

*City of Falcon Heights
Planning Commission*

City Hall
2077 Larpenteur Avenue West

Tuesday, May 24, 2022
7:00 p.m.

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL: Scott Wilson ____
 Joel Gerich ____ Scott Phillips ____
 Laura Paynter ____ Jim Mogen ____
 James Wassenberg ____
 Council Liaison Wehyee ____
 Staff Liaison Moretto ____

C. APPROVAL OF MINUTES

1. January 25, 2022
2. April 26, 2022

D. PUBLIC HEARING

1. None

E. NEW BUSINESS

1. Introductions
2. Discussion - Vacant Property Registration

F. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report
2. Council Liaison Report

G. ADJOURN

Next regular meeting date: TBD

**City of Falcon Heights
City Hall
2077 Larpenteur Avenue West**

**Minutes
Planning Commission Meeting Workshop
Tuesday, January 25, 2022
7:00 PM**

A. CALL TO ORDER:

The meeting was called to order at 7:00 PM.

B. ROLL CALL:

Present: Wilson, Philips, Gerich, Paynter, Wassenberg, Larkin, Mogen

Absent:

Liaison: Council Wehyee

Present Staff Liaison: Moretto

C. APPROVAL OF MINUTES:

September 28, 2021

The minutes were approved

D. PUBLIC HEARING

1. None

E. NEW BUSINESS

1. Officer Positions

a. Discussion:

The Chair will be Scott Wilson

The Vice-Chair will be

The Secretary will be

Pass Unanimously

2. Open Positions

a. Discussion:

Staff encourages the community to apply and place on file applications for the Planning Commission should there be an opening.

3. Standing Rules

a. Discussion:

Staff presented the standing rules of the Commission which are similar to the Council.

Pass Unanimously.

3. 2022 Priorates

a. Discussion:

The Commission should complete the Vacant Home Registration Ordinance and then focus on the Comprehensive Plan initiatives in addition to regular business.

Pass Unanimously.

F. ANNOUNCEMENTS

1. N/A

**City of Falcon Heights
City Hall
2077 Larpenteur Avenue West**

**Minutes
Planning Commission Meeting Workshop
Tuesday, April 26, 2022
7:00 PM**

A. CALL TO ORDER:

The meeting was called to order at 7:00 PM.

B. ROLL CALL:

Present: Wilson, Philips, Gerich, Paynter, Wassenberg

Absent: Larkin, Mogen

Liaison: Council Wehyee

Present Staff Liaison: Moretto

C. APPROVAL OF MINUTES:

None

The minutes were not pres

D. PUBLIC HEARING

1. None

E. NEW BUSINESS

1. Sketch of Proposal at 1407 Larpenteur

a. Discussion:

The commission reviewed a sketch of a proposed townhome development on 1407 Larpenteur Avenue where the Get Pressed Martinizing location formerly operated. The plan calls for a rezoning, comprehensive plan change, and flexibility in design.

Staff liaison Moretto presented the staff report which included two (2) six-unit townhomes similar to those on Arona Street near California Avenue. Total density would be 24 dwelling units per acre. Staff requested informal review of the sketch plan.

The commission was generally in favor of the townhome concept presented. Considerations for a change of layout, increased greenspace, additional on-site parking, increased setbacks, and a possible unit reduction would increase favorability.

The applicant would need to formally apply for a rezoning, comprehensive plan amendment, and possibly a PUD for this concept to be feasible.

2. Rezone and New Project at Gibbs Farm

a. Discussion:

The Gibbs Farm is owned by the Ramsey County Historical Society and not Ramsey County. As such they are required to be rezoned from P-1 to a use deemed appropriate by council. Staff recommends B-2 with a Museum CUP. The commission agreed and that a hearing should be held to establish the rezoning.

F. ANNOUNCEMENTS

1. N/A



ITEM FOR DISCUSSION

Meeting Date	May 24, 2021
Agenda Item	Agenda E-1
Attachment	Draft Ordinance Vacant Home
Submitted By	Paul Moretto Community Development Coordinator

Item	Amendment to Chapter 105 Regarding Vacant Buildings
Description	<p>The subcommittee of the Planning Commission, with staff’s help, has prepared the attached an ordinance relating to vacant buildings. The draft ordinance is based off of the 2020/2021 Planning Commission subcommittee’s recommendation to model the provisions on the City of Hopkins’ ordinance. This recent draft is manifest from the 2021/2022 subcommittee’s recommendation to limit the ordinance to a registration of vacant homes as a starting measure to address vacant home issues. Future action can be reviewed and considered if the condition warrants it.</p> <p>The Planning Commission reviewed an early draft of the ordinance in January of 2021 and requested that an updated draft be presented at the March 2021 meeting that included a recommendation from the City Attorney. The Planning Commission review the draft in June/July of 2021 and a second subcommittee was recommended to further consider the topic.</p> <p>In August and September, the subcommittee met with the City Attorney’s staff to discuss their recommendations and it was decided that a further refinement of the ordinance was necessary. The attorney assembled a comparison list of current codes that overlapped the proposed ordinance. There was substantial overlap.</p> <p>The subcommittee assembled in September and recommended the ordinance focus on registration only and that if further action was necessary additional ordinances could be proposed. A draft ordinance was recommended to be presented at the September meeting for a possible October or November hearing.</p> <p>The Planning Commission reviewed the work of the sub-committee and recommend further action to clarify and fine-tune elements of the draft. The sub-committee meet in March and drafted a final review for the commission’s consideration</p> <p>Staff requests the Planning Commission review the draft ordinance and discuss and changes that may need to be made before staff starts the hearing process.</p>

Budget Impact	None
Attachment(s)	Draft Ordinance for Vacant Buildings.
Action(s) Requested	None

ORDINANCE NO. 22-XX

**CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 105
OF THE FALCON HEIGHTS CITY CODE**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1 In Chapter 105 – Buildings and Building Regulations of the City Code of Falcon Heights, Article VI – Vacant Properties is added as follows:

ARTICLE VI – VACANT PROPERTIES

Sec. 105-120 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Compliance official has the meaning assigned in Sec. 105-87.

