

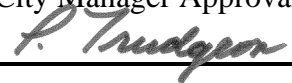
ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 7/8/2013
ITEM NO: 9.e

Department Approval



City Manager Approval

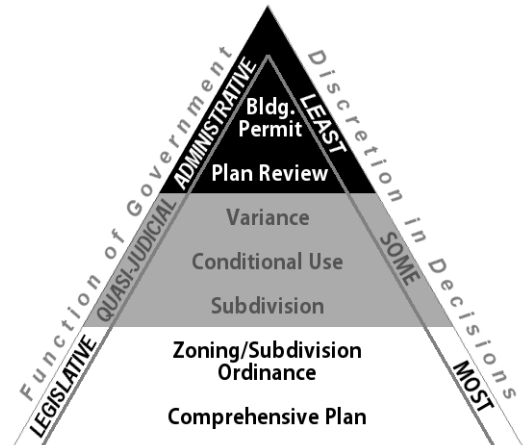


Item Description: Request by the Planning Division for Consideration of Zoning Text Changes to Multiple Sections to Revise how Outdoor Storage is Defined and Regulated and Where Outdoor Storage is Allowed

Application Review Details

- Public hearing: June 5, 2013
- RCA prepared: July 1, 2013
- City Council action: July 8, 2013
- Statutory action deadline: n/a

Action taken on a zoning text change request is **legislative in nature**; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community.



1.0 REQUESTED ACTION

Planning Division staff is requesting approval of ZONING TEXT CHANGES to improve outdoor storage regulations by amending the definition and revising how and where outdoor storage is allowed.

2.0 SUMMARY OF RECOMMENDATION

Planning Division staff with the recommendation of the Planning Commission to approve the proposed ZONING TEXT CHANGES; see Section 7 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

Pass an ordinance approving the proposed ZONING TEXT CHANGES; see Section 8 of this report for the detailed action.

4.0 BACKGROUND

On March 6, 2013, the Planning Commission discussed outdoor storage regulations, in general, and suggested ways for Planning Division staff to proceed in revising the existing Code requirements. Pictures of existing examples of outdoor storage and display requested during the March 6th discussion are included with this report as Attachment A. Because this request is initiated by the City rather than by an outside applicant, the State-mandated 60-day timeline does not apply in this case; this is noted merely to explain the “n/a” (i.e., not applicable) notation in the Application Review Details section above.

5.0 PROPOSED ZONING TEXT CHANGES

The proposed zoning text changes are shown in a draft ordinance, included with this report as Attachment B; proposed insertions will be represented in **bold** text, and proposed deletions will be shown in ~~striketrough~~ text. A brief discussion of the proposed changes can be found in the paragraphs below.

- 5.1 Definitions: Rather than having a single definition covering all kinds of outdoor storage, the activity has been divided into four segments: equipment and goods, fleet vehicles, inoperative/out-of-service vehicles and equipment, and materials. The new definitions are believed to be adequate as proposed, but are certainly open to suggestions for fine-tuning.
- 5.2 Zoning district tables of allowed uses: The tables showing the land uses that are permitted, conditional, or not permitted across the Commercial and Mixed-Use Districts and Employment Districts have been amended to include the new segments of outdoor storage. Here again, the proposed designation of the segments of outdoor storage as conditional, permitted, or not permitted in a given zoning district should be viewed as a start to the discussion rather than the final word. Note that the Commercial and Mixed-Use Districts table includes the RB-2 district; at the moment, this is a speculative part of the amendment, anticipating the eventual creation of such a zoning district. This public hearing can appropriately be the venue in which outdoor storage issues are identified and addressed, and this amendment can then be laid over until a proper amendment proposing the creation of the RB-2 District is acted upon, at which point the present amendment can be stripped of the RB-2 reference or approved as-is, as may be appropriate.
- 5.3 Conditional use standards and criteria: The next section of the proposed amendment establishes the additional requirements and considerations for evaluating outdoor storage where it is a conditional use, recognizing that the appearance of an outdoor storage facility may be more or less appropriate (or may warrant enhanced screening treatment) based on the existing character of the surrounding properties.
- 5.4 Additional standards for specific uses: Where segments of outdoor storage are permitted uses, this section of the zoning code establishes the additional requirements that apply. Planning Division staff has attempted to strike a balance between allowing for a predictable, transparent, and reasonable process for regulating outdoor storage and maintaining high aesthetic standards; suggestions for improving this balance are welcome.

6.0 PUBLIC COMMENT

The duly-noticed public hearing for this application was held by the Planning Commission on June 5, 2013; draft minutes of the public hearing are included with this report as Attachment C. As of the time this report was prepared, Planning Division staff

has been aware of the general need to revise outdoor storage regulations, but has not received any specific communications from the public.

7.0 RECOMMENDATION

Based on the comments and findings outlined in Sections 4 – 6 of this report, the Planning Division concurs with the recommendation of the Planning Commission to approve the ZONING TEXT CHANGE.

8.0 SUGGESTED ACTION

8.1 **Pass an ordinance approving the ZONING TEXT CHANGE**, based on the comments and findings of Sections 4 – 6 and the recommendation of Section 7 of this staff report.

8.2 **By motion, approve the draft ordinance summary for publication.**

Prepared by: Associate Planner Bryan Lloyd
651-792-7073 | bryan.lloyd@ci.roseville.mn.us

Attachments: A: Pictures of outdoor display/storage C: Draft 6/5/2013 public hearing minutes
B: Draft ordinance D: Draft ordinance summary

Outdoor display





Active fleet vehicles



Out-of-season fleet vehicles



Equipment/goods, poorly screened







Equipment/goods, well screened



City of Roseville

ORDINANCE NO. _____

AN ORDINANCE AMENDING SELECTED TEXT PERTAINING TO OUTDOOR STORAGE IN CHAPTERS 1001 (INTRODUCTION), 1005 (COMMERCIAL AND MIXED-USE DISTRICTS), 1006 (EMPLOYMENT DISTRICTS), 1009 (PROCEDURES), AND 1011 (PROPERTY PERFORMANCE STANDARDS) OF TITLE 10 "ZONING CODE" OF THE ROSEVILLE CITY CODE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Purpose: The Roseville City Code is hereby amended to improve outdoor storage regulations by amending the definition and revising how and where outdoor storage is allowed.

SECTION 2. Chapter 1001 is hereby amended as follows:

City Code §1001.10 (Definitions)

Outdoor storage, **equipment and goods**: Permanent storage of goods, materials, equipment (e.g., household lawn/garden implements, larger construction equipment, trailers, etc.); or fleet or service vehicles **finished goods on pallets, bundles, or other packaging ready for sale or distribution** outside of an enclosed building. ~~Off-street parking of customer or employee vehicles is not considered "outdoor storage."~~

Outdoor storage, fleet vehicles: Permanent storage outside of an enclosed building of motor vehicles ranging in size from passenger cars to commercial trucks, fleet vehicles are defined as being in active use by a rental agency, dispatch service, or other similar transportation service. Inoperable vehicles in need of repair or vehicles which are stored for seasonal use (e.g., snow plows in summer months) are defined and regulated as inoperable/out of service vehicles or equipment.

Outdoor storage, inoperable/out of service vehicles or equipment: Permanent storage outside of an enclosed building of vehicles or equipment which are inoperable or unused for more than 72 hours.

Outdoor storage, materials: Permanent storage outside of an enclosed building gravel, rock, mulch, sand, salt, or other loose material stored in piles or bins.

