

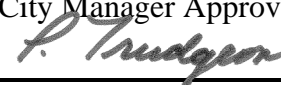
**ROSEVILLE**  
**REQUEST FOR CITY COUNCIL ACTION**

DATE: **7/08/2013**  
ITEM NO: 9.a

Department Approval:



City Manager Approval:

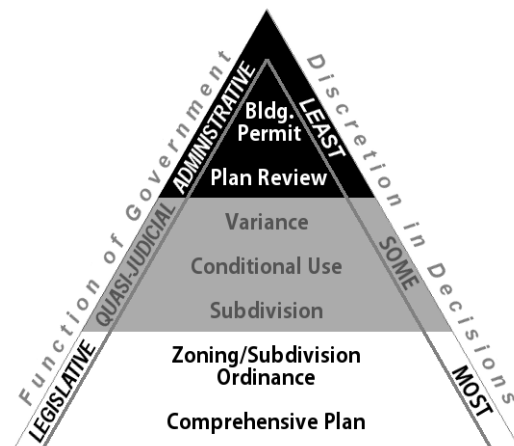


**Item Description:** Adopt an Ordinance that Rezones Two Areas in Roseville from Regional Business to the Newly Created Regional Business-2 District (RB-2) and Allows Limited Production/Processing as a Permitted Use in the RB-2 district: the Ordinance also Modifies and Creates Definitions for Limited Production/Processing as Principal and Accessory Use

**Application Review Details**

- RPCA prepared: May 30, 2013
- Public hearing: June 5, 2013
- City Council action: July 8, 2013
- Statutory action deadline: not applicable

Action taken on a zoning ordinance (text) request is **legislative** in nature; the City’s role is to determine, through testimony and information provided by staff, whether such a change is appropriate.



- 1    **1.0    REQUESTED ACTION**
- 2        The Roseville Planning Division seeks the creation of an additional Regional
- 3        Business District (RB-2); modifications to the definition of Limited
- 4        production/processing in Section 1010.10; and amending Table1005-1 to identify
- 5        Limited production/processing as a permitted use in RB-2 District.
- 6    **2.0    SUMMARY OF RECOMMENDATION**
- 7        Planning Division staff concurs with the recommendation of the Planning
- 8        Commission to approve the proposed ZONING MAP AND TEXT CHANGES; see
- 9        Section 7 of this report for the detailed recommendation.
- 10   **3.0   SUMMARY OF SUGGESTED ACTION**
- 11        Adopt an Ordinance creating the new Regional Business-2 District (RB-2),
- 12        modifying the definition of Limited production/processing, and identifying
- 13        Limited production/processing as a permitted use in the RB-2 District; see
- 14        Section 8 of this report for detailed action.
- 15

16 **4.0 BACKGROUND**

17 As an outcome of many months of review and discussion, the City Council  
18 directed the Planning Division to create an additional Regional Business District  
19 in order to accommodate production and processing of materials and products on  
20 a limited basis.

21 The proposal brought forward created the Regional Business-2 District (RB-2) in  
22 two specific locations: the first is west of Rosedale, along County Road B2 and  
23 Prior, and the second is adjacent to Long Lake Road, south of County Road C2  
24 (see attachment A).

25 As Council Members may be aware, the request by the Planning Division seeks to  
26 clarify when production of goods as a principal use on a limited basis is  
27 permissible within the Regional Business District, which provides some certainty  
28 for pre-existing non-conformities. Roseville is full of nondescript businesses that  
29 have production and processing as a component of their “use,” which has added  
30 to the challenge of providing clarity.

