
-  Max height 3 feet, 1 foot setback

CITY OF FALCON HEIGHTS, MINNESOTA

PUBLIC HEARING NOTICE

Notice is hereby given that the Falcon Heights Planning Commission, at its regular meeting on February 26, 2019 at 7:00 p.m. in the City Hall Council Chambers, 2077 Larpenteur Avenue West, will hold a public hearing to consider a text amendment to the City's Zoning Ordinance. The amendment, if approved, would change the City Code related to the zoning of fences. The proposed amendment will be available at City Hall and online at the City of Falcon Heights' website.

Signed:



City Administrator

Date: 2-06-19