



PLANNING COMMISSION AGENDA
Thursday, August 20, 2015
6:30 p.m.
Coon Rapids City Center
Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Approval of minutes from previous meeting - July 16

Old Business

New Business

1. PC 15-28, Use Flexibility for transitional housing, Hope 4 Youth, 80 Coon Rapids Blvd.
2. PC 15-30, Ordinance Amendment, Eliminate the Floor to Area Ratio in PORT Districts
3. PC 15-29, Ordinance Amendment 11-1204 "Fences and Walls", revise the maximum fence height allowed from 6 feet to 7 feet

Other Business

Current Development

Adjourn



Planning Commission Regular

Meeting Date: 08/20/2015

SUBJECT: Approval of minutes from previous meeting - July 16

Attachments

Draft July 16 Minutes

COON RAPIDS PLANNING COMMISSION MEETING OF JULY 16, 2015

CALL TO ORDER

The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Vice Chair Hosch at 6:30 p.m.

Members Present: Commissioners Denise Hosch, Mary Schmolke, Zachary Stephenson and Julia Stevens.

Members Absent: Chair Wayne Schwartz, Commissioners Ray Knoblauch and Jonathan Lipinski

Staff Present: Community Development Director Grant Fernelius; Planner Scott Harlicker; and, Assistant City Attorney Doug Johnson.

PLEDGE OF ALLEGIANCE

Vice Chair Hosch led the Commission in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF THE MAY 21, 2015 REGULAR MINUTES

Commissioner Stevens requested a correction to the minutes on Page 4, noting her stating should read Commissioner Stevens asked for clarification on the differences between attached and detached townhomes.

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER SCHMOLKE, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF MAY 21, 2015, AS AMENDED. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

1. **PLANNING CASE 15-23 – SUBDIVISION EXCEPTION – KAYSER – 3338/3352 116TH AVENUE – PUBLIC HEARING**
-

It was noted the applicant is requesting a subdivision exception in order to complete a lot line adjustment. The proposal will transfer 1,147 square feet from 3352 116th Avenue (Lot 10) to 3338 116th Avenue (Lot 9). Staff reviewed the request in detail and recommended approval with conditions.

Vice Chair Hosch opened and closed the public hearing at 6:36 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER STEVENS, TO APPROVE PLANNING CASE 15-23, THE SUBDIVISION EXCEPTION WITH THE FOLLOWING CONDITIONS:

1. THE EXISTING DRAINAGE AND UTILITY EASEMENTS ALONG THE CURRENT LOT LIEN BE VACATED AND NEW FIVE FOOT EASEMENTS BE GRANTED ON EITHER SIDE OF THE NEW LOT LINE.
2. THE STORAGE SHED ON LOT 9 BE MOVED OR THE WIDTH REDUCED SO THAT IT COMPLIES WITH THE FIVE FOOT SETBACK REQUIREMENT.

THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

2. **PLANNING CASE 15-27 – SITE PLAN FOR PARKING LOT EXPANSION – SAND CREEK ELEMENTARY SCHOOL – PUBLIC HEARING**

It was noted the applicant is requesting approval of a site plan for a parking lot expansion at Sand Creek Elementary School. Staff discussed the case further with the Commission and recommended approval of the site plan for a parking lot expansion with conditions.

Commissioner Stephenson asked if the landscaping along the south entrance would have a hedge. Planner Harlicker explained there would be no hedge or overstory trees in this area, as there just was not enough room.

Commissioner Stevens questioned if City Code has changed since the parking lot was installed. Planner Harlicker stated chances were the code has changed since the parking lot was installed.

Vice Chair Hosch opened the public hearing at 6:44 p.m.

Steve Anderson, 2727 North Ferry Street in Anoka, expressed concern with having to irrigate a portion of the parking lot. He explained that he would have to rip up a large portion of the parking lot and concrete sidewalk in order for this to be achieved.

Planner Harlicker discussed the watering needs for different species of trees. He explained that he could work with the City Forester in order to find the proper plant species that would thrive in the narrow area.

Vice Chair Hosch closed the public hearing at 6:46 p.m.

MOTION BY COMMISSIONER SCHMOLKE, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE PLANNING CASE 15-27, THE SITE PLAN WITH THE FOLLOWING CONDITIONS:

1. THE APPLICANT BE GRANTED A VARIANCE TO THE PARKING SETBACK ALONG OLIVE STREET.
2. THE ISLAND AT THE NORTH END OF THE DOUBLE ROW OF PARKING STALLS BE EXPANDED TO INCLUDE THE STRIPED AREA AT THE END OF THE NEW ROW OF PARKING.
3. THE PLAN BE REVISED TO INCLUDE FIVE NEW OVERSTORY TREES ALONG OLIVE STREET, TWO OVERSTORY TREES BE PLANTED ON THE PARKING LOT ISLAND AND ONE OVERSTORY TREE PLANTED ON EACH OF THE PENINSULAS. THE TREES MUST BE A MINIMUM OF 2 ½ INCHES.
4. THE NEW LANDSCAPED AREAS BE IRRIGATED.

Commissioner Stevens was in favor of staff working with the applicant to resolve the irrigation concerns. Planner Harlicker feared how the new landscaping areas would look if not properly watered and maintained. He stated he would work with the City Forester to create a method that would ensure the plants are watered properly.

Vice Chair Hosch supported the Commission amending Commission #4. Assistant City Attorney Johnson advised Condition #4 read: The new landscaped areas be irrigated or some alternative be reached as approved by City staff.

Commissioner Schmolke and Commissioner Stephenson supported this friendly amendment.

4. THE NEW LANDSCAPED AREAS BE IRRIGATED OR AN ALTERNATIVE BE REACHED AS APPROVED BY CITY STAFF.

THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

3. PLANNING CASE 15-25 – PRELIMINARY PLAT – C-STORE PARTNERS (SA) – EGRET AND COON RAPIDS BOULEVARD – PUBLIC HEARING
-

It was noted the applicant is requesting preliminary plat approval to plat two existing lots into one lot. The applicant is also submitting a corresponding application seeking site plan approval to construct a car convenience store with a car wash and 16 fueling stations. Staff reviewed the request in detail and recommended approval of the Preliminary Plat with conditions.

Vice Chair Hosch opened and closed the public hearing at 6:51 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE PLANNING CASE 15-25, THE PRELIMINARY PLAT WITH THE FOLLOWING CONDITIONS:

1. ALL COMMENTS OF THE CITY ENGINEER BE ADDRESSED PRIOR TO RELEASING THE PLAT FOR RECORDING.
2. ALL COMMENTS FROM ANOKA COUNTY HIGHWAY DEPARTMENT BE ADDRESSED PRIOR TO RELEASING THE PLAT FOR RECORDING.
3. PARK DEDICATION IN THE AMOUNT OF \$7,900 BE PAID PRIOR TO RELEASING THE PLAT FOR RECORDING.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the August 5, 2015 City Council meeting.

4. CASE 15-26 – SITE PLAN/CUP – C-STORE PARTNERS (SA) – EGRET BOULEVARD AND COON RAPIDS BOULEVARD – PUBLIC HEARING

It was noted the applicant is requesting site plan and a conditional use permit to construct a 3,500 square foot convenience store with 16 fueling hoses and a carwash. The applicant is also requesting use flexibility for the 16 fueling hoses and dimensional flexibility for the Floor to Area Ratio (FAR). Staff discussed the case with the Commission further and recommended the sidewalk alignment be altered. After a thorough review of the request, Staff recommended approval of the Site Plan, Conditional Use Permit, Use Flexibility, Design Flexibility and Dimensional Flexibility with conditions.

Commissioner Stevens questioned what the hours of operation would be. Planner Harlicker deferred this question to the applicant.

Commissioner Stevens expressed concern with the noise that would be generated from the car wash. She was thankful that something would be built on this site and was just trying to keep the adjacent property owners in mind with regard to the noise levels. She inquired if the location of the car wash could be repositioned. Planner Harlicker stated the original proposal has the car wash more prominent to the site. This was revised and the car wash was placed to the rear of the building.

Commissioner Schmolke asked if the traffic patterns have been considered. Planner Harlicker reviewed how traffic would flow in and through the site.

Commissioner Stephenson inquired if traffic would be allowed to exit onto Coon Rapids Boulevard. Planner Harlicker commented that this entrance was a right in/right out.

Craig Forgim, C-Store Partners, thanked staff for the thorough review of his request. He explained that he would be owning and developing the property. He discussed the site plan and alignment of the building on the property. He believed that the car wash would serve the property better at the rear of the site than at the front given the fact there would be a lot more activity at the front near the pumps. He provided the Commission with additional information as to the noise that would be generated by the car wash dryers. He reported that a six foot wooden privacy fence would be placed on the rear property line which would also assist with buffering the car wash. He did not object to moving the fence slightly off the property line to allow for the additional landscaping. He commented on the traffic flow through the site and noted he was hoping to have a 24 hour operation. He reported that he would continue to work with Matt Brown on an agreement regarding the service road. He then reviewed a materials board with the Commission.

Phil Kaufman, Kimley-Horn and Associates, added that the backage road would provide patrons with full access to the site.

Commissioner Stephenson asked if the back of the building could face south. Mr. Forgim commented that this orientation would make it difficult for him to meet the City overlay requirements. This would also require the canopy to face the adjacent residential neighborhood.

Commissioner Stephenson questioned if the car wash would have hours of operation to avoid nightly use. Mr. Forgim was amenable to this suggestion.

Vice Chair Hosch inquired where the external vacuum would be located. Mr. Kaufman reviewed the location of proposed vacuums units on the site.

Vice Chair Hosch opened the public hearing at 7:29 p.m.

Mike Schoben, 1540 103rd Avenue NW, explained he lived in the neighborhood adjacent to the proposed property. He was concerned with how traffic would flow in and out of the gas station. He feared that 103rd Avenue would become too busy and that traffic from the convenience store would be directed through his neighborhood. He commented that there was a large number of children and pedestrians in his neighborhood and he wanted to be ensured that they remained safe. He suggested that 103rd Avenue be a non-through street.

Jason Zianti, 1520 103rd Avenue, discussed the high traffic volume on 103rd Avenue. He feared that gas station traffic would have a difficult time exiting the site during peak traffic hours. He did not believe that the proposed gas station would create a "River Walk". He recommended that the car wash be removed from the facility as this would adversely impact the residential neighborhood. He did not believe this was the proper location for a gas station/convenience store with a car wash.

Louise Crow, 1480 Egret Boulevard, stated she lived adjacent to the proposed property. She questioned if the existing wall would remain in place. She noted the proposed backage road would run directly past her property. Planner Harlicker stated the service road has not yet been designed. He indicated the service road would provide access to additional properties along

Coon Rapids Boulevard and has been in the City's plans for several years. He reported an eight foot high privacy fence would be constructed with landscaping.

Margaret Murphy, 1485 Egret Boulevard, questioned if the applicant had submitted a lighting plan. She stated this information would be important given the fact this would be a 24 hour operation. Planner Harlicker explained that all lighting would have to comply with the City's lighting standards. He reported the lighting would be LED with shields to keep the light directed onto the site. Mr. Forгим added that the lights would be shoebox in design and would be recessed.

Ms. Murphy questioned the petroleum/delivery schedule to the site and requested further information on how snow plowing would be managed. Mr. Forгим commented that food and gas deliveries would be made Monday through Friday from 9:00 a.m. to 5:00 p.m. He indicated that snow removal would be handled in an efficient manner based on when the snow falls.

Ms. Murphy inquired if the entire site would be irrigated. Mr. Forгим stated this was the case noting the entire site would be replanted.

Ms. Murphy requested further information on the storm water pond. Mr. Kaufman discussed the filtration stormwater pond in further detail with the Commission.

Ms. Murphy asked if all of the mature trees on the site would be removed. Mr. Forгим stated trees would be removed from the site but commented C-Store would be more than compensating for the tree loss through tree replanting.

Ms. Murphy questioned if the train traffic would impact the convenience store. Planner Harlicker understood that the train traffic through the City was only going to increase.

Ms. Murphy discussed the uniqueness of her neighborhood and wanted to see the integrity of the neighborhood remain intact. She encouraged C-Store and SA to be a good neighbor. Mr. Forгим commented that SA wanted to be a good neighbor and would be routinely cleaning up trash on the site.

Vice Chair Hosch closed the public hearing at 7:53 p.m.

Commissioner Schmolke expressed concern with how traffic would flow through this site and impact the adjacent neighborhood. She did not want to see traffic flowing out of the site and into the neighborhood. Planner Harlicker stated that the County had approved a traffic study for the Coon Rapids Boulevard Corridor that would address the access points along the corridor. He stated that he could review the Access Management Plan regarding this issue.

Commissioner Stevens suggested amending Condition #5 to ensure that the dryer doors would remain closed during the drying cycle. She requested a condition be added to require the applicant to erect an eight-foot privacy fence on the rear property line. She recommended that the outside of the fence be landscaped with a hedge. She suggested a condition be added to require the applicant to work with staff on the hours of operation for the car wash. She requested

a condition require the applicant to work with staff on the location of the vacuum stand to provide the least impact on the adjacent neighborhood.

Assistant City Attorney Doug Johnson recommended that the motion for approval include specific hours and not that staff be directed to resolve this situation.

Commissioner Stephenson suggested this condition be worded as follows: to not allow deliveries, vacuum use, trash removal or car wash operation from 9:00 p.m. to 6:00 a.m. Mr. Forгим feared that this timeframe would hinder the operation of the convenience store. He explained that fresh baked goods were delivered early every morning. He requested that deliveries not be allowed from 10:00 p.m. to 4:00 a.m. and that the car wash not be allowed from 11:00 p.m. to 6:00 a.m.

Vice Chair Hosch asked if the Commission supported the use of white fascia. Commissioner Stephenson supported this request due to the fact it would not be lit.

Vice Chair Hosch recommended that Condition #8 be removed.

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER SCHMOLKE, TO APPROVE PLANNING CASE 15-26, THE SITE PLAN, CONDITIONAL USE PERMIT, USE FLEXIBILITY, DESIGN FLEXIBILITY AND DIMENSIONAL FLEXIBILITY WITH THE FOLLOWING CONDITIONS:

1. THE FINAL PLAT FOR EGRET-COON RAPIDS BOULEVARD SA BE RECORDED.
2. ALL COMMENTS OF THE CITY ENGINEER BE ADDRESSED.
3. ALL COMMENTS FROM ANOKA COUNTY BE ADDRESSED.
4. SIDEWALK CONNECTION TO THE STREET BE LOCATED IN THE AREA BETWEEN EGRET BOULEVARD AND THE PARKING LOT. A CROSSWALK BE SHOWN ACROSS THE DRIVE AISLE.
5. THE APPLICANT PROVIDE DOCUMENTATION FROM THE MANUFACTURER OF THE CAR WASH REGARDING THE NOISE GENERATED BY THE DRYER BLOWERS, REQUIRING THE CAR WASH DOORS TO REMAIN CLOSED DURING THE DRYING CYCLE.
6. THE CANOPY WILL NOT BE ILLUMINATED EXCEPT FOR THE SIGNAGE.
7. ALL SIGNAGE WILL REQUIRE SEPARATE SIGN PERMITS.
8. ~~THE CANOPY BE MODIFIED SO THAT IT INCORPORATES THE SAME ROOF FEATURES AS THE STORE.~~

9. TO REQUIRE THE APPLICANT TO ERECT AN EIGHT-FOOT PRIVACY FENCE ON THE PROPERTY LINE ABUTTING THE RESIDENTIAL NEIGHBORHOOD AND THAT IT BE LANDSCAPED ON THE OUTSIDE OF THE FENCE.
10. CAR WASH AND VACUUM OPERATIONS NOT BE ALLOWED DURING THE HOURS OF 11:00 P.M. TO 6:00 A.M.
11. DELIVERIES WILL NOT BE MADE AND TRASH WILL NOT BE REMOVED BETWEEN THE HOURS OF 10:00 P.M. TO 4:00 A.M.
12. TO REQUIRE THE APPLICANT TO WORK WITH STAFF ON THE LOCATION OF THE VACUUM STAND TO PROVIDE THE LEAST IMPACT ON THE ADJACENT NEIGHBORHOOD.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the August 5, 2015 City Council meeting.

OTHER BUSINESS

Vice Chair Hosch commented the Commission held an educational workshop in June. She thanked staff for the great presentations.

Planner Harlicker reviewed the items that would be discussed by the Planning Commission in August.

ADJOURN

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO ADJOURN THE MEETING AT 8:10 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,
Heidi Guenther
Planning Commission Recording Secretary



Planning Commission Regular

1.

Meeting Date: 08/20/2015

Subject: PC 15-28, Use Flexibility for transitional housing, Hope 4 Youth, 80 Coon Rapids Blvd.

From: Scott Harlicker, Planner

The applicant has requested that this item be postponed to the September 17 meeting. The Commission should open the public hearing and continue it to the September 17th.



Planning Commission Regular

2.

Meeting Date: 08/20/2015

Subject: PC 15-30, Ordinance Amendment, Eliminate the Floor to Area Ratio in PORT Districts

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting and ordinance amendment to eliminate the floor to area ratio in the PORT Districts.

ACTIONS

Conduct a public hearing
Recommendation by Planning Commission
Introduction by City Council on: September 1

60 DAY RULE

N/A

LOCATION

N/A

DISCUSSION

Staff is proposing to eliminate the floor to area ratio for non-residential buildings in Port Districts. The floor to area ratio was included in the PORT District to require a higher density development than what is typically found in our other commercial/office districts. However, what we have found over the years is that the level of density that a floor to area ratio of .6 requires is just not supported in the PORTS. The floor to area ratio is not a requirement for residential buildings.

Floor to area ratio is a ratio of the size of the building to the size of the lot that it is located on. Typically the ratio is based on square feet. For example, a 100,000 square foot lot (about 2.3 acres) would require a 60,000 square foot building at a floor to area ratio of .6. Given our green space requirements, parking requirements and stormwater management requirements, a 60,000 square foot building on a 2.3 acre lot would require a taller building and a parking ramp or underground parking which is not economically feasible.

Since the PORT districts were established in 2002 there have been eight commercial/office buildings constructed in the PORTS. All have required dimensional flexibility because they could not comply with the floor to area ratio requirement.

McDonalds's - a floor to area ratio of .1

Mercy Medical Office Building (123,000 sf building) - a floor to area ratio of .25

North Suburban Eye Specialist (32,000 sf building) - a floor to area ratio of .2
Round Lake Shops (11,300 sf building) - a floor to area ratio of .18
Round Lake Medical Building (30,000 sf building) - a floor to area ratio of .36
93rd Avenue Office Buildings (2- 7,000 sf buildings) - a floor to area ratio of .2
Ace Hardware (13,230 sf building) - a floor to area ratio of .22
Kwik Trip - a floor to area ratio of .06

Eliminating the floor to area ratio requirement would not prohibit a developer from constructing a larger building, it just does not mandate it.

RECOMMENDATION

In Planning Case 15-30, the Planning Commission recommend approval of the proposed code change to eliminate the floor to area ratio in PORT districts.

Attachments

Proposed Ordinance

ORDINANCE NO.

AN ORDINANCE ELIMINATING THE FLOOR TO AREA REQUIREMENT IN PORT DISTRICTS

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 11-903.7 is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-903.7 Dimensional Standards, Nonresidential and Mixed Uses.

(1) Height. All buildings must be a minimum of 20 feet in height. Buildings with two or more floors above grade are encouraged.

(2) Minimum Lot Area. The lot area must be sufficient to accommodate principal and accessory buildings, and required parking, setbacks, and landscaped areas.

(3) Minimum Lot Width. Free-standing buildings, 50 feet; attached storefronts, 20 feet.

(4) Setbacks.

(a) Principal or accessory structures in Ports Campus Square and Riverwalk from:

(i) Arterial Streets: a minimum of 30 feet as measured from the curb except that in no event shall the setback be less than 22 feet from the street right-of-way.

(ii) Collector and Local Streets: minimum 10 feet; zero feet for live-work units, and maximum of 20 feet as measured from the street right-of-way.

(b) Principal or accessory structures in Ports Evergreen and Wellness from:

(i) Arterial Streets: 50 feet, except if the arterial street boulevard exceeds 20 feet, the building setback from the right-of-way may be reduced to a minimum of 10 feet, provided a minimum of 70 feet is maintained between the building and the arterial street curb.

(ii) Collector and Local Streets: a maximum of 50 feet

(c) Principal or accessory structures in all ports:

(i) Side or rear yard: 10 feet minimum unless attached.

(ii) Between principal structures: 20 feet minimum unless attached.

(d) Parking areas in all Ports:

(i) From street rights-of-way: 20 feet minimum.

(ii) From adjacent residential properties: 10 feet minimum.

(iii) From adjacent nonresidential properties: five feet, unless parking areas are combined or shared.

[(5) Minimum Floor Area Ratio. .6 (based on lot area for a specific building).]

[(6)] (5) Maximum Impervious Coverage. 80 percent of development area.

[(7)] (6) Building Floor Areas. In Ports Campus Square and Riverwalk, minimum 2,000 square feet; maximum 20,000 square feet with no single use in a building exceeding 15,000 square feet. In Ports Evergreen and Wellness, minimum 5,000 square feet and no maximum floor area requirement.

Introduced this 1st day of September, 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



Planning Commission Regular

3.

Meeting Date: 08/20/2015

Subject: PC 15-29, Ordinance Amendment 11-1204 "Fences and Walls", revise the maximum fence height allowed from 6 feet to 7 feet

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting that Section 11-1204 'Fences and Walls' be amended to change the maximum height of a fence allowed from six feet to seven feet. The change is being requested so that the fence regulations are consistent with recent changes to the Building Code.

ACTIONS

Conduct of public hearing
Recommendation by Planning Commission
Introduction by City Council on: September 1

60 DAY RULE

N/A

LOCATION

N/A

DISCUSSION

Staff is proposing changes to the regulations governing fence height so that they will be consistent with recent changes to the Building Code. Historically, the City has tried to maintain consistency between the Building Code and Title 11 when possible. Fence regulations has been one of those sections .

This spring the City adopted revisions to the State Building Code. Among the changes was a change in the maximum fence height allowed without requiring a permit. The maximum height allowed was increased from six feet to seven feet. The increase allowed for changes in topography and the height of the fence posts. In some cases the bottom of the fence might be several inches above the ground, so even though the actual pickets were six feet, the top of the fence might be slightly more. Also, some inspectors would measure the height of the fence to the top of the posts, not the pickets. This would also result in a determination that the fence exceeds six feet high.

Six foot high fences are allowed in rear yard, side yard and street side yards. They are not allowed within the front yard setback. Within the front yard setback the maximum height is 4 feet. The four foot height requirements will not be changed.

RECOMMENDATION

In Planning Case 15-29, the Planning Commission recommend approval of the proposed ordinance changing the maximum height for fences from six feet to seven feet.

Attachments

Proposed Ordinance

ORDINANCE NO.

**AN ORDINANCE CHANGING THE MAXIMUM HEIGHT ALLOWED FOR A FENCE
FROM SIX FEET TO SEVEN FEET**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 11-1204.1(4) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-1204.1 Construction and Maintenance.

(1) Fences must be constructed in accordance with applicable building code and City Code provisions, in a professional and workmanlike manner, and of materials suitable and intended for the purpose for which they are used.

(2) Fences must be maintained in accordance with applicable building code provisions and Chapter 12, Building and Fire Codes, of the Coon Rapids Revised- 1982 City Code. Every fence must be maintained in a condition of good repair and must not be allowed to become a danger or fall into a state of disrepair. Any fence that becomes a danger or falls into a state of disrepair is hereby declared a nuisance. Any side of a fence facing a neighboring property or street must be finished. For this clause, a “finished” side means a side on which framing, supports, or posts are not visible.

(3) Electric, barbed, razor, wire, and chain link less than 11 gauge fences are prohibited.

(4) Maximum height without building permit: [six] seven.

(5) Fences must be constructed of the same material for a minimum run length of 30 feet. No fence less than six feet in height may have boards, planks, or panels larger than 12 inches in width.

(6) No temporary fence may be permitted on any property for a period in excess of 30 days unless otherwise approved in writing by the City for good cause. Snow fences are allowed between November 1st and April 15th. A temporary fence is any fence that is not permanently secured or anchored to the ground by posts which are suitable to the fencing material used. Prohibited materials are not acceptable as a temporary fence.

Section 2 Revised City Code- 1982 Sections, 11-1204.4(2), 11-1204.4(3) and 11-1204.4(4) are hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-1204.4 Height Maximums.

- (1) Front Yard Setback: Four feet, except as provided in subsection 11-1204.4(6).
- (2) Street Side Yard, Single Family or Two-Family Residential Uses: Four feet; provided, if the front of the house faces the front yard, [~~six~~] seven feet between the rear lot line and the front of the house.
- (3) Interior Side Yard: [~~six~~] seven.
- (4) Rear Yard: [~~six~~] seven.
- (5) Side and Rear Yards where a Residential District abuts a Commercial, Industrial, or Office District: Eight feet.
- (6) Front or Street Side Yard, Commercial, Industrial or Office Districts: Four feet, except in an approved site plan.

Introduced this 1st day of September, 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk