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ARTICLE VII. 67.700. SH STUDENT HOUSING NEIGHBORHOOD IMPACT OVERLAY DISTRICT

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Sec. 67.701. Establishment; intent.

The SH student housing neighborhood impact overlay district is established as shown on the official zoning map, generally the area bounded by Mississippi River Boulevard, Marshall Avenue, Cretin Avenue, and Interstate 94, Snelling Avenue, Summit Avenue, Fairview Avenue, and St. Clair Avenue, to ameliorate the impact of dedicated student housing within and preserve the character of predominantly one- and two-family dwelling neighborhoods.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.702. Student dwellings.

Within the SH student housing neighborhood impact overlay district, a student dwelling is a one- or two-family dwelling requiring a fire certificate of occupancy in which at least one (1) unit is occupied by three (3) or four (4) students. For the purposes of this article, a student is an individual who is enrolled in or has been accepted to an undergraduate degree program at a university, college, community college, technical college, trade school or similar and is enrolled during the upcoming or current session, or was enrolled in the previous term, or is on a scheduled term break or summer break from the institution.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.703. Standards and conditions.

Within the SH student housing neighborhood impact overlay district, the following standards and conditions shall apply for student dwellings:

- (1) A student dwelling shall be located a minimum of one hundred fifty (150) feet from any other student dwelling located on a different lot, measured as the shortest distance between the two (2) lots on which the student dwellings are located.
- (2) Parking shall be provided in accordance with the requirements of article 63.200 for new structures.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.704. Registration and establishment period.

The owner(s) of an existing building possessing either a valid fire certificate of occupancy or provisional fire certificate of occupancy and which, at any time within the eighteen-month period immediately preceding the effective date of this article, met the definition of a student dwelling under this article shall submit a written application to register the building within one hundred twenty (120) days of the effective date of this article to the Department of Safety and Inspections ("DSI"). Upon receipt of the written registration application DSI shall determine whether the building's fire certificate of occupancy or provisional fire certificate of occupancy is valid as of the date of the registration application. Upon such determination, DSI shall issue a written certification to the building's owner(s) of the building's status as an existing student dwelling. Certification shall not unreasonably be withheld. DSI shall establish written standards for verifying and documenting a building as an existing student dwelling prior to the certification of any building under this article and provide a copy to a building owner upon request.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.705. Ineligible properties.

All properties lacking either a fire certificate of occupancy or provisional fire certificate of occupancy or which exceed occupancy limits, as defined in Legislative Code § 60.207.F., at the time this article is adopted shall be ineligible for registration and establishment as an existing student dwelling during the registration and establishment period.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.706. Establishing new student dwellings.

Establishing new student dwellings. After sixty (60) days following the conclusion of the registration and establishment period under this article, additional properties may be registered and established as new student dwellings, subject to the standards and conditions specified in Legislative Code [§ 67.703](#)(a) and (b). A process for reviewing proposed new student dwellings shall be established by the Department of Safety and Inspections. The owner of a building deemed ineligible for establishment as a student dwelling may apply for a variance under Legislative Code [§ 61.601](#), as applied.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.707. Tracking and renewal of registered and established student dwellings.

The department of safety and inspections shall maintain a current list of all registered and established student dwellings which shall be made available at the office of the department of safety and inspections upon request. All student dwellings shall have and maintain a fire certificate of occupancy that identifies the property as a student dwelling. All student dwellings shall be subject to all terms and conditions of Chapter 40 of this Code, and will be subject to renewal of status as student dwellings on a schedule to be determined by the Department of Safety and Inspections but no less frequently than specified in Legislative Code § 40.05. At the time of renewal, properties

shall be subject to verification of status as a student dwelling, based on the written standards established by the department of safety and inspections.

(Ord 12-34, § 1, 6-27-2012)

Sec. 67.708. Revocation of status as registered and established student dwellings.

The department of safety and inspections may remove properties from the list of registered and established student dwellings under the following circumstances:

- (1) Suspension or revocation of fire certificate of occupancy;
- (2) Residence by more than four (4) students in any unit;
- (3) Residence by less than three (3) students for more than twenty-four (24) of the preceding thirty-six (36) months.

A revocation of student dwelling status may be appealed to the board of zoning appeals pursuant to Legislative Code [§ 61.701](#)(a)—(c).

(Ord 12-34, § 1, 6-27-12)