



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #9
September 15, 2014

ZONING CODE TEXT AMENDMENT SUMMARY

<i>Initiator:</i>	Council Member Bender
<i>Introduction Date:</i>	August 15, 2014
<i>Prepared By:</i>	Lisa Steiner , City Planner, (612) 673-3950
<i>Specific Site:</i>	Citywide
<i>Ward:</i>	Citywide
<i>Neighborhood:</i>	Citywide
<i>Intent:</i>	To amend the regulations pertaining to secondhand goods stores in the C3A Community Activity Center District.

APPLICABLE SECTIONS OF THE ZONING CODE

- Chapter 548, Commercial Districts

BACKGROUND

On August 15, 2014, Council Member Bender introduced a zoning code text amendment for Chapter 548: Commercial Districts. The intent of the ordinance amendment is to modify the regulations pertaining to secondhand goods stores in the C3A Community Activity Center District.

The zoning code defines a secondhand goods store as “An establishment other than an antiques and collectibles store, used bookstore, clothing consignment store or pawnshop, which engages in the sale of used clothing, furniture, household appliances or other household items.” Secondhand goods stores are permitted in all commercial zoning districts and all downtown zoning districts except the B4 Downtown Business District. However, in only the C3A Community Activity Center District, secondhand goods stores are specifically limited to the sale of used clothing and related accessories.

The proposed amendment would remove the restriction that secondhand goods stores in the C3A District only sell used clothing and related accessories. This would allow secondhand goods stores in the C3A District to sell used furniture, household appliances, and other items as they currently are able to do in other zoning districts.

PURPOSE

What is the reason for the amendment?

The amendment is intended to remove the specific C3A District restriction that secondhand goods stores sell only used clothing and related accessories.

What problem is the amendment designed to solve?

Secondhand goods stores selling products like used furniture, household appliances, or other household items are not currently able to locate in the C3A District. The amendment is intended to allow additional flexibility for secondhand goods stores to sell different types of products in the C3A District.

What public purpose will be served by the amendment?

The sale of secondhand goods would be open to more types of products in all of the commercial and downtown districts which permit secondhand goods stores. The purpose of the C3A District is to provide for the development of major urban activity and entertainment centers with neighborhood scale retail sales and services. Secondhand goods stores selling used furniture and related household accessories would be a neighborhood scale retail sales and service use that would meet the purpose of the district.

What problems might the amendment create?

Staff does not anticipate any issues with the proposed amendment. The C3A District has restrictions on the maximum gross floor area per commercial use which will ensure that secondhand goods stores selling clothes and furniture would be limited to small-scale retailers and would not have a significant impact on surrounding properties. Secondhand goods stores are already permitted in the C3A District, so this amendment would allow them to sell the same range of products as they are allowed to in other districts. Staff does not anticipate that allowing secondhand goods stores to sell furniture and other household items would have a more significant impact than stores selling used clothing and related accessories.

TIMELINESS

Is the amendment timely?

The amendment is timely because some secondhand goods businesses which sell furniture have inquired about locating in the C3A District but could not due to the district-specific regulation which prevents the sale of furniture, household appliances, or related items.

Is the amendment consistent with practices in surrounding areas?

Staff performed a code search to obtain information on how other cities regulate secondhand goods stores around the state and nation. The cities studies were Madison, Portland, Denver, Seattle, Saint Paul, Bloomington, and Rochester. Most of the cities studied do not specifically regulate secondhand goods stores, but rather consider them to be general retail sales and service uses for zoning purposes. Eliminating this district-specific provision would be consistent with practices in surrounding areas.

Are there consequences in denying this amendment?

If this amendment were denied, secondhand goods stores would continue to be limited to selling used clothing and related accessories in the C3A District. Secondhand goods stores in all other commercial districts and most downtown districts would continue to be allowed to sell clothes, furniture, and household goods.

COMPREHENSIVE PLAN

The amendment will implement the following applicable policies of [The Minneapolis Plan for Sustainable Growth](#):

Land Use Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base.

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

- 1.12.1 Encourage a variety of commercial and residential uses that generate activity all day long and into the evening.

Economic Development Policy 4.1: Support private sector growth to maintain a healthy, diverse economy.

Economic Development Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base.

Environment Policy 6.3: Encourage sustainable design practices in the planning, construction and operations of new developments, large additions and building renovations.

- 6.3.8 Promote businesses, goods and services that implement an environmentally friendly reuse and recycling system.

Environment Policy 6.15: Support local businesses, goods and services to promote economic growth, to preserve natural resources, and to minimize of the carbon footprint.

- 6.15.2 Support the growth and development of local businesses.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending Chapter 548.

ATTACHMENTS

1. Ordinance amending Chapter 548, Commercial Districts
2. Map of C3A Districts in the City

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Bender

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:

