

Commissioners:

Chuck Gitzen
Julie Kimble
Michelle Kruzel
Tammy McGehee
Michelle Pribyl
Peter Sparby
Karen
Schaffhausen



**Planning Commission
Agenda**

Wednesday, March 4, 2020
6:30pm

Address:

2660 Civic Center Dr.
Roseville, MN 55113

Phone:

651-792-7080

Website:

www.cityofroseville.com/pc

1. Call To Order
2. Roll Call
3. Approval Of Agenda
4. Review Of Minutes

Documents:

[JANUARY 8, 2020 MINUTES.PDF](#)

5. Communications And Recognitions

5.A. From The Public:

Public comment pertaining to general land use issues not on this agenda.

5.B. From The Commission Or Staff:

Forestry Task Force Update

6. Public Hearing

6.A. Request For Approval Of An Amendment To Title 10, Zoning, Pertaining To Height Limitations For Detached Accessory Dwelling Units (PROJ0017)

Documents:

[6A REPORT AND ATTACHMENTS.PDF](#)

6.B. Request By City Of Roseville For Approval Of An Amendment To Title 10, Zoning, Pertaining To Indoor Entertainment Centers (PROJ0047)

Documents:

[6B REPORT AND ATTACHMENTS.PDF](#)

7. Adjourn



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, January 8, 2020 – 6:30 p.m.**

- 1 **1. Call to Order**
2 Chair Gitzen called to order the regular meeting of the Planning Commission meeting at
3 approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.
4
- 5 **2. Roll Call**
6 At the request of Chair Gitzen, City Planner Thomas Paschke called the Roll.
7
- 8 **Members Present:** Chair Chuck Gitzen; Vice Chair Peter Sparby, and Commissioners
9 Julie Kimble, Michelle Kruzel, Tammy McGehee, Michelle Pribyl
10 and Karen Schaffhausen.
11
- 12 **Members Absent:** None
13
- 14 **Staff Present:** City Planner Thomas Paschke, Community Development Director
15 Janice Gundlach
16
- 17 **3. Approve Agenda**
18
- 19 **MOTION**
20 **Member McGehee moved, seconded by Member Kimble, to approve the agenda as**
21 **presented.**
22
- 23 **Ayes: 7**
24 **Nays: 0**
25 **Motion carried.**
26
- 27 **4. Review of Minutes**
28
- 29 **a. December 4, 2019 Planning Commission Regular Meeting**
30
- 31 Chair Gitzen indicated on line 297 “Police Chief” should be changed to “Community
32 Development Director Gundlach”.
33
- 34 Member McGehee noted on line 111 the word “skate” should be changed to “escape”.
35
- 36 Member Sparby also had a change on line 135-136, pertaining to his comment the
37 sentence should read “He indicated he was a little confused as to why ~~there is a~~ the
38 additional components were part of the Planning Commission recommended action”.
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- 40 **MOTION**
41 **Member Pribyl moved, seconded by Member McGehee, to approve the**
42 **December 4, 2019 meeting minutes.**

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Ayes: 7
Nays: 0
Motion carried.

5. Communications and Recognitions:

a. From the Public: *Public comment pertaining to general land use issues not on this agenda, including the 2040 Comprehensive Plan Update.*

None.

b. From the Commission or Staff: *Information about assorted business not already on this agenda, including a brief update on the 2040 Comprehensive Plan Update process.*

None.

6. Public Hearing

a. Consideration of a Request For A Conditional Use To Allow Two Drive Throughs At 2465 Fairview Avenue (PF19-023)

Chair Gitzen opened the public hearing for PF19-023 at approximately 6:34 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council on January 27, 2020.

City Planner Paschke summarized the request as detailed in the staff report dated January 8, 2020.

Chair Gitzen asked if staff has had any comments from the public.

Mr. Paschke indicated staff has not had any calls or emails related to this project from the public.

Member Kimble asked if there is anywhere else in Roseville that has two drive throughs.

Mr. Paschke explained he could not think of one particular site that have two drive throughs. There might be a number of sites that have a number of different uses that have multiple drive throughs. There is not one individual parcel that has two uses each with a drive through. Rosedale may end up with three or four when completed. He noted the library does have a drive through for book drops and also one for Dunn Bros.

Member Kimble asked what the reason was for the shared access with the property to the North. She wondered if the shared access was there before and was some condition.

90
91 Mr. Paschke explained the shared access would need to be related to this site
92 redevelopment project. Whatever was consummated in the previous agreement
93 would not be germane to this proposal. He believed the shared access expires at some
94 point in 2020. The shared access was for the allowance of shared parking because of
95 how the site is currently designed.
96

97 Member Kimble indicated she has frequented this site a lot and it is dangerous to
98 make a left turn from this property and found it interesting that in the review of
99 specific conditional use criteria, b “points of vehicular ingress and egress shall be
100 located at least 60 feet from the street right-of-way lines of the nearest intersection”
101 and yet it indicated the requirement does not apply to the HFCU site.
102

103 Mr. Paschke explained that is in regard to street intersections and not another access
104 point. He noted the County would not allow access points as seen today and is why
105 this site is being required to eliminate one.
106

107 Member Kimble thought it was interesting that there has not been a comment about a
108 right turn only from this site because it is really dangerous because it is so close to
109 that major intersection.
110

111 Mr. Paschke stated this was discussed with Ramsey County and the applicant and
112 after some discussion the County determined it would support only one full access
113 point to Fairview Avenue. Mr. Paschke further stated the County controls access to
114 Fairview Avenue and as such the City and applicant has to abide by their decision.
115 The County also received, for its review and comment, the traffic study completed for
116 the project based on the two options. The final design will be required to be reviewed
117 and approved by the County, prior to the City’s review and approval.
118

119 Member Kimble suggested there be really good directional signage because it can be
120 really confusing and would be a recommendation she would have.
121

122 Member Schaffhausen seconded what Member Kimble has pointed out because that
123 is a dicey spot. Specific to the pertinence of the meeting and the Conditional Use she
124 was curious to know the two versus one access and if Ramsey County says no, what
125 opportunity within the traffic study did it indicate this was safe because the left turn is
126 tricky. She wondered how the city navigates that conversation. She noted she was
127 appreciative of the process but was curious if the traffic study did any sort of
128 commentary or evaluation of what would happen with planning scenarios or not and
129 if that is something that can be revisited knowing it is a little bit of a tough spot and if
130 nothing, can the Planning Commission go forward with some recommendation about
131 signage.
132

133 Mr. Paschke explained the traffic study did not look at two access points and the main
134 reason is that the County was not going to support two. The traffic study needed to
135 consider an option or options the County could potentially accept. He thought

136 Condition F covered this and did not think the city needed to get any more detailed
137 than the existing wording.
138

139 Member Kruzel asked how pedestrian foot traffic going into the credit union or coffee
140 shop will play into this.
141

142 Mr. Paschke indicated he did not know the numbers but thought there will be people
143 that will walk to the coffee shop or to the bank but he did not know if those numbers
144 will be a lot and the city will do its best to be able to sign so that the pedestrians will
145 be safe.
146

147 Member McGehee asked when the traffic study was done.
148

149 Mr. Paschke thought it was completed in late November 2019.
150

151 Member McGehee asked in the Conditional Use Permit, when someone has a
152 conditional use with two drive throughs, would the two drive throughs become a part
153 of the conditional use.
154

155 Mr. Paschke explained the Conditional Use Permit is only for the two drive throughs.
156

157 Member McGehee noted then whatever goes into the building, if the Credit Union
158 fails, then the city would be stuck with two drive throughs on that site.
159

160 Mr. Paschke indicated that was correct and the only caveat is if the owner made
161 changes to the plan and changing the circulation which would be the way the city
162 would be able to go in and seek the owner to amend the conditional use and at that
163 point the city may or may not support the two uses and two drive throughs.
164

165 Member McGehee asked if the coffee shop has a sit-down area.
166

167 Mr. Paschke explained it does and in the design plan there is space for people to sit
168 down.
169

170 Member McGehee assumed the parking right in front or behind the building would be
171 adequate for the bank and coffee shop.
172

173 Mr. Paschke indicated that was correct as it relates to parking. He believed the
174 parking in the front would be for customers and the parking at the back would be
175 primarily for employees but also for customers of both uses.
176

177 Member McGehee asked if staff felt the parking was adequate in the front for both
178 uses. She thought there should be more protection for pedestrians because she felt in
179 the future with redevelopment of the area there will be more housing and opportunity
180 for pedestrian access and she thought the city needed to plan for that because the
181 Council did change the zoning to have housing around Rosedale. She noted that
182 Minneapolis did just ban drive throughs in parking lots and is something the city

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might want to look at as a safety issue. She concurred with all of the comments and did not think signage was sufficient to make the parking lot safe for anybody to walk across, given the amount of car traffic that is being encouraged to traverse this site.

Member Pribyl echoed the comments made and thought as an Option B if the north shared access is not a possibility and wondered if it was considered to have this single access point aligned with the drive through.

Mr. Paschke explained that had been talked about but was not necessary as a design and did not think that would change a whole lot of the potential impacts discussed. Signage will still be needed, and staff will work with the applicants on getting appropriate and adequate signage. He indicated the impacts will not go away whether the vehicle entrance would be aligned with the drive through.

Member Sparby asked if there have been any redevelopment requests for properties in the area.

Mr. Paschke indicated there has not been any redevelopment requests.

Member Sparby saw the traffic in the area as a broader issue that as things redevelop for the city to work with the County to try to lessen the impact on Fairview.

Member Schaffhausen explained with the two drive throughs, thinking about the library and the current site is the city setting a precedent.

Mr. Paschke indicated it was not. Each site has to stand on its own merits. He noted the Planning Commission needs to focus on the ten criteria as it relates to this Conditional Use request for those two access points.

Chair Gitzen asked if Ramsey County has indicated to staff any plans for Fairview in the next five years.

Mr. Paschke explained there might be some enhancements potentially depending on what Rosedale might do further down the road but there will not be anything major and he did not know that the County has a plan to redo Fairview Avenue at all.

Mr. Russ Sam, HTG Architects was at the meeting on behalf of Highway Federal Credit Union. He reviewed the access points and indicated it was chosen to maintain the existing south curb cut. The primary reason for that is all of the exiting will be coming from the coffee shop along the south side of the property and the drive through traffic will also loop around the west side of the building and exit out along the south side as well. The applicant felt that if the north curb cut there could be some congestion at the credit union drive through and the parking. The applicant felt if there was any conflict to stack back towards the west on the south side of the building which would still allow traffic to get into the site.

229 Mr. Sam indicated there is a pedestrian connection from Fairview to the front door
230 and will work with staff further on this. Regarding the parking the applicant chose to
231 reduce the amount of parking on the west side of the building because there should be
232 adequate parking as shown plus if there is parking in certain areas of the site there
233 could be conflicts with the drive through lanes or people trying to get to the coffee
234 lane.

235
236 Member Kimble asked where the menu board is, if there will be room for other cars
237 to get around to the west.

238
239 Mr. Sam explained originally there were two lanes of traffic there but more parking
240 was needed on the site so that was eliminated.

241

242 **Public Comment**

243
244 No one came forward to speak for or against this request.

245
246 Chair Gitzen closed the public hearing at 7:29 p.m.

247

248 **MOTION**

249 **Member Sparby moved, seconded by Member Schaffhausen, to recommend to**
250 **the City Council approval of a Conditional Use for 2465 Fairview Avenue,**
251 **allowing two drive-throughs on the subject property based on the comments,**
252 **findings, and the conditions stated in the January 8, 2020 staff report (PF19-**
253 **023).**

254
255 Member Sparby thought this made sense and is an improvement to the area, despite
256 traffic in the area, what has been presented is the best use for the space and layout to
257 move congestion through the area. He thought working with the property to the north
258 is another good step.

259
260 Member Schaffhausen agreed and thought considering how this property has
261 historically been used this is going to be an enormous improvement and appreciated
262 the volume of effort and work done. Despite the concerns she thought this will be a
263 nice step in the right direction for improving the space.

264
265 Member Kimble appreciated the explanation from Mr. Sam about why the drive was
266 moved to the south and made a lot of sense. She reiterated her concern that the
267 signage is really good and not just on the pavement.

268
269 Member McGehee thought the city needs to start thinking about the drive throughs
270 and if those should continue to be allowed, especially multiple drive throughs. She
271 agreed with all of the comments made.

272
273 Member Kruzel thought it was also innovative to have the coffee shop stay and have
274 the credit union and was a good use of space and enhances Roseville.

275

276 Chair Gitzen supported the motion and thought it helped to have Mr. Sam there to
277 explain the reasoning.

278

279 **Ayes: 7**
280 **Nays: 0**
281 **Motion carried.**

282

283 **7. Adjourn**

284

285 **MOTION**

286 **Member Kruzel, seconded by Member Pribyl to adjourn the meeting at 7:33**
287 **p.m.**

288

289 **Ayes: 7**
290 **Nays: 0**
291 **Motion carried.**

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REQUEST FOR PLANNING COMMISSION ACTION

Date: March 4, 2020
Item No. 6a

Department Approval

Janice Gundlach

Agenda Section
Public Hearings

Item Description: Request for approval of an amendment to Title 10, Zoning, pertaining to height limitations for detached Accessory Dwelling Units (PROJ0017)

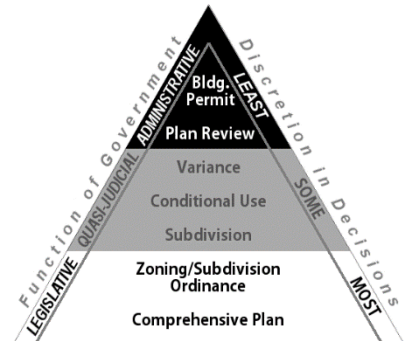
BACKGROUND

Application Information

Applicant: Jeffery Lewis
Location: N/A
Property Owner: N/A
Open House Meeting: N/A
Application Submittal: Submitted and considered complete February 7, 2020
City Action Deadline: April 7, 2020, per Minn. Stat. 15.99

Level of Discretion in Decision Making

Actions taken on a zoning text amendment request are 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.



Accessory Dwelling Unit History

Only a small number of Accessory Dwelling Units (ADUs) have been approved since they were first allowed by the major zoning code update in 2010, and most of these ADUs have been attached—that is, added to (or incorporated into) the principal structure on a residential property. Since 2010, the zoning code has also allowed detached ADUs, whether these are in their own discrete building or beside or above a detached garage. More recently, though, inquiries from homeowners about ADUs above detached garages have been increasing considerably in frequency. In responding to these inquiries, Planning Division staff has discovered that the existing regulations about the height of detached ADUs are tied directly to the height of detached garages, which interferes with the intent of the zoning code to allow an ADU to be built above a detached garage.

Since Roseville first adopted a zoning code in 1959, the overall height of accessory buildings was limited to 15 feet and, sometime later, a maximum wall height of 9 feet was added. There are three primary reasons to restrict the height and area of accessory structures like this:

- 1) to allow the residence to remain the principal use on a residential lot, both visibly and practically;

- 21 2) to make clear that accessory buildings of an agricultural, industrial, or commercial scale are not
22 allowed in Roseville's residential districts; and
- 23 3) to prevent the surreptitious creation of dwellings outside of the principal structure.

24 Limiting the height and area of accessory structures remains an effective way to preclude non-residential
25 buildings in residential districts and to ensure the principal dwelling remains the dominant use on a
26 residential property. But retaining measures to prohibit dwellings beyond the principal dwelling unit is
27 clearly in conflict with the intention to allow homeowners to build detached, accessory dwelling units.

28 The applicant's request to amend the zoning regulations pertaining to ADUs is two-fold; in addition to
29 the desire to allow greater accessory building height so that they can be built above detached garages,
30 the applicant has also requested an amendment to allow greater ADU floor area. Planning Division staff
31 acknowledges there may well be good reasons to raise the ADU floor area limit, but whereas the zoning
32 code already intends to allow ADUs over detached garages, staff believes that increasing the allowed
33 floor area represents a substantial shift in residential zoning policy. For this reason, staff has determined
34 that it is appropriate to consider the request to amend the ADU height limit at this time and to evaluate
35 the issue of greater floor area during the broader zoning code update anticipated to begin later this year.

36 **Suggested Changes**

37 Rather than maintaining one set of height standards for accessory storage buildings and establishing
38 another for accessory dwelling units, Planning Division staff finds value in amending the height
39 standards to apply to all accessory structures. The proposed amendment is included with this RPCA as
40 Attachment B; in general, the changes that staff are proposing are to:

- 41 1) Clarify a couple of things about the existing regulations for detached garages and other storage
42 buildings. *None of these changes are intended to alter how accessory structures are regulated.*
43 *Rather the intent is to be more precise which regulations apply specifically to storage buildings.*
- 44 2) Add ADUs into the section pertaining to accessory buildings on single-family lots.
- 45 3) Retain the 9-foot ground floor height for accessory buildings and increase the overall height to
46 30 feet, or the height of the principal structure, whichever is less. *Raising the overall height limit*
47 *to the lower of 30 feet or the height of the principal structure will provide the opportunity to*
48 *locate an ADU above a detached garage, especially where the principal dwelling is more than*
49 *one story, while ensuring that the scale of accessory structures remains in accordance with the*
50 *principal structure. In spite of the greater overall height limit, retaining the 9-foot floor-to-*
51 *ceiling height for the ground floor of an accessory structure will still preclude non-residential*
52 *buildings because the floor-to-ceiling measurement constrains the height of overhead doors and,*
53 *consequently, the size of vehicles and other items that can be stored inside.*
- 54 4) Remove language prohibiting detached ADUs being located between the principal building and
55 front property line. *Since the zoning code would allow both a detached garage and an attached*
56 *ADU to be built between a principal dwelling and the front yard setback line, Planning Division*
57 *staff finds it is reasonable to allow a ADU (whether above a detached garage or in a standalone*
58 *building) to be in that same location.*

59 **PUBLIC COMMENT**

60 At the time this RPCA was prepared, Planning Division staff has not received any communication from
61 the public.

62 **RECOMMENDED ACTION**
63 **By motion, recommend approval of the proposed amendment to Title 10 regarding detached**
64 **Accessory Dwelling Units**, based on the content of this RPCA, public input, and Planning Commission
65 deliberation.

66 **ALTERNATIVE ACTIONS**

67 **A) Pass a motion to table the item for future action.** An action to table must be based on the need
68 for additional information or further analysis to take action on the request. Tabling beyond April
69 7, 2020, may require extension of the action deadline established in Minn. Stat. 15.99 to avoid
70 statutory approval.

71 **B) Pass a motion to recommend denial of the request.** A recommendation of denial should be
72 supported by specific findings of fact based on the Planning Commission's review of the
73 application, applicable zoning regulations, and the public record.

Attachments: A: Zoning amendment application and supporting materials B: Proposed amendment

Prepared by: Senior Planner Bryan Lloyd
651-792-7073
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COMMUNITY DEVELOPMENT
2660 Civic Center Drive ❖ Roseville, MN 55113
Phone: (651) 792-7005 ❖ planning@cityofroseville.com

ZONING TEXT AMENDMENT APPLICATION

CITY CODE SECTION 1016 • www.cityofroseville.com

[] ZONING TEXT AMENDMENT APPLICATION FEE: \$625

Fee should be made payable to City of Roseville upon submittal of completed application.

Please complete the application by typing or printing in ink. Use additional paper if necessary.

1. Applicant Information

Company name: _____

Last name: Lewis First name: Jeffery

Address: 2056 Dale St N City/State/Zip: Roseville, MN 55113

Phone number: [redacted] Email address: [redacted]

2. Comprehensive Plan Designation: LR

3. Zoning Change Requested:

Zoning Text Amendment: Identify which section of the City Code is to be amended and briefly describe how the text is to be changed in light of the intended project.

1011.12 1. i. i. change Maximum height of an ADU, including one built above a garage shall not exceed the standards for principal or accessory buildings, as applicable. amended to shall not exceed the standards change Maximum height of an ADU, excluding one built above a garage shall not exceed the standards for principal or accessory buildings, as applicable. Maximum height of an ADU, including one built above a garage shall not exceed the standards for principal buildings. See attached document for additional amendment.

4. Additional Required Information:

a. Written Narrative: The narrative should describe in detail the nature of the intended use, why you believe the use is not permitted by the existing zoning, and how the use would be permitted under the proposed zoning text amendment. Narratives should also state whether any additional land use applications (e.g., conditional use Permit or variance) would be necessary to accommodate the intended use in compliance with the requirements of the proposed zoning change.

b. **Consultant Fees:** Whenever third party consultants are utilized in the preparation of application materials (e.g., a traffic study) or the City's review of an application (e.g., traffic study analysis), the applicant shall be responsible for paying the entirety of those costs.

c. **Other Information:** In addition to the written narrative, a full size site plan, topographic survey, landscape plan, grading and drainage plan, exterior building elevation drawings, and other information may also be required if deemed necessary by the Community Development Department.

5. **Signature(s):** By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

Applicant:  _____

Date: 2/7/2020

Zoning change applications must be received by the close-of-business on the first Friday of each month; applications received after this date cannot be heard at the Planning Commission meeting of the following month.

Additional Amendment #2 Zoning Text Amendment: Identify which section of the City Code is to be amended and briefly describe how the text is to be changed in light of the intended project.

1011.12 B. 1. i. ii.

ii. Unit size: An ADU shall include at least 300 square feet of living area up to a maximum of 650 square feet of living area, but in no case shall an ADU exceed 75% of the principal dwelling's four season living area(exclusive of the ADU). For the purposes of this provision, "living area" shall include kitchen areas, bathrooms, living rooms, bedrooms (including the closet which defines the bedroom), and other rooms, and shall exclude utility rooms, hallways, entryways, storage areas, and garages.

Amended to

ii. Unit size: An ADU shall include at least 300 square feet of living area up to a maximum of **800** square feet of living area, but in no case shall an ADU exceed 75% of the principal dwelling's four season living area(exclusive of the ADU). For the purposes of this provision, "living area" shall include kitchen areas, bathrooms, living rooms, bedrooms (including the closet which defines the bedroom), and other rooms, and shall exclude utility rooms, hallways, entryways, storage areas, and garages.

Written Narrative:

The narrative should describe in detail the nature of the intended use, why you believe the use is not permitted by the existing zoning, and how the use would be permitted under the proposed zoning text amendment. Narratives should also state whether any additional land use applications (e.g., conditional use Permit or variance) would be necessary to accommodate the intended use in compliance with the requirements of the proposed zoning change.

The nature of these changes are to provide more feasible design options to Roseville's ADU policy, which aligns with the 2040 Comprehensive Plan's goal of encouraging "non-traditional" housing development. By expanding the options of homeowners to add value to their additional houses, while still having this regulated through the ADU permit policy, greater opportunities for appropriately priced homes exist. In addition, this would allow families to keep their property serving a service to both themselves as homeowners and to the Roseville community as a whole.

Reasons for change to height: While examining plans for approved per policy detached second level ADU, I could not find very many that were compliant with the roof height requirement. Attached is a listing of dimensions with living space sq. ft for plans that I found available on the internet. Due to this I proposed returning the ADU policy to the original 2011 conditional use height requirement. This would allow for more homeowners to take advantage of an ADU policy.

Reasons for sqft. change from 650ft to 800ft is to allow for more adaptable design solutions, while still targeting the goal for the sqft limitations. In previous city council discussions, the sqft limitation was the goal limiting the occupant size to 2. However, at this time, it was primarily conditional use permits, and not the formal codified requirements that exist today.

While reviewing the attached Family Housing Fund ADU review for Minnesota cities, while most target an occupation limit of 3, when looking at ones that align with Roseville's target 2 max occupancy, the sqft limitation is around 800.

As it relates to my specific use, I have a couple bids for a detached garage ADU, as well as an Attached Garage ADU. While my yard could support an increased building footprint of an attached ADU, I

would prefer to have the option of a detached ADU. On the renter's side, I feel as this would give the renter a more "homely" feel to their ADU.

For the size limitations, it was difficult to design a plan that was nice and did not feel crunched within the 650sqft frame. While this works often in larger apartment complexes, they create artificial space through the use of hallways and other design elements that are not available to a compressed footprint ADU. I believe 800sqft would still be limiting to the stated 2-occupancy goal, especially under the ADU license policy. I believe the 2 original ADUs were also over the 650sqft threshold, which might be a continuing limitation of expanded ADU use.

An additional note of while the list I provided for the height review has many plans that are within the 300-650sqft range, that is because I attempted to limit that list to plans that would otherwise conform to the existing policy.

Additional Permits: I have not yet applied for permits, as I am determining the feasibility of various plans. However, if this code text change were approved, I do not feel like I would need additional conditional use or variance permits.

Examples of Plan Dimensions for detached garage with ADUs
 Gathered from Family Home Plans, Eplans, and The Garage Plan Store

Source	Plan#	Width	Depth	Height	SqFt
FHP	96220	28	26	25	654
FHP	94343	26	22	20	422
FHP	58541	30	25	24	624
FHP	86903	28	26	27	628
FHP	51521	25	30	26	750
FHP	58563	24	24	24	459
FHP	51493	25	30	23	750
FHP	80245	24	26	22	406
FHP	59469	32	28	24	538
FHP	80425	28	25	23.5	348
FHP	73600	27	29	24	387
FHP	95281	24	26	19	431
FHP	67549	22	29	25	484
FHP	70813	22	34	31	505
FHP	94342	32	24	23	560
FHP	87891	27	26	25	615
FHP	76239	26	28	26	728
FHP	65011	28	32	27	796
FHP	64817	32	32	29	928
FHP	80249	24	28	29	350
FHP	67279	22	30	22	610
FHP	73769	16	24	20	321
FHP	47080	25	29	25	454
FHP	95918	29	32	22	544
FHP	73829	24	12	24	314
FHP	73828	17	22	23.6	316
FHP	73757	27	25	24	319
Eplan	48.934	17.5	24	24	672
Eplan	18.4527	24	24	24	459
Eplan	509.39	28	26	25	675
Eplan	1029.66	20	24	29	482
Eplan	47.1075	27.5	22	24	484
Eplan	47.1081	28	24	23	588
Eplan	56.703	24	28	23	562
Eplan	41.101	26	26	21	237
Eplan	57.632	28	26	29	746
Eplan	48.155	25	26	28	633
Eplan	23.443	28	26	28	601
Eplan	1029.65	20	22.8	29	382
Eplan	132.273	28	24	22	485
Eplan	137.368	26	24.5	23.5	646
Eplan	18.401	28	28	26	566
Eplan	22.542	32	22	25	533
Eplan	25.4872	22	26	24	342

Eplan	410.3578	31	32	26	648
Eplan	47.1078	28	26	22	652
Eplan	509.4	32	25	26	680
Eplan	72.241	24	24	22	428
Eplan	509.402	29	27	23	717
TGPS	030G-0001	30	24	23	271
TGPS	072G-0033	24	28	24	432
TGPS	036G-001	24	20	25	371
TGPS	072g-0032	25	26	24	468
TGPS	032G-0001	24	22	25	484
TGPS	072G-0034	30.5	26	24	490
TGPS	034G-0021	30	24	23	495
TGPS	053G-0006	23	25.5	23.5	507
TGPS	072G-0036	28	28	24	528
TGPS	047G-0016	28	24	20.5	544
TGPS	076G-0022	28	22	29	550
TGPS	054G-0004	30	29.5	21	553
TGPS	007G-0019	24	28	22.5	565
TGPS	035G-0002	28	24	22	485
TGPS	062G-0083	18	28.5	20	572
TGPS	084G-0011	32	30.5	25.5	576
TGPS	032G-0003	28	24	23	588
TGPS	024G-0019	24	26	27	590
TGPS	072G-0030	25	30	25	610
TGPS	034G-0006	28	26	25	633
TGPS	065G-0009	21	30	24	643
TGPS	063G-0001	26	24.5	23.5	646
TGPS	032G-0002	28	26	22.5	652
TGPS	006G-0076	23	29	28	655
TGPS	047G-0034	30.5	26	22	687
TGPS	006G-0088	32	26	23.5	688
TGPS	027G-0004	28	26	28	601
TGPS	051G-0109	26	32	24.5	629
TGPS	032G-0006	28	26	30	773
TGPS	052G-0009	28	28	22	784
TGPS	035G-0011	32	32	20.5	790
Average		26.3	26.285	24.35125	553.9875



