



Planning Commission Work Session
Anoka City Hall Committee Room
Tuesday, September 20, 2016
6:00PM

AGENDA

1. Discussion – Fence Materials Zoning Ordinance Text Amendment
2. Discussion – MS Main Street Mixed Use District Sub District EM-1 Historic Downtown Core Permitted and Prohibited Uses Zoning Text Amendment
3. Other Staff Updates



MEMORANDUM

To: Planning Commission
From: Doug Borglund, Deputy Community Development Director
Subject: September 20, 2016 Work Session; Fence Materials Zoning Ordinance Amendment
Date: September 9, 2016

Background

The City of Anoka handles a number of fence permits every year. Most Applicants seeking a permit are proposing to construct a chain link or wood type fence. The City Code currently does not address specific fence materials that are allowed by the City. This creates interpretation issues for Staff and opens the door for a property owner to construct a fence out of materials that are not considered desirable. Alternative materials can be found to be unattractive or an eye sore causing issue for those who live in the neighborhood or near the fence. Recently, City Staff dealt with a fence constructed out of materials that did cause concern and complaint from the neighborhood in which the subject fence was located.

Discussion

Staff has reviewed the current fence standards and determined that current language is not specific enough.

Staff has also completed research, and has determined that other cities do regulate fence type and materials.

Staff is proposing ordinance language that would only allow specific types fence materials. An example of the language that could be added underlined below:

Section 74-488. Walls, fences, and hedges.

(a) A fence is defined, for the purpose of this section, as any partition, structure, wall, or gate erected as a divider marker, barrier or enclosure and located along the boundary, or within the required yard. For the purpose of this section, a fence shall not include naturally growing shrubs, trees or other foliage.

(b) No fence shall be erected or substantially altered in the city without securing a permit from the building inspector. All such permits shall be issued upon a written application which shall set forth the type of fence to be constructed, the material to be used, height, and exact location of the fence. A fee as determined by the City Council shall be paid with each application.

(c) Fences, when constructed to enclose any lot or tract of land, shall be located in such a way that the entire fence shall be on the property of the owner. Posts and framework shall be placed within the property lines of the owner and the actual fencing material, such as chain link, lumber, pickets, etc., shall be placed on the side of the fence which faces the street or adjacent property.

(d) No fence shall be allowed or constructed on street rights-of-way. Fences may, by permit, be placed on public utility easements so long as the structures do not interfere in any way with existing underground or over ground utilities. The City or any utility company have authority to use such easements, shall be not be liable for repair or replacement of such fences in the event they are moved, damaged or destroyed by virtue of the lawful use of such easement.

(e) In single and two-family residential districts, no fence may exceed four feet in height above the ground level, in front of the front line of the residential structure, along any street or highway right-of-way, or in the front yard as

defined by this chapter. In these two districts, fences along the side lines to the rear line, including rear lines abutting street or highway right-of-way, may not exceed six feet in height above the ground level.

(f) The required front yard of a corner lot shall not contain any fence which may cause danger to traffic on a street or public road, by obscuring driver's view. On corner lots, no fence shall be permitted within the intersection sight distance triangle.

(g) Off-street parking and loading zones and landscaped areas for nonresidential and for multiple-family residential development adjoining one- or two-family residence districts shall be screened by a minimum of six-foot high fence and/or a planting buffer screen. Plans of such screen or fence shall be submitted for approval as part of the site plan review by the Planning Commission and the City Council. Such plans shall be part of the application for a building permit and such fence or landscaping shall be installed as part of the initial construction and be maintained in a slightly condition, compatible with the surrounding area.

(h) Every fence shall be constructed in a workmanlike manner and of substantial material reasonably suited to the purpose for which the fence is to be used. ~~Cloth or canvas fences shall not be allowed.~~ Barbed wire is not allowed in any residence district but may be installed in commercial or industrial districts with approval by the building inspector.