SECTION 3. Chapter 1005 is hereby amended as follows:

City Code §1005.03 (Table of Allowed Uses in the Commercial and Mixed-Use Districts)

Table 1005-1	NB	CB	RB-1	RB-2	CMU	Standards
Commercial Uses						
Outdoor display	P	P	P	P	P	Y
Outdoor storage, equipment and goods	NP	NP	C	C	NP	Y
Outdoor storage, fleet vehicles	NP	P	P	P	NP	Y
Outdoor storage, inoperable/out of service vehicles or equipment	NP	C	P	P	C	Y
Outdoor storage, materials	NP	NP	NP	NP	NP	

SECTION 4. Chapter 1006 is hereby amended as follows:

City Code §1006.03 (Table of Allowed Uses in the Employment Districts)

Table 1006-1	Office/ Business Park	Industrial	Standards
Manufacturing, Research, and Wholesale Uses			
Manufacturing and processing, no outdoor activities/storage	NP	P	Y
Manufacturing and processing, outdoor activities/storage	NP	C	Y
Outdoor display	P	P	Y
Outdoor storage, equipment and goods	C	P	Y
Outdoor storage, fleet vehicles	P	P	Y
Outdoor storage, inoperable/out of service vehicles or equipment	C	P	Y
Outdoor storage, materials	C	C	Y

SECTION 5. Chapter 1009 is hereby amended as follows:

1009.02: Conditional Uses

D. Specific Standards and Criteria: When approving the conditional uses identified below, all of the additional, specific standards and criteria shall apply.

30. Outdoor storage: All outdoor storage shall occur on paved surfaces consistent with the parking area requirements of Section 1019.11 of this Title, and shall adhere to the parking area setback requirements in the applicable zoning district except that no outdoor storage shall be allowed between a principal building and the front property line. Areas of outdoor storage shall not obstruct required drive aisles or parking stalls. Due consideration shall be given to the aesthetic impacts of the nature of outdoor storage and necessary screening on the surrounding properties.

Equipment and goods: Greater setbacks shall be considered for pressurized canisters or potentially explosive goods. Equipment and goods shall be screened by screen wall or fence at least 6 feet in height and at least 95% opaque. Equipment available for rent may be displayed without screening in an area not exceeding 10% of the screened outdoor storage area.

Inoperable/out of service vehicles or equipment: All vehicles or equipment which are inoperable or unused for more than 72 hours shall be screened by screen wall or fence at least 6 feet in height and at least 95% opaque.

Materials: All materials shall be screened by screen wall or fence at least 6 feet in height and at least 95% opaque. Special attention shall be given to the need to control erosion and prevent pollution. Small amounts of materials stored outdoors and available for sale may be displayed in an area without screening.

31. Park and Ride Facility: There are no specific standards for this use.

~~31~~**32.** Pawn Shop: There are no specific standards for this use.

~~32~~**33.** Place of Assembly: A facility established after the effective date of this ordinance within a predominantly residential or mixed-use area shall have vehicular access to a collector or higher classification street.

~~33~~**34.** Renewable Energy Systems: There are no specific standards for this use.

~~34~~**35.** Transit Center: There are no specific standards for this use.

SECTION 6. Chapter 1011 is hereby amended as follows:

1011.12: Additional Standards for Specific Uses in All Districts

E. Business and Commercial Uses:

8. Outdoor display: All outdoor display shall occur on paved surfaces consistent with the parking area requirements of Section 1019.11 of this Title, and shall adhere to the parking area setback requirements in the applicable zoning district. Display shall not obstruct required drive aisles or parking stalls.

9. Outdoor storage, fleet vehicles: All outdoor storage shall occur on paved surfaces consistent with the parking area requirements of Section 1019.11 of this Title, and shall adhere to the parking area setback requirements in the applicable zoning district. Fleet vehicles in active use need not be screened, but inoperable or otherwise out-of-service vehicles (e.g., snow plows in the summer, or “retired” vehicles) shall adhere to the requirements for outdoor storage of inoperable/out of service vehicles or equipment.

