

**MINUTES
CITY OF COLUMBIA HEIGHTS
PLANNING COMMISSION MEETING
Wednesday, August 07, 2024**

The meeting was called to order at 6:00 pm by Chair Wolfe.

CALL TO ORDER/ROLL CALL

Commissioners present: Eric Sahnou, Tom Kaiser, Paul Moses, Laurel Deneen, Clara Wolfe, and John Gianoulis

Also present: Andrew Boucher, City Planner; Sarah LaVoie, Administrative Assistant; Mitch Forney, Community Development Director; Connie Buesgens, Council Liaison.

APPROVAL OF MINUTES

1. Approval of May 07, 2024 Planning Commission Meeting Minutes

Motion by Sahnou, seconded by Gianoulis, to approve the minutes from the meeting of May 07, 2024. All ayes. MOTION PASSED.

PUBLIC HEARINGS

2. Zoning Ordinance Amendments to amend Chapter 9 – Land Use:

9.103 Definitions	9.107 Specific Development Standards
9.104 Administration and Enforcement	9.109 Residential Districts
9.105 Nonconformities	9.110 Commercial Districts
9.106 General Development Standards	9.111 Industrial Districts

Introduction: Boucher stated at the July Work Session, staff briefed City Council on discussed potential amendments and updates to City Zoning Code – Chapter 9 Land Use based on observations, feedback, and recommendations from staff and community members to provide more flexibility in the Zoning Code that reflect the needs of the community while encouraging consistency as future development occurs.

Boucher added Some of these updates include 9.103 Definitions for uses that are presently allowed in residential, commercial, and industrial districts and have specific development standards but are not currently defined in code such as: arcade, billiards hall, consignment/secondhand store, firearms dealer, professional service, professional studio, etc. These definitions will also more accurately reflect housing and family trends as currently there are no definitions for single-family dwelling, two-family dwellings, and rental unit. Other changes will include an amendment to the existing definition of “Family” to remove unrelated occupancy maximums, new definitions for “Dwelling Unit, Accessory” and “Family, Shared Living Arrangement” to reflect current housing trends and a growing need to reduce housing expenses while encouraging social contact, mutual support, and assistance amongst diverse communities.

Boucher mentioned 9.104 Administration and Enforcement includes language to allow minor subdivisions (lot line adjustments) to be approved through administrative review if the proposal

does not require additional right-of-way or alters utility easements. Language in 9.105 Nonconformities is proposed to be amended to be consistent with MN Statute 934.36 Nonconformities Subd. 4. Nonconformities; certain classes of property.

Boucher noted 9.106 General Development Standards includes language to clarify the square footage requirement for building permits for accessory structures from 120 sq. ft. to 200 sq. ft. as well as introducing standards for accessory dwelling units. Other sections of 9.106 General Development Standards being updated include establishing a process for reviewing artificial turf through the existing code for Land Alteration to demonstrate that the proposed turf is permeable, the types of materials used, and whether there is a potential for illicit discharge, and Tree Preservation and Planting Standards will address turf as an impervious surface unless a land disturbance permit is issued and approved. Off-street parking and loading clarifies the parking requirements for residential care facilities (6 or fewer) and (7 or more) to reflect the single-family parking requirements for facilities serving (6 or fewer). A maximum paving of 50% of the front yard setback for residential properties is being introduced. Building Design and Sign Regulations are being updated to allow for painted public art and murals.

Boucher stated 9.107 Specific Development Standards includes removing any seasonal sales stands that explicitly have development standards and including these uses under "Seasonal Sales Stands"; updating the outdoor play area requirements for "Day Care, Home" to reflect the language for Adult and Child Day Care Centers; and amending the Residential Care Facility standards to exempt facilities serving six or fewer residents from the distance radius and zoning regulations except as otherwise required by law.

Boucher mentioned 9.109 Residential Districts includes streamlining the list of permitted accessory uses in all residential districts as well as allowing accessory dwelling units as a permitted accessory use for single-family properties and for shared family living arrangements. One significant change is to establish an impervious surface coverage maximum for residential lots instead of building coverage maximum; these percentages are the same as was required for building coverage; 35% impervious surface coverage for lots less than 6,500 sq. ft. and 30% for lots greater than 6,500 sq. ft. Another significant change is to utilize the language used to address minimum lot areas for duplexes in the R-2B district and use that same language to address the minimum lot area and lot width for single-family residences in the R-2A, R-2B, R-3, and R-4 districts to remove the legal nonconforming status for properties below that minimum lot area of 6,500 sq. ft. as this significantly restricts these properties. For the R-2A and R-2B, One/Two Family Residential and Built-As-Duplex districts, twin homes and duplexes are proposed to be permitted uses by law.

Boucher stated 9.110 Commercial Districts and 9.111 Industrial Districts will include adjustments to uses that were previously conditional uses, but did not have specific development standards or standards that are being addressed through performance standards as well as allowing Seasonal Sales Stands as permitted accessory uses.

Boucher explained Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

a) The amendment is consistent with the comprehensive plan.

The City's 2040 Comprehensive Plan identifies strengthening the identity and image of the community as a desirable place to live, work, and play as well as preserving and enhancing the existing viable commercial and industrial areas within the community. The zoning code amendments proposed will

b) The amendment is in the public interest and is not solely for the benefit of a single property owner.

The zoning text amendments remove certain barriers that commercial business operators and homeowners have experienced and enables more flexibility in the zoning code by ensuring consistency across zoning districts.

c) Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.

The amendment is not to change the zoning classification of a particular property.

d) Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.

The amendment is not to change the zoning classification of a particular property.

Recommendation: Boucher noted that Staff recommends that the Planning Commission recommend to the City Council; Approval of Draft Zoning Ordinance Amendment No. 1700 amending City Code 9.103 Definitions, 9.104 Administration and Enforcement, 9.105 Nonconformities, 9.106 General Development Standards, 9.107 Specific Development Standards, 9.109 Residential Districts, 9.110 Commercial Districts, and 9.111 Industrial Districts as presented.

Questions/Comments from Members:

Wolfe clarified that there were two different dates regarding the residential side. A few of them looked like they had just copied the established prior to rather than established after. She wanted to clarify that there were two different square footages with one being prior to January 1, 2005, and the second one is established after January 1. Boucher agreed and explained it would be grandfathering them in.

Sahnaw asked how it was determined who was going to receive the public hearing notice. Boucher replied that Staff did the same for the tree preservation since there was not a specific site that it could be applied to. He added that Staff tried to get the public hearing notice out three weeks before the hearing. He noted he tried to provide a full readout of the zoning text with the

amendments proposed and then breakdowns of the specific changes that are being made.

Moses noted that there was something that mentioned three people per dwelling unit and asked if that would be removed. Boucher replied that it would be removed along with no accessory buildings so that it can allow for detached accessory dwelling units. He added that Staff are proposing to amend the definition of family to reflect that there can be more than three unrelated people living in a house together.

Deneen asked if there were any standards for safety regarding firearm dealers. Boucher replied that they are licensed federally so the City does not require any City licensing. The specific development standards that address firearms dealers are in relation to shooting ranges. Deneen asked if the standards ATF enforces include extra security when it is closed. Boucher agreed that there are federal standards.

Sahnaw asked if there were restrictions for firearms dealers on distance away from certain uses and types that those facilities are allowed to occupy. Boucher is not for the sales side but there are restrictions for specific development standards requiring a minimum distance for the shooting range.

Sahnaw asked if the Planning Commission would be able to add conditions to the proposed Ordinance amendment. Boucher replied that they could but he would like the City Attorney to reach through it to make sure it is legal. Deneen agreed and noted she would like to look at that.

Deneen asked if there were any restrictions on how many shooting ranges can be within the City. Boucher replied that there are not and the City looks at them like retail sales.

Public Hearing Opened.

John Nelson, City resident expressed his gratitude that the City was addressing ADUs. He spoke in favor of it and explained that his parents are farmers who are working on moving to Columbia Heights and being any to have a detached dwelling will allow the possibility of multi-generational families who desire to be together while also having some space.

Adden Vang, City resident, stated he was in favor of the changes the City is proposing, particularly to the occupancy limits from three unrelated members to no limit. He explained that his heritage is Hmong and his culture lives communally in communities. He added that it also extends to friends. He mentioned that he would like to see changes where unrelated people can also live in the same dwelling in order to keep people of various cultures that come from communal societies in the City.

Maddie Kim, City resident, agreed with the previous comments and thanked the commissioners for discussing the issues. She explained that the maximum occupancy limits were important to her. She noted that she is a single young individual who is working and living in the City and wants to find ways to live well with friends and community members. She added that the marriage age is rising and people are looking for ways to live sustainably both financially and for the planet. Studies are showing that being in contact with others and living together is important for mental health. She

added that she lives with roommates, and they are all interested in having policies and laws that support society as it is today and as it is continuing to evolve.

Boucher clarified that the current firearms-specific development standards include a radius distance requirement of it being located 300 feet away from any residential zone, property, or residential use, and 500 feet away from protected uses such as licensed daycare facilities, public or private educational facilities, schools, parks, and places of worship. Sahnaw asked if it was a local or federal standard. Boucher replied that it was a local standard.

Wilton Howard, City business owner, shared about Grandma Mae who would like to have her children live with her as she has been aging but cannot because they want to make an unattached dwelling unit in the back but have not been able to. He added that he hopes that the City can change this so grandma Mae and other people like her to be able to live in community. He explained that it is a little bit racist to have nuclear family policies instead of allowing people to live within their cultural values.

Deneen noted that many of the individuals who spoke did a lot of research on ADUs and suggested bringing the information to the Council work session. She thanked the commissioners for doing the work.

Public Hearing Closed.

Motion by Moses, seconded by Sahnaw, to waive the reading of draft Ordinance amendment No. 1700, there being ample copies available to the public. All ayes. MOTION PASSED.

Motion by Deneen, seconded by Moses, to recommend that the Planning Commission give a positive recommendation on draft Ordinance Amendment No. 1700 to City Council to approve draft Zoning Ordinance Amendment No. 1700 as presented. All ayes. MOTION PASSED.

OTHER BUSINESS

Boucher mentioned that the Met Council is taking the Comprehensive Plan amendment for Medtronic through the development review committee. There will be a Planning Commission next month with a site plan review and a conditional use permit. He added that in the future Staff would like to do some workshop items with the commissioners such as design guidelines, updating the sign code, and starting the SolSmart process. Forney added that the City Code is a mess and would like to utilize the Planning Commission to clean it up.

ADJOURNMENT

Wolfe adjourned the meeting at 6:50 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah LaVoie". The signature is written in a cursive, flowing style.

Sarah LaVoie, Recording Secretary