



City of Inver Grove Heights
Meeting Via In Person or Virtual Zoom

City Council Work Session
Monday, April 5, 2021 at 6:00 p.m.

NOTICE TO RESIDENTS: If you are interested in participating, please contact Rebecca Kiernan prior to this meeting via telephone (651) 450-2513 or email (rkiernan@ighmn.gov) to inform her - your name, address and to what you wish to speak on. Individuals may submit written public comments in advance of the meeting by emailing comments to Rebecca Kiernan (rkiernan@ighmn.gov). Comments received prior to 4:00 p.m. on Monday April 5, 2021, will be provided to the Council at or before the April 5, 2021 Work Session.

A G E N D A

A. Call to Order - Mayor Bartholomew

1. Landlocked Stormwater Basin Study Presentation (No Material)
2. Park Comprehensive Planning
3. Cul-de-sac Parking Recommendation
4. Severe Weather Awareness Update (No Material)
5. Residential Accessory Structure Ordinance Discussion
6. Home Occupation Ordinance Discussion
7. Proposed City Permit Application Timing Changes

B. Adjourn

**Request for Council Action**

TITLE: Comprehensive Parks and Recreation System Plan and Related HKGI Consultant Amendment

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 5, 2021	None	
Item Type:	Work Session	Amount included in current budget	\$33,000
Contact:	Jon Oyanagi	Budget amendment requested	
Prepared by:	Jon Oyanagi	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Review the planned scope of services for consultant amendment for the Comprehensive Parks and Recreation System Plan.

SUMMARY:

The City of Inver Grove Heights entered into a contract for consulting services on March 23, 2020, to update the 2008 Comprehensive Parks, Recreation, Trails and Facilities Plan. HKGI was initially hired because they had recently done planning in conjunction with the City Comprehensive Plan that was completed in 2018. At the January 25, 2021 city council meeting, the city council tabled action to amend the contract with HKGI. Questions were raised about the combined contracts of \$20,000 from 2020 and the proposed amendment for \$33,700. The discussion centered around whether the scope of deliverables was worth \$53,700. The interim parks and recreation director would be starting soon and perhaps would have input on the matter.

Staff has since met, including the interim parks and recreation director, and revised the approach to the plan update. The 2008 Comprehensive Parks, Recreation, Trails and Facilities Plan focuses more on the physical infrastructure. The revised approach will take a broader system approach that includes all facets of parks and recreation services. Staff is looking to create a document that is truly comprehensive for all aspects of the operation and provides direction and guidance for daily, annual, short-term and long-term planning. Individual sections of the plan such as the facilities plan, maintenance plan, and recreation plan will assist with scheduling initiatives, budget for those activities, and prioritize and inform decision-making over the next ten years. Municipalities typically utilize the services of a firm like HKGI to put together such a large and comprehensive document. This can be an all-consuming task for a department to tackle solely with internal resources. Costs

can range from \$75,000 to \$150,000 for a firm to complete an entire comprehensive plan, depending on the scope of work proportionate to the size of the community.

Staff met with HKGI to present the proposed changes. The revised direction looks to utilize the parks and recreation sections of the City Comprehensive Plan that HKGI helped develop. HKGI has presented a revised scope of services that accounts for the new direction and delineates responsibilities. Taking on comprehensive system planning is a large undertaking and requires many hours of research, community engagement, writing, organizing, and critical thinking. The new scope defines responsibilities practically and reasonably. Attached is the scope with these responsibilities identified. HKGI responsibilities include:

- The majority of the writing
- Provide analysis
- Manage the project
- Develop drafts and final documents
- Facilitate meetings
- Provide documents for meetings
- Consolidate graphics

Inver Grove Heights staff will provide:

- Data, inventories, and previous plans
- Set up meetings
- Communicate with all stakeholders including city council and advisory commission
- Compile feedback/input
- Provide photos and graphics/maps
- Complete community engagement
- Summarize progress since the 2008 plan
- Review and comment at all stages.

From the proposed scope, the contractor will provide 420 hours of work using resources uniquely available to their firm. The total remaining cost is estimated to be \$39,800. Approximately \$8,000 remains from the original contract and an additional \$33,000 was carried over from the 2020 fund balance for the amended contract with HKGI. The amended contract proposal totals \$51,800 with up to \$39,800 remaining after deducting approximately \$12,000 spent in 2020.

The amount proposed and the scope of work to be performed will result in a comprehensive plan that will serve the City of Inver Grove Heights well over the next decade. Much of the community engagement was completed under the initial stages of the contract. Internal staff resources will combine with the contractor to produce a practical and guiding plan. For these reasons, staff recommends proceeding with the amended proposal in order to complete the Comprehensive Parks and Recreation System Plan.



March 9, 2021

Jon Oyanagi
City of Inver Grove Heights
Interim Parks and Recreation Director
8055 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Amended Proposal for Parks and Recreation System Plan

Background

In March of 2020, HKGi began working with IGH Parks and Recreation Staff to provide assistance in the staff-led effort to create a system-wide plan for Parks, Trails, Recreation and Open Space. This plan is intended to guide projects and investment over the next 10 years in Inver Grove Heights, as well as outline community-supported goals and a vision for the parks and recreation system. As a staff-led project, HKGi would provide assistance as necessary, with staff direction, at an hourly rate not to exceed \$20,000. As of today, approximately \$12,000 in services have been provided toward this effort. Deliverables that have been produced over the last year as part of this contract include:

- Community Engagement Phase 1
 - HKGi staff developed and launched an online survey and interactive mapping tool to collect community feedback in the areas of Parks, Recreation, Inver Wood Golf Course, VMCC, and Trails.
 - HKGi provided outreach tools, such as social media messaging and presentation images to assist staff-led in-person pop-up events which took place over the summer and fall of 2020.
 - HKGi documented all of the feedback collected and produced a community engagement summary report with infographics and conclusions.
- Needs Analysis
 - HKGi completed a needs analysis, which included mapping existing facilities and amenities within quarter- and half-mile radii.
 - HKGi reviewed, formatted, and analyzed peer-to-peer community inventory data gathered by IGH staff
 - HKGi produced a set of conclusions, summarizing observations of need in the parks system based on the mapping and peer-to-peer analysis
 - HKGi formatted these items into a Needs Analysis document that was reviewed by Parks staff.
- Outline and advising of system plan document
 - HKGi has met with staff to assist in developing an outline for the final plan document, and help staff to understand what is needed from this planning effort (Attachment A).



In recent months, with staff turnover and changes in roles within the Parks and Recreation Department, more consultant involvement to complete the plan has been identified as a need. This proposed work plan amendment outlines a set of tasks, deliverables, and associated fee to complete the system plan with HKGi playing a larger role in providing leadership and direction, and taking a lead role in developing the draft and final plan document. Work that has been completed to-date will be folded into the draft and final document. The fee summary takes into account the funds remaining in the original contract (approximately \$8,000 remaining) which will be used towards the amended scope of work.

The approach outlines a series of workshops that align with chapters of the plan document (see Attachment A). These workshops will allow HKGi staff to work with IGH staff to develop topic-specific goals, and identify projects and understand roles in implementation with focused attention. In an effort to maintain project efficiencies, IGH staff roles and responsibilities have been clearly outlined. In most tasks, staff is responsible for gathering background information and submitting to HKGi prior to the workshop. HKGi will draft preliminary recommendations to prepare for a series of collaborative workshops. IGH staff and HKGi will work together to understand priorities, needs, and goals. With these key components in-hand, HKGi will draft chapters in response for staff to review.

This approach allows HKGi to work with staff efficiently, focusing on topics and producing recommendations in a timely manner, rather than waiting until the end of the planning process to create a full draft document. IGH staff will be responsible for communicating project updates to City Council, Boards and Commissions as they deem necessary. A second phase of community engagement will occur towards the end of the process, to gather feedback from the public on the draft recommendations.

Work Plan

Task 1: Community Engagement Phase 1 (Continued):

Purpose: Gather feedback from targeted stakeholders regarding current use, frequency, gaps in system, understand issues and opportunities that will inform recommendations.

- IGH staff to identify gaps in the community information gathered to-date
- HKGi to work with staff to develop framework/approach for addressing information gaps
- HKGi to develop survey tools/assist with outreach/engagement
- HKGi to develop materials, such as boards or presentations for IGH staff to use at in-person or virtual events
- IGH staff to provide HKGi with all documentation of events/information gathered
- HKGi to amend completed Community Engagement Summary document with additional findings
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi/IGH Project coordination

HKGi hours to complete Task 1: 30 hours

HKGi fee estimate to complete Task 1: \$2,700



Chapters 1 (Intro and Process) and Chapter 2 (Community Characteristics):

IGH Staff Preparation:

- Complete review and mark-up of 2040 Comprehensive Plan Parks Chapter, 2009 Parks Master Plan (submit to HKGi one week prior to workshop)
 - What has been accomplished?
 - What goals, ideas should be built upon for this plan?
 - What is not relevant any longer
 - What was not addressed?
- Review community engagement summary (completed by HKGi Nov. 2020)

HKGi Preparation:

- Review staff mark-up of 2040 plan
- Gather/draft components of Community Characteristics (chapter 2) content with a focus on Sustainability, Healthy Active Living, Technology, Equity/Access, Development and Growth

Chapter 1 & 2 Workshop:

- HKGi to facilitate workshop with parks staff (and other staff/commission members as needed) to develop goals and vision for the park system, review trends/characteristics

Post-Workshop:

- HKGi to draft Chapters 1 and 2
- IGH staff to review and provide comments
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi to revise draft accordingly
- HKGi/IGH Project coordination

HKGi hours to complete Task 2: 50 hours

HKGi fee estimate to complete Task 2: \$4,600

Chapter 3 (Parks, Trails and Open Spaces System Framework) Work Plan:

IGH Staff Preparation:

- Review Needs Analysis document (completed by HKGi December 2020), mark-up or add to conclusions (submit to HKGi one week prior to workshop)
- Review community engagement summary (November 2020)
- Compile any additional community engagement feedback gathered (focus groups?) since Summer 2020 (submit to HKGi one week prior to workshop)



HKGi Preparation:

- Complete trails gap analysis (update from previous study)
- Review existing parks and trails classification system, draft recommendations for amending
- Draft needs/project/recommendations list for parks, trails, open spaces

Chapter 3 Workshop:

- HKGi to facilitate workshop with parks staff (and others as needed) to develop recommendations / goals, actions for implementation, identify key staff to initiate, identify priorities

Post-Workshop:

- HKGi to draft Chapter 3
- IGH staff to review and provide comments
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi to revise draft accordingly
- HKGi/IGH Project coordination

HKGi hours to complete Task 3: 40 hours

HKGi fee estimate to complete Task 3: \$4,000

Chapter 4 (Maintenance and Operations Plan) Work Plan:

IGH Staff Preparation:

- Provide summary/bulleted list or spreadsheet of current operations activities/costs
- Provide facility inventory, asset management summary
- Provide summary or spreadsheet of current maintenance activities / costs
- Provide Pavement Management Plan (assuming this is already in-use)
- Provide Replacement Plan
- Provide any other budget items related to maintenance/operations
- Provide summary/bulleted list of current software, evaluation tools, GIS, etc. (technology) that is being used today
- All items above to be submitted to HKGi 2 weeks prior to workshop

HKGi Preparation:

- HKGi to review all materials provided by IGH
- Draft observations/recommendations that align with goals/vision as identified in Chapter 1



Chapter 4 Workshop/Meeting:

- HKGI to facilitate workshop/meeting with park staff, including maintenance/operations staff (or others as needed) to review and refine draft observations/recommendations, identify implementation actions, identify staff to initiate actions, prioritize activities

Post-Workshop:

- HKGI to draft Chapter 4
- IGH staff to review and provide comments
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGI to revise draft accordingly
- HKGI/IGH Project coordination

HKGI hours to complete Task 4: 40 hours

HKGI fee estimate to complete Task 4: \$4,000

Chapter 5 (Natural Resource Management) Work Plan:

IGH Staff Preparation:

- Provide summary / bulleted list of existing maintenance, operations related to natural resource management
- Identify current department roles/responsibilities, outline gaps, in current natural resource management
- Compile any previous inventory, management plans, tree inventory, water resources inventory plans or documents
- All items above to be submitted to HKGI 2 weeks prior to workshop

HKGI Preparation

- HKGI to review all materials provided by IGH
- Draft observations/recommendations that align with goals/vision as identified in Chapter 1, community engagement gathered, previous planning efforts with other communities

Chapter 5 Workshop/Meeting:

- HKGI to facilitate workshop/meeting with park staff, including maintenance/operations staff (or others as needed) to review and refine draft observations/recommendations, identify implementation actions, identify staff to initiate actions, prioritize activities



Post-Workshop:

- HKGi to draft Chapter 5
- IGH staff to review and provide comments
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi to revise draft accordingly
- HKGi/IGH Project coordination

HKGi hours to complete Task 5: 40 hours

HKGi fee estimate to complete Task 5: \$4,000

Chapter 6 (Recreation Program Plan) Work Plan:

IGH Staff Preparation:

- Provide inventory of existing programs (in-progress)
- Provide a summary / bulleted list of observations or challenges identified by staff
- Provide summary/bulleted list of cost recovery expectations, function, history
- Compile any additional community engagement feedback gathered (focus groups) since Summer 2020
- All items above to be submitted to HKGi 2 weeks prior to workshop

HKGi Preparation

- HKGi to review all materials provided by IGH, draft observations/recommendations that align with goals/vision as identified in Chapter 1, community engagement gathered

Chapter 6 Workshop/Meeting:

- HKGi to facilitate workshop/meeting with park staff, including maintenance/operations staff (or others as needed) to review and refine draft observations/recommendations, identify implementation actions, identify staff to initiate actions, prioritize activities

Post-Workshop:

- HKGi to draft Chapter 6
- IGH staff to review and provide comments
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi to revise draft accordingly
- HKGi/IGH Project coordination

HKGi hours to complete Task 6: 40 hours

HKGi fee estimate to complete Task 6: \$4,200



Chapter 7 (Plan Implementation) Work Plan:

Work Plan:

- HKGi to compile all of the implementation actions/recommendations from previous chapters, identify priorities/roles etc., assign phasing/timelines
- HKGi to draft evaluation measures for implementation success
- HKGi to create cost guide for implementation activities
- HKGi to compile guidance for applicable funding sources
- HKGi to draft / format Chapter 7
- IGH to review, gather staff feedback/comments
- HKGI and IGH meeting to review comments/revisions
- HKGi to revise Chapter 7 accordingly
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi/IGH Project coordination

HKGi hours to complete Task 7: 50 hours

HKGi fee estimate to complete Task 7: \$5,000

Task 8: Community Engagement Phase 2 Work Plan

Purpose: Share components of draft plan with the public and gather feedback on recommendations and implementation activities. Gather ideas for how the public can get involved, partnership ideas, etc.

Work Plan:

- HKGi to format materials for sharing via web (social media messaging, social pinpoint/survey tools)
- HKGi to create materials and host (2) open house events (virtual or in-person or mix); IGH staff to assist with hosting
- HKGi to create materials for pop-up events; IGH staff to host events
- IGH staff to host focus group meetings; HKGi to provide supporting materials as needed
- IGH staff to provide any feedback gathered to HKGi
- HKGI to summarize feedback
- HKGI and IGH staff meeting to review feedback, develop recommendations for draft plan revisions
- IGH staff to coordinate updates to Council or Commissions as needed
- HKGi/IGH Project coordination

HKGi hours to complete Task 8: 70

HKGi fee estimate to complete Task 8: \$5,900



Task 9: Final Document Work Plan:

- HKGI to revise draft plan components as directed by IGH staff
- HKGI to compile all items created in prior tasks and format into final plan document
- HKGI to compile all materials listed in the appendices and format to align with document
 - IGH staff to provide Individual Park Maps, Special Facility Maps
 - HKGI to include summary of community engagement phases 1 and 2
- IGH staff to review final draft document
- HKGI to make any revisions as advised by staff
- IGH staff to coordinate updates to Council or Commissions, presentation for plan approval
 - HKGI to assist with formatting of materials/presentation
- HKGI to make any revisions as directed by IGH staff (after Council/Commission presentations) for final plan
- HKGI to package all materials and deliver to IGH staff
- HKGI/IGH Project coordination

HKGI hours to complete Task 9: 60

HKGI fee estimate to complete Task 9: \$5,400

Proposed Fee Summary

Task	Task Description	HKGI Staff Hours	Fee Estimate
1.0	Community Engagement Phase 1 (continued)	30	\$ 2,700
2.0	Ch 1 Intro and Ch 2 Community Characteristics	50	\$ 4,600
3.0	Ch 3 Parks/Trails/OS System Plan	40	\$ 4,000
4.0	Ch 4 Maintenance and Operations Plan	40	\$ 4,000
5.0	Ch 5 Natural Resource Management Plan	40	\$ 4,000
6.0	Ch 6 Recreation Program Plan	40	\$ 4,200
7.0	Ch 7 Implementation Plan	50	\$ 5,000
8.0	Community Engagement Phase 2	70	\$ 5,900
9.0	Final System Plan Document	60	\$ 5,400
Project Scope Total			\$ 39,800
Funds remaining from \$20,000 Planning Assistance contract (March 2020)			\$ -8,000
Amendment Proposal Fee			\$ 31,800

Consultant Team

Paul Paige, PLA, will serve as the Principal-In-Charge for the project. He will oversee administrative and quality control/quality assurance with review of project deliverables and materials.



Jody Rader, PLA, will serve as the Project Manager for the project. She will maintain day-to-day communications with Inver Grove Heights staff, as well as manage all tasks and deliverables completed by HKGi. Jody will assist with development, outreach, monitoring and summarization of community engagement, provide mapping and analysis services, work with the HKGi team to create recommendations. She will oversee the drafting and revisions to the plan document.

Rita Trapp, AICP, and **Gabrielle Grinde, PLA** will play an advisory role on the project team, reviewing specific recommendations and provide assistance to develop implementation strategies.

Trey Rouse, a planner with HKGi and **Aimee Hackett**, a project designer, will provide support in the areas of graphics, layout, community engagement, and plan development.

Project Management

The project manager will maintain bi-weekly check-in calls or emails with City staff to determine upcoming tasks and deadlines. Where possible, meetings will be combined with other concurrent park planning projects to take advantage of efficiencies. The project schedule and pacing of the tasks will be directed by IGH Parks staff, with consideration of other City staff involvement in workshops and review of draft material.

Professional Fees

This proposed amendment requests an additional \$31,800 to complete the total scope of work described above, for a total project cost not to exceed \$51,800.

City of Inver Grove Heights Responsibilities

- Respond to clarifying questions regarding data collection or analysis
- Provide mapping, community survey, or other existing data as it pertains to completing the project tasks.
- Provide feedback and comments on draft or summary materials
- Coordinate with city staff, city departments, the PRAC, and other boards and commissions as necessary
- Assist with outreach and coordination with Community Engagement efforts.

Please contact me you have any questions or need additional information.

Sincerely,

Paul Paige
President, HKGi

Authorization to Proceed:

Jon Oyanagi, Interim Parks and Recreation Director

Date

**Memorandum**

TO: Mayor and City Council

FROM: Klay Eckles, Interim Public Works Director
Judy Thill, Fire Chief

DATE: 4/5/2021 Study Session

SUBJECT: Parking restrictions on Cul-De-Sacs

Background

The city has over 200 Cul-De-Sacs (CDS) of different shapes and sizes. The issue of appropriate parking restrictions on CDS has been debated as different perspectives and views have weighed public safety issues vs. quality of life and levels of service. Council has shown an interest in looking deeper into this issue by asking staff to provide clear policy direction for current and future CDS. This memo will share the different perspectives, provide some examples, and compare Inver Grove Heights' approach to CDS parking with what other nearby cities of similar development patterns.

Currently, Inver Grove Heights allows parking on most CDS, but as more recent CDS have been constructed as part of development or reconstructed as part of a city rehabilitation effort, "No Parking" signs have been added. This means right now, we do not have a uniform parking approach across the city, yielding confusion and dissatisfaction amongst residents. To uniformly install "No Parking" signage across the city, it is estimated at roughly \$150,000 of effort and expense. For enforcement of these restrictions, the Police Department is also in need of clear direction by Policy or Ordinance, for any tickets to be issued.

Overview

In order to give Council an understanding of the different viewpoints on parking restrictions, this memo will first give the view of public safety, particularly the Fire Department.

Emergency Services perspective: To provide rapid and efficient emergency response, the transportation network should provide clear travel paths on roads that are interconnected. The goal is for fire apparatus to be able to serve all buildings and facilities within the City. CDS provide a unique challenge because they do not provide connectivity, often being a dead end. Heavy parking on a CDS can preclude the ability of some fire apparatus to freely flow thru the CDS, resulting in difficulty providing efficient access to structures and a challenge getting out of the CDS. No Parking restrictions maximize unobstructed access to buildings and hydrants on CDS.

Transportation Perspective: Public roadways including CDS serve many functions. In addition to providing efficient movement of motor vehicles, local roads also allow bike and pedestrian travel, service vehicle access (mail, garbage and utilities), and overflow temporary parking for residents and businesses. The design standards for roadways in Inver Grove Heights are similar to those in other cities and are intended to meet *all* of these needs, *most* of the time, to the maximum extent practical.

However, it is understood and assumed that there may be instances when the roadway designs used by the city won't meet the needs of every user, in all cases.

Serving every possible user type simultaneously would yield a street design that is much wider than what we have all come to expect a neighborhood street to look like. Keeping our roads and CDS widths to a minimum has several advantages, including lower construction costs, less maintenance, better aesthetics, and lower vehicle speeds. So, the Transportation perspective recognizes that neighborhood streets won't serve every need in every scenario and looks to balance cost, aesthetics, travel speed, access, and safety to yield the most efficient and cost-effective street system.

Some facts and comparisons about CDS

1. Inver Grove Heights has over 200 CDS
2. No other cities surveyed as part of this effort have parking restrictions on CDS including Apple Valley, Rosemont, Burnsville, Eagan, Woodbury, Stillwater.
3. There is no overall standard design in the city, but the predominant CDS diameter is about 96'. This is larger than the CDS in most nearby suburbs.
4. Some CDS have center islands that improve aesthetics but complicate emergency access, plowing and general maintenance. This type of design has not been allowed on recent plats.
5. Historically the city allowed the construction of "baby sacs" on some projects.