Local Cities	Where are ADUs allowed?	Special Permit Required?	Parking for ADU	Owner Occupancy	Water/ Sewer	Min. Lot Size	Lot Coverage	Min. ADU Size	Max. ADU Size	Type	Ordinance Section	Notes	# Built or legalized
Apple Valley	In R-1 zoning district	Conditional Use Permit	2 off-street for the ADU and 2 off-street for the main home	Yes	Must connect to main house	40,000 SF	Cannot exceed 35%	300 SF	Shall be no larger than 40% of the main home's footprint	Attached, Internal	155.382	ADU occupancy limited to 3 people; ADUs must be two bedrooms or fewer	2
Bloomington*	In R-1 and RS-1 zoning districts		Primary home must have 4 off-street parking spaces	Yes	Must connect to main house	11,000 SF		300 SF	960 SF or 33% of the 4-season living area of the main home	Attached, Internal	§ 21.302.03	ADU occupancy limited to 2 people; ADUs must be two bedrooms or fewer	1 permitted and constructed
Burnsville	In R-1 and R-1A zoning districts		1 off-street for the ADU and 2 off-street for the main home	Yes	Must connect to main house. If not on municipal lines, must meet private well and septic standards	10,000 SF for attached 1 acre for detached		300 SF	960 SF or 33% of the footprint of the main home	Attached, Detached, Internal	10.7.52	ADUs must be two bedrooms or fewer; require park dedication and utility fees	0
Chaska	In Planned Unit Developments			Yes					766 SF	Detached, above garage with alley access	Ord. #706		10
Crysal	In R-1 and R-2 zoning districts		1 additional for the ADU	No	Can be connected to property or utility main	6,000 SF			Shall not exceed 50% of the finished floor area of the primary home	Attached, Detached, Internal	Chapter V, Subsection 515.23, Subdivision 3	ADU occupancy limited to 2 people; ADUs must be two bedrooms or fewer	1 permitted
Eagan	In Estate and R-1 zoning districts	Annual Registration	2 off-street for the ADU and 2 off-street for the main home	Yes	Must connect to main house		Cannot exceed 20%	300 SF	960 SF or 33% of the 4-season living area of the main home	Attached, Internal	Section 11.70, subdivision 32	ADU occupancy limited to 2 people; ADUs must be two bedrooms or fewer	1 constructed and 1 legalized
Inver Grove Heights	In the A, E-1, E-2, R-1A, R-1B, and R-1C zoning districts		2 off-street for the ADU and 1 off-street for the main home	Yes	Must share with main house	1 acre for detached		250 SF	1,000 SF	Attached, Detached, Internal	10.18.1	ADU occupancy limited to 3 people	5 registered
Lakeville	In RS-1, RS-2, RS-3, and RS-4 zoning districts and Planned Unit Developments		3 garage stalls for the ADU and main home	Yes	Must share with main house					Attached, Internal	11.50.11.F, 11.52.11.F, 11.53.11.F, 11.53.11.F	Must be accessed from inside the main home	2 permitted
Long Lake	In the R-1, R-1A, R-2, R-3, and R-4 zoning districts	Conditional Use Permit	2 for the ADU	Yes		x2 the minimum lot size required by the zoning district			900 SF			Cannot be rented to non-family members	



Local Cities	Where are ADUs allowed?	Special Permit Required?	Parking for ADU	Owner Occupancy	Water/ Sewer	Min. Lot Size	Lot Coverage	Min. ADU Size	Max. ADU Size	Type	Ordinance Section	Notes	# Built or legalized
Minneapolis	As an accessory to a permitted or conditional single-family or two-family dwelling.		0 for the ADU, 1 space each for other units	Yes	Connect to main home or the street			300 SF	Internal: 800 SF not to exceed the first floor of the main home. Attached: 800 SF Detached: 1,000 SF (incl. parking areas) or 16% of the lot area. If applicant not to exceed 876 SF or 10% of the lot area, or to exceed 1,000 SF.	Attached, Detached, Internal	537.11	-120 permitted and built	
Minnetonka	In R-1 and R-2 zoning districts	Conditional Use Permit	Determined on a case by case basis	Yes	Must connect to main home				No more than 35% of the gross living area of the home for the ADU or 950 SF, whichever is smaller.	Attached, Internal	Section 300.16.3.d	30	
Plymouth	Within residential subdivisions in RSF-R, RSF-1, RSF-2, and FUD zoning districts that have received preliminary plat approval on or after June 1, 2001 and that include 10 or more single-family lots		2 off-street for the ADU	Yes	Detached must connect to utility main				Shall not exceed the gross floor area of the main home or 1,000 SF, whichever is less. 800 SF or the gross floor area of the principal dwelling, whichever is less	Attached, Detached	21190.04	0	
Richtfield	In R and R-1 zoning districts		3 off-street spaces are required	Yes	Attached and internal may connect to home			300 SF		Attached, Detached, Internal	514.05 Subd. 8, 518.05 Subd. 8	2 existing	
Roseville	In the LDR-1 zoning district		1 additional off-street space for the ADU	Yes	Attached and internal may connect to home			300 SF	650 SF or 75% of the 4-season living area of the main home	Attached, Detached, Internal	11.011.12.B.1	5, 2 of which were legalized; 1 in processing	
Shoreview	In RE and R-1 zoning districts	Accessory Apartment Permit	3 off-street spaces are required	Yes	Must share with main house			500 SF	No more than 30% of the building's total floor area nor greater than 800 SF	Attached, Internal	207.01	ADUs must be two bedrooms or fewer	
St. Paul	R1-R4, RT1, RT2, RM1, RMZ	Annual affidavit of owner-occupancy	No additional spaces if principal home meets minimum parking requirement	Yes	Must connect to principal home	5,000 SF			800 SF; if interior to the principal structure, the principal structure must be at least 1,000 SF and the ADU must not exceed 1/3 of the total floor area	Attached, Detached, Internal	Chapters 61, 63, 65, and 66	1	

Updated: February 2019

Cities in the Twin Cities Metro Area with an ADU Policy



Local Cities	Where are ADUs allowed?	Special Permit Required?	Parking for ADU	Owner Occupancy	Water/ Sewer	Min. Lot Size	Lot Coverage	Min. ADU Size	Max. ADU Size	Type	Ordinance Section	Notes	# Built or legalized
Stillwater	In TR, CTR, and RB zoning districts	In CTR and RB: Special Use Permit Conditional Use Permit Annual Certificate of Occupancy renewal	4 off-street for the ADU and main house	No	Can be connected to property or utility main	TR and RB: 10,000 SF CTR: 15,000 SF			CTR: 500 SF, one story attached or 720 SF above a detached garage RB: 800 SF	TR and CTR: Attached, Detached, Internal RB: Detached, above garage	Sec. 31-501		16 approved, but likely more that were permitted by right in RB
White Bear Lake	Where single-family homes are permitted		Determined on a case by case basis	Yes	Can be connected to property or utility main			200 SF for the first occupant plus 100 SF for each additional occupant	880 SF or 40% of the habitable area of the main home	Attached, Detached	Section 1302.125	Maximum of 4 occupants	10 permitted

* Updated policy is currently under consideration as of February 2019

1 **1004.02: ACCESSORY BUILDINGS**

- 2 A. One- and Two-Family Dwellings: The following standards apply to accessory buildings that serve
 3 one- and two-family dwellings.
- 4 1. Number of Storage Buildings Allowed: Each principal dwelling unit is allowed up to two
 5 detached accessory buildings for household storage meeting the standards in ~~Table 1004-1~~ this
 6 Section.
- 7 2. Accessory Storage Building Performance Standards: Accessory buildings for storage totaling
 8 ~~1,008~~ more than 864 square feet may be permitted if the Community Development Department
 9 determines that three of the following performance standards have been met:
- 10 a. Matching the roof pitch to be similar to that of the principal structure;
 11 b. Adding windows or architectural details to improve the appearance of rear and side walls;
 12 c. Using raised panels and other architectural detailing on garage doors;
 13 d. Increasing side and/or rear yard setback(s); or
 14 e. Installing landscaping to mask or soften the larger building.
- 15 3. Accessory Dwelling Units Allowed: An Accessory Dwelling Unit (ADU) built pursuant to the
 16 standards in this Section and Section 1011.12.B is allowed on lots that are zoned LDR-1 and
 17 occupied by a one-family detached principal dwelling.

Table 1004-1	Accessory building
Maximum combined storage -footprint area <u>for accessory buildings for household storage</u>	864 square feet; up to 1,008 square feet by meeting performance standards in Section 1004.0.2A.2. In any case, combined area of accessory buildings shall not exceed 85% of the footprint of the principal structure.
Maximum height	15 feet ; <u>9 feet wall height</u> ^a
<u>Ground floor</u>	<u>9 feet, floor-to-ceiling</u>
<u>Overall height</u>	<u>30 feet</u> ^a
Minimum front yard building setback	30 feet ^b
Minimum rear yard building setback	5 feet ^c
Minimum side yard building setback	
Interior	5 feet
Corner	10 feet ^d
Reverse corner	Behind established building line of principal structure
Minimum setback from any other building or structure on the lot	5 feet

- 18 a. Notwithstanding the allowed maximum height, the overall height of an accessory building shall
 19 not exceed the height of the principal structure.
- 20 b. Where the natural grade of a lot at the building line of a house is 8 feet or more above the
 21 established street centerline, the Community Development Department may permit a detached garage
 22 to be erected within any required yard to enable a reduction of the slope of the driveway to as little as
 23 10%, provided that at least one-half of the wall height is below grade level.
- 24 c. Accessory buildings containing an Accessory Dwelling Unit shall have the same rear yard setback
 25 as required in Table 1004-3 for principal buildings.

26 d. The corner side yard setback requirement applies where a parcel is adjacent to a side street or
 27 right-of-way. The required setback from an unimproved right-of-way may be reduced to the required
 28 interior side yard setback by the Community Development Department upon the determination by the
 29 Public Works Director that the right-of-way is likely to remain undeveloped. (Ord. 1418, 10-10-2011)
 30 (Ord. 1450, 08-12-2013) (1487, 11/20/2015) (Ord. 1530, 7-10-2017)

31 B. Attached and Multi-family Buildings: Attached and multi-family buildings are allowed one storage or
 32 maintenance structure and one garden shed per complex, plus detached garage structures as
 33 needed. Accessory buildings and sheds shall be located in rear or side yards behind the front
 34 building line of the principal structure. Accessory buildings and sheds shall be set back a minimum of
 35 10 feet from rear or side lot lines and from principal buildings.

36 C. Color, Design, and Materials: The exterior design and materials of an accessory storage building
 37 greater than 120 square feet in area and/or greater than 12 feet in height shall be similar to or
 38 compatible with those of the principal structure.

39 D. Driveway Required: Any accessory building used for storing one or more motorized vehicles and/or
 40 trailers shall be served by a hard-surfaced driveway to an adjacent public street, if any of these
 41 items are removed from the accessory building more than 2 times in a 10-day period.

42 E. Construction Timing: Accessory buildings shall not be constructed prior to the construction of the
 43 principal structure on the same site.

44 F. Permit Required: Permits are required for all detached accessory buildings prior to construction.

45 **1011.12 Additional Standards for Specific Uses in All Districts:**

46 B. Residential Uses, Accessory:

47 1. Accessory Dwelling Units (ADU):

48 a. An ADU shall be located on a lot occupied by a one-family dwelling.

49 b. No more than one ADU shall be allowed on a lot.

50 c. Either the principal dwelling unit or the ADU shall be owner-occupied and both dwelling
 51 units shall be under unified ownership.

52 d. Maximum occupancy of an ADU shall be limited to 2 people.

53 e. An ADU shall be assigned a unique address identifier to differentiate it from the principal
 54 dwelling. An attached ADU shall be identified by "Unit A" and a detached ADU shall be
 55 identified by "Unit B" following the primary property address (e.g., 1234 Elm Street Unit B).

56 f. A detached ADU may be located above a detached garage or within a separate accessory
 57 building meeting the standards for accessory buildings established in §1004.02 of this Title.

58 g. A property shall have a minimum of 1 additional, conforming, off-street vehicle parking
 59 space above and beyond the number of parking spaces required for the principal dwelling
 60 unit in the zoning district.

61 h. Home Occupations: Home occupations are permitted in ADUs, provided that the combined
 62 impacts of home occupations in the ADU and the principal dwelling unit conform to the
 63 standards and limitations established in §1011.12B2 of this Title.

64 i. Dimensional Standards for All ADUs:

65 i. Maximum height of an ADU, including one built above a garage shall not exceed the
 66 standards for principal or accessory buildings, as applicable.

67 ii. Unit size: An ADU shall include at least 300 square feet of living area up to a maximum
 68 of 650 square feet of living area, but in no case shall an ADU exceed 75% of the principal

- 69 dwelling’s four season living area (exclusive of the ADU). For the purposes of this
 70 provision, “living area” shall include kitchen areas, bathrooms, living rooms, bedrooms
 71 (including the closet which defines the bedroom), and other rooms, and shall exclude
 72 utility rooms, hallways, entryways, storage areas, and garages.
- 73 iii. An ADU shall include a maximum of 1 bedroom.
 - 74 iv. Setback requirements: All ADUs shall meet the standards for principal buildings;
 75 ~~notwithstanding this requirement, detached ADUs shall not be located closer to the~~
 76 ~~front property line than the principal building.~~
 - 77 j. The entryway to a detached ADU shall be connected to a street frontage with a paved
 78 walkway.
 - 79 k. Design Standards for Attached ADUs: The appearance or character of the principal building
 80 shall not be significantly altered so that its appearance is no longer that of a one-family
 81 dwelling.
 - 82 l. Design Standards for Detached ADUs:
 - 83 i. Material: The exterior finish material shall match in type, size, and placement, the
 84 exterior finish material of the principal dwelling unit.
 - 85 ii. Roof pitch: The roof pitch shall match the predominant roof pitch of the principal
 86 dwelling unit.
 - 87 iii. Details: Trim shall match the trim used on the principal dwelling unit. Projecting eaves
 88 shall match those of the principal dwelling unit.
 - 89 iv. Windows: Windows shall match those in the principal dwelling unit in proportion
 90 (relationship of width to height) and orientation (horizontal or vertical).
 - 91 m. Permit Required: A lifetime, non-transferrable ADU Occupancy Permit shall be required
 92 from the Community Development Department to allow an ADU to be rented. For the
 93 purposes of this provision, a “rented” ADU is one that is being occupied by a person or
 94 persons other than the family (as defined in §1001.10 of this Title) occupying the principal
 95 dwelling unit. Each property owner seeking to rent an ADU, or occupy an ADU while renting
 96 the principal dwelling unit, shall apply for a new ADU Occupancy Permit according to the
 97 procedure established herein. In addition to receiving an ADU Occupancy Permit, the
 98 property shall be in compliance with the City’s rental registration requirements.
 - 99 i. Application: The owner of property on which an ADU is proposed shall file a permit
 100 application by paying the fee set forth in Chapter 314 of this Code and submitting a
 101 completed application form and supporting documents as set forth on the application
 102 form. The Community Development Department will review the application to
 103 determine whether the application is complete and the subject property is eligible to
 104 receive the requested ADU permit.
 - 105 ii. Notification: Upon the determination that a complete application has been submitted
 106 and that the property is eligible to receive the requested ADU permit, property owners
 107 within a radius of 100 feet shall be notified in writing by the Community Development
 108 Department of the application and that they have 7 days in which to share comments or
 109 concerns about the application before the Community Development Department issues
 110 the permit.