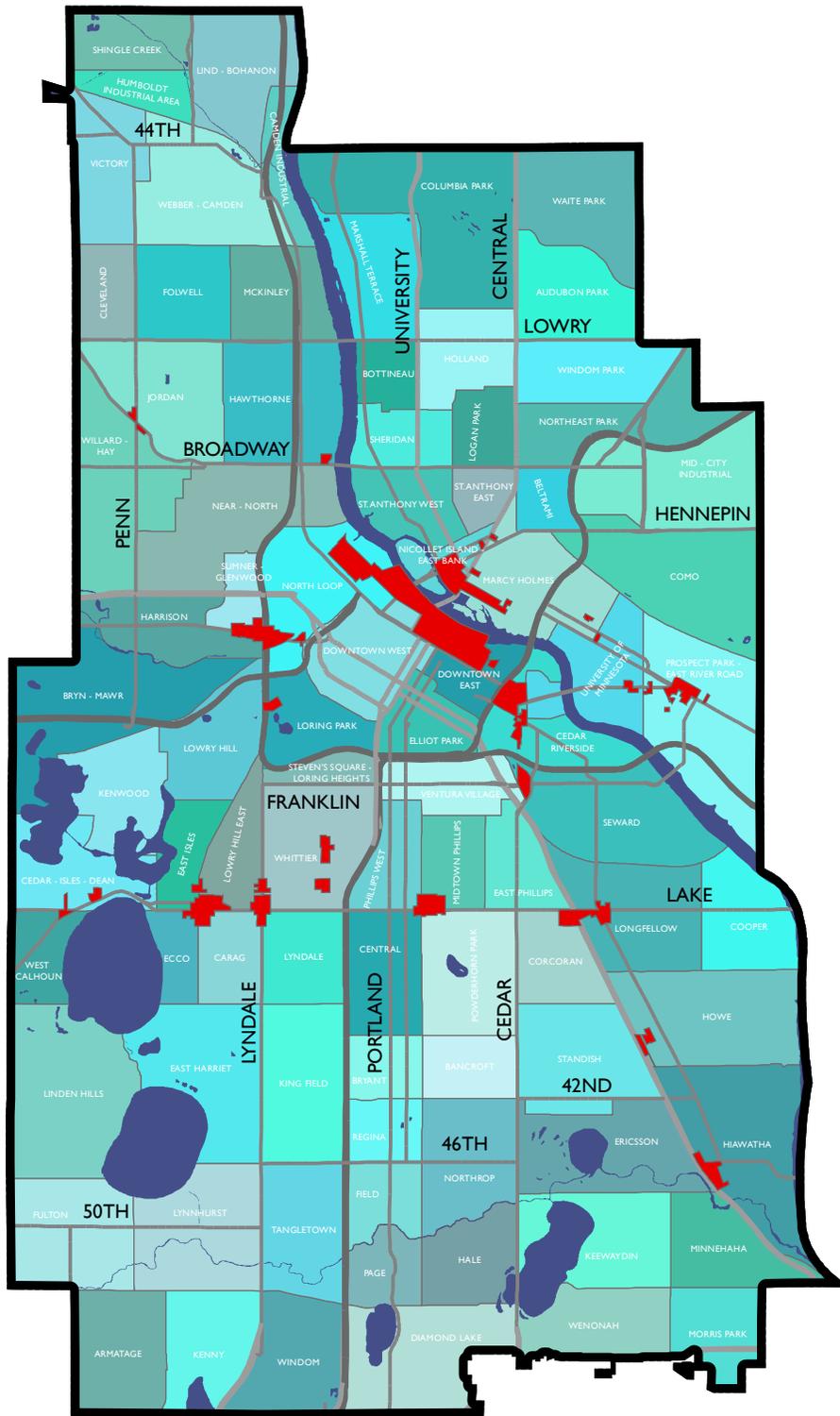
Section 1. That Section 548.360 of the above-entitled ordinance be amended to read as follows:

548.360. General district regulations. The following conditions govern uses in the C3A District:

- (1) *Maximum floor area of retail sales and services.*
 - a. *In general.* All retail sales and services, including shopping centers, shall be limited to a maximum gross floor area of four thousand (4,000) square feet per use, except as provided in sections (1)b. and c. and (6) below.
 - b. *Bonus for no parking between the principal structure and the street.* If parking is not located between the principal structure and the street, the maximum gross floor area of a retail sales and service use shall be increased to six thousand (6,000) square feet.
 - c. *Bonus for additional stories.* If parking is not located between the principal structure and the street, and the structure in which the commercial use is located is at least two (2) stories (not including the basement), the maximum gross floor area of a retail sales and service use shall be increased to eight thousand (8,000) square feet.
- (2) *Wholesale and off-premise sales.* Wholesale and off-premise sales accessory to retail sales shall be limited to two thousand (2,000) square feet of gross floor area or forty-five (45) percent of gross floor area, whichever is less, provided that the main entrance opens to the retail component of the establishment, except as otherwise provided in this ordinance.
- (3) *Drive-through facilities and car washes prohibited.* Drive-through facilities and car washes shall be prohibited.
- (4) *Outdoor speakers prohibited.* Commercial outdoor speakers shall be prohibited.
- (5) *Shopping centers.* Notwithstanding section (1) above, shopping centers with primarily interior access to individual uses shall be allowed, provided that the individual uses shall be limited to four thousand (4,000) square feet. Shopping centers with primarily exterior access to individual uses shall be subject to the maximum floor area requirements of section (1) above.
- (6) *Fast food restaurants.* Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited, or as part of a shopping center with interior access to individual uses, provided further that freestanding signs shall be prohibited.

- (7) *Production, processing and storage.* Limited production and processing uses shall be limited to one thousand two hundred (1,200) square feet of gross floor area. Other production, processing, and storage uses shall be limited to four thousand (4,000) square feet of gross floor area.
- (8) *Community residential facilities.* Community residential facilities serving six (6) or fewer persons shall be located in structures existing on the effective date of this ordinance.
- ~~(9) *Secondhand goods stores.* Secondhand goods stores shall be limited to the sale of used clothing and related accessories.~~

C3A ZONING



Legend

 C3A DISTRICT

0 2,500 5,000 10,000
Feet



Created on: August 28, 2014

CITY OF MINNEAPOLIS
COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT
PLANNING DIVISION

*Data compiled from best available sources.
The City of Minneapolis assumes no legal
responsibility for the accuracy of this map.
For illustrative purposes only.*