Recommendation and Discussion Items

In reviewing current policies and the options for creating some consistency on this issue, Staff has broad concurrence among Public Works, Fire, Police, and Community Development that restricting parking on every CDS in town is not necessary to provide adequate access for emergency vehicles, though Council should be aware that parking on CDS can diminish emergency services levels in some rare instances.

Allowing parking on most CDS provides a valuable service to residents there and avoids moving and concentrating the on-street parking to areas along the neck of the CDS. There are some specific CDS where parking restrictions are warranted. Baby sacs, partial CDS with dead ends, as well as CDS with center islands can create access challenges, and further analysis should be done to determine if these warrant some directed parking restrictions.

To resolve the current inconsistencies Council should consider any of these actions:

1. Direct Staff to develop a set of standard design criteria for all CDS.
2. Remove signage from all CDS unless a special circumstance warrants it.
3. Direct Staff to develop criteria for when special signage is warranted.

Alternatively:

4. Discuss a budget item to sign all CDS consistently and/or:
5. Establish a new Ordinance or policy regulating the parking on cul-de-sacs, the signage thereof and enforcement by the Police Department.

**Request for Council Direction****TITLE:** Accessory buildings

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 5, 2021	None	X
Item Type:	Work Session	Amount included in current budget	
Contact:	Heather Botten 651.450.2569	Budget amendment requested	
Prepared by:	Heather Botten	FTE included in current complement	
Reviewed by:	Allan Hunting	Other	

PURPOSE/ACTION REQUESTED:

The Council is to provide direction on an ordinance amendment for accessory structures.

SUMMARY:

Over the last couple months, the Council has seen a couple different accessory structure related variances. At the March 8, 2021 and March 22, 2021 City Council meetings, Council directed staff to bring forward accessory structures to a work session and then on to Planning Commission for a public hearing for a possible ordinance change.

Council has discussed changes to three sections of the accessory structure ordinance:

- 1) Allowing the size of accessory buildings on lots 2.5 - 5 acres in size, in the A and E-1 zoning district to be based on a ratio system depending on lot size.
- 2) Possibly allowing properties that do not have an attached garage one additional detached accessory structure on their lot whereas one is the maximum allowed.
- 3) Consider limiting the number of accessory structures 120 square feet or less on a property.

Attached to the memo is section 10-15-18, Accessory Structures. Before moving forward with an ordinance amendment staff wanted to make sure everyone was on the same page and if we just want to focus on the three items listed above or if there were other parts you would like reviewed.

Also, the Council talked about lumping the changes together as one ordinance amendment. Staff recommends moving forward with item 1 with a public hearing in April but believes items 2 and 3 require additional time to review and research to determine impacts and how many lots may be affected with an ordinance change.

RECOMMENDATION:

Staff is looking for direction on what parts of the accessory structure ordinance to focus on and timing of the amendments.

Attachments:

City Code Section 10-15-18, Accessory Structures

10-15-18: ACCESSORY STRUCTURES:

A. Each detached accessory structure to single-family residential uses in all E-2, R-1 and R-2 zoning districts shall not exceed a total maximum gross floor area of one thousand (1,000) square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots in the E-2, R-1 and R-2 zoning districts shall be limited to one. (Ord. 1209, 4-26-2010)

B. On lots of five (5) acres or more in size, which are located in an A or E-1 zoning district, detached accessory structures to single-family residential uses shall not exceed a gross floor area of two thousand four hundred (2,400) square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots of five (5) acres or more in size in the A or E-1 zoning district shall be limited to two (2).

C. On lots of 2.5 acres or more, but less than five (5) acres in size, which are located in an A or E-1 zoning district, detached accessory structures to single-family residential uses shall not exceed a gross floor area of one thousand six hundred (1,600) square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots of 2.5 acres or more, but less than five (5) acres in size in the A or E-1 zoning district, shall be limited to one.

D. On lots of less than 2.5 acres in size, which are located in an A or E-1 zoning district, detached accessory structures to single-family residential uses shall not exceed a gross floor area of one thousand (1,000) square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots of less than 2.5 acres in size in the A or E-1 zoning district shall be limited to one.

E. In all residential zoning districts (R, E and A) there shall be a minimum space of six feet (6') between the principal and accessory structure unless attached, and a minimum space of six feet (6') between all other accessory structures.

F. Detached accessory structures in the A and E-1 zoning districts that exceed a gross floor area of one thousand (1,000) square feet must maintain a fifty foot (50') minimum setback from all property lines.

G. In no zoning district may an accessory structure be constructed on a lot prior to the construction of the lot's principal structure.

H. Exceptions to the requirements contained in this section relating to accessory structures are as follows:

1. Accessory structures to single-family residential uses in all A, E and R zoning districts with gross floor areas of one hundred twenty (120) square feet or less;

2. Accessory structures to principal agricultural uses (i.e., farms, ranches, stables, greenhouses, nurseries, and uses deemed similar by the city council) in the A and E-1 zoning districts. (Ord. 1181, 9-8-2008)

**Request for Council Direction****TITLE:** __Home Occupations_____

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 5, 2021	None	
Item Type:	Worksession	Amount included in current budget	
Contact:	Heather Botten 651-450-2569	Budget amendment requested	
Prepared by:	Heather Botten	FTE included in current complement	
Reviewed by:	Planning Dept.	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The Council is to provide direction on a possible amendment to the home occupation ordinance.

SUMMARY:

Over the past couple years, the City Council and Planning Commission have discussed amending the Home Occupation ordinance several times relating to home businesses being operated out of accessory buildings.

The City currently allows home occupations that comply with Chapter 10-15-26 of the City Code. This includes requirements such as the business being engaged in only by persons living in the dwelling and only when the business is conducted entirely within the principal structure, not in an attached or detached accessory structure. This has included all aspects of a business, including the storage of commercial or industrial related equipment or materials in accessory buildings. This does not prohibit someone bringing their business truck or van home overnight as the City Code allows for a resident to have *one* commercially licensed vehicle not over a one-ton capacity to be parked at a residence of the owner/operator of said vehicle.

During previous discussions, the Planning Commission and City Council struggled with if the ordinance should be amended to allow home businesses to be run out of attached and/or detached accessory buildings.

At the January 2020 worksession, Council stated they wanted input from residents. Staff created a survey and put an article in the summer 2020 Insights newsletter asking for input along with a link to the survey on the City's website and facebook page asking for citizen comment. The survey was available from July 17, 2020 - August 31, 2020, 147 people responded.

The survey results provided the following information from residents.

- Should the City require a license or special permit for the operation of a home business, including a public hearing and neighbor notification, so that residents could provide comment at a City Council meeting before a permit is issued?
43.54% yes / 56.46% no
- Do you think the City's home occupation ordinance should be expanded to allow for the use of garages and accessory structures, so that businesses such as landscape services, masonry, pool cleaning, screen printing/embroidery, tree-trimming, and small engine and auto repair may store equipment and/or operate on residential property?
63.27% yes / 36.73% no
- Do you think a home occupation operated out of a garage or accessory structure could have an adverse impact to the neighborhood, such as additional noise, change in aesthetics, or higher traffic volumes?
63.27% yes / 36.73% no

Additionally, 79 of the 147 people provided comments which are attached for your review.

When discussing a possible code amendment to expand the home occupation ordinance, some things to consider are:

- If a homeowner is storing material in the garage for a business would they have to own the equipment stored on the property or could they store equipment for their employer or even their neighbor?
- If an *indoor contractor's shop* is allowed on residential property it may be difficult to regulate what is stored inside the buildings. If tree trimming parts are ok, what about mulch/rock, merchandise purchased with the intent to sell on-line, car parts, etc?
- Should there be a maximum percentage of space utilized in the accessory building to not interfere with the primary residential use of the property?
- Would trailers (enclosed or open) be allowed if they are stored outside?
- Should there be hours of operation to limit the impact to the neighbors?

Other things to consider:

Lot size. When looking at rural lots, the lots sizes can vary from 1 acre lots in a rural residential PUD to 5+ acres in Agricultural zoning. The minimum lot size in the E-1 district is 2.5 acres. There are legal non-conforming lots that do not meet the minimum lot size requirement based on the zoning district. If a change is proposed staff would suggest having a minimum lot size along with limiting the zoning districts.

Setbacks. An accessory structure less than 1,000 square feet in the E-1 zoning district requires a 10-foot side yard setback. Accessory structures greater than 1,000 gross square feet require 50-foot setbacks. If a building is constructed in an Industrial (I-1 or I-2) district that is abutting a residential district a **100-foot** setback would be required. Consideration should be taken to have larger setbacks for structures that would be used for something other than a residential use.

Parking/storage. There would be a definite impact on garage parking spaces and storage areas if home businesses are allowed to utilize this space. Converting an accessory building into storage for a business eliminates enclosed parking spaces and storage space for the residential use. This could result in more vehicles, toys and yard equipment being parked or stored outside of the buildings.

Also, adding more hard surface for parking pads next to the driveway increases impervious surface which adds a burden to the storm water system as well as aesthetic impacts for the neighborhood.

Code enforcement. The Rental and Code Enforcement Coordinator provided information relating to a small handful of home occupation complaints and the enforcement process. This information is provided to demonstrate the process relating to home businesses complaints from Inver Grove residents.

Public process. With the exception of beauty salons, commercial kennels and commercial stables, home occupations are a permitted use and do not require neighbor notification. When utilizing an accessory building for a home business there may be additional neighborhood impacts such as noise and higher traffic volumes. There are different avenues for regulation. One would be a license with the City where neighbor notification would not necessarily be required but if there is a violation to the license it could be revoked. There is also conditional use permit (CUP) or interim use permit (IUP) processes; similar public process but a CUP runs with the land and an IUP would have an expiration/end date.

Included for informational purposes are the home occupation ordinances for the neighboring cities of Eagan, West St. Paul, and South St. Paul which all prohibit home occupation activity in accessory buildings. Also included for your review are the cities of Plymouth who allow an accessory building to be used for storage in relation to a home business, Bloomington who, with approval, allows home business activities in accessory buildings, and North St. Paul who allows home occupations with an interim use permit.

CONCLUSIONS AND RECOMMENDATIONS

Staff continues to not support a change to the home occupation ordinance to allow the use of accessory buildings for business purposes based on the following:

- Businesses located in residential accessory buildings are deemed incompatible and could compromise the quality of life in a residential neighborhood.
- There could be adverse impacts to neighborhoods such as higher traffic volumes, noises, and change in aesthetics expanding commercial uses in residential neighborhoods.
- It would conflict with the City's comprehensive plan policy to maintain the rural character of established neighborhoods in the Agricultural and Estate residential districts. The 2040 Comprehensive Plan policy states that the City should prohibit commercial or industrial uses in residential areas including home occupations that involve exterior storage such as contracting businesses.
- Allowing commercial and industrial uses to be operated out of residential property takes away from the possibility of filling vacant commercial or industrial space in the City.

Staff discussed different alternatives and came up with the recommendation that, if Council decides to allow the use of accessory buildings as part of a home business, this could be done by interim use permit (IUP). The interim use permit process:

- requires neighbor notification
- allows for conditions that could be specific to a location

- if the conditions of approval are not met the IUP could be revoked by City Council
- the IUP would not permanently stay with the property. A specific date and/or an event would terminate the use. For example, the IUP would be valid for three years or until the property was sold, whichever happened first.