- 111 iii. Conditions: The City may impose conditions on the issuance of an ADU permit. Such
112 conditions must be directly related to, and must bear a rough proportionality to,
113 impacts created by the ADU.
- 114 iv. Revocation: If a permitted ADU or the property for which an ADU permit has been
115 issued should fail to meet the requirements of the permit, and/or if a property for which
116 an ADU permit has been issued should become ineligible for such permit, the issued
117 ADU permit may be revoked upon the determination by the Community Development
118 Department that the noncompliance and/or ineligibility issue(s) cannot or have not
119 been resolved. If an ADU permit is revoked, occupation of the ADU by a person or
120 persons other than the family (as defined in §1001.10 of this Title) occupying the
121 principal dwelling unit shall cease within 60 days of the date of the revocation.
- 122 v. Appeals: Determinations pertaining to the continuing compliance and/or eligibility of an
123 ADU permit or the property for which an ADU permit has been issued are subject to
124 appeal according to the procedure for appeals of administrative decisions established in
125 Section 1009.08 of this Title.
- 126 vi. Expiration: An ADU permit shall expire upon transfer of the property to a new owner.
127 Continued use of an ADU on a property which has been transferred to a new owner
128 shall require the new owner to apply for a new ADU permit.
- 129 2. Garden Sheds in LDR Districts: Garden sheds may be built and/or sided with materials which are
130 different in character from the principal structure, but acceptable materials shall not include
131 galvanized or corrugated metal.



REQUEST FOR PLANNING COMMISSION ACTION

Date: March 4, 2020

Item No. 6b

Department Approval

Janice Gundlach

Agenda Section
Public Hearings

Item Description: Request by City of Roseville for approval of an amendment to Title 10, Zoning,
pertaining to Indoor Entertainment Centers (PROJ0047)

BACKGROUND

Amusements History

On October 2, 2019, and December 4, 2019, the Planning Commission held public hearings on two new
“amusement areas” in Roseville as conditional uses, and the City Council passed resolutions approving
them on October 21, 2019, and January 6, 2020, respectively. In each of these discussions, the Planning
Commission and City Council acknowledged the need to reevaluate the regulations leading to the
applications, and to consider how best to regulate such amusements in the future. The first step in this
process was to research the history of regulatory decisions and actions that led to the existing code
language of Chapter 303: Amusement Devices, Areas, and Gamerooms. The historical regulations and
minutes of more current discussions regarding possible amendments are included with this RPCA as
Attachment A. Please note, however, that the historical list of ordinances, resolutions, and planning files
in Attachment A represents about half of the instances in which “amusement” appears as a substantive
issue; the remaining half of the instances (not included in Attachment A) did address or affect the topic
of amusements in some way, but did not materially change how amusements were regulated.

Given the executive nature of the minutes of the City Council meetings at which the vast majority of the
above decisions were made, and because the packets of materials supporting those meetings before the
mid-1970s are not in Roseville’s digital archives, there is no real indication of exactly why the City
Council took actions to regulate amusements in the way they did. There are some records from the
1980s and early 1990s that illuminate a concern about young people creating public safety and security
problems outside of—and beyond the boundaries of—the actual amusement establishments. This seems
to explain why two amusement places were denied in 1990, licensing requirements were made more
robust in 1991, and amusements began to be approved through the rest of the early 1990s.

Current Considerations

Over several discussions involving the Administration, Community Development, Engineering, Finance,
Fire, Parks and Recreation, and Police departments, staff came to the consensus that the nature of
amusements has changed dramatically since the mid-1990s, when the existing regulations had stopped
evolving. In more recent years, staff began discussing the apparent failures of the existing requirements.
For example:

- Annual inspections were required for the licenses, which led to staff merely verifying that the
same arcade games or other amusement devices were safely plugged into the same outlets as
they were in previous years.
• Some restaurants obtained licenses for the hand-held tablets available patrons, while others did
not.

- 34 • Except for the two recent applications, neither the restaurants with the tablets, nor the large
35 retailers that currently have amusement devices (like claw machines), nor any similar
36 amusements that may have come and gone since 1993, have applied for or received approval as a
37 conditional use.
- 38 • Escape rooms and places for playing table-top games began to appear in the community without
39 realizing that either a license or conditional use approval was required.
- 40 • Many of the requirements of the annual license that involve things like building safety, parking
41 lot lighting, signs, noise, traffic, and sanitation are the subject of other City, County, or State
42 regulations.

43 In support of the discussion of how best to regulate “amusements” staff developed the following list of
44 indoor amusement-type uses that currently exist and that represent the kinds of things that would likely
45 be the subject of such regulations.

- | | |
|---|----------------------------|
| 46 Trampolines/inflatables/obstacles | 56 Bowling alley |
| 47 Nerf/paintball/laser shooting | 57 Bingo hall |
| 48 Firearms/archery range | 58 Indoor playground |
| 49 Go-karts | 59 Rage room |
| 50 Top Golf | 60 Darts/axes |
| 51 Chuck E. Cheese’s/Dave & Buster’s | 61 Arcade/PC/console games |
| 52 Virtual reality | 62 Sky diving |
| 53 Puzzle/escape room | 63 Amusement park |
| 54 Table games (billiards, ping pong, shuffleboard, etc.) | 64 Zoo/Aquarium |
| 55 | |

65 Over the years, staff has come to believe the time, energy, and money that applicants are required to
66 spend on the conditional use and licensing processes far exceeds the value of the services provided to
67 them by the City. Staff perceives the greatest potential disruptions to the public health, safety, and
68 general welfare are posed not by establishments with amusement areas or devices, but by establishments
69 where there alcohol, tobacco, or gambling is found. Amusement places without alcohol, tobacco, or
70 gambling seem not to present the kinds of issues that licenses and conditional use considerations are
71 intended to mitigate. By contrast, amusement places with alcohol, tobacco, or gambling will be licensed
72 for those things, and the City has the ability to mitigate problems that may arise and persist by revoking
73 those licenses.

74 The one possible exception to discuss is the idea of indoor firearms or archery shooting ranges.
75 Community Development and Police Department staff have fielded questions in the past year or so
76 about indoor firearms ranges. Because range operators must be diligent about ensuring that the facilities
77 do not create issues of safety or nuisance noise, staff’s only significant concern is ensuring that firearms
78 available for target shooting are properly secured to prevent theft, which is the same concern that staff
79 has about firearms retailers. Therefore, staff is comfortable including such ranges among the other forms
80 of recreation regulated as amusements so long as the Firearm Sales license is expanded to include indoor
81 ranges, and the Council has preliminarily indicated their agreement with this staff determination.

82 **Suggested Changes**

83 As a result of the discussions summarized above, staff across departments have agreed that it would be
84 best to update Roseville’s definition of amusements, decide what zoning districts are most appropriate
85 for those uses and *permit* them in those districts. Coupled with eliminating the conditional use
86 requirement, staff would offer amendments to the licensing requirements accordingly. In general, the
87 changes that staff are proposing amount to:

- 88 1) relocating a couple of the amusements licensing requirements in Chapter 303, which *aren’t*
89 redundant of other regulations elsewhere in the code, to Chapter 301 to be applicable to all City
90 licenses;
- 91 2) repealing the rest of Chapter 303;
- 92 3) expanding the Firearm Sales license in Chapter 310 to include Indoor Firearm Range—and
93 removing the license for Theaters (by definition, “theaters” are separate from “amusements,” but
94 staff identified the license requirement for theaters as no longer necessary);
- 95 4) eliminating the various amusement-related licensing fees from the fee schedule in Chapter 314;
- 96 5) adding the following definition of “Indoor Entertainment Center” in Chapter 1001 of the zoning
97 code: “*A facility offering indoor attractions such as video games, inflatables, bowling, climbing*
98 *structures, kart racing, miniature golf, laser tag, virtual reality, puzzle rooms, tabletop games,*
99 *and archery and firearms shooting ranges, but not including theaters, concert venues, or athletic*
100 *training or fitness facilities”;* and
- 101 6) specifying that an Indoor Entertainment Center is a permitted use in the Community Business
102 (CB), Regional Business (RB and RB-2), Office/Business Park (O/BP and O/BP-1), and the
103 more-intensive Community Mixed Use (CMU-3 and CMU-4) zoning districts.

104 Planning Division staff discussed these proposed changes with the City Council at its February
105 10, 2020, meeting. The City Council was unanimously supportive of the proposal, and the
106 minutes of that discussion are included as Attachment B. The suggested amendments to Title 3,
107 Business Regulations, and Title 10, Zoning, are illustrated as “red-line” edits in the draft
108 ordinance included as Attachment C, and a copy of the zoning map is included as Attachment D.
109 The Planning Commission’s role in this process is to hold the public hearing and advance a
110 recommendation specifically regarding the amendments to Title 10, Zoning. Staff has provided
111 the analysis and proposed amendments to Title 3, Business Regulations as that background
112 provides the full context under which these various amendments are even necessary.

113 **PUBLIC COMMENT**

114 At the time this RPCA was prepared, Planning Division staff has not received any communication from
115 the public.

116 **RECOMMENDED ACTION**

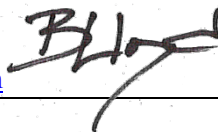
117 **By motion, recommend approval of the proposed amendment to Title 10 regarding Indoor**
118 **Entertainment Centers**, based on the content of this RPCA, public input, and Planning Commission
119 deliberation.

120 **ALTERNATIVE ACTIONS**

- 121 **A) Pass a motion to table the item for future action.**
- 122 **B) Pass a motion to recommend denial of the request.**

Attachments: A: History of amusement regulations C: Draft ordinance
B: 2/10/2020 City Council minutes D: Zoning map

Prepared by: Senior Planner Bryan Lloyd
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Regular City Council Meeting
Monday, October 21, 2019
Page 5

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Laliberte moved, Etten seconded, to direct Community Development staff to abate the nuisance conditions at 2799 Merrill St as outlined in the staff report.

Roll Call

Ayes: Willmus, Groff, Etten, Laliberte and Roe.

Nays: None.

d. Consider Adopting a Resolution Approving an Amusement Area as a Conditional Use

Senior Planner Bryan Lloyd briefly highlighted this item as detailed in the Request for Council Action and related attachments dated October 21, 2019.

Councilmember Willmus asked if the Conditional Use is granted, could it be granted in such a manner that it is limited to the suite that is occupied by this business or is it something that could potentially be considered Conditional Use as applying to the entirety of the property at 1955 County Road B2.

Mr. Lloyd indicated the Planning Commission asked that same question and staff recommendation in the draft resolution discussed the proposed use, which is in a prescribed space within that building. In concept it could apply to that whole property but because the proposal is for that one space, the approval, if granted, would apply to that one space as diagramed.

Mayor Roe asked from a land use perspective, if there was not a requirement in the business regulations for the Conditional Use approval would this use be an approved use under the city zoning analysis.

Mr. Lloyd explained there were some discussions about that and there are two different ways that it could be looked at and discussed. One of those ways is that the Zoning Code does not say anything about using virtual reality as an entertainment use and when the Zoning Code does not say something, then it is not permitted. The other way to approach it is the activity is not materially different from other things that are done on a commercial property, which is the way staff used to determine the use.

Mr. Anton Torres, Strange Stars Entertainment, explained DreamTrace, Inc. is one of the businesses that is being launched and is a family run venture capital firm. He explained the process and endeavor about virtual reality and how the business will be run. He indicated he was at the meeting to answer questions.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

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Willmus moved, Groff seconded, adoption of Resolution No. 11642 entitled, "Resolution Approving the Proposed Amusement Area as a Conditional Use at 1955 County Road B2."

Council Discussion

Councilmember Willmus indicated he supported this and appreciated staff's response on how the city would like to handle these types of businesses in the future.

Councilmember Groff supported this business, thought it was very interesting, and would be a great addition to the community.

Councilmember Etten appreciated the great work of the company already in Roseville and thought it was a great way to add some cool and fun to the city.

Councilmember Laliberte agreed and was specifically supportive of this in this particular location.

Roll Call

Ayes: Willmus, Groff, Etten, Laliberte and Roe.

Nays: None

Mayor Roe asked the Council for thoughts on what the next steps for this type of business should be in the city.

Councilmember Willmus explained the Council will be having a joint meeting with the Planning Commission soon and he would be interested in discussing this with them at that time. He thought when the city has these situations that arise where it is new, the city should take an extra step and look if there is another way to handle it within the Code to accommodate that type of thing.

Councilmember Laliberte agreed and was also supportive of staff bringing it forward for the Council to look at further and have the conversation with the Planning Commission. She did appreciate the ability to consider a project and where it is located, especially if it is in the vicinity of residential area.

Councilmember Groff supported having staff review it and the Planning Commission have their discussion as well. He would like to see the Code changed to reflect new types of businesses.

Councilmember Etten agreed and would like to have the Code reviewed and updated.

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Mayor Roe added that not only with this particular case but if there are other business license requirements in the business licensing section of the Code that talk about Conditional Use approval, he thought the city needed to separate business licensing from land use decisions and zoning. He stated it made sense to look at the requirements when looking at the land use part of it, what should be in the Zoning Code, what are the requirements for business licensing, and should there be licensing of these types of businesses.

