

**Department of Community Planning and Economic Development –
Planning Division Report
Zoning Code Text Amendment**

Date: April 11, 2005

Initiator Of Amendment: Council Member Zerby

Date of Introduction at City Council: January 28, 2005

Ward: All

Planning Staff And Phone: Jason Wittenberg, (612) 673-2297

Intent Of The Ordinance: The amendment would allow antiques stores as a permitted (rather than conditional) use in the C1 District.

Appropriate Section(s) of the Zoning Code: Table 548-1

Background: The proposed amendment would allow antiques and collectibles stores in the C1 District, the Neighborhood Commercial District. This is the City's lowest intensity commercial district.

Purpose For The Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The amendment to allow antiques and collectibles stores as a permitted use in the C1 District recognizes that the use in question can typically be operated in a manner that does not have significant off-site impacts. Uses that do not have significant potential for off-site impacts should be allowed as-of-right in a wide range of zoning districts.

The public purpose of the amendment is to ensure that public resources are used wisely and that regulatory processes are kept to a minimum for a particular use that has proven to be compatible and desirable in a variety of zoning districts. Antiques and collectibles stores have generally proven to be low intensity uses that are generally compatible with a wide range of land uses, including residential land uses that may be adjacent to neighborhood commercial nodes.

Staff does not anticipate that the amendment would cause significant problems. The City will still have the authority to address, through existing regulatory mechanisms, any problems associated with issues such as outdoor sales and display or odors related to the refinishing of

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antique furniture. Note that antique dealers are regulated by Chapter 321, Article II of the City's Licenses and Business Regulations ordinance.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The amendment is timely in that limited staff time is currently used to review conditional use permits for a use that may be adequately regulated through the required business license.

Staff has not had an opportunity to conduct research into the regulatory practices of surrounding communities related to antiques and collectibles stores.

The consequences related to denying the amendment would simply be that antiques and collectibles stores would continue to require a conditional use permit in the Neighborhood Commercial District.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

C1 zoning districts are often found in Neighborhood Commercial Nodes or in other locations that are in close proximity to residential uses. The proposed ordinance change would implement the following policies of the Minneapolis Plan.

Policy 4.5. Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small scale retail sales and commercial services and are compatible with adjacent residential areas.

Relevant Implementation Steps:

- Restrict auto-oriented, industrial or manufacturing activities that generate significant vehicular traffic, noise or air-borne impacts on residential neighbors.
- Ensure that commercial uses do not negatively impact nearby residential areas.

Staff comment: The City's experience has been that antiques and collectibles stores have generally proven to be compatible in a variety of commercial districts.

Policy 9.18. Minneapolis will establish land use regulations, in order to achieve the highest possible development standards, enhance the environment, promote flexibility in approaches and otherwise carry out the comprehensive plan.

Relevant Implementation Steps:

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- Ensure that the city's zoning code revision corresponds adequately to policies outlined in The Minneapolis Plan.

Staff comment: The amendment promotes flexibility and regulatory streamlining and implements the policies of the comprehensive plan by encourage desirable land use in places such as Neighborhood Commercial Nodes.

Recommendation Of The CPED Planning Division:

The CPED Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the text amendment.

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Proposed Ordinance
of the
City of Minneapolis

By Zerby

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
COMMERCIAL USES						
Retail Sales and Services						
General retail sales and services	P	P	P	P	P	
Antiques and collectibles store	€ P	P	P	P	P	
Art gallery	P	P	P	P	P	√