Staff is requesting direction from Council on if the home occupation ordinance should be amended to allow businesses to operate in residential accessory buildings. If so, should **all** residential districts be included with an amendment and what type of process should be required, if any, to allow accessory buildings to be used as home occupations.

Attachments: Home Occupation Ord.
 Survey results
 Summary of violation from the Code Enforcement Specialist
 Examples of other ordinances

10-15-26: HOME OCCUPATIONS:

A. Generally: In general, occupations and businesses in the city are to be conducted in commercial and industrial zoning districts, not in residential zoning districts. Exceptions to this generality include agricultural activities within agricultural zoning districts as regulated in this title, daycare as defined in section 10-2-2 of this title, and home occupations, provided they conform to the standards of this section.

B. Definition: "Home occupation" means any gainful occupation meeting all of the following requirements:

1. Engaged in only by persons residing in the subject dwelling.
2. Conducted entirely within the dwelling, not in attached or detached accessory structures.
3. Evidence of the occupation shall not be visible from the street.
4. No signs other than those permitted in R districts are permitted.
5. No stock in trade is stored on the premises.
6. On site retail sales are not involved.
7. Entrance to the home occupation is gained exclusively from within the dwelling.

8. When the home occupation is a beauty/barber shop, entrance to the home occupation shall be a separate, direct entrance and shall not be from within the dwelling.

C. Professional Home Occupations: A professional person may use his/her residence for consultation, emergency treatment, or performance of religious rites, but not for the general practice of his/her profession when such general practice will involve the need for more than three (3) parking spaces for the occupant and visitors. No accessory building or attached garage shall be used for such home occupation. (Ord. 1098, 11-8-2004)

D. Other Home Occupations: Home occupations include minor repair services, photo or art studios, dressmaking, teaching limited to three (3) students at any one time, in home daycare as licensed by the state, licensed massage therapy in accordance with the regulations of title 4, chapter 8 of this code and similar uses; however, a home occupation shall not be interpreted to include tourist homes, restaurants or similar uses. (Ord. 1311, 3-28-2016)

Home Occupation Survey

The survey was available from July 17, 2020 – August 31, 2020

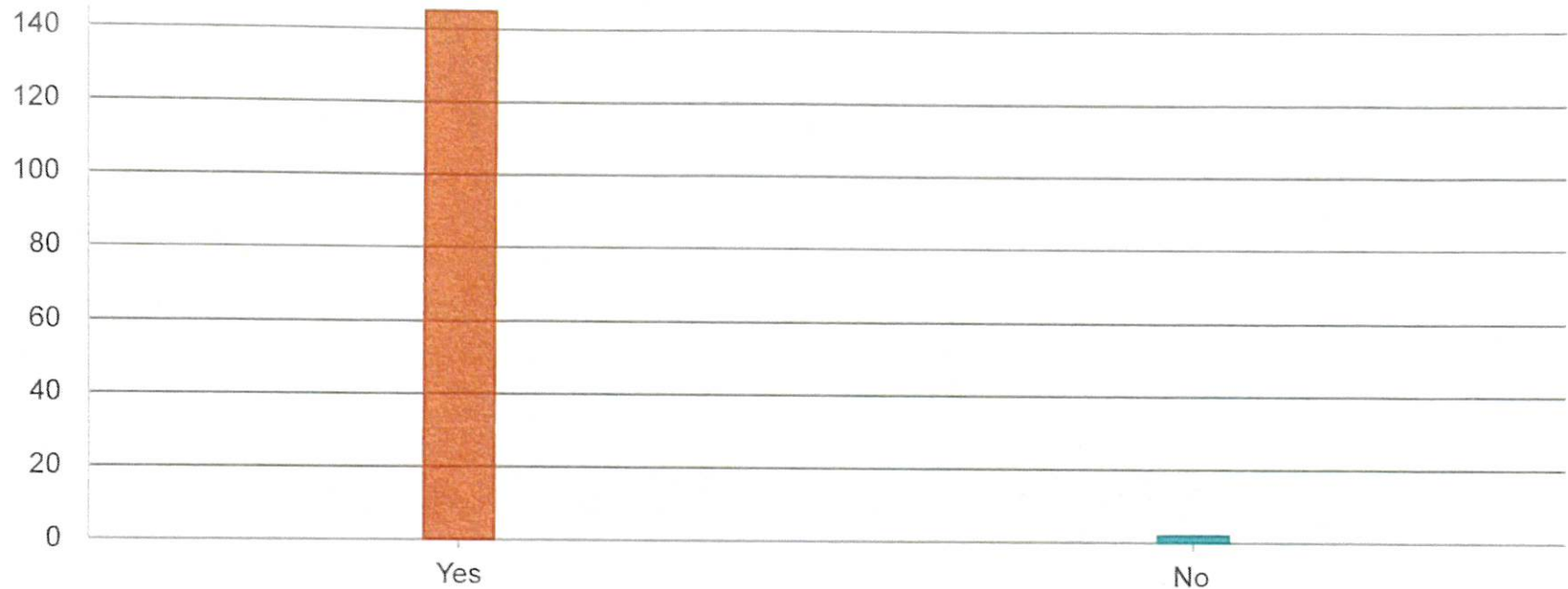
147 people responded

The survey had 5 questions plus a space for comment:

- 1) Are you a resident of IGH?
- 2) Pick all the following that apply to you:
 - I operate a business out of my home
 - I have a neighbor who operates a business out of their home
 - I know someone who operates a business out of their home
 - I store business equipment on my home property
 - I have a neighbor who stores business equipment on their property
 - I know someone who stores business equipment on their property
- 3) Should the City require a license or special permit for the operation of a home business, including a public hearing and neighbor notification, so that residents could provide comment at a City Council meeting before a permit is issued?
- 4) Do you think the City's home occupation ordinance should be expanded to allow for the use of garages and accessory structures, so that businesses such as landscape services, masonry, pool cleaning, screen printing/embroidery, tree-trimming, and small engine and auto repair may store equipment and/or operate on residential property?
- 5) Do you think a home occupation operated out of a garage or accessory structure could have an adverse impact to the neighborhood, such as additional noise, change in aesthetics, or higher traffic volumes?

Home Occupation Survey

1. Are you a resident of IGH? *



Answers

Count

Percentage

Yes

145

98.64%

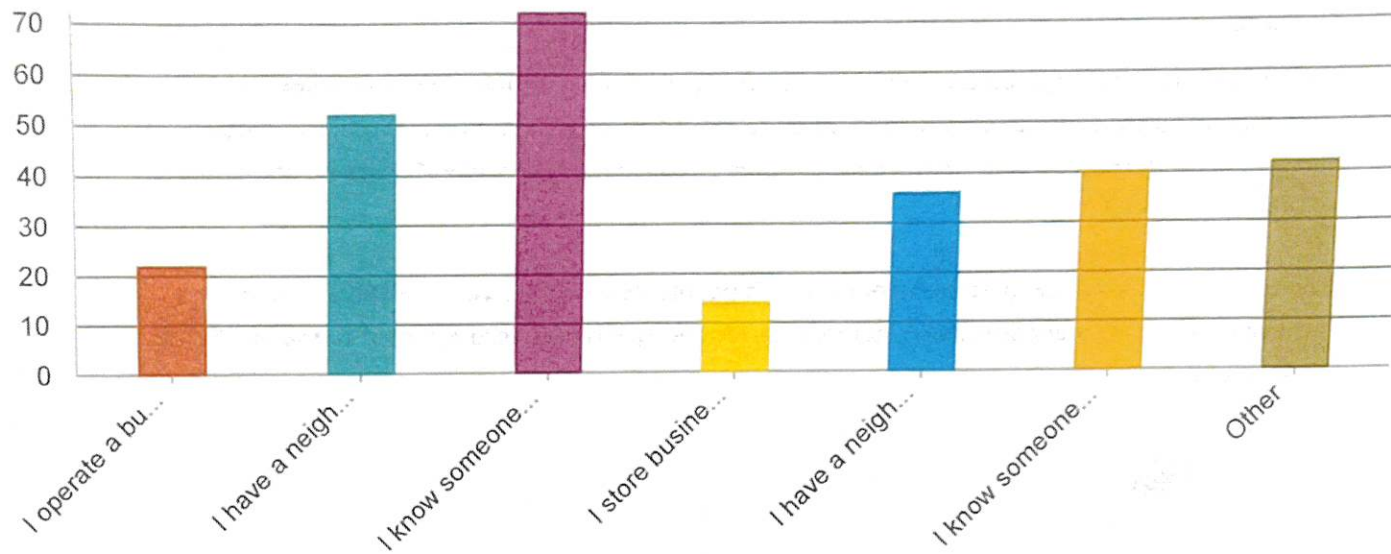
No

2

1.36%

Answered: 147 Skipped: 0

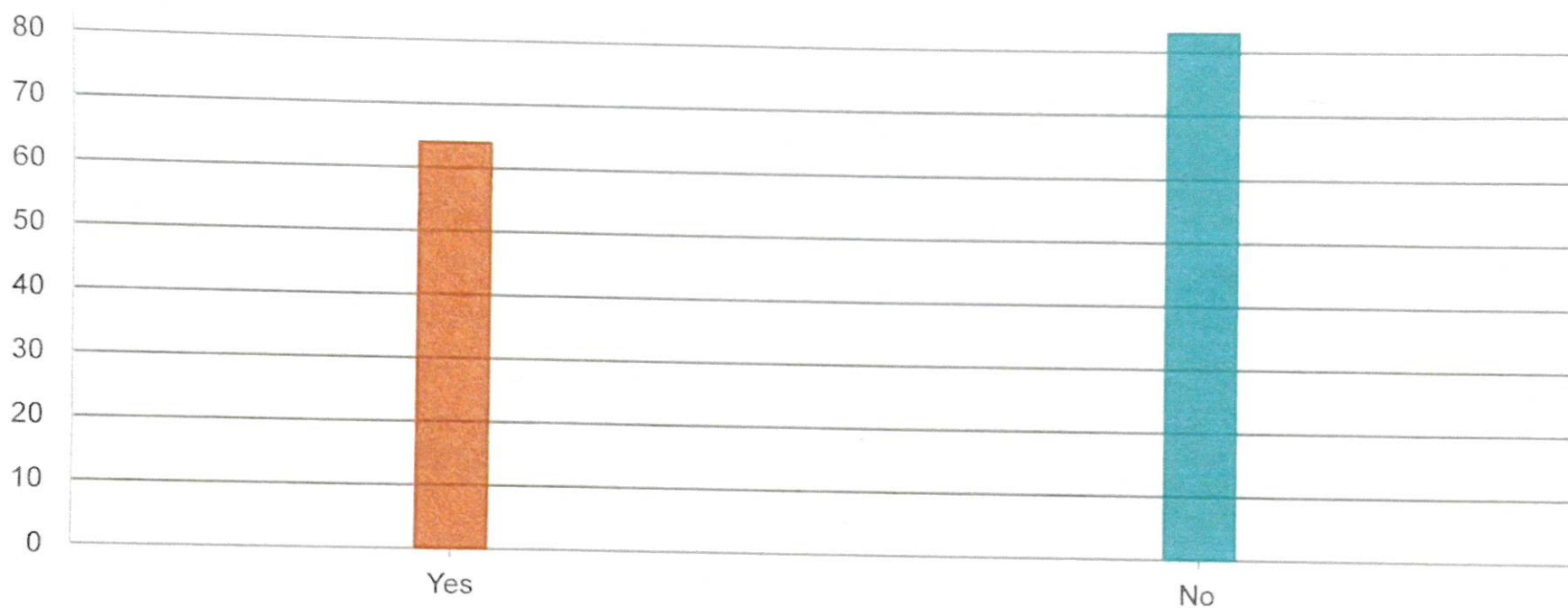
2. Pick all of the following that apply to you: ★