Mr. Lloyd asked if staff should wait on this item until there is discussion with the Planning Commission. He noted that strictly speaking, there is nothing about these recommendations that is in the Zoning Code or would go to the Planning Commission for a public hearing purposes because it is in Chapter or Title 3, the Business Regulations of the Zoning Code and not in Zoning or Subdivision. The Planning Commission definitely did take an interest in making sure that staff is handling these kinds of things in the most effective and efficient way, but the Planning Commission would not necessarily have a role in making the edits, unless it is to incorporate something new into the Zoning Code.

The Council did not object to staff working on this subject for future discussion.

8. Approve Minutes

Comments and corrections to draft minutes had been submitted by the City Council prior to tonight's meeting and those revisions were incorporated into the draft presented in the Council packet.

a. Approve October 7, 2019 EDA and City Council Meeting Minutes

Etten moved, Groff seconded, approval of the October 7, 2019 EDA and city Council Meeting Minutes as presented.

Roll Call

Ayes: Willmus, Groff, Etten, Laliberte and Roe.

Nays: None.

9. Approve Consent Agenda

At the request of Mayor Roe, Assistant City Manager Olson briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated October 21, 2019 and related attachments.

Willmus moved, Etten seconded, approval of the Consent Agenda including claims and payments as presented and detailed.

Roll Call

Ayes: Willmus, Groff, Etten, Laliberte and Roe.

Nays: None.

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Mr. Trudgeon explained that temporary liquor licenses have a fee, but the temporary consumption display permit does not from his understanding.

Mr. Bartley Blume owner of Bent Brewstillery, 1744 Terrace Drive addressed the Council in support of his application.

Mayor Roe asked if there is any means to have some sort of agreement between the city and Mr. Bloom outside of the licensing regime to the effect that he is going to commit himself to only dealing with his own products.

City Attorney Gaughan did not think it would be appropriate to place additional restrictions that are not contained within the State Statute.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Groff moved, Etten seconded, approval for a Consumption and Display Permit for Blume Brauhaus at 1744 Terrace Drive.

Council Discussion

Councilmember Groff felt this was a good business in Roseville and is an interesting concept. He thought this will be a good addition to the business community.

Roll Call

Ayes: Etten, Willmus, Laliberte, Groff and Roe.

Nays: None.

c. Consider Adoption of a Resolution Approving an Amusement Area as a Conditional Use at 1975 Oakcrest Avenue

Community Development Director Janice Gundlach briefly highlighted this item as detailed in the Request for Council Action and related attachments dated January 6, 2020.

Ms. Patricia Wood, owner of Hidden Puzzle Rooms, 1935 County Road B2 West, addressed the Council.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Willmus moved, Laliberte seconded, adoption of Resolution No. 1661 entitled, "Resolution Approving the Proposed Amusement Area as a Conditional Use at 1975 Oakcrest Avenue (PF19-024).", based on the content of this Request For Council Action, the public record, and the following conditions:

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- a. Pursuant to the memo from Police Department staff in Attachment D of this Request for Council Action, the applicant shall submit an extra copy of the insurance policy required among the license application materials, which City staff will provide to the Police Department for review.
- b. Pursuant to the memo from Fire Department staff in Attachment D of this Request for Council Action, all locked escape rooms shall have emergency release equipment located within the rooms near the doors for emergency and panic exits.
- c. Hours of operation and pre-booking of business shall be managed, as described in the applicant narrative in Attachment C of this Request for Council Action, to ensure sufficient parking and circulation can be maintained throughout the multi-tenant site.
- d. A business license is secured in accordance with City Code.

Council Discussion

Councilmember Willmus thought this is something the city looked at on County Road B2 and felt this is a better location with more parking. He indicated he supported this.

Councilmember Laliberte concurred.

Roll Call

Ayes: Etten, Willmus, Laliberte, Groff and Roe.

Nays: None.

Mayor Roe requested staff continue looking at the existing code requirements for the license because the requirements seem to be excessive for this type of a business.

d. Discuss Communications Fund and Communications Budget

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated January 6, 2020.

Mayor Roe asked the Council if it was important to start with a balanced budget as Mr. Trudgeon indicated or is it adequate to balance the budget at the end of the process, once the Council knows where the city is at and understand the city is out of balance, so to speak, under the status quo for the next couple of months during that process.

Councilmember Groff thought it was important to act on balancing the budget. He thought the City Manager gave the Council a good option to remedy this and he would prefer to move forward with it.

- 1 Ord 100 (May 27, 1948): building code/gives building inspector authority to regulate “materials,
2 location, dimensions and construction of any building not specially covered by this code but
3 which is used or in-tended to be used, either permanent or temporary, for the support, habitation,
4 amusement or shelter of people...”
- 5 Ord 105 (May 27, 1948): permitted uses in business districts includes “amusement park”
- 6 Ord 141 (Jul 1, 1952): Establishes Amusement regulations. Defines “Place of Amusement” as “any area,
7 building, or place where a fee is charged for furnishing entertainment or furnishing facilities for
8 entertainment except where a specific amusement is heretofore or hereafter otherwise licensed by
9 ordinance.” A license fee is established, as are basic lighting requirements, and provisions for
10 inspections and violations.
- 11 Ord 149 (Feb 17, 1953): Amusement Park is permitted in business districts
- 12 Ord 208 (Nov 9, 1955): establishes curfew, including for amusements
- 13 Ord 275 (May 21, 1959) New Zoning Code | Amusement establishments (together with bowling alleys,
14 alleys, pool halls, dance halls; commercial gymnasiums, swimming pools and skating rinks) are
15 SUP in the B-2 (Retail Business) district and permitted in the B-3 (General Retail) district.
16 “Amusement” is not defined, so the definition of Ord 141 apparently stands.
- 17 Ord 279 (Jul 21, 1959): replaces Ord 208, puts the burden on parents to make sure kids aren’t loitering,
18 idling, or similar
- 19 Ord 405 (Nov 18, 1963): Adds Chapter 117, regulating Amusement *Devices*. An amusement device is
20 defined as “any game, machine or device that requires the payment of money to play the game or
21 operate the machine or device, and which is operated so as to possibly reward the player or
22 operator with additional games or operations without additional payment of money.” Licenses
23 are required for owners/operators of amusement devices and the devices according to the
24 following formula:
25 License 1 Owner/Operator
26 License 2 Device 1
27 Device 2
28 License 3 Device 3
29 License 4 Device 4
30 etc....
- 31 Ord 406 (Nov 18, 1963): fee schedule amendment raises the per-device license fee and adds a per-
32 operator license fee
- 33 Ord 696 (Apr 9, 1973): amusements permitted in B-3 (General Business) districts
- 34 Ord 699 (Apr 16, 1973): prohibits minors from operating amusement devices (except jukeboxes)
- 35 Ord 889 (Sep 14, 1981): fee schedule amendment raises the license fees and adds a game room fee
- 36 Ord 907 (Jun 14, 1982): fee schedule amendment raises the license fee for amusement places, devices,
37 and game rooms
- 38 Ord 910 (Sep 13, 1982): Allows later operating hours for amusement devices in “game rooms”, refines
39 the definition of “amusement device” to exclude statutory gambling devices, and adds a
40 definition of a “game room” as a place in which a majority of its gross receipts is revenue from
41 amusement devices. It permits (without a license) up to 4 devices to be present in any business,
42 or more than 4 devices with a license. Said license can regulate “the number, type, and hours of

- 43 operation of the amusement devices.” Game Rooms may have more than 4 devices without a
 44 license, but within defined hours of operation.
- 45 PF2060 (Apr 9, 1990): amusement denied—game room and pool tables at 2180 Dale Street
- 46 PF2151 (Nov 26,1990): amusement denied—Skill Mill arcade at 1655 County Road B2
- 47 Ord 1089 (Feb 25, 1991): Amends amusement regulations requiring licenses for all game rooms and
 48 devices. Licenses carry a new list of requirements like:
- 49 • May not be less than 1,500 feet from a residence/school/park
 - 50 • Needs a security plan
 - 51 • No alcohol (including 3.2)
 - 52 • No loitering allowed
 - 53 • No one can manage the game room if they’ve been convicted of felony, controlled substance
 54 abuse, or gambling law violations in the past five years
 - 55 • Must have adequate lighting and no obstruction to visual supervision
- 56 Ord 1090 (Mar 25 1991): fee schedule amendment raising all license fees
- 57 PF2264 (Jun 10, 1991): amusement approved—Lava Links golf training and recreational facility at 1655
 58 County Road B2
- 59 PF2163 (Mar 23, 1992): amusement approved—additional games (e.g., darts, basketball, etc.) at Lava
 60 Links at 1655 County Road B2
- 61 PF2620 (Nov 22, 1993): amusement approved—Aladdin’s Castle family entertainment center at 1705
 62 Highway 36
- 63 PF2639/Ord 1144 (Jun 13, 1994): Replaces amusement-related business regulations. It becomes very
 64 similar to the current regulations, but it still maintains the 1,500-foot radius. Hours are more
 65 restrictive. SUP is now required (as a specification in the business regulations) in addition to the
 66 license. This also seems to be the point when exceptions were added for not-for-profit, tax
 67 exempt, and other criteria.
- 68 PF3278/Ord 1244 (Dec 18, 2000): Amends Chapter 304 regulating bingo halls, establishing a single
 69 business license available for bingo halls, allowing them as conditional uses in B-1, B-1B, and
 70 B-2 districts, and permitting them in B-3, I-1, and I-2 districts.
- 71 Reso 10202 (Feb 9, 2004): fee schedule amendment might have eliminated the “amusement place” fee
 72 because that fee is no longer in this fee schedule. The next most recent fee schedule staff could
 73 find is from 1991, though, so it is not entirely clear when an “amusement place” fee went away.
- 74 Ord 1400 (Nov 22, 2010): Reduces per-device fees and raises game room fees.
- 75 Ord 1468 (Jun 9, 2014): Chapter 303 is amended to eliminate the 1500-foot requirement, and restrict
 76 amusements to commercially zoned areas.
- 77 PF19-019/Reso 11642 (Oct 21, 2019): Amusement approved—DreamTrace VR stages at 1955 County
 78 Road B2
- 79 PF19-024/Reso 11661 (Jan 6, 2020): Amusement approved—Hidden Puzzle Rooms escape rooms, VR
 80 stage, rage room, axe throwing, and table games at 1975 Oakcrest Avenue
- 81

CHAPTER 301 GENERAL LICENSE REGULATIONS

SECTION:

- 301.01: Application
- 301.02: Applications for Licenses and Permits
- 301.03: License and Permit Fees
- 301.04: Prorating of License
- 301.05: Investigations
- 301.06: Duration
- 301.07: Display of License 301.08: Transfer of License
- 301.09: Revocation or Suspension of License

301.01: APPLICATION:

The provisions of this Chapter shall govern the application for and issuance of licenses and permits in the City, except as may otherwise be specifically provided in this Code in regard to particular licenses or permits. (1995 Code)

301.02: APPLICATIONS FOR LICENSES AND PERMITS:

Applications for licenses and permits shall be filed in writing with the City Manager for presentation to the City Council. Each such application shall contain the following information:

- A. Full name, date of birth and residence (or registered office in the case of corporation) of applicant.
 - B. Name and address of the location or place of business for which the license or permit is required and the kind of business to be carried on at said address.
 - C. Such other information as this Code or the City Manager requires-, including but not limited to:
 - 1. Proof of liability insurance coverage
 - 2. Provision of on-site security personnel, equipment, or combination thereof
- (1995 Code, amd Ord _____, 2020)

301.03: LICENSE AND PERMIT FEES:

The fees shall be as established by the City Fee Schedule in Section 314.05.

301.04: PRORATING OF LICENSE:

The fee for licenses granted after the commencement of the license year shall be prorated on a quarterly basis unless specified otherwise in this Code. (1995 Code)

301.05: INVESTIGATIONS:

Before granting or denying any license application, the City Council may order such investigation of the applicant, applicant's business or proposed business and the premises on which it is to be conducted as it shall deem necessary. (1995 Code)

301.06: DURATION:

Unless specifically provided for elsewhere in this Code, all licenses or permits shall terminate on June 30 of each year after issuance. (Ord. 597, 4-18-69; amd. 1995 Code)

301.07: DISPLAY OF LICENSE:

Each license shall be displayed by the licensee in a conspicuous place upon the premises. (1995 Code)

301.08: TRANSFER OF LICENSE:

Unless specifically provided for elsewhere in this Code, application for a transfer of a license shall be made to the City Manager. If the transfer is approved by the City Council, a new license shall be issued upon payment of 25% of the annual license fee, prorated for the period of issuance on a quarterly basis. (1995 Code)

301.09: REVOCATION OR SUSPENSION OF LICENSE:

The City Council may suspend or revoke any license for violation of this Code or any State or Federal statute or regulation after following applicable statutory provisions and where none, after reasonable notice and a due process hearing. (1995 Code)

CHAPTER 303
AMUSEMENT DEVICES; AREAS AND GAMEROOMS
Repealed

SECTION:~~303.01: Amusement Devices; Areas and Gamerooms Defined~~~~303.02: License and Conditional Use Permit Required~~~~303.03: Application for License Requirements~~~~303.04: Location Restrictions~~~~303.05: Hours of Operation~~~~303.06: Gambling Devices~~~~303.07: Cigarette Sales Prohibited~~~~303.08: Conditional Use Permit Requirements~~~~**301.01: : AMUSEMENT DEVICES; AREAS AND GAMEROOMS DEFINED:**~~

~~For the purposes of this Code, the term "Amusement Devices, Areas and/or Gamerooms" shall mean any for-profit enterprise or business which provides areas within a building, room or outdoor space with capacity for eight or more customers at one time, wherein customers play games, watch game playing, wait to play or que to enter or are being entertained. Examples of such business uses are: video, laser, pool or other table game areas; arcades, carnivals and circuses. This definition excludes physical exercise or health centers, theaters, private lodges or clubs, restaurants and bars and all tax-exempt operations. (Ord. 1144, 6-13-1994)~~

~~**301.02: : LICENSE AND CONDITIONAL USE PERMIT REQUIRED:**~~

~~A. No person shall establish, maintain or operate an amusement device area or gameroom as herein defined within the City without first having obtained an annual license and a conditional use permit to do so. Any proposal for such business or enterprise as defined in Section 303.01 shall apply for a City annual business license as set forth in Sections~~