31 As the City Planner delved deeper into his research and potential solutions,  
32 similarities kept popping up. Take, for instance, Edible Arrangements, where  
33 there is processing and production of edible fruit arrangements that are packaged  
34 and mailed, delivered, or picked-up at their Lexington/Larpenteur store. Or  
35 Byerly’s, with the catering business that produces cakes and other food items and  
36 then delivers the mass-produced goods via a small fleet of vehicles. Or an un-  
37 named tailor shop that offers shirts, jackets, and/or sweatshirts mass-produced  
38 and/or processed on-site for pick-up or delivery. These three businesses and their  
39 production/processing uses are not much different (on the surface) than Fastenal  
40 or Sarah Lee or Fantasy Flight or UV Color, except where the production and/or  
41 processing component can be determined to be principal or primary versus  
42 accessory or ancillary; making such determinations is not always an easy task.

43 Therefore, clearly understanding these differences and developing definitions to  
44 effectively separate the ancillary/accessory from the primary/principal is  
45 necessary to properly address that which the City Council seeks and to limit or  
46 minimize further expansion of the primary/principal use into unintended areas of  
47 Roseville.

48 **5.0 PROPOSAL**

49 Based on discussions with the City Council it was determined that the former  
50 light industrial area/parcels west of Fairview Avenue along portions of County  
51 Road B2 and Prior Avenue would be appropriate for the new RB-2 District. The  
52 Planning Division also identified the area south of County Road C2 and west of  
53 Long Lake Road as another area that could support limited production and  
54 processing as a primary/principal use (see attached mapped areas).

55 Further, working with the City Attorney, the City Planner has developed the  
56 following definitions for consideration, which will amend Section 1001.10  
57 Definitions of the Zoning Ordinance:

58 **Limited production/processing - accessory use:** Light manufacturing,  
 59 fabrication, assembly, processing, packaging, research, development, or similar  
 60 ancillary or accessory uses which are *predominately* conducted indoors and which  
 61 would not be disruptive of or incompatible with other office, retail, or service  
 62 uses that may be in the same building or complex. Limited production/processing  
 63 as an accessory/ancillary use generally does not include industrial processing  
 64 from raw materials.

65 **Limited production/processing - principal use: Light manufacturing,**  
 66 **fabrication, assembly, processing, packaging, research, development, or**  
 67 **similar principal or primary uses which are predominately conducted**  
 68 **indoors and which would not be disruptive of or incompatible with other**  
 69 **office, retail, or service uses that may be in the same building or complex.**  
 70 **Limited production/processing as a principal/primary use generally does not**  
 71 **include industrial processing from raw materials.**

72 Lastly, Table 1005-1 of the Roseville Zoning Ordinance must be amended to  
 73 include the new RB-2 District and account for limited production and processing  
 74 as a principal and accessory use.

Table 1005-1	NB	CB	RB-1	<u>RB-2</u>	CMU	Standards
<b>Commercial Uses</b>						
Learning studio (martial arts, visual/preforming arts)	C	P	P	P	P	
<b><u>Limited production and processing - principal</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>P</u></b>	<b><u>NP</u></b>	
Liquor store	C	P	p	P	P	

75

Table 1005-1	NB	CB	RB-1	<u>RB-2</u>	CMU	Standards
<b>Accessory Uses, Buildings, and Structures</b>						
Home occupation	P	NP	NP	NP	P	
<b><u>Limited production and processing – accessory</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	
Renewable energy system	P	P	P	P	P	

76

77 **6.0 PUBLIC COMMENT**

78 Prior to the public open house held on June 12, 2013, the City Planner received  
79 two emails and three telephone calls from notified property owners seeking  
80 information/clarification on the proposal. None indicated concerns with the map  
81 change. At the open house one property owner did attend seeking clarification  
82 regarding the request and indicated no concerns with the proposed map changes  
83 or addition of the limited production/processing use.

84 **7.0 RECOMMENDATION.**

85 Based on the comments and findings outlined in Sections 4 and 5 of this report,  
86 the Planning Division recommends approval of the ZONING MAP AND TEXT  
87 CHANGE.

88 The duly-noticed public hearing for this application was held by the Planning  
89 Commission on June 5, 2013; draft minutes attached. No citizens addressed the  
90 Planning Commission and Commissioners had no significant questions or  
91 concerns regarding the proposed text amendment. The Planning Commission  
92 voted (6-0) to approve the request as presented by the City Planner.