I operate a business out of my home	22	14.97%
I have a neighbor who operates a business out of their home	52	35.37%
I know someone who operates a business out of their home	72	48.98%
I store business equipment on my home property	14	9.52%
I have a neighbor who stores business equipment on their home property	36	24.49%
I know someone who stores business equipment on their home property	40	27.21%
Other	42	28.57%

Answered: 147 Skipped: 0

3. Should the city require a license or special permit for the operation of a home business, including a public heari...



Answers

Count

Percentage

Yes

64

43.54%

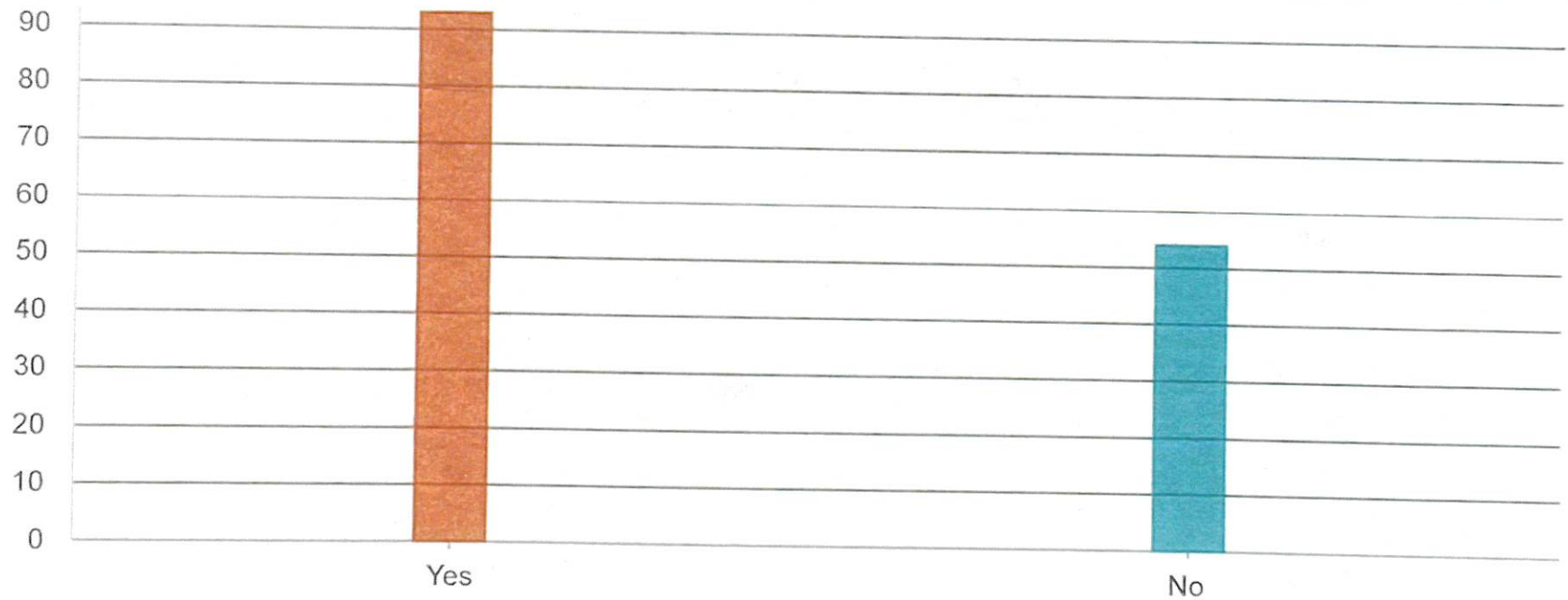
No

83

56.46%

Answered: 147 Skipped: 0

4. Do you think the city's current home occupation ordinance should be expanded to allow for the use of home gar...



Answers

Count

Percentage

Yes

93

63.27%

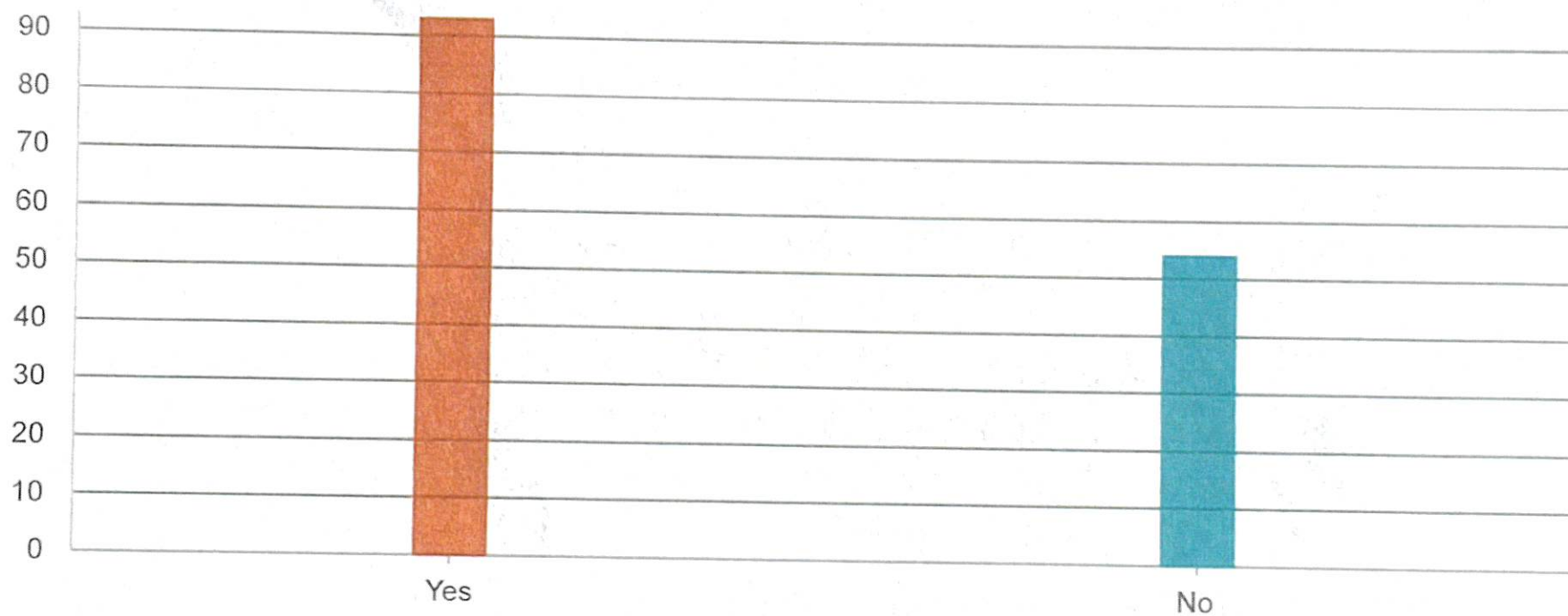
No

54

36.73%

Answered: 147 Skipped: 0

5. Do you think a home occupation operated out of a home garage or other accessory building could have an adve...



Answers

Count

Percentage

Yes

93

63.27%

No

54

36.73%

6. Please leave additional comments:



Response	Count
Why not let people do whatever they need to to make a living or subsidize their income in their own home? With COVID and everything related to it MORE rules and restrictions are not of benefit. Of course, if the property becomes an eyesore because of a small business, then that should be handled.	1
While I said "Yes" to Q5, I think the adverse impact has to be balanced against business statements - normal work hours, noise limits, etc. should all be fine in most circumstances.	1
We have a lake front property with two neighbors with home biz with no problems. There is a detached garage on our road for storage of biz equip with traffic, trucks, trailers, parking, unloading noise. Also, traffic creates pot-holes and dust.	1
We have 3 neighbors that have or are running businesses out of their home. Two have no negative impact on the neighborhood. There is one neighbor that clearly has stored business equipment (trucks, trailers, etc.) in their driveway. There have been noise issues and damage to the street due to this.	1
We already have multiple homes that are illegally operating businesses out of their homes! It has increased traffic parking noise safety and pollution. It affects our quality of life and environment. Residential areas are for homes not businesses! Tired of people moving in and changing rules for them!	1
Under the current situation (pandemic), citizens should be given as much flexibility to do what they need to do in order to provide for their families and community.	1
Timeframe of noise/increase traffic volume should be included and explicitly shared if/when a business applied for a permit for this to limit impact effects to neighborhood.	1

They park large, loud equipment on the street and have buildings that don't meet city codes. Two on Dawn Ave. between 78th and 80th St.	1
There are many small businesses that don't use large equipment, such as consulting, hair cutting, etc. these "quiet" businesses should not be subjected to the same oversight and licensing as businesses with large equipment and those likely to make noise and clutter up the neighborhood.	1
The increase in customer traffic, noise, parking on the street and yards full on equipment is not what I expected when I brought a house in town. If they live on over an acre where a neighbor would not be bothered could be an exception.	1
The city should be enforcing existing codes, and not amending them to allow any additional businesses in residential neighborhoods.	1
The city has no right to say what I can and can't do on my property. So I can fix my friends car in my garage but if he pays me for it, it makes no difference.	1
The City has no business regulating people's businesses in a free country. This only applies in a socialist country.	1
The ability to operate a business that is not tech related (requiring machinery, compressors, etc) should have a acreage requirement (similar to bow hunting)	1
Thanks for asking for citizen input.	1
Thank you for the survey. Small businesses will help the city thrive and be more of a community.	1
Storing a work vehicle should be allowed especially if it is located in a garage. Obviously there should be limits and large vehicles could require permits, but businesses shouldn't need to move mountains (aka require city council meetings) to keep their van at home.	1
Small business out of a home, that do not affect the normal traffic patterns, noise levels or aesthetics of a neighborhood are fine. Beyond that, they should be in a commercially zoned area. That is the point of zoning.	1
Question 5 should not be a yes or no answer. In most cases the answer would be no but it is possible so the answer is yes. Leeway should be given to home businesses with a provision for the rare case a business screws up a neighborhood	1
Please leave well enough alone.	1
places making loud noises (vacuum cleaners, compressors, power washers), places that use more than residential quantities of chemicals & places w/lots of people coming and going, esp. if those businesses have externally audible entry & exit alarms on doors shouldn't be allowed in residential areas.	1
People who have more than 2 acre lots should be able to run a small business from their pole barn as long as it doesn't interfere or cause problems.	1