~~301.01 through 301.09 and a conditional use permit as set forth in Section 1013.01.~~

~~The application and annual fee for the business license and the fee for the conditional use permit shall be as established in Section 314.05.~~

~~(Ord. 1275, 11-18-2002) (Ord. 1379A, 11-17-2008)~~

~~B. Each conditional use permit approved for amusement device areas or gamerooms shall be contingent upon issuance of an annual business license. At such time as the business license lapses or is denied, the conditional use permit shall also be considered null and void.~~

~~C. Each license shall be issued for a period of one year; however, if the application is made during the license year, a license may be issued for the remainder of the year for a pro-rata fee to be determined by the City with any fraction of a month counted as one month. No refund of any fees shall be made. Every license shall expire the last day of June.~~

~~D. Amusement devices, areas, and gameroom businesses and enterprises approved and in existence on the effective date of this Chapter shall comply by submitting an initial license application prior to June 30, 1995, for 1995-1996. Such businesses shall be deemed as pre-existing conditional uses, subject to the standards and criteria of this Code, except Section 303.04.~~

~~E. Licenses are not transferable. Change in ownership of the site or the business on the site shall cause the license to expire. The new owner may apply for a new license and City Council approval. (Ord. 1144, 6-13-1994)~~

~~**301.03: : APPLICATION FOR LICENSE REQUIREMENTS:**~~

~~License application requirements shall include the following:~~

~~A. The applicant's birth date, correct name, social security number, driver's license number, post office address and residence, length of time the applicant has resided within the State of Minnesota and applicant's places of residence for the ten years preceding application.~~

~~B. Applicant's signed approval for Police Department to complete a criminal and personal background investigation.~~

~~C. Five letters of references.~~

~~D. If a Minnesota corporation, the name, address and phone number of the principal in charge of the premises. If a partnership, each active partner shall supply the same information as the applicant. (Ord. 1144, 6-13-1994)~~

~~**301.04: : LOCATION RESTRICTIONS:**~~

~~The operation of any amusement devices, areas or game room business or enterprise with a capacity for more than eight customers at one time shall be restricted to a commercially zoned area consistent with the City's Zoning Code. (Ord. 1144, 6-13-1994) (Ord. 1468, 06-09-2014)~~

~~**301.05: : HOURS OF OPERATION:**~~

~~No licensee shall operate between the hours of 11:00 P.M. and 7:00 A.M. Licensees located within shopping centers or malls shall have the same hours of operation as the center or mall. (Ord. 1144, 6-13-1994)~~

~~**301.06: : GAMBLING DEVICES:**~~

~~No gaming or gambling, as defined in Chapter 304 of this Title shall be permitted within the commercial public assembly business or enterprise location. (Ord. 1144, 6-13-1994)~~

~~**301.07: : CIGARETTE SALES PROHIBITED:**~~

~~It shall be unlawful to permit the sale of cigarettes on the premises. (Ord. 1144, 6-13-1994)~~

~~**301.08: : CONDITIONAL USE PERMIT REQUIREMENTS:**~~

~~In addition to the requirements listed in Section 1013.01, a conditional use permit shall include, but not be limited to, the following reports, standards and plans which are to be submitted as part of the annual license application or as otherwise stated:~~

~~A. Insurance Coverage: The City may require proof of liability insurance coverage in amounts not less than \$1,000,000.00 each.~~

~~B. Security: The City may require the applicant to provide on-site security agents at indoor and outdoor locations during peak periods which are identified in the pedestrian, maintenance and traffic management plans.~~

- ~~C. Lighting Plan: An exterior lighting plan shall provide for installation and maintenance of lighting standards in parking and entry areas. The standards shall include light intensity as follows:

 1. 20 foot candles within 75 feet of entry or exit.
 2. Five foot candles throughout the parking lot.~~
- ~~D. Traffic Management: A traffic management plan shall provide for parking and circulation. The plan shall illustrate:

 1. Number of spaces estimated to be in use during afternoon and evening business hours or performances. The total number of spaces available on the site shall accommodate two complete shifts of customers when the facility is used at capacity.
 2. The traffic circulation plan within the car and bus parking areas and any traffic direction signage.
 3. Entrance and exit capacity on driveways.~~
- ~~E. Pedestrian Plan: An exterior (out of the parking areas) and indoor pedestrian queuing plan shall be provided with staggered entry times to gaming areas and a managed one-way entry, multi-way building exit system for customers.~~
- ~~F. Emergency Evacuation Plan: An evacuation plan shall include a weekly attendance total, reported on a monthly basis (to City Fire Marshal) to determine capacity and routing for evacuation. The evacuation plan shall describe the exit locations, designated fire lanes, routing, crowd management techniques and staff training necessary for evacuation.~~
- ~~G. Maintenance Building Report: An annual maintenance and building report shall include records of all maintenance and building improvements during the previous year. This report shall include records of improvements to bathrooms, seats, carpet, windows, doors, heating and air handling equipment, water and sewer services, exterior landscaping, parking and lighting. The trash collection systems for inside the building and in parking areas shall be illustrated and methods for screening exterior trash collection areas must be provided.~~
- ~~H. Signs: Exterior and interior marquee or wall signs shall illustrate entry areas and hours of operation or starting times for events.~~
- ~~I. On Site Manager: An on-site manager shall be on the site at all times when the business is open to the public. The on-site manager shall have his/her name and business phone number prominently displayed in the front entry or lobby at all times.~~
- ~~J. Employee Training Program: All employee training programs shall include a 12-month roster of employees and a description of the employee training program. The employee training program shall include health, sanitation, safety, crowd management, maintenance and evacuation training. Employees shall be in recognizable uniform, shirt or jacket.~~
- ~~K.A. Food/Sanitarian Inspection Report: A copy of the most recent Ramsey County Department of Health Food/Sanitarian inspection report shall be submitted with license application. It shall include all actions taken to comply with the inspection reports.~~
- ~~L. License Fees: License fees, as established by the City Fee Schedule in Section 314.05, shall cover all annual City administration and life/safety expenses and inspections. (Ord. 1379A, 11-17-2008)~~
- ~~M. Noise: Noise levels from machinery or customers shall be identified in a noise plan. Such noise shall not cause a disturbance to adjacent and surrounding uses which would cause the normal operation of said uses to be damaged or unreasonably disturbed.~~

**CHAPTER 310
MISCELLANEOUS LICENSE SECTION**

Section:

310.01: License Required

310.01: LICENSE REQUIRED:

No person shall conduct or engage in any of the following businesses or activities without first obtaining a license:

- A. Firearm Sales and Indoor Firearm Range: Businesses in which ~~there is sold~~ any handgun, rifle, shotgun, or similar firearm is sold or discharged.
- B. Veterinary Hospital: A facility for the care and treatment of animals within the City. (Ord. 597, 4-28-69; amd. 1995 Code)
- C. Gasoline Stations: Any place, building, pump or device maintained and used for the main purpose of selling or dispensing gasoline or other oils for use in motor vehicles of any kind.
- ~~D. Private Gasoline Pumps: Pumps from which gasoline or other fuel for internal combustion engines is dispensed into a vehicle for private use and not sold to the public.~~
- ~~E.D. Theaters: Any place, either within a building or in the open air, where moving pictures, film pictures or other pictures are displayed and an admission charge is made. (1995 Code)~~

CHAPTER 314 FEE SCHEDULE

SECTION:

- 314.01: Purpose and Findings
- 314.02: Other Fee References
- 314.03: Authority
- 314.04: Penalty
- 314.05: Fee Schedule
- 314.051: General Business Licenses and Fees
- 314.052: Administrative Fines
- 314.053: Building Permit & Plan Review Fees
- 314.054: Electrical Permits

314.01: PURPOSE AND FINDINGS

The City of Roseville annually adopts a Fee Schedule which establishes the fees and charges for service for the City's regulatory functions. The presence of a fee schedule allows regulatory-type fees to be easily identified in one document, as opposed to being scattered throughout City Code. In addition, a fee schedule adopted on an annual basis provides the City Council the opportunity to review fees for services in a comprehensive manner.

314.02: OTHER FEE REFERENCES

By enacting this ordinance, all fee amounts previously established and contained herein are hereby amended as submitted.

314.03: AUTHORITY

The authority to enact the fees identified herein is established by City Code.

314.04: PENALTY

Failure to pay the fees identified herein is subject to penalties and interest as established by City Code.

314.05: FEE SCHEDULE

The 2013 Fee Schedule is as shown in 314.051 – 314.054. (Ord. 1431, 11-19-2012), (Ord. 1433, 01-28-2013) (Ord. 1458, 11-18-2013) (Ord. 1484, 11/24/2015)

314.051: GENERAL BUSINESS LICENSES AND FEES

Item / Description	City Code	2018 Amount	2019 Amount
Amusement device—per machine	303	\$ 15.00	\$ 15.00
Benches in right-of-way	703	\$50.00	\$50.00
Assessment searches			
• Deferred / Pending	N/A	\$0.00	\$0.00
• Historical	N/A	\$100.00	\$100.00
Bowling alley			
• First alley	303	\$70.00	\$70.00
• Each additional alley	303	\$20.00	\$20.00
Burial Permit	401	\$100.00	\$100.00
Cigarettes, sale of	306	\$200.00	\$200.00
Compost and Woodchip Delivery from Compost Site	N/A	\$40.00	\$40.00
Construction noise variance	405.03	\$450.00	\$450.00
Conversation parlors	308	\$10,000.00	\$10,000.00
Copy charges per page	N/A	\$0.25	\$0.25
CPR Training charge per student	N/A	\$80.00	\$80.00
Curb stop turn on/off fee	N/A	\$50.00	\$50.00
Data / USB Drive Copies	N/A	\$5.00	\$10.00
Daycare facility inspection fee	N/A	\$40.00	\$40.00
Dog and cat license			
• 2 Year; sterilized	501	\$10.00	\$10.00
• 2 Year; sterilized and micro chipped	501	\$5.00	\$5.00
• 2 Year; non-sterilized	501	\$35.00	\$35.00
• 2 Year; non-sterilized and micro chipped	501	\$25.00	\$25.00
• Lifetime; sterilized	501	\$30.00	\$30.00
• Lifetime; sterilized and micro chipped	501	\$5.00	\$5.00
• Lifetime; non-sterilized	501	\$150.00	\$150.00
• Lifetime; non-sterilized, but micro chipped	501	\$100.00	\$100.00
• Duplicate / address change	501	\$5.00	\$5.00
• Special multiple; 2 Year	501	\$40.00	\$40.00
Dog kennels	501	\$75.00	\$75.00
DVD Copy	N/A	\$5.00	\$5.00
Encroachment Agreement Application fee	N/A	\$300.00	300.00

Item / Description	City Code	2018 Amount	2019 Amount
Erosion control escrow fee (per acre):			
Standard	1017	\$3,000.00	\$3,000
Residential remodel (less than ¼ acre)	1017	\$1,000.00	\$1,000
Erosion control inspection permit			
Less than 1 acre	1017	\$625.00	\$625.00
1 to 5 acres	1017	\$900.00	\$900.00
More than 5 acres	1017	\$1,400.00	\$1,400.00
Shoreland district < 5,000 sq. ft.	1017	\$300.00	\$300.00
Permit renewal (residential remodel)	1017	\$150.00	\$150.00
Erosion control permit <i>renewal</i>			
Less than 1 acre	1017	\$220.00	\$220.00
1 to 5 acres	1017	\$320.00	\$320.00
More than 5 acres	1017	\$480.00	\$480.00
Excavation, grading, and surfacing	705	See below	See below
False alarm fees – Police			
• Third false alarm	506	\$100.00	\$100.00
• Fourth	506	\$200.00	\$200.00
• Fifth	506	\$300.00	\$300.00
• Sixth	506	\$400.00	\$400.00
• Seventh and all subsequent alarms	506	\$500.00	\$500.00
False alarm fees – Fire			
• Third false alarm	506	\$300.00	\$300.00
• Fourth	506	\$400.00	\$400.00
• Fifth and all subsequent alarms	506	\$500.00	\$500.00
• Construction-related	N/A	\$150.00	\$150.00
Fertilizer, sale of	408	\$30.00	\$30.00
Fertilizer, applicator	408	\$100.00	\$100.00
Firearms, sale of, <u>or Indoor Range</u>	310	\$30.00	\$30.00
Fire Inspection:	902	\$93.00	\$93.00
Commercial vent hood	902	\$93.00	\$93.00
Natural gas-related emergencies	-	-	\$250.00 per hour (contractor-related)
Fire rescue and extrication fee	N/A	\$400.00	\$400.00
Fire safety training (per hour)	N/A	\$80.00	\$80.00
Fireworks, sale of consumer (existing retail)	N/A	\$100.00	\$100.00
Fireworks, sale of consumer (stand-alone, temporary)	902	\$450.00	\$450.00
Fuel storage tank removal inspection	902	\$170.00	\$170.00
Fuel storage tank: Installation of liquid fuel tank	902	\$170.00	\$170.00
Fuel storage tank: Installation of liquefied fuel tank	902	\$170.00	\$170.00
Game room	303	\$175.00	\$175.00
Gas pumps – private business	310	\$60.00	\$60.00

