



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

December 16, 2016

Marcia Moermond  
Legislative Hearing Officer  
Saint Paul City Council  
310 City Hall  
15 West Kellogg Boulevard  
Saint Paul, MN 55102-1615

VIA EMAIL to: [marciamoermond@ci.stpaul.mn.us](mailto:marciamoermond@ci.stpaul.mn.us)

Re: 776 Desoto St.

Dear Ms. Moermond:

The referenced property is located in an I1 light industrial zoning district. The outdoor storage of material at this location is subject to the following condition in the zoning code:

**Sec. 66.541. - Required conditions in the IT—I3 industrial districts.**

- (a) Outdoor *storage*. Outdoor storage is permitted subject to the following conditions:
  - (1) Outdoor storage shall be at least three hundred (300) feet from a residential or traditional neighborhood district boundary ...

The property immediately to the south is located in a RT1 residential zoning district. The storage of material at 776 Desoto St. does not meet the 300-foot separation required from residential property.

Prior to 1975, when the current zoning code was adopted, this property was zoned Heavy Industrial. Outdoor storage was allowed with no separation from residentially zoned property in the Heavy Industrial zoning district. When the previous licensed recycling collection center, Minnesota Metals, was established on this property in 1994, the outdoor storage was considered a legal nonconforming use of the land because outdoor storage had been in existence on the site prior to 1975. Minnesota Metals was discontinued in 2008 and the site remained empty for several years. As such, it became subject to:

**Sec. 62.104. - Nonconforming uses of land.**

Nonconforming uses of land are subject to the following provisions:

- (a) A legal nonconforming use of land may continue unless it is discontinued for a period of more than one (1) year.
- (d) If a legal nonconforming use of land ceases for any reason for a period of more than one (1) year, any subsequent use of such land shall conform to the regulations specified by this code for the district in which such land is located.

Since the outdoor storage use discontinued for more than one year, any new outdoor storage must meet the current standards requiring the 300-foot separation from residentially zoned property.

If the use meets the definition of a recycling collection center, a business license is required. The definition in the license ordinance is:

**Sec. 408.02. - Definitions.**

*Recycling collection center* is a recycling collection facility in a building for the acceptance by donation, redemption or purchase of recyclable materials. Such a facility may allow limited compacting or crushing of recyclable materials.

A recycling collection center is a permitted use in the I1 zoning district subject to the zoning standards and conditions as listed:

**Sec. 65.783. - Recycling collection center.**

A recycling collection facility for the acceptance by donation, redemption or purchase of recyclable materials. Such a facility may allow limited compacting or crushing of recyclable materials.

*Standards and conditions:*

- (a) The facility shall not abut a property zoned for residential use.
- (b) In the B3 business district, all handling operations, equipment and materials, including trailers, shall be completely enclosed in a building not exceeding five thousand (5,000) square feet, except for drop-off stations not occupying more than five hundred (500) square feet of the site.
- (c) In industrial districts, all processing and handling operations shall be conducted within a completely enclosed building. Outdoor storage of materials shall be within covered containers or behind an opaque screen meeting the requirements of section 62.107 on three (3) sides. Such outdoor screening shall be located at least three hundred (300) feet from any residential district.
- (d) The facility shall be free of litter and any other undesirable materials and cleaned of loose debris on a daily basis.
- (e) The facility shall be screened pursuant to section 63.114 if it is located within one hundred fifty (150) feet of a residential use district.

This property does not meet condition (a). The same requirement under (c) for a 300-foot setback from residentially zoned property as for outdoor storage applies to a recycling collection center. The visual screen requirement under (e), as specified under section 63.114, requires the opaque screen to be a minimum height of 6 feet.

The Board of Zoning Appeals has the authority to grant variances from the standards and conditions of the zoning code. Information on the process can be found here:

<https://www.stpaul.gov/departments/safety-inspections/zoning/zoning-variances>

Please let me know if you have questions.

Sincerely,



Wendy Lane  
Zoning Administrator

651-266-9081

[wendy.lane@ci.stpaul.mn.us](mailto:wendy.lane@ci.stpaul.mn.us)

c: Jeff DeLisle