

Amending Chapters 63, 65, and 66 of the Legislative Code pertaining to establishing a parking requirement for a short term rental dwelling unit, establishing short term rental dwelling unit as a permitted use in the RL-RM3, T1-T4, OS-B5, and IT-I2 zoning districts, and amending a condition for bed and breakfast residence use.

WHEREAS, the Saint Paul City Council asked the Department of Safety and Inspections and the Department of Planning and Economic Development to study Airbnb and similar companies and how their operations align with current city ordinances in accordance with resolution 16-181 on February 3, 2016; and

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

WHEREAS, Section 61.801(a) of the Zoning Code calls for periodic review of said code to reflect current city policies and to bring the Zoning Code up-to-date; and

WHEREAS, the Saint Paul Planning Commission held a duly noticed public hearing on June 2, 2017, regarding amendments to permit short term rental dwelling units in the RL-RM3, T1-T4, OS-B5, and IT-I2 zoning districts; and

WHEREAS, The Neighborhood Planning Committee of the Saint Paul Planning Commission, having reviewed the public hearing testimony and memoranda containing analysis provided by staff, provided a recommendation for consideration by the Saint Paul Planning Commission; and

WHEREAS, on August 11, 2017, the Planning Commission, based upon the Neighborhood Planning Committee's report and all the testimony received from the June 2, 2017 public hearing, duly submitted its recommendation to amend certain sections of the Zoning Code to allow short term rental dwelling units to the Mayor and City Council for review and consideration; and

WHEREAS, a public hearing before the City Council having been duly conducted at which all interested parties were given an opportunity to be heard, and having considered all the testimony and recommendations concerning the proposed text amendments, including the Planning Commission's minutes and the Neighborhood Planning Committee's memoranda and their rationale for the recommended Zoning Code amendments which the Council finds persuasive and thus hereby incorporates by reference into this ordinance for the specific purpose of articulating the Council's reasons and rationale for enacting the recommended amendments as set forth below in Sections 1 through 7 in addition to any other reasons the Council might articulate on the record in adopting these amendments the Council, having considered all the facts and recommendations concerning the proposed zoning amendments and pursuant to the authority granted by and in accordance with the procedures set forth in Minnesota Statutes 462.357 states as follow:

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

#### SECTION 1

Section 63.207 of the Saint Paul Legislative Code is hereby amended to read as follows:

Table 63.207 of the Saint Paul Legislative Code is hereby amended to read as follows:

Table 63.207 Minimum Required Off-Street Parking By Use

<i>Land Use</i>	Minimum Number of Parking Spaces
Lodging	
Bed and breakfast residence	1 spaces per dwelling unit and 0.5 spaces per guest room
<del>Short term rental dwelling unit</del>	<del>1 space per dwelling unit and 0.5 space per every 2 adult guests</del>

SECTION 2

Sections 65.641 and 65.645 of the Saint Paul Legislative Code are hereby amended to read as follows:

**Sec. 65.641. Bed and breakfast residence.**

...

~~e. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests. Use of a bed and breakfast residence for any commercial or social event is prohibited.~~

...

**Sec. 65.645. Short term rental dwelling unit Reserved.**

A dwelling unit, or a portion of a dwelling unit, rented for a period of less than thirty (30) days.

Standards and conditions:

- (a) In RL - RT1 districts, there shall be no more than one (1) short term rental dwelling unit on a zoning lot unless a duplex is owner occupied and the owner is in residence during the rental period. In other districts, one (1) or up to 50 percent of dwelling units on a zoning lot, to a maximum of four (4), may be short term rental dwelling units, except that an owner occupied duplex may have two units provided the owner is in residence during the stay and except that more than four (4) short term rental dwelling units may be permitted when a conditional use permit is obtained by the building owner for a specific number of short term rental dwelling units.
- (b) No more than one (1) rental of a short term rental dwelling unit shall be permitted per day. Use of a short term rental dwelling unit for any commercial or social event is prohibited.
- (c) No exterior identification sign of any kind shall be permitted in residential districts.
- (d) Total occupancy of a short term rental dwelling unit shall not exceed the definition of family in Section 60.207 allowed in a single housekeeping unit except that occupancy in excess of the definition of family may be permitted with a conditional use permit, on a case by case basis, for large one- and two-family dwellings on large lots. **No short term rental dwelling unit with a conditional use permit to allow occupancy in excess of the definition of family shall be closer than one thousand (1,000) feet to an existing short term rental dwelling unit with a conditional use permit to allow occupancy in excess of the definition of family.**

measured in a straight line from the zoning lot of an existing short term rental dwelling unit.

SECTION 3

Table 66.221 Principal Uses in Residential Districts

Use	RL	R1-R4	RT1	RT2	RM1	RM2	RM3	Definition (d) Standards (s)
Commercial Uses								
<i>Commercial Lodging</i>								
Bed and breakfast residence	P	P	P/C	P/C	P/C	P/C		(d), (s)
<u>Short term rental dwelling unit</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>

SECTION 4

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

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

Table 66.321 Principal Uses in Traditional Neighborhood Districts

Use	T1	T2	T3	T4	Definition (d) Standards (s)
Commercial Uses					
<i>Commercial Recreation, Entertainment and Lodging</i>					
Reception hall/rental hall		C	C	C	
<u>Short term rental dwelling unit</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
Theater, assembly hall		C/P <u>P/C</u>	C/P <u>P/C</u>	C/P <u>P/C</u>	(s)

SECTION 5

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

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

Table 66.421 Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Definition (d) Standards (s)
Commercial Uses								
<i>Commercial Recreation, Entertainment and Lodging</i>								
Reception hall/rental hall				P	P	P	P	
<u>Short term rental dwelling unit</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
Steam room/bathhouse facility			P	P	P	P	P	(d)

SECTION 6

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

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

Table 66.521 Principal Uses in Industrial Districts

Use	IT	I1	I2	I3	Definition (d) Standards (s)
Commercial Uses					
<i>Commercial Recreation, Entertainment and Lodging</i>					
Reception hall/rental hall	P	P	C		
<u>Short term rental dwelling unit</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		<u>(d), (s)</u>
Steam room/bathhouse facility	P	P	P		(d)

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