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## **MEMORANDUM**

**TO:** Mayor Stille and St. Anthony Village City Council  
City Manager Charlie Yunker

**FROM:** Stephen Grittman, City Planner

**DATE:** May 19, 2022

**MEETING DATE:** May 24, 2022

**RE:** St. Anthony Village – City Code Amendments:  
- Swimming Pools, Rubbish, Signage, Other

**NAC FILE:** 323.01

## **UPDATE REPORT and CODE**

In anticipation of the City Council's third and final reading of the City Code update material, staff is forwarding the updated ordinance, reflecting the language changes from the first reading. No further changes have been requested or made from that amendment.

The attached version should reflect the final ordinance and be ready for Council adoption.

As before, the remaining material below is identical to that provided for the April 26 Council meeting and included for reference only.

## **BACKGROUND.**

The Planning Commission and City Staff have been engaged in working through updates to the City Code and portions of the Zoning Ordinance. Previously, the City approved updates to the Accessory Building zoning regulations, as well as the R-4 zoning district standards.

With this memorandum, a new set of proposed amendments is being forwarded for Council action. These have been reviewed by the Planning Commission at public hearings for each set of amendments, and the subject of a recent City Council work session on April 12, 2022.

The amendments consist of three general sets of code, each of which with a separate ordinance. First is a revision to the “C”, Commercial District zoning regulations. The regulations have been reworked to broaden the categories of allowed uses, dealing more directly with the nature of the use, rather than the specific business.

Conditional uses have been called out more specifically, and sets of required conditions have been added or modified for certain of those businesses that have been shown to require them. In addition to the categorization and uses, the most significant changes relate to the addition of brewery/taproom facilities to the list of conditional uses, and broadening “gasoline sales” to include alternative fuels. Automobile sales and service have been separated to deal with the unique aspects of each use. Generally, the lot size and setback regulations have been left in place.

The second proposed ordinance addresses the “L-I”, Light Industrial District. This district has been updated in a fashion similar to the Commercial District language, categorizing the permitted uses more generally, and addressing the conditional uses more specifically. For the LI District, the primary changes relate to trucking and warehousing (focusing more directly on manufacturing uses). Per the Council’s discussion at the work session, brewery/taproom uses have not been included in the district.

The third ordinance document is a collection of several code updates reflecting staff experiences with public inquiries and code enforcement observations. These include general administration (fees and/or processing requirements), signs (reconciling political campaign sign regulations with state law), and three larger categories of change: swimming pools, rubbish collection/storage, and natural landscapes.

For these latter three, the regulations are intended to codify current practices, conform regulations internally, create alternatives for common conditions that cannot track with current ordinances, and establish baseline rules for otherwise unregulated (or prohibited) activities (especially with regard to the natural landscape section).

The Planning Commission held its most recent hearing on updated language at its March 15<sup>th</sup> regular meeting. No resident or public comments were received.

In the Council’s packet are three ordinances that address these three categories of code updates. The language reflects the recommendations of the Planning Commission, with the primary exception that brewery/taproom uses have been removed from the Light Industrial District. For additional background, the Council is referred to the materials prepared for the work session, which included additional commentary on many of the proposed changes.

## STAFF AND PLANNING COMMISSION RECOMMENDATION.

Planning staff and Planning Commission recommend approval of the proposed amendments. As noted, these changes will accommodate more flexible – although still rigorous – treatment of several aspects of land use in the community, primarily through clarification and better definition of the requirements. Many aspects of the proposed changes (C and LI Districts, and Natural Landscapes) proceed directly from recommendations of the 2040 Comprehensive Plan and/or discussions held during Goal-setting.

Per City Code, the Council may adopt zoning regulations after one reading of the ordinance. Other City Code items require three readings, unless that requirement is specifically waived the Council. That section reads as follows:

§ 31.06 ORDINANCES, RESOLUTIONS, AND PETITIONS. (A) Readings. Every ordinance will be presented in writing and will receive 3 readings before the City Council prior to final adoption, except that rezonings or other zoning ordinance amendments shall require only 1 reading. However, an ordinance may be adopted at the meeting in which it is first read or at a subsequent meeting if the City Council rules are suspended for that purpose. Every ordinance introduced will be recorded in the minutes by title.

Depending on the Council's decision on the third ordinance which includes the general code items, the following motions are recommended:

### CITY COUNCIL ACTIONS:

[Zoning Ordinances, eligible to be adopted at the time of first reading]:

**Motion to adopt Ordinance 2022-01 amending the “C”, Commercial Zoning District, Section 152.120 – 152.125, in its entirety.**

**Motion to adopt Ordinance 2022-02 amending the “L-I”, Light Industrial District, Section 152.130 – 152.135, in its entirety.**

[If Council suspends the 3 reading requirement]:

**Motion to adopt Ordinance 2022-03 amending various sections of the City Code relating to Administration, Swimming Pools, Rubbish Collection, Signs, Natural Landscapes, and other sections.**

**Alternative Motion to table action on Ordinance 2022-03 pending the third reading of the Ordinance.**

### ATTACHMENTS

Exhibit A: