

city of saint paul
planning commission resolution
file number 16-56
date November 18, 2016

OUTDOOR COMMERCIAL USES TEXT AMENDMENTS

WHEREAS, the Saint Paul Zoning Code, found in chapters 60 through 69 of the Saint Legislative Code, is established to promote and protect the public health, safety, morals aesthetics, economic viability and general welfare of the community; and

WHEREAS, Zoning Code § 61.801 calls for the periodic review of the code to reflect current city policies, and provides that amendments to the Zoning Code may be initiated by the Planning Commission; and

WHEREAS, in response to recent issues and requests, the Planning Commission passed Resolution 15-09 initiating a study to consider amendments to the Zoning Code regarding how and where outdoor commercial uses are permitted; and

WHEREAS, on October 28, 2016, the Saint Paul Planning Commission held a duly noticed public hearing on proposed zoning text amendments regarding outdoor commercial uses; and

WHEREAS, the Planning Commission referred the draft amendments to the Neighborhood Planning Committee for consideration, review of the public hearing testimony, and recommendation; and

WHEREAS, the Neighborhood Planning Committee, on November 9, 2016, forwarded its recommendations to the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED, under provisions of Minnesota Statutes §462.367 and Legislative Code §61.801, that the Planning Commission hereby recommends to the Mayor and City Council the following amendments to Zoning Code §65.525, §66.321, §66.421, and §66.521, pertaining to outdoor commercial uses, as set forth on pages 2 and 3 of this resolution; and

BE IT ALSO RESOLVED, that the Planning Commission directs the Planning Administrator to forward the following draft outdoor commercial uses zoning text amendments, along with the November 9, 2016, memorandum from the Neighborhood Planning Committee containing their recommendations and rationale for the recommended text amendments, to the Mayor and City Council for their review and adoption.

moved by DeJoy
seconded by _____
in favor Unanimous
against _____

NOTE: Existing language to be deleted is shown by ~~strikeout~~. New language to be added is shown by underlining.

Sec. 65.525. Outdoor uses, commercial.

Outdoor retail sales and services (primary and accessory), mobile food units, and display of merchandise for sale on the premises, not including outdoor commercial uses otherwise specifically regulated or allowed in the district. Commercial outdoor uses in conjunction with community festivals are regulated under Chapter 366 and are not subject to the requirements of this section.

Standards and conditions for outdoor commercial uses that are not ~~otherwise allowed~~ in the ~~district~~ public right-of-way:

(a) The use shall not conflict with required off-street parking, off-street loading and the system of pedestrian flow, and shall not obstruct building ingress and egress. ~~The planning commission, in determining that the use is harmonious with adjacent uses, shall require the submission of a site plan including a floor plan and all uses within 300 feet of the boundary of said site superimposed on said site plan.~~

(b) For commercial outdoor uses that occupy more than ten (10) percent of the zoning lot or one thousand (1000) square feet, whichever is less, the following apply:

(1) Except in the I2 industrial district, a conditional use permit is required.

(2) Approval of a site plan showing the location and layout of outdoor commercial uses on the site, with contact information for the person responsible for coordinating outdoor sales and activities, and for providing the zoning administrator with updated contact information if it changes.

(c) The area shall be kept free of litter. Donated items or materials shall not be left outside of donation drop-off boxes.

Sec. 65.518. Garden center, outdoor.

...

Standards and conditions in ~~B2BC~~-B3 business and ~~I1~~-I2 industrial districts:

...

Table [66.321](#). Principal Uses in Traditional Neighborhood Districts

Use	T1	T2	T3	T4	Definition (d) Standards (s)
...					
<i>Retail Sales and Services</i>					
...					
Mortuary, funeral home		P	P	P	
<u>Outdoor uses, commercial</u>		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
Post office	P	P	P	P	
...					

Table [66.421](#). Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Definition (d) Standards (s)
...								
<i>Retail Sales and Services</i>								
...								
Mortuary, funeral home					P	P	P	
Outdoor uses, commercial				<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
Outdoor uses, commercial sales of consumer fireworks					C			(d), (s)
...								

Table [66.521](#). Principal Uses in Industrial Districts

Use	IT	I1	I2	I3	Definition (d) Standards (s)
...					
<i>Retail Sales and Services</i>					
...					
Mortuary, funeral home		P	C		
Outdoor uses, commercial	<u>P/C</u>	<u>P/C</u>	P		<u>(d), (s)</u>
Outdoor uses, commercial sales of consumer fireworks		C	C		(d), (s)
...					