

Amending Chapters 65 and 66 of the Saint Paul Legislative Code pertaining to outdoor commercial uses.

STATEMENTS OF FINDINGS BY THE COUNCIL

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, 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, on November 18, 2016, the Saint Paul Planning Commission forwarded its recommendation for amendments to the zoning code pertaining to outdoor commercial uses, along with a November 8 memorandum from its neighborhood planning committee containing their recommendations and rationale for the proposed text amendments, to the city council for review and adoption; and

WHEREAS, a public hearing before the City Council having been conducted at which all interested parties were given an opportunity to be heard, the Council having considered all the facts and recommendations concerning the proposed zoning amendments, pursuant the authority granted by and in accordance with the procedures set forth in Minnesota Statutes Sec. 462.357;

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

SECTION 1

Sec. 65.525 of the Saint Paul Legislative Code is hereby amended to read as follows:

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.
 - (3) Provide the zoning administrator with written contact information for the person responsible for coordinating the outdoor sales and activities and update the zoning administrator in writing within thirty (30) days should any contact information change.
- (c) The area shall be kept free of litter. Donated items or materials shall not be left outside of donation drop-off boxes.

SECTION 2

Section 65.518 of the Saint Paul legislative code is hereby amended as follows:

Sec. 65.518. Garden center, outdoor.

...

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

...

SECTION 3

Section 66.321 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 66.321. Principal uses.

Table 66.321, principal uses in traditional neighborhood districts, lists all permitted and conditional uses in the T1-T4 traditional neighborhood districts, and notes applicable development standards and conditions.

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	
...					

SECTION 4

Section 66.421 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 66.421. Principal uses.

Table 66.421, principal uses in business districts, lists all permitted and conditional uses in the OS-B5 business districts, and notes applicable development standards and conditions.

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>	(d), (s)
Outdoor uses, commercial sales of consumer fireworks					C			(d), (s)
...								

SECTION 5

Section 66.521 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 66.521. Principal uses.

Table 66.521, principal uses in industrial districts, lists all permitted and conditional uses in the IT-I3 industrial districts, and notes applicable development standards and conditions.

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		(d), (s)
Outdoor uses, commercial sales of consumer fireworks		C	C		(d), (s)
...					

SECTION 6

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.