One drawback might be lots of extra vehicles - put a limit on # of business vehicles allowed on a city lot of a certain size. Another drawback might be extra traffic in and out of the residence. But a small business such as Mary Kay or Avon should be allowed w/o extra licensing.	1
One consideration of the use of a garage or detached building could be the zoning area. For example if you have a 1 acre lot vs 1/5 acre lot. IGH is unique in its zoning so one size does not fit all.	1
No business in residential.	1
My neighbor has a tax service and has clients in and out of her home and they never asked for approval for that. Pretty Sure you cannot due that. I has increased traffic alot in the neighborhood. SK tax service on Boyd	1
Most small business ideas start by working out of your home. Let people start their small business in their home here, and they might stay in the area when they grow and have their own building.	1
Mechanics in the garage no!!	1
It's not a problem as long as the business related equipment is stored in a garage and out of sight. We have had at least 3 households run a business out of the home on River Heights Way over the years. Has never been an issue to my knowledge	1
It is so likely that restrictions to minimize spread of COVID and other infectious diseases will be with us well into the future that it would be foolish not to permit residents of IGH to find ways to work from their homes.	1
It is not the cities business to tell homeowners what they can or cannot do or store on their property.	1
It is hard enough to run a small business, and additional government involvement will only make it harder. Please stop stifling hardworking small business people with additional rules and regulations. This proposal will only serve to add dollars to the city with no benefit to the community.	1
It is a residential area not a business district. If you have a business, factor in storage fees for your equipment. Not fair to those neighbors that have to look at it. Also they should be paying more taxes due to traffic on the road and equipment damaging the roads, that we have to pay for.	1
In most cases they are an eye sore or could be very noisy. I don't want this as a neighbor. Where are you going to draw the line?	1
If you enforce, and make sure the neighbors can't tell there's a home business going on, let it happen	1
If some people would follow rules that would help. But that doesn't seem to happen and then you start having problems or stretching the rules. They start storing things outside have employees coming and parking on streets. Then noise from equipment repair.	1
If it is contained within the garage and not messing up the yard i dont see why someone couldnt keep a bobcat, repair cars, store work tools inside the garage that they own	1

If a business has equipment or cars that are a eye sore, or nuisance to the surrounding neighborhood, those should be dealt with by the city. Noise that is continuous or annoying to neighbors would need to be considered as well. Citations and fines would be issued to repeat offenders. Permits, yes.	1
I think that residence should be able to operate a business inside their house or on their property, unless it's breaking federal law.	1
I think that reasonable approach should be taken. If little impact to neighbors by noise or traffic then I believe homeowners should be allowed to run businesses out of their garage.	1
I think it's fine to allow businesses to operate out of their home so long as it doesn't increase noise issues causing disturbances to the neighbors or doesn't make the property look messy with tons of equipment or waste laying around.	1
I think it needs to be case by case and have some rules. Should not be a free for all. Behar then you will see issues with aesthetics and noise. If it is inside the garage and stays inside then the aesthetics should not be an issue. Noise ordinance needs to be enforced and maybe more strict for them	1
I support the entrepreneurial spirit and everyone starts small. Let's give people that freedom to start a business from home. If the city supports this as well, you may be surprised to see that as these businesses grow, they would likely look in IGH for commercial property.	1
I own a home based reselling business with my wife in IGH. If we were not able to operate out of our house, we would have to close. I am happy to provide additional input if needed.	1
I know of more homes that park their cars in the driveway because their garage is full of furniture and junk, than home-based businesses that do not add to parking or harm aesthetics!	1
I have two in my neighborhood, have employees (additional vehicles, equipment and structures) added.	1
I have no problem with a business operating out of a garage or out building UNLESS it involves noise or bright lights within the mostly populated individual residential areas. If on 5 acres or more, not a problem as long as they only go until 8 or 9 pm	1
I expect increased traffic and noise in a neighborhood with home occupations. However, I'm a big advocate for empowering people to improve their lives and economic freedom is one of the most effective ways to achieve that. City ordinances should be limited to safety matters, not control of neighbor.	1
I don't think these are yes and no questions. It all depends on the nature of the business, size of the property and size of the out building and/or garages.	1
I don't think the city should have ANY say on what people do on their own property. If it doesn't hurt anyone it's none of the city's business.	1
I don't have a problem from the home. But if it involves many cars coming and going.....NO!!	1

I don't think a public hearing is necessary. If a permit/license is required it should just be an annual fee. There could be stipulations (only _amount of vehicles, no parking on public streets, noise ordinance, etc). The city could then monitor the in home businesses. It's expensive to lease space!	1
I don't object to a business, as much noise and smell associated with them.	1
I do work from home often, we also have an office separate from our home. Storing work equipment in & around your home in a residential setting is unacceptable. It does reduce surrounding home values.	1
I do childcare. so I don't have equipment to store. I understand with covid times are changing and people may need to save money by not renting a space to store equipment. but I think it should only be temporary during the covid pandemic and a possible recession after. But not long term	1
I believe the things mentioned in question five are a small price to pay so that they can operate a business out of their home which employs them and possibly others. They should also be able to store equipment and/or operate on residential property. We should want everyone to be able to succeed.	1
I am all for allowing more business to happen at home as long as noise is taken into account.	1
I also think we should change ordinances to allow people to sell their garden produce from their own yards. Plenty of our yards are big enough for hobby gardeners to supplement their incomes by selling additional produce, and yet this is prohibited currently.	1
Homes should be living space only, businesses need to be in separate locations.	1
Home businesses should include limited visits/parking. Not a lot of cars coming and going or there all at once often is not good. As long as additional structures on property follow the current rules (not too many buildings, land to building ratio, and not too close to property line) are followed.	1
First everyone involved with that new fire station should resign or be fired. Idiots in charge of money. I don't want my neighborhood to look like a truck stop. Businesses belong in business district. Control taxes and they will open there. Fire station complete waste of money!	1
Exp w/3 neighbors running busi near/next 2my home. None serve customers ON the prop. #1,#2 R very discreet / quiet, no employees no excessive deliveries(~OK) #3 however has multi employees who meet here freq & multiple equipment deliveries /month by large trucks (~UGH) They use P.O.Box as busi address.	1
Existing business out of homes near me has reduced my property value.	1
Due to Covid we must be flexible on rules. I operate a voiceover business out of my home and it's just me and for that I am lucky 😊	1
Do like the traffic. And my neighbor does upholstery on boats. Get really sick of the jerks that back out of her driveway onto my grass. And also use my driveway as the turn around. Not right.	1
Depending on the business type there may need to be separate rules. If I'm storing inventory in my garage that's one thing. Operating a car repair business that would contribute to neighborhood noise is another. These two types of businesses need to be considered differently.	1

Depending on the amount of noise and what time the hours of operation are, I think people should be able to run a business out of their home. I also think that a permit/inspection is needed to make sure it is safe for everyone.	1
Contingent on bus. type. If selling crafts or home made items, they shouldn't need a permit or permission to store a tote of fabric in their garage. Esp. as craft sales are not avail now. A bus. requiring outdoor storage, esp. unsightly/noisy items (cars, motors etc) a permit/permission s/b needed.	1
Can cause additional traffic, noise and parking issues. There are plenty of office spaces available for rent in IGH.	1
Businesses should not be allowed to run out of their garages. Consider the equipment that is used and maintained to run the business. Chain saws that are tested every morning, wood chippers that are used every night to get rid of the brush. Extra employees that they're not telling you about.	1
Businesses come in all shapes and sizes. If it does not disrupt the neighborhood it, there should be no rules against it. Especially now, when most people are working from home.	1
As long as the garage is only used as office or storage space and not manufacturing or production. (Non noise producing)	1
As long as neighbor keeps property maintained and is respectful of neighbors a city should not have any involvement regarding how a resident uses their owned property.	1
As a homeowner I do not want to look out and see a bunch of parts, junk cars etc in my neighborhood it is bad enough sometimes	1
Although I think it can change a neighborhood, so many home based businesses don't have employees and customers coming to the home, or it's very minimal. If a home business was having a continuous stream of traffic (hair salon, pet grooming, etc.) Maybe then approval from the neighborhood only...	1
All equipment should be required to be stored indoors and not in the driveway or on the street.	1
I don't think storage of business equipment should be allowed nor should separate garages be allowed. Most neighbors don't want to report neighbors. Let's not dilute our zoning ordinances to make everything OK. There are areas zoned for business and storage.	1
-drivers unfamiliar with the area, endangering pedestrian/children -parking trespass problems -unknown persons frequenting home-sites, greatly reducing security and effectiveness of neighbor watch programs -signage -additional city expenses with permitting, enforcement and public meetings	1
	0

Answered: 79 Skipped: 68

EXAMPLES OF HOME BUSINESS COMPLAINT

99th St East

RP (reporting party) states in a written complaint:

“3 skid loaders, 2 - 1-ton snow plows, 2 storage metal (shipping) storage containers and 1 large front end loader with a bucket and plow blade is all sitting on the property. I know the owner has his own business, but is this allowed? Looks like a **** hole with all of the equipment around. The front end loader is parked right along the tree line by the driveway.”

Construction business on-site confirmed through inspection.

Courthouse Blvd

RP filed a complaint about a tree trimming business. They stated there was an industrial woodchipper making loud noise, some sort of crane in the yard, several people (possibly employees) frequently coming and going, and “beeping” noises from trucks and equipment constantly backing up and moving around.

Business confirmed through online advertisement and inspection.

Astrid Ave

RP states the property owner is operating some sort of business that involves buying and selling items. RP states there are numerous shipments brought to the house several times a week with a steady flow of traffic from customers. Outdoor storage of items such as hot tubs, scrap wood, machinery, several doors, several windows, etc.

Business confirmed through online advertisement and inspection.

Alverno Ave

RP states the owner’s sons are operating a scrapping business and the property has turned into a scrapyard.

Business confirmed through inspection

Aviary Path

RP states there appears to be a business on-site with several trailers frequently coming and going from property.

Inspection was inconclusive. Trailers on-site, but nothing to indicate a business (no signs, no decals on trailers, no employee vehicles, etc). Explained to RP there was not enough evidence to indicate there was a business.

Carmen Ave

RP states there is a home business involving electronics repair. RP states the owner’s son fixes equipment and runs tests of the electronics by turning the volume up and down repeatedly, causing a disturbance to the neighborhood.

Staff spoke with homeowner who stated it was just a hobby for his son, not a business. Without more proof it is a business, the case was closed and RP was told to contact Police on a noise complaint when necessary.

Concord Blvd

RP states there is an illegal dog kennel being operated from the home and provided staff with an advertisement on Rover.com for the kennel. RP states dogs are left outside barking and some dogs have been escaping the fence and roaming the neighborhood.

Business confirmed through inspection and online advertisement.

59th St

RP states the property owner is operating an auto repair business and leaving junk vehicles and vehicle parts in the street.

Inspection confirmed junk vehicle and refuse violations, though could not confirm if a business was being operated.

65TH St

RP states there is a catering business being run out of the home. States the occupant makes meals specifically from June 5 – July 11th (cultural foods) and leaves gas cylinders scattered throughout the deck and property and is frequently loading her vehicle for deliveries and coming and going from the property.

Staff made contact with resident who explained she cooks for friends and family during their religious holiday time but stated it is not a business.

75th St

RP states the property owner drives a large, commercial work truck/dump truck and stores it at the property, thinks it may be a home business. The truck is left to idle/warm up in the mornings and is very loud. RP states it's probably damaging the street due to its size.

Parking violation confirmed through inspection though not a home business. Notice sent

Upper 79th Ct

RP states the property owner buys and sells items, then stores them in the driveway and yard covered in tarps until they can be sold. States property is unkempt and messy.

Business confirmed through inspection and conversation with property owner.

Adam Ave

RP states there is a landscaping business being operated from the property. RP was able to provide the name of the company and stated the trucks are loud and operations begin at 6:30 each morning, often disturbing the neighborhood. Work trucks and trailers are being stored in the street overnight, including a woodchipper. One of the vehicles is not licensed.