10. Outdoor storage, inoperable/out of service vehicles or equipment: All outdoor storage shall occur on paved surfaces consistent with the parking area requirements of Section 1019.11 of this Title, and shall adhere to the parking area setback requirements in the applicable zoning district except that no outdoor storage shall be allowed between a principal building and the front property line. All such vehicles or equipment which are inoperable or unused for more than 72 hours shall be screened by screen wall or fence 6-8 feet in height and at least 95% opaque, and an outdoor storage area shall not obstruct required drive aisles or parking stalls.

F. Employment Uses:

4. Manufacturing and Processing, Outdoor Activities/~~Storage~~:

a. Outdoor servicing, processing, ~~or~~ manufacturing, ~~or storage of the materials used in these operations~~ shall be no closer than 300 feet to a property occupied by a residential use.

b. All outdoor servicing, processing, or manufacturing shall be conducted, operated and maintained in accordance with any necessary permits of the Minnesota Pollution Control Agency, Ramsey County, and the City.

88 | c. The applicant shall provide a site plan showing the location of buildings, areas of outdoor storage,
89 | servicing, processing or manufacturing, and fences and walls. A narrative shall accompany the plan
90 | stating the measures the applicant will take to comply with the environmental regulations established
91 | in Section 1011.02.

92 | **7. Outdoor display: All outdoor display shall occur on paved surfaces consistent with the parking**
93 | **area requirements of Section 1019.11 of this Title, and shall adhere to the parking area setback**
94 | **requirements in the applicable zoning district. Display shall not obstruct required drive aisles**
95 | **or parking stalls.**

96 | **8. Outdoor storage, equipment and goods: All outdoor storage shall occur on paved surfaces**
97 | **consistent with the parking area requirements of Section 1019.11 of this Title, and shall adhere**
98 | **to the parking area setback requirements in the applicable zoning district except that no**
99 | **outdoor storage shall be allowed between a principal building and the front property line.**
100 | **Areas of outdoor storage shall not obstruct required drive aisles or parking stalls. Greater**
101 | **setbacks shall be considered for pressurized canisters or potentially explosive goods. Equipment**
102 | **and goods shall be screened by screen wall or fence at least 6 feet in height and at least 95%**
103 | **opaque. Equipment available for rent may be displayed without screening in an area not**
104 | **exceeding 10% of the screened outdoor storage area.**

105 | **9. Outdoor storage, fleet vehicles: All outdoor storage shall occur on paved surfaces consistent with**
106 | **the parking area requirements of Section 1019.11 of this Title, and shall adhere to the parking**
107 | **area setback requirements in the applicable zoning district. Fleet vehicles in active use need not**
108 | **be screened, but inoperable or otherwise out-of-service vehicles (e.g., snow plows in the**
109 | **summer, or “retired” vehicles) shall adhere to the requirements for outdoor storage of**
110 | **inoperable/out of service vehicles or equipment.**

111 | **10. Outdoor storage, inoperable/out of service vehicles or equipment: All outdoor storage shall**
112 | **occur on paved surfaces consistent with the parking area requirements of Section 1019.11 of**
113 | **this Title, and shall adhere to the parking area setback requirements in the applicable zoning**
114 | **district except that no outdoor storage shall be allowed between a principal building and the**
115 | **front property line. All such vehicles or equipment which are inoperable or unused for more**
116 | **than 72 hours shall be screened by screen wall or fence at least 6 feet in height and at least 95%**
117 | **opaque, and an outdoor storage area shall not obstruct required drive aisles or parking stalls.**

118 | **SECTION 7. Effective Date:** This ordinance amendment to the Roseville City Code
119 | shall take effect upon passage and publication.

120 | Passed this 8th day of July 2013

1 **PROJECT FILE 13-0017**

2 **Request by Roseville Planning Division for consideration of ZONING TEXT CHANGES to multiple sections**
3 **to revise how outdoor storage is defined and regulated and where outdoor storage is allowed**

4 Chair Gisselquist opened the Public Hearing for Project File 13-0017 at about 7:45 p.m.

5 City Planner Paschke reviewed this requested ZONING TEXT AMENDMENT, based on a previous discussion by
6 the Commission at their March 6, 2013 meeting; and asking the Planning Division to provide examples of outdoor
7 storage and display, and revise current code specific to outdoor storage regulations. Mr. Paschke credited
8 Associate Planner Bryan Lloyd with the majority of preparation and specifics outlined in the report and in
9 Attachment C.

10 Member Daire noted that the main focus in text and table revisions seemed to be related to protecting
11 appearances to passersby; and questioned to what extent security or surveillance entered into considerations.

12 Mr. Paschke concurred that, since City Code allowed for privacy fencing in Industrial or Commercial Districts, the
13 Police Department was often not able to visually observe the interior of those parcels, even though security and
14 safety were obvious concerns. From a staff perspective, Mr. Paschke advised that while the Police Department's
15 input had not been solicited, most businesses of this type had security fences in those place due to their
16 preference not to have people see onto the site, and providing their own security or surveillance; at which time
17 their monitoring or alarm systems would alert the Police Department or their private Security provider(s) of any
18 trespassing and vandalism attempts. Mr. Paschke agreed that it was a trade-off in trying to keep the sites tidy and
19 protect passersby from that view; it did make it difficult for the Police Department to observe activity on a site from
20 outside.

21 At the request of Member Daire, Mr. Paschke stated that he would not go so far to say that the assumption was
22 that any business with a screened area was responsible for providing their own surveillance; he noted that this
23 provided greater clarification of current Code allowances or requirements by actually stepped back in a number of
24 areas for certain types of storage items and whether they needed to be screened or not.

25 Chair Gisselquist noted that the point was to make neighborhoods more aesthetically pleasing for the public.

26 Mr. Paschke stated that the intent also protected the rights of private property owners while protecting the public
27 from visual eyesores.

28 Chair Gisselquist closed the Public Hearing at 7:56 p.m.; no one spoke for or against.

29 **MOTION**

30 **Member Boguszewski moved, seconded by Member Stellmach to recommend to the City Council**
31 **APPROVAL of the proposed ZONING TEXT AMENDMENT to multiple sections to revise how outdoor**
32 **storage is defined and regulated and where outdoor storage is allowed; based on the comments and**
33 **findings of Sections 4-6, and the recommendation of Section 7 of the staff report dated June 5, 2013.**

34 Member Boguszewski advised that his key concern had been addressed through this further refinement;
35 designating and separating retail businesses displaying finished product; and he could support the request.

36 Chair Gisselquist opined that a nice compromise had been achieved.

37 Mr. Paschke noted that some displays (e.g. Praxair) pre-existed current code, and would remain a legal, non-
38 conforming use.

39 Member Daire commended staff for their excellent photos and examples provided in the packet; providing his
40 consideration of some businesses that he had previously been unaware of specific to their storage situations.

41 **Ayes: 6**

42 **Nays: 0**

43 **Motion carried.**

City of Roseville

ORDINANCE SUMMARY NO. ____

AN ORDINANCE AMENDING SELECTED TEXT PERTAINING TO OUTDOOR STORAGE IN CHAPTERS 1001 (INTRODUCTION), 1005 (COMMERCIAL AND MIXED-USE DISTRICTS), 1006 (EMPLOYMENT DISTRICTS), 1009 (PROCEDURES), AND 1011 (PROPERTY PERFORMANCE STANDARDS) OF TITLE 10 "ZONING CODE" OF THE ROSEVILLE CITY CODE

The following is the official summary of Ordinance No. ____ approved by the City Council of Roseville on July 8, 2013:

The Roseville City Code, Title 10, Zoning Code, has been amended to improve outdoor storage regulations by amending the definition and revising how and where outdoor storage is allowed.

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).

Attest: _____
Patrick Trudgeon, Interim City Manager