

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

Date: September 30, 2013

Initiator Of Amendment: Council Member Reich

Date of Introduction at City Council: June 28, 2013

Ward: All

Planning Staff And Phone: Becca Farrar-Hughes, Senior City Planner, (612) 673-3594

Intent Of The Ordinance: The purpose of the amendment is to revise regulations related to sports and health facilities.

Appropriate Section(s) of the Zoning Code:

- **Amending Chapter 520 related to Zoning Code: *Introductory Provisions;***
- **Amending Chapter 536 related to Zoning Code: *Specific Development Standards;***
- **Amending Chapter 547 related to Zoning Code: *Office Residence Districts;***
- **Amending Chapter 548 related to Zoning Code: *Commercial Districts;***
- **Amending Chapter 549 related to Zoning Code: *Downtown Districts;***
- **Amending Chapter 550 related to Zoning Code: *Industrial Districts;***
- **Amending Chapter 551 related to Zoning Code: *Overlay Districts.***

Background: Currently, the City regulates sports and health facilities by defining them as either major or minor with the primary distinction between the two being that minor facilities are not allowed to have showers/locker room facilities. The current definitions are as follows:

- Sports and health facility, major. A facility, for profit or nonprofit, where members or nonmembers pay a fee to use equipment or space for the purpose of physical exercise. A major sports and health facility may include all activities conducted in a minor sports and health facility, and swimming, court games, jogging, and which includes locker rooms. A major sports and health facility may include as an accessory use personal services to patrons, including but not limited to therapeutic massage, tanning, saunas and whirlpools.
- Sports and health facility, minor. A facility, for profit or nonprofit, where members or nonmembers pay a fee to use equipment or space for the purpose of physical exercise. A minor sports and health facility may include aerobics, weight training, muscular exercise programs, yoga, pilates or other similar activities. A minor sports and health facility shall not include shower facilities.

It has become apparent that the inclusion of showers should no longer be a distinguishing factor for these uses as the distinction was created predominantly in response to concern regarding sexually

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oriented uses. As such, Staff is proposing to unify and simplify the ordinance in order to combine the two separately defined uses into one category to be defined as follows:

- Sports and health facility. An establishment for the conduct of indoor sports and exercise activities, which may include related locker and shower rooms, offices and classrooms.

In addition, Staff is proposing to allow sports and health facilities in a wider range of commercial and industrial districts. As a result of the proposed modifications, two additional chapters must be introduced that were not originally introduced before the text amendment can proceed forward; Chapter 547, Office Residence Districts and Chapter 549, Downtown Districts. These chapters will be introduced at the City Council meeting on September 20, 2013, and referred to the Zoning and Planning Committee on October 1, 2013.

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission **continue** the zoning code text amendment to the October 15, 2013, Planning Commission meeting.