

city of saint paul
planning commission resolution

file number 24-27

date September 13, 2024

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

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

WHEREAS, drive through sales and services are permitted or conditionally permitted in several zoning districts, but have been found in some instances to negatively affect walkability and livability, which may be considered conflicting with 2040 Comprehensive Plan goals and policies (e.g., LU-9: Promote high-quality urban design that supports pedestrian friendliness and a healthy environment, and enhances the public realm; LU-10: Activate streetscapes with active first-floor uses, street trees, public art, outdoor commercial uses and other uses that contribute to a vibrant street life); and

WHEREAS, the Zoning Administrator has identified walk up service windows as a use similar to drive through sales and services and in need of zoning guidance to ensure safety and predictability in conformance with Comprehensive Plan goals and policies; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 7, 2024 regarding the potential amendments and held the record open for written comments through June 10, 2024; and

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

WHEREAS, the Saint Paul Planning Commission, having reviewed the public hearing testimony and the Comprehensive and Neighborhood Planning Committee's recommendation, finds the proposed text amendments to be supported by the policies of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the following proposed amendments to the Legislative Code are recommended for approval by the Mayor and Council of the City of Saint Paul:

moved by Holst

seconded by Houmas

in favor 7 (Holst, Houmas, Ortega, Reilly, Risberg, Thomas, Grill)

against 5 (Hackney, Hood, Ochoa, Starling, Syed)

Zoning Code Amendments

Drive Throughs and Walk-up Service Windows

Existing language to be deleted shown by ~~strikeout~~. New language shown by underlining.

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

ARTICLE V. - 65.400. COMMERCIAL USES

Division 1. - 65.410. Office, Retail and Service Uses

Sec. 65.513. - Drive-through sales and services, principal and accessory.

Standards and conditions:

- (a) The use is not permitted to be associated with a food and beverage use.
- (~~ab~~) Drive-through lanes and service windows ~~shall~~must be located to the side or rear of buildings, ~~shall~~must not be located between the principal structure and a public street, and ~~shall~~must be at least sixty (60) feet from the closest point of any residentially zoned property or property occupied with a one-, two-, or multiple-family dwelling, unless that property is located across an arterial street from the drive through or it is buffered from the drive through by the principal building associated with the drive through, and excluding residential dwellings located in the same building or on the same zoning lot as the drive through.
- (~~bc~~) Points of vehicular ingress and egress ~~shall~~must be located at least sixty (60) feet from the intersection of two (2) streets and at least sixty (60) feet from abutting residentially zoned property.
- (~~cd~~) Speaker box sounds from the drive-through lane ~~shall~~must not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property.
- (~~de~~) A six-foot buffer area with screen planting and an obscuring wall or fence ~~shall be~~is required along any property line adjoining an existing residence or residentially zoned property.
- (~~ef~~) ~~Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Stacking spaces must be provided on the site and/or contiguous sites with shared vehicular circulation in the following minimum amounts: six (6) stacking spaces for banks, credit unions, and pharmacies; twelve (12) stacking spaces for fast-food restaurants; and fourteen (14) stacking spaces for coffee shops. The stacking spaces counted towards the minimum may be aggregated from all drive-through lanes if there is more than one, so long as there are at least two (2) stacking spaces per lane. Additional stacking beyond the above-listed minimums may be required based on transportation analysis during site plan review.~~ Stacking spaces for all other uses shall be determined by the zoning administrator. Required stacking spaces must not interfere with required circulation on the site. In no event are vehicles permitted to stack into public sidewalks, trails, bicycle lanes, alleys, or streets.
- (g) Pedestrian access must be provided to the building from abutting streets in a manner that does not require pedestrians to cross drive-through lanes or other vehicular circulation.

Additional conditions in the T2 traditional neighborhood district:

- (fh) There shall be no more than one (1) drive-through lane and no more than two (2) drive-through service windows, with the exception of banks, which may have no more than three (3) drive-through lanes. In T3 traditional neighborhood and T4 traditional neighborhood districts the drive-through service windows must be part of a building with at least four stories in height and 40,000 square feet in gross floor area.
- (gi) The number of curb cuts shall be minimized. In light rail station areas, there shall generally be no more than one (1) curb cut on a block face per drive-through. Drive-through sales and services are prohibited along the entire length of block faces adjacent to light rail transit station platforms. Drive-through lanes and the primary points of vehicular ingress and egress for drive-through customers are not permitted to be within three hundred (300) feet of a light rail transit station, bus rapid transit station, arterial bus rapid transit station, or streetcar station, nor a planned such station associated with a transit project that has been approved to enter project development phase by the Federal Transit Administration or that has a full funding commitment.
- (j) Products and services provided via a drive-through window must during the same hours also be provided to customers not in motor vehicles via the building interior, a walk-up kiosk, or a walk-up service window. Serving such customers via the drive-through window does not satisfy this standard.

~~Sec. 65.612. Coffee kiosk.~~

~~A retail food business in a freestanding building that sells coffee, or other beverages, and premade bakery goods from a drive-through window to customers seated in their automobiles for consumption off of the premises and that provides no indoor or outdoor seating.~~

~~Standards and conditions:~~

~~See section 65.513, drive-through sales and services, principal and accessory.~~

ARTICLE VII. - 65.900. ACCESSORY USES

Sec. 65.924. – Walk-up service window.

A service window accessory to a food and beverages use that is designed to provide food and/or beverage service to customers approaching the building as pedestrians.

Standards and conditions:

- (a) Dedicated, safe pedestrian access must be provided to the service window from an adjacent public sidewalk.
- (b) Any walk-up service window with pedestrian queuing anticipated in the public right-of-way must not obstruct normal pedestrian flow in the public right-of-way and must receive approval from the department of public works.
- (c) A walk-up service window may not simultaneously function as a drive-through service window.

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

ARTICLE III. - 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS

Division 2. - 66.320. Principal Uses in Traditional Neighborhood Districts

Sec. 66.321. - Principal uses.

Table 66.321. Principal Uses in Traditional Neighborhood Districts

Use	T1	T2	T3	T4	Definition (d) Standards (s)
Commercial Uses					
<i>Retail Sales and Services</i>					
Drive-through sales and services, primary and accessory		C	<u>C</u>	<u>C</u>	(s)

ARTICLE IV. - 66.400. BUSINESS DISTRICTS

Division 2. - 66.420. Principal Uses in Business Districts

Sec. 66.421. - Principal uses.

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Definition (d) Standards (s)
Commercial Uses								
<i>Retail Sales and Services</i>								
Drive-through sales and services, primary and accessory	<u>C</u>	<u>C</u>		C	P	<u>P</u>	<u>P</u>	(s)
<i>Food and Beverages</i>								
Coffee kiosk				P	P	P	P	(d), (s)