Business confirmed through online advertisement and inspection

Babcock Trail

RP states there is some sort of landscaping or tree trimming business on site.

Inspection found a large swath of trees had been cut down and it appeared the equipment was being used for a project on the property. No indication of business.

Barnes Ave

RP states there is a stone business being operated from the property and that stone slabs and other business equipment are being stored on the property with business vehicles frequently coming and going. RP states a forklift is often used to move the slabs, producing a loud 'beeping' noise.

Business confirmed through online advertisement and inspection

Cahill Ct

RP states there is a business onsite. Owner buys and sells Big Wheel childrens cars (the larger ones kids can “drive”) and has several of them (10+) stored in the driveway along with junk vehicles.

Violation confirmed through inspection though business violation couldn’t be confirmed.

Cleadis Way

RP reports there is a snow removal and landscaping business on the property with business and employee vehicles coming and going and business equipment stored on site. States the traffic is frequent and vehicles are loud.

Business confirmed through inspection and decals on vehicles.

Additional home occupation complaints and inquiries that Planning Staff has been involved in over the past couple years:

- A resident who was building 4-wheelers on his property and then selling to stores
- A resident who had a retail boat display at his property
- Carpet installers who want to keep stock in their garages
- Numerous auto repair and small engine repair and landscaping businesses inquiries
- People wanting to convert barns into reception venues

Eagan

Section 11.70 Subd 23

Home occupations. Home occupations shall be subject to the following requirements:

- A. The occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes and shall not change the character thereof.
- B. No more than three persons shall be engaged in the home occupation, one of whom resides outside of the dwelling.
- C. No home occupation activity shall be allowed within a detached or attached accessory building or garage.
- D. Evidence of the home occupation shall not be visible from the street.
- E. No signs shall be present other than those permitted in R zoning districts.
- F. No home occupation shall involve over-the-counter sales.
- G. Entrance to the home occupation shall be gained from within the principal structure.
- H. The home occupation shall not utilize more than three off-street parking spaces for the occupant and visitors.

West. St. Paul

153.052 PERMITTED ACCESSORY USES.

Within any R-1A One-Family Use District, the following uses shall be permitted accessory uses:

- (C) Home occupations as defined herein, provided that:
 - (1) Only persons residing in the dwelling shall be engaged in the occupation;
 - (2) The occupation shall be conducted entirely within the principal structure;
 - (3) Evidence of the occupation shall not be visible from the street;
 - (4) No stock or warehousing for the occupation shall be stored on the premises;
 - (5) Over-the-counter retail sales are not involved;
 - (6) There shall be no more than three parking spaces for the occupant and visitors;
 - (7) No accessory building or attached garage shall be used for the home occupation; and
 - (8) Property cannot be used as a meeting location for employees.

South St. Paul

Sec. 118-121. - R-1, single-family district.

(2) Accessory uses.

a. Garages used as an accessory to the dwelling and located upon the same lot or an adjacent lot under single ownership, intended or capable of providing for the storage of motor vehicles and in which no business, occupation or service for profit is in any way conducted, as regulated herein by the performance standards [section 118-208](#).

f. Home occupations, as defined in [section 118-8](#), provided that:

1. Entrance to the home occupation is gained from within the structure;
2. The occupation shall be conducted entirely within the principal structure;
3. No accessory building or attached garage shall be used for the home occupation;
4. Evidence of the occupation shall not be visible from the street;
5. No stock or warehousing for the occupation shall be stored on the premises;
6. No more than three parking spaces are needed at any given time in addition to the parking spaces required by the resident occupants;
7. Home occupations such as massage are limited to no more than one client waiting for services and no more than one client receiving services at any given time; and
8. Home occupations such as teaching are limited to three students at any given time.

Plymouth

SECTION 21145. - HOME OCCUPATIONS (some parts removed to condense the ordinance for IGH council review)

21145.01. - Purpose. The purpose of this section is to maintain the character and integrity of residential areas and to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety and general welfare of the surrounding neighborhood. In addition, this section is intended to provide a mechanism enabling the distinction between those home occupations having minimal or no secondary impact, and those which have potential for adverse effects upon surrounding properties.

21145.03. - Procedures and Permits.

Subd. 1. **Permitted Home Occupations.** Permitted home occupations, as defined in this Chapter, are exempt from permitting and licensing requirements but shall comply with the applicable provisions of Section 21145.04.

Subd. 2. **Licensed Home Occupations.** Licensed home occupations, as defined in this Chapter, shall require a "home occupation license" which shall be applied for, reviewed and processed in accordance with the procedural provisions of Section 21030.04, Subd. 2.(a) of this Chapter.

Subd. 3. **Declaration of Conditions.** The Zoning Administrator and City Council may impose such conditions on the granting of a home occupation license as may be necessary to carry out the purpose and provisions of this section.

Subd. 4. **Effect of Permit.** A "home occupation license" may be issued for a period of one (1) year after which the license may be reissued for periods of up to three (3) years each by the Zoning Administrator.

Subd. 5. **Transferability.** Home occupation licenses shall not run with the land and shall not be transferable.

21145.04. - Requirements.

Subd. 1. **General Provisions.** All home occupations shall comply with the following general provisions:

- (a) No home occupation shall produce light, glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent properties.
- (b) No equipment shall be used in the home occupation which will create electrical interference to adjacent properties.
- (c) Any home occupation shall be clearly incidental and secondary to the residential use of the premises, shall not change the residential character thereof, and shall result in no incompatibility or disturbance to the adjacent residential uses.
- (d) No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
- (e) The home occupation shall meet all applicable fire and building codes.
- (f) There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling.
- (g) All home occupations shall comply with the provisions of the City Nuisance Ordinance.
- (h) No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m.
- (i) Excepting incidental materials, no commodities shall be sold on the premises.
- (j) Not over twenty-five (25) percent of the gross floor area of the home (excludes attached or detached accessory structures) shall be used for a home occupation.
- (k) Parking of commercial vehicles/trailers shall comply with Section 21105.11, Subd. 2 of this Chapter.
- (l) No more than one delivery to or shipment from the home in conjunction with the home occupation by a vehicle over 20,000 gross vehicle weight rating (GVWR) shall be made per week (Sunday through Saturday) to the property.
- (m) There shall be no exterior storage of equipment, materials, or trailers used in the home occupation, except for the one (1) fully enclosed trailer that may be allowed pursuant to Section 21105.11 of this Chapter.

- (n) All home occupations shall be conducted entirely within the principal dwelling, except that up to fifty (50) percent of the total floor area of accessory structures (e.g., attached garage, detached garage, shed) on a site may be used for storage of equipment, trailers, or materials related to the home occupation, provided that no assembly, display, manufacturing, repair, or other business operations are conducted within an accessory structure. Furthermore, in no case shall the total floor area of accessory structures devoted to related storage of materials, trailers, or equipment exceed 500 square feet.

Subd. 2. **Permitted Home Occupations.** In addition to compliance with all of the general provisions outlined in Subd. 1 of this subsection, permitted home occupations shall comply with the following provisions:

- (a) No person other than those who reside on the premises shall be employed by the home occupation.
- (b) Not more than one (1) client or customer per day shall come to the premises in question for purposes pertaining to the conduct of the home occupation.
- (c) On-street parking facilities shall not be utilized to accommodate parking demand.

Subd. 3. **Licensed Home Occupations.** In addition to compliance with all of the general provisions outlined in Subd. 1 of this subsection, licensed home occupations shall comply with the following provisions:

- (a) No person other than those who reside on the premises shall engage in business activities on the premises. The business may employ others provided no more than two (2) employee vehicles are regularly parked outside, and provided all work activities by employees are performed off the premises.
- (b) Examples of licensed home occupations include: massage therapy, barber and beauty services, photography studio, lessons, saw sharpening, small appliance repair and the like.
- (c) The home occupation may involve any of the following: stock-in-trade incidental to the performance of the service but not sold on the premises, repair service or manufacturing which requires equipment other than customarily found in a home.
- (d) Licensed home occupations may be allowed to accommodate their parking demand through utilization of on-street parking. In such cases where on-street parking facilities are necessary, however, the Zoning Administrator shall maintain the right to establish the maximum number of on-street spaces permitted and increase or decrease that maximum number when and where changing conditions require additional review.
- (e) There shall not be more than ten (10) client appointments per day upon the premises.

Subd. 4. **Prohibited Home Occupation Activities.**

- (a) Auto repair, whether for consideration or not, of vehicles which are not registered to a resident of the dwelling, or to a son or daughter, sibling, parent, grandparent, or grandchild of a resident on the property.
- (b) Businesses, educational programs or similar gatherings which meet on a regular basis and have more than five (5) non-residents in attendance at a time.
- (c) Gun or ammunition sales/repair.
- (d) Music instruction or recording studios, unless conducted within a single-family detached dwelling.
- (e) Pet care facilities, except for pet grooming.

21145.06. - Inspection.

The City hereby reserves the right upon issuing any home occupation license to inspect the premises in which the occupation is being conducted to ensure compliance with the provisions of this section or any conditions additionally imposed.

Bloomington

21.302.13 HOME BUSINESSES.

(a) *Purpose.* To accommodate residents who desire to start a home business while ensuring that said businesses:

- (1) Are imperceptible from normal residential activity and do not adversely impact the character of the surrounding residential area;
- (2) Are secondary and incidental to the residential use of the dwelling unit; and
- (3) Do not adversely affect the health, safety or welfare of other persons residing in the area.

(b) *Review and approval.*

(1) A conditional use permit is required for Type II home businesses. See § [21.501.04](#) for conditional use permit requirements.

(c) *Types of home businesses.*

(1) *Type I.* Type I home businesses are of a type that the City Council has historically found do not adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type I home businesses are listed below. This list is intended to be illustrative not exhaustive.

- (A) Professional home offices or studios;
- (B) Home beauty shops;
- (C) Tutoring, music, fitness, or dance instruction for no more than two students at any one time;
- (D) Licensed therapeutic massage;
- (E) Watch repair, dressmaking, tailoring and similar crafts; or
- (F) Animal grooming for no more than four animals at any one time.
- (G) Firearm Office where no firearm(s) or ammunition are stored or inventoried on the premises.

(2) *Type II.* Type II home businesses are businesses of a type that the City Council has historically found to have the potential to adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type II home businesses are listed below. This list is intended to be illustrative not exhaustive.

- (A) Music, dance, or fitness schools;
- (B) Repair shops not expressly prohibited by the city code;
- (C) Cottage food operations, subject to the requirements in M.S. § 28A.152, as it may be amended from time to time;
- (D) Photography studios and similar uses; or

(E) A Type I home business reclassified as a Type II home business by virtue of a conditional use permit approved by the City Council.

(3) *Prohibited home businesses.* The following home businesses are prohibited without limitation:

- (A) Motor vehicle or boat repair, service or painting;
- (B) Small engine and major household appliance repair;
- (C) The sale, lease, or trade of firearm(s) or ammunition, where firearm(s) or ammunition are stored or inventoried on the premises;
- (D) Manufacturing;
- (E) Taxidermy shops;
- (F) Unlicensed massage;
- (G) Escort businesses;
- (H) Body art establishments; and
- (I) Animal kenneling.

