



## Legislation Details (With Text)

**File #:** Ord 17-1      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**In control:** City Council

**Final action:** 1/25/2017

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

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. NPC Recommendation to Planning Commission, 2. Outdoor CommercialUses PC resolution 11-18-16, 3. Outdoor Uses Resolution, 4. Table 66.321, 5. Table 66.421, 6. Table 66.521

Date	Ver.	Action By	Action	Result
1/27/2017	1	Mayor's Office	Signed	
1/25/2017	1	City Council	Adopted	Pass
1/18/2017	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
1/11/2017	1	City Council	Laid Over to Third Reading/Public Hearing	
1/4/2017	1	City Council	Laid Over to Second Reading	

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

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 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 zoning text amendments, including the Planning Commission's minutes and the Comprehensive Planning Committee's memorandum 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 Section 1, 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 Sec. 462.357 states as follows:

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 (principal 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-12 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

[Insert Table 66.321]

### SECTION 4

Section 66.321 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

[Insert table 66.421]

### 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

[Insert table 66.521]

### SECTION 6

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