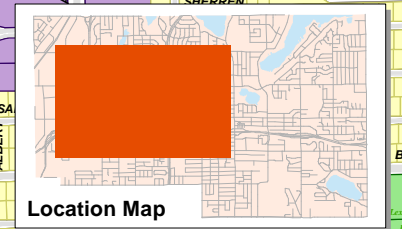
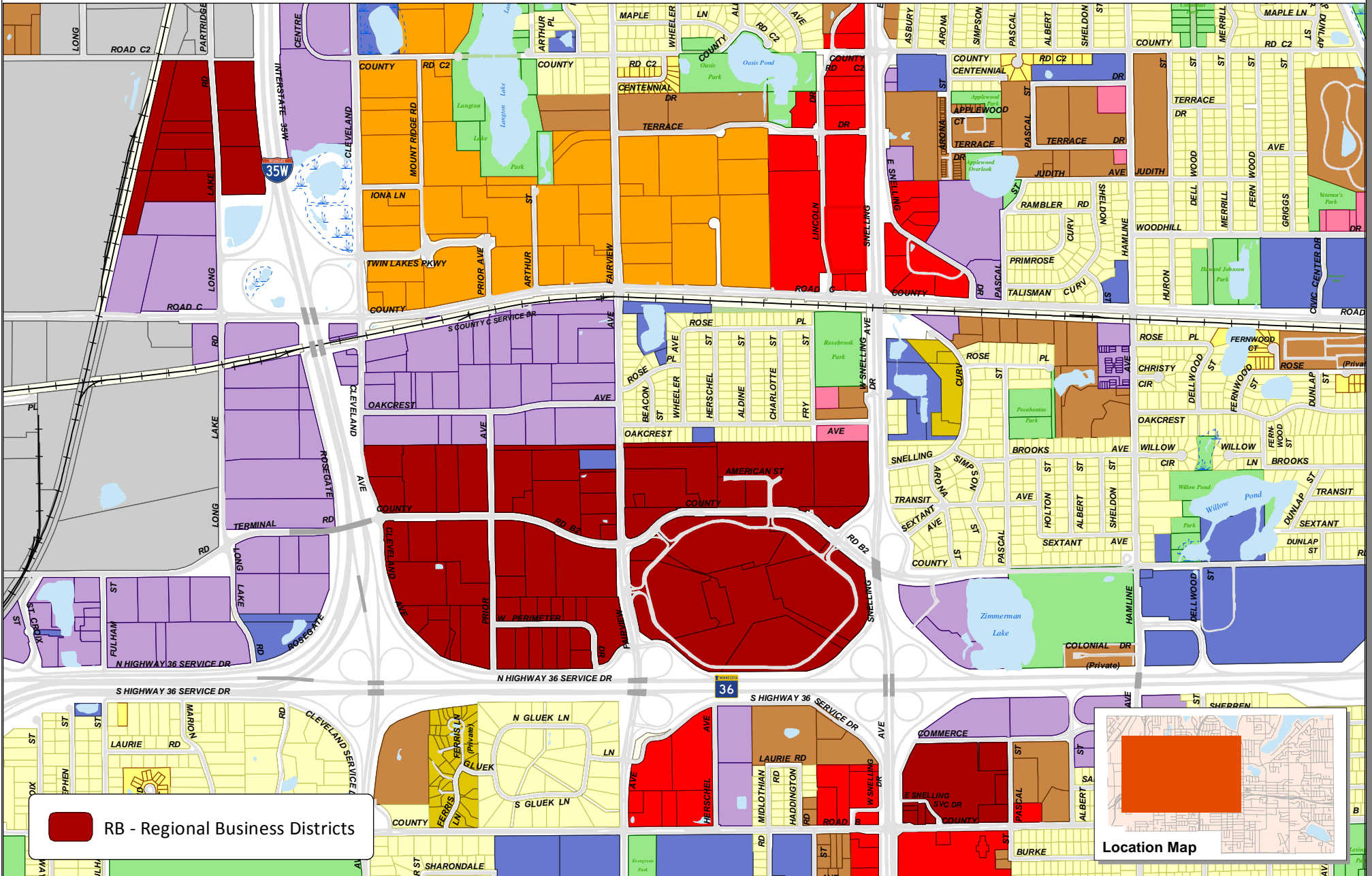
93 **8.0 SUGGESTED ACTION**