(d) *Standards.*

(1) *Health, safety and welfare.*

(A) Home businesses must not endanger the health, safety or welfare of the community by reason of blight, noise, smoke, dust, odor, glare, vibration, fire hazard, increased vehicular traffic including deliveries, unsanitary or unsightly conditions, or similar conditions that have a reasonable likelihood of disturbing the peace, comfort, repose or quiet enjoyment of the indoor and outdoor spaces of neighboring residential properties.

(2) *Where allowed.* See § [21.209](#) of this code for the classification of home businesses within the zoning districts.

(A) Type II home businesses are not permitted in accessory dwelling units, two-family dwellings, townhomes, or in multi-family dwellings.

(3) *Prohibited activities.* Activity that produces light, glare, noise, odor, dust, smoke or vibration perceptible beyond the boundaries of the premises and distinguishable from neighboring residential uses is prohibited.

(4) *Gross floor area (GFA).* Home businesses may occupy no more than 25 percent of the total gross floor area (GFA) of the principal residential dwelling unit.

(5) *Use of accessory buildings or garages.*

(A) Type I home businesses may not use or be located in accessory buildings or garages.

(B) As provided in subsection (b) below, the Planning Commission may approve Type II home business activities in accessory buildings or garages if it finds that the

proposed activities would not alter the residential character of the neighborhood if performed within an accessory building or garage.

(6) *Alterations.* No interior or exterior alterations may be made to dwelling units to accommodate a home business that would be:

- (A) Inconsistent with the residential character of the surrounding area; or
- (B) Not customarily found in a primary residential dwelling.

(7) *Separate entrances.* The space devoted to or used by the home business must not have its own separate entrance and must be completely contained within the principal residential dwelling unit so as to have no exterior visibility. Any entrance leading to the space devoted to or used by the home business must also lead to the remainder of the home.

(A) *Exception.* Type II home businesses permitted by the Planning Commission to operate from an accessory building or garage are exempt from this provision.

(8) *Exterior displays and signage.* Exterior display, exterior signage, advertisement or other exterior indication of a home business is limited to one non-illuminated sign not to exceed one and one-half square feet in area as per [Chapter 19, Article X](#).

(9) *Exterior storage.* Exterior storage or display of trailer, equipment or materials, tools, supplies, stock-in-trade, products or by-products used or produced in conjunction with a home business is prohibited.

(10) *Vehicle parking and storage.* Vehicles used in conjunction with a home business must comply with the parking and storage provisions of § [21.301.06](#) of this code.

(11) *Garbage disposal.* All rubbish and garbage disposal facilities must be properly screened in compliance with [Chapter 19](#) or [21](#) of this code and no single container may exceed the 96-gallon container size used for single-family residential property.

(12) *Primary residence requirement.* The owner of the home business must use the dwelling unit as the person's primary residence, as evidenced by the person's driver's license, vehicle registration, voter registration or other clear and convincing evidence.

(13) *Employees.*

(A) *Type I home businesses.* No more than one person having their primary residence elsewhere, as evidenced by the person's driver's license, vehicle registration, voter registration or other clear and convincing evidence, may work on the premises at any time.

(B) *Type II home businesses.* No more than two persons having their primary residence elsewhere, as evidenced by the person's driver's license, vehicle registration, voter registration or other clear and convincing evidence, may work on the premises at any time.

(14) *On site sales.* No retail, wholesale or other sales activity may be conducted on site other than by telephone, mail, internet or other electronic medium. Also no items may be displayed for sale on the premises.

(15) *Deliveries and pick-ups.* Type I and II home businesses may receive up to four deliveries and pick-ups per day.

(16) *Client visits.*

(A) *Type I home businesses.* The total number of clients upon the premises must not exceed six customers per day and must not exceed two clients at any one time.

(B) *Type II home businesses.* As provided in subsection (b) above, the Planning Commission may determine the number and intensity of client visits per day and time.

(17) *Hazardous materials.* Toxic, explosive, flammable, radioactive or other restricted materials used, sold, or stored on the site in connection with the home enterprise must conform to the city code and Uniform Fire Code for residential uses.

(e) *Enforcement.* The city will enforce the standards of this section based on verified, on-going violations.

(f) *Penalty.* Violation of the standards set forth in this section shall be enforceable in all of the following manners, without limitation: civil injunctive action; the assessment of civil administrative fines and penalties that are assessable against the property; as well as criminal misdemeanor prosecution.

North St. Paul

19. *Home occupation.*

(a) *Purpose.* Home occupation standards and procedures are established to permit the conduct of home occupation activities while preserving the character of residential neighborhoods, promoting small businesses, and protecting the health, safety and welfare of those neighborhoods.

(b) *Definition.* **HOME OCCUPATION** is:

- i. Work for profit, performed on residential property, by the property owner, renter, occupier, or houseguest; or
- ii. Work for profit performed away from residential property, by the property owner, renter, occupier, or houseguest, where the residential property is being used as a home base, place of operation, office, headquarters, or similar, or is being used for the storage or repair of items or equipment used in the course of said work.

(c) *Level 1 home occupations.* Level 1 home occupations are those which have no potential neighborhood impacts. Level 1 home occupations are a permitted use. Level 1 home occupations may include, but are not strictly limited to:

- i. Art studio;
- ii. Dressmaking;
- iii. Barber shops;
- iv. Beauty shops;
- v. Secretarial services;
- vi. Foster care;
- vii. Professional offices such as legal, accounting, insurance or computer technician; and
- viii. Musical, dancing, and other instructions which consist of no more than two pupils at a time.

(d) *Level 2 home occupations.* Level 2 home occupations are those which have potential neighborhood impacts. A level 2 home occupation requires approval of the City Council. An interim use permit shall be obtained by any person operating a level 2 home occupation. Level 2 home occupations may include, but are not strictly limited to:

- i. Family day care;
- ii. Contractors;
- iii. Small engine repair;
- iv. Equipment repair;
- v. Building trades; and
- vi. Heating, plumbing, or air-conditioning services.
- vii. In cases where it is unclear whether a home occupation should be classified as level 1 or level 2, the Zoning Administrator shall make such a determination subject to City Council confirmation if requested by the operator of the home occupation.

(e) *General provisions.* All home occupations shall be subject to the following standards:

i. A home occupation required to have a state license shall show proof of this license to the city each year and shall maintain said license at all times while the home occupation is occurring.

ii. A home occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.

iii. A non-illuminated nameplate a maximum of two square feet in area may be placed on the front façade of the principal structure. Otherwise, there shall be no signage, display, or advertisement visible from the exterior of the lot related to the home occupation.

iv. Home occupations shall not create a parking and loading demand in excess of that which can be accommodated in an existing driveway. Such occupation does not generate more than two vehicles at one time.

v. No interior or exterior alterations shall be permitted and no construction features shall be permitted which are not customarily found in a dwelling.

vi. No home occupation shall produce light, glare, noise, odor, dust or vibration discernable beyond the property line that will in any way have an objectionable effect upon adjacent or nearby property.

vii. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.

viii. There shall be no exterior storage of equipment or materials used in the home occupation, except that functioning, personal automobiles that are used by the owner of the home occupation may be parked on the site.

ix. Licensed tattoo establishments are not allowed as a home occupation.

(f) *Existing nonconforming home occupations.* Existing home occupations lawfully existing on the effective date of this section may continue as non-conforming uses. Any existing home occupation that is discontinued for a period of more than one year shall be brought into conformity with the provisions of this section prior to re-institution.

(g) *Inspection.* The city hereby reserves the right, upon issuing any level 2 interim use permit, to inspect the premises in which the occupation is being conducted to ensure compliance and the provisions of this section or any conditions additionally imposed.

(h) *Violations.* Any home occupation found to be in violation of this section shall be served with a notice from the Zoning Administrator. If the violation is not corrected within ten days, the approval for the home occupation shall be revoked.

(i) *Regulations.* All occupations conducted in the home shall comply with the provisions of this section, as well as applicable local, state, and federal laws as well as § [98.18](#) Nuisances Affecting Peace and Safety.

**Request for Council Action****TITLE:** Proposed City Permit Application Timing Changes

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	April 5, 2021	None	X
Item Type:	Work Session	Amount included in current budget	
Contact:	651-450-2513	Budget amendment requested	
Prepared by:	Rebecca Kiernan City Clerk	FTE included in current complement	
Reviewed by:	Heather Rand	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

Most City Licenses become due on January 1 of each new year. In the even years, there is always an issue with getting the licenses completed and approved in a timely manner due to the Election Cycle. The licenses that staff would like to change their due dates are as follows: Massage Business, Massage Individual Therapist, Motor Vehicle Sales, Rubbish Haulers, and Service Stations. The proposed new license period would be May 1st to April 30th of each year.

SUMMARY:

Staff recommends changing the license period to May 1st to April 30th for licensed occupations listed above.

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTIONS 3-2-7, 4-8-1, 4-5A-5, 4-5B-6, AND 8-6-2 OF THE
INVER GROVE HEIGHTS CITY CODE RELATED TO LICENSE TERMS AND EXPIRATION
DATES**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Title 3, Chapter 2, Section 7 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

3-2-7: TERM OF LICENSE:

Except as otherwise provided elsewhere in this Code, The term of the license year shall begin on January 1 and end on December 31.

Section Two. Amendment. Title 4, Chapter 8, Section 1 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

D. License Required:

4. License Term: Licenses shall be issued for a period of one year beginning on May 1st, except that if a portion of the year has elapsed when application for a license is made, a license may be issued for the remainder of the year for a pro rata fee. In computing such fee, any unexpired fraction of a month shall be counted as one month. All licenses shall expire on April 30th of each year.

Section Three. Amendment. Title 4, Chapter 5, Article A, Section 5 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

4-5A-5: LICENSE FEE; EXPIRATION; NONTRANSFERABILITY:

The fees for class A and class B licenses are established by resolution of the city council. The license shall expire on April 30th of each year ~~December 31~~. The license shall not be transferable. (1974 Code § 1100.07; amd. 2008 Code)

Section Four. Amendment. Title 4, Chapter 5, Article B, Section 6 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

4-5B-6: TERM OF LICENSE; FEE PRORATED:

~~The term of each license shall be for a calendar year or for the remainder of the calendar year after issuance therefor.~~ All licenses shall be for a period of one year and shall expire on April 30th of each year. If the license is granted for less than ~~the an~~ entire ~~calendar~~ year, the license fee shall be prorated accordingly, with more than fifteen (15) days to be considered a full month and less than fifteen (15) days disregarded in such prorating. (1974 Code § 1103.11)

Section Five. Amendment. Title 8, Chapter 6, Section 2 of the Inver Grove Heights City Code is hereby amended as follows. The underlined text shows the language added to the code and the ~~struck out~~ text shows the language deleted from the code:

E. Term Of License; Expiration; Renewals; Number Of Licenses And Eligibility:

1. ~~No license issued hereunder shall be for a period longer than one year. All licenses shall expire on December 31.~~ All licenses shall be for a period of one year beginning on May 1st and expiring on April 30th of each year. If the license is granted for less than an entire calendar year, the license fee shall be prorated accordingly, with more than fifteen (15) days to be considered a full month and less than fifteen (15) days disregarded in such prorating. ~~following the date of issuance unless sooner revoked or forfeited.~~ If a license granted hereunder is not renewed previous to its expiration, then all rights granted by such license shall cease, and any work performed after the expiration of the license shall be in violation of this chapter.

Section Six. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Passed in regular session of the City Council on the ____ day of _____, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____
Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk