

BURNSVILLE PLANNING BOARD
Regular Meeting - Tuesday, April 11, 2023, 5pm
Burnsville Town Center

The Burnsville Planning Board met on April 11, 2023 at the Burnsville Town Center. Members Jeanne Martin, Martin Stankus, Rick Gierloff and alternate Paul Bradley were present. Also in attendance was Brian Buchanan, Chad Fox, Randy Banks, Sam Young, and resident John Shuler, among others. Martin Stankus called the meeting to order at 5:05pm.

Organizational

- Seating of new members - Richard Gierloff and Greg Yuziuk assumed the vacancies created by Jerri Storie and Paul Bradley. Jerri Storie and Paul Bradley were appointed as alternates by the Town Council at their January 5, 2023 meeting.
- Selection of Chair - Jeanne Martin nominated Richard Gierloff to be Chair. Martin Stankus seconded the motion, which carried. All were in agreement.
- Selection of Vice-Chair - Richard Gierloff nominated Martin Stankus to be Vice-Chair. Jeanne Martin seconded the motion, which carried. All were in agreement.

Approval of the Minutes - Minutes from a regular meeting held on July 12, 2022 were considered. Jeanne Martin moved to approve the minutes as presented. Martin Stankus seconded the motion, which carried. All were in agreement.

Presentation on dilapidated properties - Burnsville resident John Shuler was available to present on dilapidated properties, saying they create challenges such as theft, a greater need for police patrols, unsightliness, and degraded property values. He said that currently there is no process to deal with dilapidated properties or incentives to fix them up. He would like to start researching and identifying properties with these issues, help develop a process to fix or condemn them, and address possible zoning changes. He requested the opportunity to come back and present his findings and possibly join a sub-committee to help.

Chair Richard Gierloff mentioned other problematic properties and said that he would like to look into it further also, as some of the places could be dangerous.

Brian Buchanan offered to do some background work on the topic, find some examples, and get it on the agenda for July.

The possibility of a sub-committee was discussed. Martin Stankus mentioned being sensitive to historic properties. All members were in agreement to discuss the issue further.

Review proposed Zoning Ordinance changes - Brian Buchanan summarized text amendment changes to the Burnsville Zoning Ordinance that included formatting reference corrections, updates to short term rental regulations, and reduced off-street parking requirements for government buildings primarily used by personnel.

Member Robert Byrd arrived at 5:22pm.

Martin Stankus made a motion to recommend that the Burnsville Town Council approve the proposed text amendments to the Burnsville Zoning Ordinance as presented. Robert Byrd seconded the motion, which carried. All were in agreement.


Next Regular Planning Board meeting - July 11, 2023 at 5pm

Adjourn - Martin Stankus moved to adjourn the meeting at 5:24pm. Jeanne Martin seconded, meeting adjourned.

Recorded by:



J. Chad Fox



Richard Gierloff, Chair

Proposed Ordinance Changes:

Section 712. Dwelling - Secondary

1. Secondary dwelling units shall be accessory and subordinate to the primary living quarters.
2. No more than one secondary dwelling unit is permitted on any lot.
3. A secondary dwelling unit may only be located within a side or rear yard and within the setback established by the applicable zoning district.
4. No secondary structure shall exceed two stories in height.
5. Secondary dwelling units may be created as an independent structure, an addition to an existing primary structure, or a second story within detached garages.
6. The gross floor space of a secondary dwelling unit shall not exceed 800 square feet. The ground floor area of an attached garage shall not be calculated as part of the total square footage of any secondary dwelling that is built as the second story of a detached garage; provided, such ground floor garage area shall not be converted into a dwelling space.
7. At least one off-street parking space shall be provided
8. Properties with multifamily dwellings as defined herein shall not be permitted a secondary dwelling.
9. Residential units in C-1 district must be located above commercial establishments. Modular homes as defined in Article 4 are also subject to the restrictions found in Section 721. Manufactured homes as defined in Article 4 are also subject to the restrictions found in Section 719

Commented [CB1]: Added regulations from single family dwellings to secondary dwellings

Section 713. Dwelling- Single Family

Residential units in C-1 district must be located above commercial establishments. Modular homes as defined in Article 4 are also subject to the restrictions found in Section 721. Manufactured homes as defined in Article 4 are also subject to the restrictions found in Section 719.