94 **Adopt an ordinance** creating the Regional Business-2 District (RB-2); amending  
95 Section 1001.10, Definitions of the Zoning Ordinance to modify the definition of  
96 Limited production/processing to be both a principal and accessory use; and  
97 amending Table 1005-1 to reflect how the uses will be permitted in the Regional  
98 Business and Regional Business-2 Districts based on the comments and findings  
99 of Sections 4 and 5 and the recommendation of Section 7 of this staff report.

100 **Prepared by: City Planner, Thomas Paschke (651-792-7074) [thomas.paschke@ci.roseville.mn.us](mailto:thomas.paschke@ci.roseville.mn.us)**

Attachments    A.    Zoning District Map  
                  B.    Draft Ordinance  
                  C.    Summary Ordinance  
                  D.    Draft PC Minutes

# PROJ 0017: Zoning Text Amendment



 RB - Regional Business Districts



**Site Location**  
LR / LDR-1 Comp Plan / Zoning Designations

**Data Sources**  
\* Ramsey County GIS Base Map (10/1/2012)  
For further information regarding the contents of this map contact:  
City of Roseville, Community Development Department,  
2660 Civic Center Drive, Roseville MN

**Disclaimer**  
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

City of Roseville

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SELECTED TEXT OF TITLE 10 ZONING ORDINANCE OF THE ROSEVILLE CITY CODE

THE CITY OF ROSEVILLE ORDAINS:

**SECTION 1. Purpose:** The Roseville City Code is hereby amended as to create a new Regional Business District, revise/create definitions for Limited production/processing, and to amend Table 1005-1 allowing Limited production/processing, principal use, as a permitted use within the Regional Business-2 District and as an accessory use in all other Commercial and Mixed-Use Districts.

**SECTION 2. Section 1001.10, Definitions of the Zoning Ordinance is hereby amended as follows:**

**Limited production/processing - accessory use:** Light manufacturing, fabrication, assembly, processing, packaging, research, development, or similar ancillary or accessory uses which are predominately conducted indoors and which would not be disruptive of or incompatible with other office, retail, or service uses that may be in the same building or complex. Limited production/processing as an accessory/ancillary use generally does not include industrial processing from raw materials.

**Limited production/processing - principal use: Light manufacturing, fabrication, assembly, processing, packaging, research, development, or similar principal or primary uses which are predominately conducted indoors and which would not be disruptive of or incompatible with other office, retail, or service uses that may be in the same building or complex. Limited production/processing as a principal/primary use generally does not include industrial processing from raw materials.**

**SECTION 3. Table 1005-1 regarding Commercial Uses is hereby amended as follows:**

24

Table 1005-1	NB	CB	RB-1	<u>RB-2</u>	CMU	Standards
<b>Commercial Uses</b>						26
Learning studio (martial arts, visual/preforming arts)	C	P	P	P	P	27 28
<b><u>Limited production and processing - principal</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>P</u></b>	<b><u>NP</u></b>	29
Liquor store	C	P	p	P	P	30

31  
32  
33

34 SECTION 4. Table 1005-1 regarding Accessory use, Buildings, and Structures is hereby  
 35 amended as follows:

Table 1005-1	NB	CB	RB-1	<b>RB-2</b>	CMU	Standards
<b>Accessory Uses, Buildings, and Structures</b>						
Home occupation	P	NP	NP	NP	P	
<b><u>Limited production and processing – accessory</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	
Renewable energy system	P	P	P	P	P	

36  
 37 **SECTION 5. Effective Date.** This ordinance amendment to the Roseville City Code shall take  
 38 effect upon passage and publication.