RPCA Attachment A

Item / Description	City Code	2018 Amount	2019 Amount
Gasoline stations	310	\$130.00	\$130.00
Horse	501	\$5.00	\$5.00
Hospitals-veterinary	310	\$80.00	\$80.00
Hotel/Motel Annual Inspection:			
Base rate	N/A	-	\$435.00
Per unit fee	N/A	-	\$3.00
Follow-up inspection	N/A	-	\$125.00
Lawful gambling:			
One-time event	304	\$25.00	\$25.00
On-going premise permit: gross sales %	304	1%	1%
On-going premise permit: net profits %	304	10%	10%
Liquor licenses:			
• On sale intoxicating liquor license	302	\$7,000.00	\$7,000.00
• On sale wine license (75 seats or less)	302	\$750.00	\$750.00
• On sale wine license (75+ seats)	302	\$1,500.00	\$1,500.00
• Temporary on sale (3 days)	302	\$50.00	\$50.00
• Temporary on sale in Central Park	302	\$20.00	\$20.00
• Sunday on sale license	302	\$200.00	\$200.00
• Special club license	302		
51-200 members	302	\$300.00	\$300.00
201-500	302	\$500.00	\$500.00
501-1,000	302	\$650.00	\$650.00
1,001-2,000	302	\$800.00	\$800.00
4,001-6,000	302	\$1,000.00	\$1,000.00
More than 6,000	302	\$2,000.00	\$2,000.00
• On sale brewery taproom	302	\$3,000.00	\$3,000.00
• On sale microdistillery cocktail room	302	\$750.00	\$750.00
• Off sale intoxicating liquor license	302	\$750.00	\$750.00
• Off sale intoxicating liquor (if conditions of MN Statute 340A.408 (Sub. 3c) are met	302	\$300.00	\$300.00
• Sale outside of premises	302	\$200.00	\$200.00
• Sale outside of premises	302	\$25.00	\$25.00
Liquor License – investigation fee	302	\$300.00	\$300.00
Massage therapist	309	\$100.00	\$100.00
Massage therapy business establishment license	309	\$300.00	\$300.00
First-time background check	309	\$150.00	\$150.00
Open burning permit	N/A	\$120.00	\$120.00
Park Dedication – residential (per unit)	1103	\$4,000.00	\$4,000.00
Park Dedication – non-residential (fair-market value %)	1103	10.0 %	10.0%
Pathway patching fee			
Concrete sidewalk – 2 panels	N/A	\$675.00	\$675.00
Bituminous (12' x 8')	N/A	\$550.00	\$550.00
Pawn Shop license	311	\$10,000.00	\$10,000.00
Pawn shop and precious metal dealer license	311	\$13,000.00	\$13,000.00
Pawn shop fee (per transaction)	N/A	\$2.90	\$2.90
Pool and billiards			
First table	303	\$70.00	\$70.00
Each additional table	303	\$20.00	\$20.00

Item / Description	City Code	2018 Amount	2019 Amount
Street patching fee			
Half width without curb	N/A	\$700.00	\$700.00
Half width with curb	N/A	\$1,300.00	\$1,300.00
Full-width without curb	N/A	-	\$1,400.00
Full-width with curb	N/A	-	\$2,600.00
Sump pump waiver fee	802	\$50.00	\$50.00
Theaters—per viewing screen	310	\$70.00	\$70.00
Tree planting and removal	706	separate ordinance	separate ordinance
Utility service location fee	N/A	\$100.00	\$100.00
Item / Description	City Code	2017 Amount	2018 Amount
Vehicle forfeiture impound fee (per day)	N/A	\$20.00	\$20.00
Water connection fees	801	see below	see below
Water meter deposit	801	Established separately	Established separately
Water usage fees	801	separate resolution	separate resolution
Water tower permit – private use	801	separate resolution	separate resolution
Well permit	801	separate resolution	separate resolution
Wireless tower lease agreement	1205	negotiated	negotiated

d. Discussion Regarding “Amusements” as it relates to Business Licensing and Zoning

Senior Planner Bryan Lloyd briefly highlighted this item as detailed in the Request For Council Action and related attachments dated February 10, 2020.

Councilmember Groff asked how indoor firing ranges are used in other cities and what kind of weapons are shot there.

Mr. Lloyd indicated he did not know those specifics. He did gather from conversations that it is not uncommon to be located within a multi-tenant building of some sort, typically industrial buildings tend to be large enough. There have been some inquiries about a retail area in addition to an industrial area. In Roseville, the industrial district is up for a focus on employment. The concern was where the firearms would be stored.

Councilmember Groff asked if people would be using the firearms that would be there and not bringing in firearms of their own.

Mr. Lloyd thought it could go both ways, if there are no local laws about carrying properly stored firearms.

Mayor Roe indicated he had a question on the change to the general license regulations where a couple of provisions were added that came out of the amusement section. The primary one he had a question on was the requirement for provision of onsite security personnel equipment or a combination thereof. As he is understanding this, it will apply to any business license in the city. He wondered for a lot of business licenses if there is even a requirement for security personnel equipment or some combination thereof.

Mr. Lloyd indicated there might not be but that is slotted under item C, which allows the city to ask for such other information as these things are deemed necessary.

Mayor Roe noted another thing that came up as he was listening to this presentation was outdoor versions of some of this and how those things might be regulated now in the code, such as a go-cart track or mini golf. He asked how that is dealt with in the code right now.

Mr. Lloyd explained the current code does not say anything about those things and when the code is silent on a particular use there is some judgement to be made about whether that thing being discussed is materially similar to other things that are addressed. He noted early on in the city code there was some reference to an amusement park and some of those that would-be long-term uses would need actual zoning amendments and short term might need an interim use process.

Councilmember Laliberte appreciated this coming back to the Council as it is due for a conversation. She could envision Roseville as a site for a Big Thrill Factory or Pinstripes and wanted to make sure the city is set up for success as well as the

business if one of those types of entities comes to the city. She wondered if those kind of multi-entertainment businesses come to Roseville, does the city have everything within these suggestions for staff.

Mr. Lloyd stated the consensus of staff working on this is that the city does not need an Amusements Conditional Use process to address that.

Councilmember Laliberte thought the city was seeing industrial spaces being used for retail, noting Roseville was not the only city seeing that. It was really happening in the redevelopment of industrial spaces in other cities as well. She wanted to make sure this was not always left up to a no because there is nothing similar to it and if something is needed to discuss going forward, she wanted to acknowledge the fact that industrial spaces are being used in new ways.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Mayor Roe stated the intention was for staff to come back to the Council with a package that includes the zoning part of it. The Council concurred.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3, BUSINESS LICENSING, REPEALING REGULATIONS OF “AMUSEMENTS” AND MAKING OTHER ASSOCIATED CHANGES, AND AMENDING TITLE 10, ZONING, ESTABLISHING ZONING REGULATIONS OF INDOOR ENTERTAINMENT CENTERS

The City Council of the City of Roseville does ordain:

Section 1. General License Regulations Amended. After Planning Commission and City Council consideration of Project File 0047, the Roseville City Code, Title 3 (Business Regulations), Chapter 301 is hereby amended to provide examples of what information may be required with submittal of any business license application.

301.02: APPLICATIONS FOR LICENSES AND PERMITS:

Applications for licenses and permits shall be filed in writing with the City Manager for presentation to the City Council. Each such application shall contain the following information:

- A. Full name, date of birth and residence (or registered office in the case of corporation) of applicant.
- B. Name and address of the location or place of business for which the license or permit is required and the kind of business to be carried on at said address.
- C. Such other information as this Code or the City Manager requires **including but not limited to:**
 - 1. Proof of liability insurance coverage
 - 2. Provision of on-site security personnel, equipment, or combination thereof.

Section 2. Amusement Devices, Areas, and Gamerooms Repealed. After Planning Commission and City Council consideration of Project File 0047, the Roseville City Code, Title 3 (Business Regulations), Chapter 303 is hereby repealed in order to remove licensing requirements for “amusements” and allow such land uses to be regulated by the zoning code.

CHAPTER 303
AMUSEMENT DEVICES; AREAS AND GAMEROOMS
Repealed

27

28

SECTION:

29

~~303.01: Amusement Devices; Areas and Gamerooms Defined~~

30

~~303.02: License and Conditional Use Permit Required~~

31

~~303.03: Application for License Requirements~~

32

~~303.04: Location Restrictions~~

33

~~303.05: Hours of Operation~~

34

~~303.06: Gambling Devices~~

35

~~303.07: Cigarette Sales Prohibited~~

36

~~303.08: Conditional Use Permit Requirements~~

37

~~**303.01: AMUSEMENT DEVICES; AREAS AND GAMEROOMS**~~

38

~~**DEFINED:**~~

39

~~For the purposes of this Code, the term "Amusement Devices, Areas and/or Gamerooms" shall mean any for-profit enterprise or business which provides areas within a building, room or outdoor space with capacity for eight or more customers at one time, wherein customers play games, watch game playing, wait to play or que to enter or are being entertained. Examples of such business uses are: video, laser, pool or other table game areas; arcades, carnivals and circuses. This definition excludes physical exercise or health centers, theaters, private lodges or clubs, restaurants and bars and all tax-exempt operations. (Ord. 1144, 6-13-1994)~~

46

~~**303.02: LICENSE AND CONDITIONAL USE PERMIT REQUIRED:**~~

47

~~A. No person shall establish, maintain or operate an amusement device area or gameroom as herein defined within the City without first having obtained an annual license and a conditional use permit to do so. Any proposal for such business or enterprise as defined in Section 303.01 shall apply for a City annual business license as set forth in Sections 301.01 through 301.09 and a conditional use permit as set forth in Section 1013.01. The application and annual fee for the business license and the fee for the conditional use permit shall be as established in Section 314.05. (Ord. 1275, 11-18-2002) (Ord. 1379A, 11-17-2008)~~

54

~~B. Each conditional use permit approved for amusement device areas or gamerooms shall be contingent upon issuance of an annual business license. At such time as the business license lapses or is denied, the conditional use permit shall also be considered null and void.~~

57

~~C. Each license shall be issued for a period of one year; however, if the application is made during the license year, a license may be issued for the remainder of the year for a pro-rata fee to be determined by the City with any fraction of a month counted as one month. No refund of any fees shall be made. Every license shall expire the last day of June.~~

61

~~D. Amusement devices, areas, and gameroom businesses and enterprises approved and in existence on the effective date of this Chapter shall comply by submitting an initial license application prior to June 30, 1995, for 1995-1996. Such businesses shall be deemed as pre-~~

63

64 existing conditional uses, subject to the standards and criteria of this Code, except Section
65 303.04.

66 E. Licenses are not transferable. Change in ownership of the site or the business on the site shall
67 cause the license to expire. The new owner may apply for a new license and City Council
68 approval. (Ord. 1144, 6-13-1994)

69 **~~303.03: APPLICATION FOR LICENSE REQUIREMENTS:~~**

70 License application requirements shall include the following:

71 A. The applicant's birth date, correct name, social security number, driver's license number, post
72 office address and residence, length of time the applicant has resided within the State of
73 Minnesota and applicant's places of residence for the ten years preceding application.

74 B. Applicant's signed approval for Police Department to complete a criminal and personal
75 background investigation.

76 C. Five letters of references.

77 D. If a Minnesota corporation, the name, address and phone number of the principal in charge of
78 the premises. If a partnership, each active partner shall supply the same information as the
79 applicant. (Ord. 1144, 6-13-1994)

80 **~~303.04: LOCATION RESTRICTIONS:~~**

81 The operation of any amusement devices, areas or game room business or enterprise with a
82 capacity for more than eight customers at one time shall be restricted to a commercially zoned
83 area consistent with the City's Zoning Code. (Ord. 1144, 6-13-1994) (Ord. 1468, 06-09-2014)

84 **~~303.05: HOURS OF OPERATION:~~**

85 No licensee shall operate between the hours of 11:00 P.M. and 7:00 A.M. Licensees located
86 within shopping centers or malls shall have the same hours of operation as the center or mall.
87 (Ord. 1144, 6-13-1994)

88 **~~303.06: GAMBLING DEVICES:~~**

89 No gaming or gambling, as defined in Chapter 304 of this Title shall be permitted within the
90 commercial public assembly business or enterprise location. (Ord. 1144, 6-13-1994)

91 **~~303.07: CIGARETTE SALES PROHIBITED:~~**

92 It shall be unlawful to permit the sale of cigarettes on the premises. (Ord. 1144, 6-13-1994)

93 **~~303.08: CONDITIONAL USE PERMIT REQUIREMENTS:~~**

94 In addition to the requirements listed in Section 1013.01, a conditional use permit shall include,
95 but not be limited to, the following reports, standards and plans which are to be submitted as part
96 of the annual license application or as otherwise stated:

97 A. Insurance Coverage: The City may require proof of liability insurance coverage in amounts
98 not less than \$1,000,000.00 each.

99 B. Security: The City may require the applicant to provide on-site security agents at indoor and
100 outdoor locations during peak periods which are identified in the pedestrian, maintenance and
101 traffic management plans.

- 102 ~~C. Lighting Plan: An exterior lighting plan shall provide for installation and maintenance of~~
 103 ~~lighting standards in parking and entry areas. The standards shall include light intensity as~~
 104 ~~follows:~~
- 105 ~~1. 20 foot candles within 75 feet of entry or exit.~~
 - 106 ~~2. Five foot candles throughout the parking lot.~~
- 107 ~~D. Traffic Management: A traffic management plan shall provide for parking and circulation.~~
 108 ~~The plan shall illustrate:~~
- 109 ~~1. Number of spaces estimated to be in use during afternoon and evening business hours or~~
 110 ~~performances. The total number of spaces available on the site shall accommodate two~~
 111 ~~complete shifts of customers when the facility is used at capacity.~~
 - 112 ~~2. The traffic circulation plan within the car and bus parking areas and any traffic direction~~
 113 ~~signage.~~
 - 114 ~~3. Entrance and exit capacity on driveways.~~
- 115 ~~E. Pedestrian Plan: An exterior (out of the parking areas) and indoor pedestrian queuing plan~~
 116 ~~shall be provided with staggered entry times to gaming areas and a managed one-way entry,~~
 117 ~~multi-way building exit system for customers.~~
- 118 ~~F. Emergency Evacuation Plan: An evacuation plan shall include a weekly attendance total,~~
 119 ~~reported on a monthly basis (to City Fire Marshal) to determine capacity and routing for~~
 120 ~~evacuation. The evacuation plan shall describe the exit locations, designated fire lanes,~~
 121 ~~routing, crowd management techniques and staff training necessary for evacuation.~~
- 122 ~~G. Maintenance Building Report: An annual maintenance and building report shall include~~
 123 ~~records of all maintenance and building improvements during the previous year. This report~~
 124 ~~shall include records of improvements to bathrooms, seats, carpet, windows, doors, heating~~
 125 ~~and air handling equipment, water and sewer services, exterior landscaping, parking and~~
 126 ~~lighting. The trash collection systems for inside the building and in parking areas shall be~~
 127 ~~illustrated and methods for screening exterior trash collection areas must be provided.~~
- 128 ~~H. Signs: Exterior and interior marquee or wall signs shall illustrate entry areas and hours of~~
 129 ~~operation or starting times for events.~~
- 130 ~~I. On-Site Manager: An on-site manager shall be on the site at all times when the business is~~
 131 ~~open to the public. The on-site manager shall have his/her name and business phone number~~
 132 ~~prominently displayed in the front entry or lobby at all times.~~
- 133 ~~J. Employee Training Program: All employee training programs shall include a 12 month roster~~
 134 ~~of employees and a description of the employee training program. The employee training~~
 135 ~~program shall include health, sanitation, safety, crowd management, maintenance and~~
 136 ~~evacuation training. Employees shall be in recognizable uniform, shirt or jacket.~~
- 137 ~~K. Food/Sanitarian Inspection Report: A copy of the most recent Ramsey County Department of~~
 138 ~~Health Food/Sanitarian inspection report shall be submitted with license application. It shall~~
 139 ~~include all actions taken to comply with the inspection reports.~~
- 140 ~~L. License Fees: License fees, as established by the City Fee Schedule in Section 314.05, shall~~
 141 ~~cover all annual City administration and life/safety expenses and inspections. (Ord. 1379A,~~
 142 ~~11-17-2008)~~
- 143 ~~M. Noise: Noise levels from machinery or customers shall be identified in a noise plan. Such~~
 144 ~~noise shall not cause a disturbance to adjacent and surrounding uses which would cause the~~
 145 ~~normal operation of said uses to be damaged or unreasonably disturbed.~~

146 **Section 3. Miscellaneous License Section Amended.** After Planning Commission and
 147 City Council consideration of Project File 0047, the Roseville City Code, Title 3 (Business
 148 Regulations), Chapter 310 is hereby amended to remove a superfluous business license for
 149 theaters and to add a license for Indoor Firearm Range.

