Legislation Details (With Text)

File #:	Ord 15-5 **Version:** 2		
Type:	Ordinance	**Status:**	Passed
		In control:	City Council
		Final action:	2/25/2015

Title: Amending Chapters 63, 65, and 66 of the Saint Paul Legislative Code pertaining to driveway setback requirements, land use standards, and business, industrial, and traditional neighborhood district uses and standards.

Sponsors: Kathy Lantry

Indexes:

Code sections:

Attachments: 1. Table 66.221, 2. Table 66.321, 3. Table 66.331, 4. Table 66.421, 5. Table 66.521, 6. PC Resolution Final, 7. CPC to PC memo Public Hearing Followup

Date	Ver.	Action By	Action	Result
2/27/2015	2	Mayor's Office	Signed	
2/25/2015	2	City Council	Adopted As Amended	Pass
2/18/2015	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
2/11/2015	1	City Council	Laid Over to Third Reading/Public Hearing	
2/4/2015	1	City Council	Laid Over to Second Reading	

Amending Chapters 63, 65, and 66 of the Saint Paul Legislative Code pertaining to driveway setback requirements, land use standards, and business, industrial, and traditional neighborhood district uses and standards.

STATEMENT OF FINDINGS BY THE COUNCIL

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

WHEREAS, on July 25, 2014, the Planning Commission of the City of Saint Paul initiated a zoning study to examine minor zoning text amendments to driveway setback requirements, land use standards, and business, industrial, and traditional neighborhood district uses and standards; and

WHEREAS, on November 14, 2014, the Saint Paul Planning Commission held a public hearing on the proposed amendments; and

WHEREAS, the Planning Commission referred the proposed amendments to the Comprehensive Planning Committee for consideration, review of the public testimony, and recommendations; and

WHEREAS, the Comprehensive Planning Committee, on December 2, 2014, forwarded its recommendations to the Planning Commission; and

WHEREAS, the Planning Commission, on December 19, 2014, considered the public testimony and the

recommendations of the Comprehensive Planning Committee, and submitted its recommendations to amend certain sections of the Zoning Code regulating driveway setback requirements, land use standards, and business, industrial, and traditional neighborhood district uses and standards for its 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 zoning text amendments, including the Planning Commission's minutes and the Comprehensive Planning Committee's memorandum and its 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 3, 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

Section 63.310 of the Saint Paul Legislative Code is hereby amended to read as follows:

Sec. 63.310. Entrances and exits.

Adequate entrances and exits to and from the parking facility shall be provided by means of clearly defined and limited drives. The number of curb cuts shall be minimized, and shared curb cuts for adjacent parking areas are encouraged. When driveways no longer lead to legal off-street parking, the driveway and curb cut shall be removed and landscaping and curbing shall be restored.

(a) Entrances and exits to and from a parking facility on residentially zoned land shall not be across land in a more restrictive residential zoning district.

(b) Entrances and exits to and from a parking facility in a commercial or industrial zoning district shall not be across land in a residential district.

(c) Entrances and exits to and from all parking facilities for commercial or industrial uses located in commercial, industrial, or traditional neighborhood districts ~~land zoned other than RL -RT2~~ shall be at least six (6) ~~twenty-five (25)~~ feet from any adjoining property in RL-RT2 zoning districts.

…

SECTION 2

Chapter 65. Zoning Code-Land Use Definitions and Development Standards

Sec. 65.182. Nursing home.

A building or structure where aged or infirm persons reside on a twenty-four-hour basis in order to receive nursing care and related services.

Standards and conditions:

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(a) The yard requirements for multiple-family use in the district apply.

(b) In traditional neighborhood ~~development~~ districts, a facility located within a predominantly residential or mixed-use area shall have direct access to a collector or higher classification street.

(c) In traditional neighborhood ~~development~~ districts, the site shall contain a minimum of fifty ~~one hundred~~ (50~~100~~) square feet of wheelchair-accessible ~~green~~outdoor and garden space per resident~~,~~ ~~consisting of outdoor seating areas, gardens and/or recreational facilities~~. ~~Public parks or plazas within three hundred (300) feet of the site may be used to meet this requirement.~~

Sec. 65.510. General retail.

…

Standards and conditions:

In traditional neighborhood districts, a conditional use permit is required for new construction covering ~~establishments of~~ more than twenty~~fifteen~~ thousand (20~~15~~,000) square feet of land ~~in floor area~~ to ensure size and design compatibility with the particular location.

(Ord. No. 11-27, § 1, 4-20-11)

Sec. 65.532. ~~Photocopying~~Reserved.

~~*Standards and conditions:*~~

~~In the T1 traditional neighborhood district, the total floor area shall not exceed two thousand five hundred (2,500) square feet. In T2-T4 traditional neighborhood districts, a conditional use permit is required for establishments of more than fifteen thousand (15,000) square feet.~~

~~(Ord. No. 11-27, § 1, 4-20-11)~~

Sec. 65.533. Service business.

Service businesses include provision of services to the general public that produce minimal off-site impacts. Service businesses include but are not limited to the following:

(a) Barber and beauty shops;

(b) Dry-cleaning pick-up station;

(c) Interior decorating/upholstery;

(d) Locksmith;

(e) Mailing and packaging services;

(f) Photocopying;

(~~f~~g) Radio and television service and repair;

(~~g~~h) Shoe repair;

(~~h~~i) Tailor shop; and

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(ij) Watch repair, other small goods repair.

Sec. 65.534. Service business with showroom or workshop.

Service businesses with showroom or workshop include such things as an office of a contractor (electrical, heating, air conditioning, mechanical, painter, plumber, etc.) along with a showroom and/or workshop.

Standards and conditions in traditional neighborhood districts:

(a) In T2-T3 traditional neighborhood districts, a conditional use permit is required for new construction covering ~~establishments of~~ more than fifteen thousand (15,000) square feet of land ~~in floor area~~.

(b) The showroom or sales area shall be located at the front of the building and designed in a manner consistent with traditional storefront buildings. All storage and workshop activities shall be done within a completely enclosed building.

(Ord. No. 11-27, § 1, 4-20-11)

Sec. 65.614. Restaurant.

…

Standards and conditions:

In T2-T3 traditional neighborhood districts, a conditional use permit is required for establishments of more than fifteen thousand (15,000) square feet in floor area to ensure size and design compatibility with the particular location.

(Ord. No. 11-27, § 1, 4-20-11; Ord. No. 12-26, § 1, 5-23-12)

Sec. 65.642. Reserved ~~Dance hall.~~

~~Any room, place or space open to the general public in which is carried on dancing wherein the public may participate, whether or not a charge for admission for dancing is made (see section 65.644, indoor recreation.)~~

Sec. 65.647. Theater, assembly hall.

Development standards and conditions in traditional neighborhood districts:

(a) A conditional use permit is required for a facility with a total seating capacity of more than five hundred (500).

(b) In T2-T3 traditional neighborhood districts, total seating capacity shall not exceed one thousand (1000), and the facility shall not be divided into more than three (3) separate theater/auditorium areas.

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Sec. 65.731. Parking facility, commercial.

An off-street parking facility, not accessory to any principal use, for which a fee is charged for the privilege of parking.

Standards and conditions in traditional neighborhood and IT industrial districts:

~~(a) In T3M districts, the facility shall be in a mixed use area identified in the master plan for the district.~~

(a~~b~~) At least fifty (50) percent of the length of any parking structure facade adjacent to a public street shall consist of retail, office, civic, institutional, residential, or other similar non-parking uses at street level.

(b~~c~~) Except in the T2 district, all parking spaces shall be underground or within a parking structure. Thirty (30) percent of the floor area of the commercial parking facility may be counted toward meeting the minimum floor area ratio.

(c) In the T2 district, commercial surface parking facilities shall not be located within one-quarter (1/4) mile of University Avenue.

(Ord. No. 11-27, § 1, 4-20-11; Ord 13-22, § 5, 8-21-13)

Sec. 65.780. Limited production and processing.

…

Standards and conditions:

(a) In T2-T3 traditional neighborhood districts, a conditional use permit is required for new construction covering ~~establishments of~~ more than fifteen thousand (15,000) square feet of land ~~in floor area~~ to ensure size and design compatibility with the particular location.

(b) All such uses are intended to be compatible with adjacent commercial and service uses. Odors, noise, vibration, glare and other potential side effects of manufacturing processes shall not be discernable beyond the property line.

(Ord. No. 11-27, § 1, 4-20-11; Ord 13-57, § 2, 12-4-13)

Sec. 65.782. Printing and publishing.

Standards and conditions:

In T2-T3 traditional neighborhood districts and B2 business districts, a conditional use permit is required for new construction covering ~~establishments of~~ more than fifteen thousand (15,000) square feet of land ~~in floor area~~ to ensure size and design compatibility with the particular location.

(Ord. No. 11-27, § 1, 4-20-11; Ord 13-57, § 2, 12-4-13)

Sec. 65.785 Storage facility, rental.

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Standards and conditions in B4 - B5 business districts:

The facility shall be located within a mixed-use building, shall not exceed 15% of the gross floor area of the building, and shall not be located on the first floor (except for access) or skyway level.

Sec. 65.7865. Warehousing and storage.

Sec. 65.7886. Winery, craft.

SECTION 3

Chapter 66. Zoning Code-Zoning District Uses, Density and Dimensional Standards

Sec. 66.221. Principal uses.

Table 66.221, principal uses in residential districts, lists all permitted and conditional uses in the RL-RM3 residential districts, and notes applicable development standards and conditions.

[See attached Table 66.221]

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.

[See attached Table 66.321]

Sec. 66.331. Density and dimensional standards table.

Table 66.331, traditional neighborhood district dimensional standards, sets forth density and dimensional standards that are specific to traditional neighborhood districts. These standards are in addition to the provisions of chapter 63, regulations of general applicability. Where an existing building does not conform to the following requirements, the building may be expanded without fully meeting the requirements as long as the expansion does not increase the nonconformity.

[See attached Table 66.331]

Sec. 66.344. Traditional neighborhood ~~T3-T4~~ district planning requirements.

. . .

(b) *Master plan.* For a contiguous area ~~any T3 or T4 district~~ of at least fifteen (15) acres ~~or more in area~~ in traditional neighborhood districts, a master plan may be provided for review and recommendation by the planning commission and approval by city council resolution. The master plan may be already in

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existence, or it may be prepared by city staff or by the applicant or developer. A ~~T3 or T4~~ traditional neighborhood area for which a master plan has been adopted by the city council shall be designated as a T1M, T2M, T3M, and/or T4M district. The master plan may include the following information.

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.

[See attached Table 66.421]

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.

[See attached Table 66.521]

Sec. 66.544. IT transitional industrial district master plan.

For an IT transitional industrial district contiguous to a T1M-T4M district, a master plan may be adopted under the provisions of section 66.344(b) and may be amended under the provisions of section 66.344(c). An IT transitional industrial area for which a master plan has been adopted by the city council shall be designated as an ITM district.

SECTION 4
This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.