(1) Fence Materials. The following fence materials are allowed in all residential districts unless otherwise stated in this chapter.

a. Treated wood, cedar, or redwood;

b. Composite or Simulated wood;

c. Decorative brick or stone;

d. Wrought iron or aluminum designed to simulate wrought-iron;

e. Coated or non-coated chain link;

f. Split rail

g. Other materials or fence types as approved by the city.

(i) Every fence shall be maintained in a condition of good repair and shall not be allowed to become and remain in a condition which would constitute a public nuisance or a dangerous condition. The building inspector is authorized to notify the owner or owners of the condition and allow owner or owners 60 days in which to repair or demolish the fence.

(j) Fences shall be constructed in conformity with the wind, stress, foundation, structural and other requirements of the state building code when applicable

Attachments

- Photo of fence constructed out of non-traditional fence materials





MEMORANDUM

To: Planning Commission
From: Doug Borglund, Deputy Community Development Director
Subject: September 20, 2016 Work Session; MS Main Street Mixed Use District Sub-District EM-1
Historic Downtown Core Permitted and Prohibited Uses
Date: September 9, 2016

Background

The City of Anoka has taken a number of steps to protect the Historic Downtown area over the years. The most recent discussion is centered around prohibiting uses in the downtown area that can take away from the areas character and charm creating adverse impacts on its business climate and the perception of those who visit Anoka. ABLA at their September meeting discussed this issue and supports an amendment to the MS EM-1 Sub-District to prohibit uses that can be viewed as creating a less attractive business and tourism environment. The City Council recently touched on this issue during a discussion at its regular City Council meeting on September 6, 2016. Staff has been directed to discuss the proposed amendment with the Planning Commission at its next workshop meeting and schedule a public hearing for the next regular Planning Commission meeting in October.

Discussion

Staff has reviewed the current uses allowed and prohibited in the MS Main Street Mixed Use District Sub District EM-1 Historic Downtown Core. Staff proposes the following amendment(s) be made to the MS EM-1 Zoning District as follows:

The following permitted uses are proposed add as permitted uses:

- Attorneys

The following uses currently permitted in the MS EM-1 sub-district are proposed to become a prohibited use:

- Tobacco Shops
- Liquor Store

The following new uses are proposed to be added to be added as prohibited uses:

- Retail Stores Selling Drug Paraphernalia as define Federal, State, and Local Law
- Medical or Recreational Marijuana Dispensaries

Attachments

- Proposed Zoning Text Amendment

5. Multi-screen movie theatres with more than five screens
6. Hospitals
7. Manufacturing/warehousing facilities
8. Any use not specifically listed as permitted, conditionally permitted, permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited. A prohibited use may be changed to a permitted, conditionally permitted or interim use upon amendment of this Chapter.

(2) East Main Street Sub-District 1 (EM-1) – Historic Downtown Core.

- a. Permitted Uses. The following uses are permitted in the East Main Street Sub-District 1 (EM-1):
 1. Retail stores
 2. Retail services such as eyeglass fitting, quick printing, tailor shops, photo pick-up stations, etc.
 3. Dine in restaurants
 4. Fast-food restaurants without drive-through
 5. Convenience stores
 6. Offices, such as administrative, executive, professional, governmental, medical, research, without merchandising services
 7. Medical and dental clinics
 8. Hotels/motels
 9. Bakeries
 10. Dry-cleaning pick-up
 11. Live theatre
 12. Multi-family residential buildings
 13. Live/work dwellings
 14. Assisted living facilities
 15. Essential facilities and services, including electrical, gas, water, sewer distribution and collection lines, pumping facilities for water and sewer systems, rights-of-way for transportation modes, and telephone switching lines
 16. Police and fire stations
 17. Banks, savings and loan, insurance offices