39  
 40 Passed this 8<sup>th</sup> day of July, 2013.  
 41

**City of Roseville**

**ORDINANCE SUMMARY NO. \_\_\_\_**

**AN ORDINANCE AMENDING TABLE 1005-1 OF TITLE 10, ZONING ORDINANCE  
OF THE ROSEVILLE CITY CODE**

The following is the official summary of Ordinance No. \_\_\_\_ approved by the City Council of Roseville on 8<sup>th</sup> day of July, 2013:

The Roseville City Code, Title 10, Zoning Ordinance, has been amended to create a new zoning district, Regional Business-2 District (RB-2); amend the definition of Limited production/processing in Section 1001.10, Definitions of the Zoning Ordinance, to account for the accessory and principal uses; and to amend Table 1005-1 and 1006-1 allowing Limited production/processing as an accessory use in all Commercial and Mixed-use Districts and allow Limited production/processing as a permitted use in the RB-2 District.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the Internet web page of the City of Roseville ([www.ci.roseville.mn.us](http://www.ci.roseville.mn.us)).

Attest: \_\_\_\_\_  
Patrick Trudgeon, Interim City Manager



**EXTRACT OF THE JUNE 5, 2013 ROSEVILLE PLANNING COMMISSION MINUTES**

- a. **PROJECT FILE 13-0017**  
**Request by Roseville Planning Division for consideration of a ZONING TEXT CHANGE AND ZONING MAP CHANGE creating a regional Business-2 District (RB-2), specific to Limited Production/Processing; to amend the permitted uses chart of 1005-1 to include Limited Production/Processing as a permitted and accessory use within the RB-1 and RB-2 Districts; and to modify the definition of Limited Production/Processing for an accessory and principal use**

Chair Gisselquist opened the Public Hearing for Project File 13-0017 at approximately 7:17 p.m.

City Planner Paschke reviewed this requested ZONING TEXT AMENDMENT as detailed in the staff report dated June 5, 2013. Mr. Paschke noted that this item had come before the Planning Commission at a previous public hearing in October of 2012; with subsequent City Council recommendations on March 25, 2013 for further review of a possible map amendment to support inclusion of Limited Production and Processing in the Regional District instead of the proposed text amendment originally sought. Mr. Paschke displayed a map of existing uses in place, and concerns raised by business and property owners, and those areas deemed appropriate; and clarified that the request would require a Comprehensive Plan Amendment.

Member Daire arrived at this time; approximately 7:23 p.m.

Various examples were discussed (e.g. Edible Arrangements; CPI; Fastenal; take-out pizza shops; banks) and definitions or distinctions for commercial versus manufacturing uses and processing and/or production uses, as well as retail versus manufacturing as the primary business or use.

Mr. Paschke clarified the intent for quiet, clean types of manufacturing uses defined as Limited Production under the principle use

Member Cunningham opined that she would be an advocate for allowing this type of business in all Zoning Districts; and would simply clarify pre-existing uses in the community.

Chair Gisselquist opined that another distinction could be made between those uses with more employee versus customer traffic, such as would be found in with a retail component.

Chair Gisselquist closed the Public Hearing at approximately 7:28 p.m.; with no one appearing for or against.

**MOTION**

**Cunningham/Olsen**

**Member Cunningham moved, seconded by Member Olsen to recommend to the City Council APPROVAL of the proposed ZONING TEXT CHANGE to Section 1001.10, Definitions of the Zoning Ordinance, the ZONING TEXT CHANGE to Table 1005-1, and the creation of the RB-2 Zoning District to allow the permitted and conditional use of Limited Production and Processing; based on the comments and findings of Sections 4 and 5 and the recommendation of Section 7 of the staff report dated June 5, 2013.**

**Ayes: 6**

**Nays: 0**  
**Motion carried.**