150 **310.01: LICENSE REQUIRED:**

151 No person shall conduct or engage in any of the following businesses or activities without first
 152 obtaining a license:

- 153 A. Firearm Sales and Indoor Firearm Range: Businesses in which ~~there is sold~~ any handgun,
 154 rifle, shotgun, or similar firearm is sold or discharged.
- 155 B. Veterinary Hospital: A facility for the care and treatment of animals within the City. (Ord.
 156 597, 4-28-69; amd. 1995 Code)
- 157 C. Gasoline Stations: Any place, building, pump or device maintained and used for the main
 158 purpose of selling or dispensing gasoline or other oils for use in motor vehicles of any kind.
- 159 ~~D. Private Gasoline Pumps: Pumps from which gasoline or other fuel for internal combustion
 160 engines is dispensed into a vehicle for private use and not sold to the public.~~
- 161 ~~E.D. Theaters: Any place, either within a building or in the open air, where moving pictures,
 162 film pictures or other pictures are displayed and an admission charge is made. (1995 Code)~~

163 **Section 4. Fee Schedule Amended.** After Planning Commission and City Council
 164 consideration of Project File 0047, the Roseville City Code, Title 3 (Business Regulations),
 165 Section 314.015 (General Business Licenses and Fees) is hereby amended to remove fees
 166 associated with former licenses for theaters and “amusements”.

Item / Description	City Code	2018 Amount	2019 Amount
Amusement device—per machine	303	\$15.00	\$15.00
Bowling alley			
• First alley	303	\$70.00	\$70.00
• Each additional alley	303	\$20.00	\$20.00
Firearms, sale of, or Indoor Range	310	\$30.00	\$30.00
Game room	303	\$175.00	\$175.00
Pool and billiards			
First table	303	\$70.00	\$70.00
Each additional table	303	\$20.00	\$20.00
Theaters—per viewing screen	310	\$70.00	\$70.00

167 **Section 5. Zoning Definitions Amended.** After Planning Commission and City Council
 168 consideration of Project File 0047, the Roseville City Code, Title 10 (Zoning), Section 1001.10
 169 is hereby amended to define “Indoor Entertainment Center”.

170 **1001.10: DEFINITIONS**

171 The definitions in the Section shall be observed, unless it shall be otherwise expressly provided,
 172 or unless such definition should be inconsistent with the manifest of the provision, or unless the
 173 context clearly requires otherwise.

174 Indoor Entertainment Center: A facility offering indoor attractions such as video games,
 175 inflatables, bowling, climbing structures, kart racing, miniature golf, laser tag, virtual reality,
 176 puzzle rooms, tabletop games, and archery and firearms shooting ranges, but not including
 177 theaters, concert venues, or athletic training or fitness facilities.

178 **Section 6. Land Use Tables Amended.** After Planning Commission and City Council
 179 consideration of Project File 0047, the Roseville City Code, Title 10 (Zoning), Table 1005-1
 180 (Commercial Districts Land Uses), Table 1005-5 (Mixed-Use Districts Land Uses), and Table
 181 1006-1 (Employment Districts Land Uses) are hereby amended to identify where Indoor
 182 Entertainment Centers are permitted (P) and not permitted (NP).

Table 1005-1	NB	CB	RB-1	RB-2	Standards
Commercial Uses					
<u>Indoor Entertainment Centers</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	

183

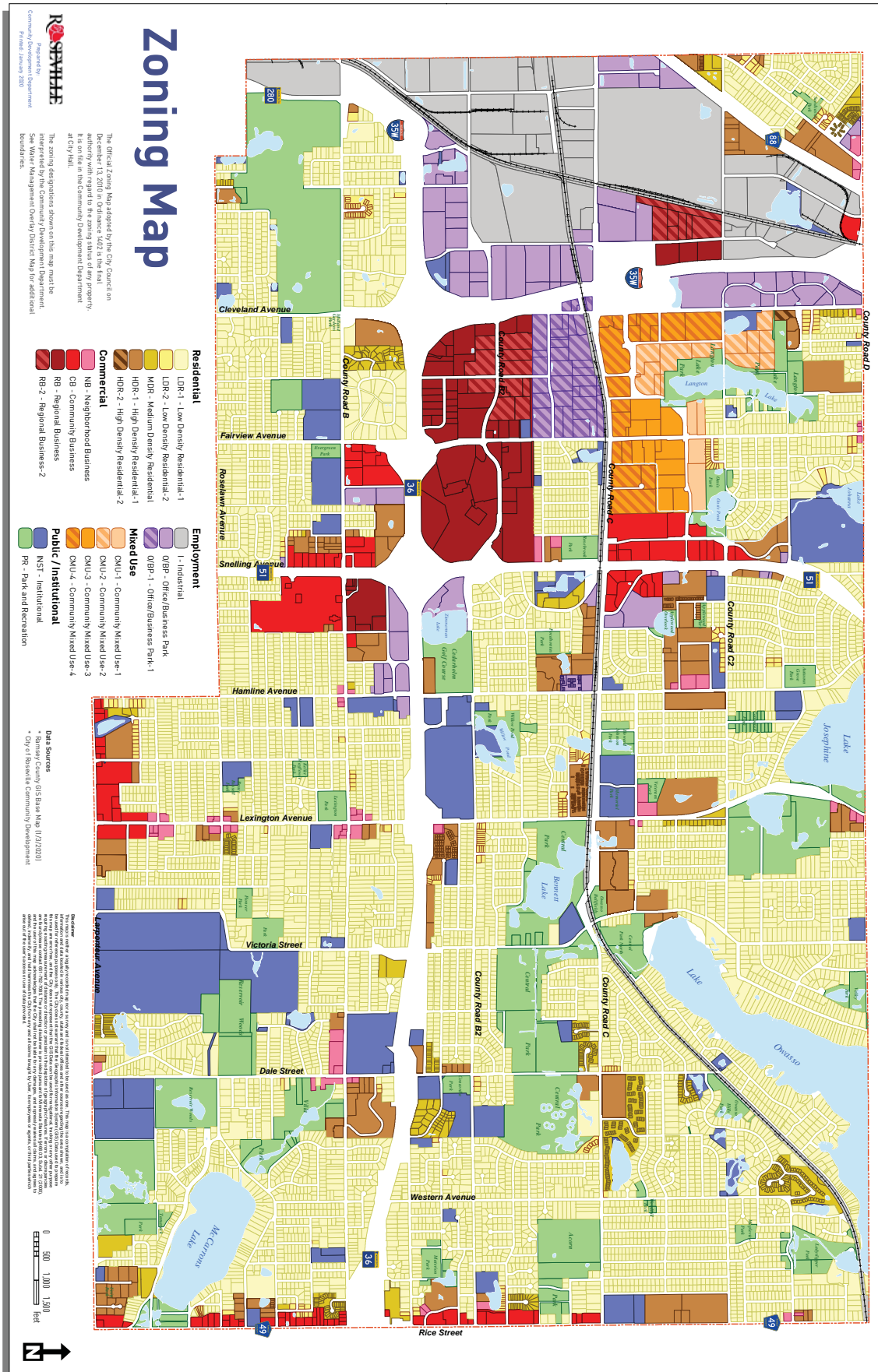
Table 1005-5	CMU-1	CMU-2	CMU-3	CMU-4	Standards
Commercial Uses					
<u>Indoor Entertainment Centers</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	

184

Table 1006-1	O/BP	O/BP-1	I	Standards
Commercial Uses, Personal				
<u>Indoor Entertainment Centers</u>	<u>P</u>	<u>P</u>	<u>NP</u>	

185 **Section 7. Effective Date.** This ordinance amendment to the City Code shall take effect
 186 upon the passage and publication of this ordinance.

187 Passed this 9th day of March 2020.



Summary of City Zoning Districts

Residence Districts

LDR-1 Low Density Residential - 1 District

The LDR-1 District is designed to be the lowest density residential district. The intent is to provide for a residential environment of predominantly low-density, one-family dwellings, along with related uses such as open space, public services and utilities that serve the residents in the district. The district is established to stabilize and protect the essential characteristics of existing residential areas, and to protect, maintain and enhance wooded areas, wetlands, wildlife and plant resources, and other sensitive natural resources.

LDR-2 Low Density Residential - 2 District

The LDR-2 District is designed to provide an environment of one-family dwellings on small lots, two-family and townhouse dwellings, along with related uses such as open space, public services and utilities that serve the residents in the district. The district is established to recognize existing areas with concentrations of two-family and townhouse dwellings, and for application to areas guided for redevelopment at densities up to 8 units per acre or with a greater diversity of housing types.

MDR Medium Density Residential District

The MDR District is designed to provide an environment of varied housing types at an overall density of 5 to 12 units an acre, including single-family attached housing, small multi-family buildings, two-family and small-lot one-family dwellings, along with related uses such as open space, public services and utilities that serve the residents in the district. The district is intended to promote flexible development standards for new residential developments and to allow innovative development patterns, consistent with the Comprehensive Plan.

HDR-1 High Density Residential – 1 District

HDR-2 High Density Residential – 2 District

The HDR-1 and HDR-2 Districts are designed to provide an environment of predominantly high-density housing types, including manufactured-home communities, large and small multi-family buildings and single-family attached dwellings, at an overall density exceeding 12 units per acre, along with along with related uses such as open space, public services and utilities that serve the residents in the district. The district is intended to promote flexible development standards for new residential developments and to allow innovative development patterns, consistent with the Comprehensive Plan.

Business Districts

NB Neighborhood Business District

The Neighborhood Business District is designed to provide a limited range of neighborhood scale retail, service, and office uses in proximity to residential neighborhoods or integrated with residential uses. The NB district is also intended to:

1. Encourage mixed use at underutilized retail and commercial intersections;
2. Encourage development that creates attractive gateways to city neighborhoods;
3. Encourage pedestrian connections between Neighborhood Business areas and adjacent residential neighborhoods;
4. Ensure that buildings and land uses are scaled appropriately to the surrounding neighborhood; and
5. Provide adequate buffering of surrounding neighborhoods.

CB Community Business District

The Community Business District is designed for shopping areas with moderately scaled retail and service uses, including shopping centers, freestanding businesses, and mixed-use buildings with upper-story residential uses. CB Districts are intended to be located in areas with visibility and access to the arterial street system. The district is also intended to:

1. Encourage and facilitate pedestrian, bicycle and transit access; and
2. Provide adequate buffering of surrounding neighborhoods.

RB Regional Business – 2 District

RB-2 Regional Business – 2 District

The RB Districts are designed for businesses that provide goods and services to a regional market area, including regional-scale malls, shopping centers, large-format stores, multi-story office buildings and automobile dealerships. RB Districts are intended for locations with visibility and access from the regional highway system. The districts are also intended to:

1. Encourage a “park once” environment within districts by enhancing pedestrian movement and a pedestrian friendly environment;
2. Encourage high quality building and site design to increase the visual appeal and continuing viability of development in the RB District; and
3. Provide adequate buffering of surrounding neighborhoods.

Institutional District

INST Institutional District

The Institutional District is designed to:

- A. Permit and regulate a variety of governmental, educational, religious, and cultural uses that provide important services to the community. These uses are not located within a particular geographic area and are often in proximity to lower-density residential districts.
- B. Require appropriate transitions between higher-intensity institutional uses and adjacent lower-density residential districts.
- C. Encourage sustainable design practices that apply to buildings, private development sites, and the public realm in order to enhance the natural environment.

Park and Recreation District

PR Park and Recreation District

Park and Recreation District applies to public and private lands oriented toward active and/or passive recreational opportunities that are predominantly outdoors. The purpose of the Parks and Recreation district is to establish regulations that will support the natural and manufactured amenities identified in the Roseville Parks and Recreation System Master Plan and Ramsey County Parks and Recreation System Plan, to facilitate high quality recreational experiences elsewhere, and to ensure that such recreational structures and activities are located and arranged so as to minimize potential negative and maximize positive impacts to surrounding properties.

Employment Districts

O/BP Office/Business Park District

O/BP-1 Office/Business Park District – 1

The Office/Business Park Districts are designed to foster the development of business parks that integrate complementary employment and related uses in an attractive, efficient and functional environment. The districts are also intended to:

1. Provide readily accessible services for employees;
2. Provide pedestrian, bicycle, and transit connections to and through the business park;
3. Maintain and improve the quality of the natural landscape within the business park; and
4. Provide appropriate transitions to surrounding neighborhoods and districts.

I Industrial District

The Industrial District is designed to provide suitable sites for manufacturing, assembly, processing, warehousing, laboratory, distribution, related office uses, and truck/transportation terminals. The district is also designed to:

1. Minimize any external physical effects of such operations on surrounding less intensive uses;
2. Encourage and facilitate pedestrian, bicycle, and transit access throughout the industrial areas of the city; and
3. Encourage development of an attractive and well landscaped physical environment within the industrial areas of the city.