18. Personal service and repair establishments such as barber, beauty shops, shoe repair, etc.

19. Hardware and craftsman shops

20. Grocery stores

21. Parking ramps or lots

22. Coffee shops

23. Brew pubs

~~24.~~ Liquor stores

~~25.~~ Tobacco shops

~~24.~~ Attorneys

~~26-25.~~ Professional portrait studios and film shops

~~27, 26.~~ Specialty food markets

~~28, 27.~~ Employment agencies

~~29, 28.~~ Dance and music studios, martial arts, judo, boxing

~~30, 29.~~ Laundromats

~~31, 30.~~ Clubs, lodges

~~32, 31.~~ Wellness centers

~~33, 32.~~ Parks

~~34, 33.~~ Microbrewery with taproom, subject to the following standards:

- aa. The establishment must include a taproom that is open a minimum of 2 days or 8 hours per week.
- bb. The malt liquor sold for consumption at the business must be produced by the brewer on the licensed premises.
- cc. The malt liquor may be sold to other bars, restaurants or wholesalers for distribution on a limited scale according to Federal and State regulations.
- dd. The bottling process shall be manual or semi-automated, not fully automated.
- ee. The establishment shall obtain all applicable Federal, State, and City licenses.
- ff. A microbrewery located at street level shall provide at least 50% of the total floor space at the front one-half of the building to be used for sales, tasting, or restaurant purposes.

~~35, 34.~~ Microdistillery with tasting room/cocktail room, subject to the following standards:

- aa. The establishment must include a tasting room/cocktail room that is open a minimum of 2 days or 8 hours per week.
 - bb. The distilled spirits sold for consumption at the business must be produced by the brewer on the licensed premises.
 - cc. The distilled spirits may be sold to other bars, restaurants or wholesalers for distribution on a limited scale according to Federal and State regulations.
 - dd. The bottling process shall be manual or semi-automated, not fully automated.
 - ee. The establishment shall obtain all applicable Federal, State, and City licenses.
 - ff. A microdistillery located at street level shall provide at least 50% of the total floor space at the front one-half of the building to be used for sales, tasting, or restaurant purposes.
- b. Conditional Uses. The following uses are permitted in the East Main Street Sub-District 1 (EM-1) upon obtaining a conditional use permit:
- 1. Fast food restaurants with drive through
 - 2. Drive-up windows or teller service as accessory use to permitted use
 - 3. Churches, religious institutions
 - 4. Libraries
 - 5. Public or private schools provided they do not include boarding or residential facilities
 - 6. Trade schools
 - 7. Vocational schools
 - 8. Colleges, Universities, Institutions of Higher Learning
 - 9. A State licensed residential facility serving from seven (7) through sixteen (16) persons as allowed under Minnesota Statutes 462.357 Subd. 8, as amended.
 - 10. A State licensed daycare facility serving from thirteen (13) through sixteen (16) persons allowed under Minnesota Statutes 462.357 Subd. 8, as amended.
 - 11. Any other uses found to be of the same general character of the East Main 1 permitted uses
- c. Accessory Uses. The following are permitted accessory uses in the East Main Street Sub-District 1 (EM-1) sub-district:

1. Transit facilities
 2. Information kiosks
 3. Farmer's markets
- d. Prohibited Uses. The following uses are prohibited in the East Main Street Sub-District 1 (EM-1):
1. Amusement arcades
 2. Distribution station for beverages
 3. Manufacturing/warehousing facilities
 4. Yards for storage, sale and distribution of building materials
 5. Multi-screen movie theatres with more than five screens
 6. Hospitals
 7. Gas or service stations

8. Tobacco Shops

9. Liquor Store

10. Retail Stores Selling Drug Paraphernalia

11. Medical or Recreational Marijuana Dispensaries

8- 12. Any uses not specifically listed as permitted, conditionally permitted, permitted with an interim use permit, or as allowed elsewhere in the City Code, shall be considered prohibited. A prohibited use may be changed to a permitted, conditionally permitted or interim use upon amendment of this Chapter