Commented [CB2]: Changed reference to correct section

Section 714. Dwelling- Two-family

Residential units in C-1 district must be located above commercial establishments. Modular homes as defined in Article 4 are also subject to the

restrictions found in Section 721. Manufactured homes as defined in Article 4 are also subject to the restrictions found in Section 719.

Commented [CB3]: Changed reference to correct section

Section 728. Short Term Rentals

1. Occupancy is limited to two persons per bedroom, plus two additional occupants. This occupancy cap shall be posted in online rental advertisements and within the unit.
2. ~~The property owner must designate and notify Burnsville Town Hall of a local contact person who is available to respond to complaints or other issues that arise during the rental period.~~

Owners of Short Term Rentals must post their contact information in a prominent location within the rental space and be readily accessible throughout the rental period.

All Short Term Rentals must adhere to the same use restrictions as single family dwellings in Section 713.

Commented [CB4]: Changing this requirement to move away from a registration system which is not allowed but still have contact information easily accessible by renters or emergency personnel

Section 1213. Off-Street Parking

Off-street automobile parking or storage space shall be provided on every lot at the time any principal building is enlarged or increased in capacity or at the time one type of use is converted to another, or whenever any of the following uses are hereafter established, except within the C-1 Central Business District. Such space shall be provided with vehicular access to a street or alley and shall not be provided in a yard required by the provisions of Article 8: Design Standards.

When application of the provisions of the section results in a fractional space requirement, the next larger requirement shall prevail. Each lot abutting a major thoroughfare, as determined by the Zoning Administrator, shall be provided with a vehicular access thereto in accordance with all applicable federal, state or local laws and/or regulations, and shall be provided with adequate space for turning so that no vehicle shall be required to back into the thoroughfare.

No certificate of occupancy (as provided in Section 907.2) shall be issued unless all required off-street parking and loading requirements shall be in place, ready for use, and conform to the requirements of this ordinance. The number of spaces shall be equal in number to at least the minimum requirements for the uses below:

Use Classification	Required Parking
Adult Establishment	One (1) space for each 200 square feet of gross floor space
Alcoholic Beverage Sales Store	One (1) space for each 200 square feet of gross floor space
Animal hospitals and veterinary clinics	One (1) space for each 200 square feet of gross floor area
Athletic fields and playgrounds	Ten (10) spaces per field or playground
Automobile washing establishments	One (1) space for each two (2) employees on the shift with the largest employment. Reserve spaces equal to five (5) times the capacity of the facility at the location of both ingress and egress
Automotive Repair/ Paint	Five spaces for each service bay
Bakeries	One (1) space for each 200 square feet of gross floor space
Banks and other financial institutions	One (1) space for each 150 square feet of gross floor space
Bicycle Sales and Repair	One (1) space for each 333 square feet of gross floor area
Brewery	One (1) space for each 200 square feet of gross floor space
Building Supply/ Equipment Sales	Three (3) parking spaces for each 1000 square feet of gross floor area
Child Care Center	One (1) space for each staff member plus one (1) space for each five (5) students
Child Care Home	Two (2) spaces plus one (1) space for each four (4) students
Cold Storage	One (1) space for each 333 square feet of gross floor area
Commercial Accessory Entertainment Structure	One (1) space per 200 square feet in addition to parking requirements for principal structure
Customary incidental home occupations	One (1) space in addition to other applicable parking requirements
Dwellings ,Single-family	Two (2) spaces
Dwellings, Two Family	Two (2) spaces per dwelling unit
Dwellings, Multi-Family (4 or Less Units)	Two (2) spaces per dwelling unit
Dwellings, Multi-Family (More than 4 Units)	One and one-half (1 ½) spaces for each dwelling unit
Dwelling, Secondary	One (1) Space
Electronic Gaming Operation	One (1) space for each 200 square feet of gross floor space
Firing Range, Indoor	One (1) space per target area
Golf courses or country clubs	Two (2) spaces per tee
Group Development	One and one-half (1 ½) spaces for each dwelling unit
Hospitals; nursing homes; convalescent homes; and group care facilities	One (1) space for each two (2) beds (exclusive of bassinets), plus one (1) space for each staff or visiting doctor, plus one (1) space for each two (2) employees on shift of greatest employment
Hotels/Motels	One (1) space for each guest room, plus one (1) space for every two (2) employees.
Industrial/ Agricultural Supply	
Kennels	One (1) space for each four (4) pens
Laundries/Laundromat	One (1) space for each 200 square feet of gross floor space
Libraries	One (1) space for each four (4) seats provided for patron use

Manufactured homes	Two (2) spaces for each manufactured home
Manufactured Home Sales	One (1) space for each 200 square feet of gross floor space
Manufacturing, industrial and wholesaling establishments, except those otherwise specified	One (1) space for each two (2) employees on the shift with the largest employment
Medical and dental offices	Three and one half (3 ½) spaces for each 1000 square feet of gross floor area
Miniature golf	One (1) space per 50 square feet of course area
Mobile home parks	Two (2) spaces for each mobile home space
Mortuaries and funeral parlors	One (1) space for each four (4) seats in the assembly room or chapel
Religious Institutions; community centers; fraternal organizations; public associations; clubs; lodges; stadiums; assembly halls; auditoriums; coliseums; gymnasiums; indoor theaters; and similar places of public assembly	One (1) space for each two (2) seats in the main assembly room
Repair Services	One (1) space for each 200 square feet of gross floor space
Museums and art galleries	One (1) space for each 200 square feet of gross floor space
Offices: business and professional	One (1) space for each 300 square feet of gross floor space
Physical fitness facilities	One (1) space per 50 square feet
Professional Services	One (1) space for each 200 square feet of gross floor space
Public buildings (not otherwise specified)	One (1) space for each 200 square feet of gross floor area
Public Safety Facilities	One (1) space for each three (3) employees
Public Works Facilities	One (1) space for each three (3) employees
Recreation or Assembly facilities without fixed seats	One (1) space per 200 square feet
Restaurants: drive-in/takeout	One space (1) for each two seats or one space for each 80 of gross floor space
Restaurants: indoor	One space for each three seats or one space for each 100 of gross floor space
Retail	One (1) space for each 333 square feet of gross floor area
Rooming houses	One (1) space for each guest room, plus one (1) space for employees.
Sales establishments: automobiles, trailers, farm equipment, outdoor equipment, machinery, mobile homes, and similar items; commercial nurseries; greenhouses; monument works and sales	Four (4) spaces for each salesperson, plus one (1) space for (2) employees
Service Stations for motor vehicles	Three (3) spaces for each grease rack or similar facility, plus two (2) spaces for each gas pump
Schools: public or private, elementary, middle and junior high; public kindergarten	One (1) space for each classroom and administrative office
Schools: public or private, high	One (1) space for each ten (10) students for whom the school was designed, plus one (1) space for each classroom and administrative office
Shopping centers	Three (3) parking spaces for each 1000 square feet of gross floor area
Short Term Rental	Two (2) spaces per unit

Commented [CB5]: Changed parking requirement for this type of structure which will have limited public access and be mainly used by personnel

Commented [CB6]: Changed parking requirement for this type of structure which will have limited public access and be mainly used by personnel

Sign Painting and Fabrication	One (1) space for each 200 square feet of gross floor space
Studios	One (1) space for each 200 square feet of gross floor space
Skating rinks and bowling alleys	One (1) space for each 200 square feet of gross floor space
Swimming pools	One (1) space per 140 square feet of pool
Tattoo/ Piercing Parlor	One (1) space for each 200 square feet of gross floor space
Tennis, squash, racquetball and handball courts, or similar facilities	Two (2) spaces per court
Theater	One (1) space for each four (4) seats
Trade schools (including business, vocational and special schools)	One (1) space for each three (3) students