Vacant Properties means a property with a building constructed or reconstructed for a business or residential purpose that is unoccupied and no longer being used for that purpose.

Sec. 105-121 - Applicability, scope and intent.

Policy. The purpose of this subsection is to protect the public health, safety, and welfare by establishing a program for the identification and registration of Vacant Properties within the City.

Sec. 105-122 - Registration required; form.

(1) The owner of a Vacant Property located within the city shall register the property with the compliance official. The registration shall be submitted on forms provided by the compliance official and shall include the following information supplied by the owner:

- (a) Street address of the Vacant Property;
- (b) The names and addresses of the owner or owners;
- (c) The contact phone number and email address of the owners and any property managers or caretakers responsible for the upkeep or supervision of the property;

- (d) The period of time each vacant building is expected to remain vacant;
 - (e) A plan for compliance with all applicable provisions of City code and other applicable regulations, including building maintenance, snow removal, yard maintenance, and nuisance prevention;
 - (f) Person or company responsible for periodically checking on the property; and
 - (g) Any other properties within the City limit (vacant, undeveloped, or occupied) the owner owns or has an ownership interest in.
- (2) The current owner of a vacant building shall file a new registration with the compliance official within 30 days of any of the following occurring:
- (a) Any transfer of ownership interest in the property;
 - (b) Change of the contact phone number or email address of the owner or the property manager or caretaker; or
 - (c) Change to the plan for compliance with applicable City code provisions.
- (3) The owner of a vacant building shall file a new registration every two years.

Sec. 105-123. - Presumptions, exceptions, and fee waivers.

- (1) The following conditions shall constitute a rebuttable presumption that a building is vacant. It shall be the responsibility of the owner to establish that it is not a vacant building.
- (a) Discontinuance of trash service;
 - (b) Disconnection from water or sewer service;
 - (c) Water usage of less than an average of 50 gallons over a three month period; or
 - (d) Not sufficient personal property inside the home to provide for someone to live there.
- (2) Vacant Properties are not required to register or pay the registration fee if any of the following apply:
- (a) the city or any governmental entity owns it;
 - (b) the owner possesses a valid building permit for remodeling the building located thereon or for construction of a new dwelling on such property;
 - (c) there is a valid, unexpired business license issued by the city;
 - (d) there is a valid, unexpired residential rental license issued pursuant to article IV;
 - (e) there is a valid development agreement or redevelopment agreement with the city; or
 - (f) the property is actively marketed as "for sale" or "for lease" at a reasonable price by a licensed real estate broker or by the owner. It is the obligation of the Vacant Property owner to produce evidence of active marketing at a reasonable price to claim this exemption. A home which is listed on the MLS (multiple listing service) or similar listing service is presumptively being actively marketed.

- (3) The following Vacant Properties are required to register, but the registration fee is waived;
- (a) Residential properties with one or two dwelling units where the owner intends to resume occupancy of at least one unit as a dwelling within 180 days; provided, however, that failure to actually resume use of the Vacant Property as a dwelling within 180 days will result in imposition of the waived registration fee; or
 - (b) The City Administrator may grant a waiver of the registration fee one time for an owner suffering hardship and for which the registration fee is a burden.

Sec. 105-124 - Recordkeeping.

The compliance official shall maintain a database of all vacant buildings which have become known to the compliance official, including those registered and those not registered.

Sec. 105-125 - Fees.

The city council may, by fee schedule or ordinance, adopt a fee or fees for the registration required by this article. If adopted, the fee must be limited to the reasonable costs associated with registration, enforcement, and compliance of this article.

Sec. 105-126. - Penalties and enforcement.

Prior to enforcement of a violation, the compliance official must send a letter informing the owner of the violation to the street address and to the taxpayer address on the Ramsey County tax system. If not remedied within 30 days, the compliance official may proceed with the enforcement.

Violation of any provision of this article or providing false information to the compliance official under this article are petty misdemeanors, punishable as provided in section 1-7 of this code.

SECTION 2 Sections 105-115 through 105-119 are added as follows. Additions are shown with an underline, and deletions are shown with a ~~striketrough~~.

ARTICLE V – ELECTRICAL REGULATIONS

Secs. 105-115 through 105-119. Reserved.

SECTION 3 This ordinance shall be effective upon its passage and a summary published in the official newspaper.

ADOPTED this ___ day of _____, 2022, by the City Council of the City of Falcon Heights, Minnesota.

Moved by:

Approved by: _____

Randall C. Gustafson
Mayor

GUSTAFSON ___ In Favor
LEEHY
MEYER ___ Against
WEHYEE
ANDREWS

Attested by: _____

Tim Pittman
Interim City Administrator