



## Legislation Details (With Text)

**File #:** Ord 17-38      **Version:** 3

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

**In control:** City Council

**Final action:** 10/25/2017

**Title:** 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.

**Sponsors:** Chris Tolbert

**Indexes:**

**Code sections:**

**Attachments:** 1. Prince Amendment Ord 17-38 Zoning Tables.spacing requirement edits, 2. Planning Commission Resolution 8-11-17, 3. Short Term Rental Study Memo and Proposed Zoning Amendments, 4. Updated Short Term Rental Study and Zoning Amendments, 5. Written Comments from Planning Commission Public Hearing, 6. PC Minutes 8.11.17. and 7.14.17, 7. PC Minutes 6.2.17 and 4.21.17, 8. LEGAL LEDGER and ENS Notices, 9. Zoning Tables for City Council Ordinance, 10. City Council Ordinance with Zoning Tables, 11. Comment from Carla Solberg Sherman, 12. Comment from Jeff Angel, 13. Comment from Laura Spanjian - Airbnb, 14. Comment from Sarah Flanagan, 15. Comment from Summit University Planning Cou, 16. AATCLC St. Paul Letter 9.05.pdf, 17. Twin Cities Airbnb Host Community St Paul Regs Alternate Language-2, 18. HDC Resolution for Short Term Rental, 19. Comment rec'd by Council 1, 20. Letter from Airbnb to Saint Paul City Council, 21. Norton Letter, 22. Emails to PED, 23. Comment rec'd by Council 2, 24. 100417 Expedia - St Paul STR, 25. Emails to PED 2, 26. Emails to PED 3, 27. Airbnb Letter #2 10-10-17, 28. SHA Comment Supporting Neighbors Ordinance Amendments 10.10.17, 29. Comments rec'd by Council 3, 30. Comments rec'd by Council 4

Date	Ver.	Action By	Action	Result
10/27/2017	3	Mayor's Office	Signed	
10/25/2017	3	City Council	Adopted As Amended	Pass
10/18/2017	1	City Council	Amended and Laid Over for Final Adoption	Pass
10/11/2017	1	City Council	Laid Over to Final Adoption	Pass
10/4/2017	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
9/27/2017	1	City Council	Laid Over to Third Reading/Public Hearing	
9/20/2017	1	City Council	Laid Over to Second Reading	

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:

[amended per attached table "Table 63.207"]

#### 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, triplex or fourplex 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, an owner-occupied triplex may have three units, and an owner occupied fourplex may have four units, provided in all these cases 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 A short term rental dwelling unit shall not be used for commercial events or as a small conference center, private retreat center, or reception house for events such as weddings, reunions, or parties. 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

Section 66.221 of the Saint Paul Legislative Code is hereby amended to read as follows:

Table 66.221 of the Saint Paul Legislative Code is hereby amended to read as follows:

[amended per attached table "Table 66.221"]

### 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:

[amended per attached table "Table 66.321"]

### 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:

[amended per attached table "Table 66.421"]

### 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:

[amended per attached table "Table 66.521"]

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