City of North St. Paul
City Council
Workshop Meeting Agenda

June 15, 2021
5:00 PM

The City Council workshop will be conducted on Tuesday, June 15, 2021 at 5:00 p.m. The meeting location is the City Council Chambers of City Hall, located at 2400 Margaret St., North St. Paul.

The City Council workshop will also be meeting on interactive TV under Minn. Stat. 13D.02. Members of the public are permitted to attend the meeting in person, however, it is encouraged to view the meeting remotely. Instructions can be found below.

The June 15, 2021 **Zoom meeting can be accessed via:** https://us02web.zoom.us/j/84409094358?pwd=bEhid2pNREtCcXdHZDhHK2Y5SUk4dz09

(from a PC, Mac, tablet, iPhone or Android device)
Meeting ID: 844 0909 4358
Password: 041469
or by phone at 1-929-205-6099, meeting ID 844 0909 4358, password 041469.

The City Council Zoom meeting will be 'open to the public to listen in but will be muted from contributing at all times with the exception of a Public Hearing and open to the public forum.

Please join the meeting early to test your audio and video settings. If you join via a device and your audio is not working, you may need to use the dial-in phone number option in order to be heard.

I. Call to Order

II. Roll Call
Council Member Thorsen
Council Member Petersen
Council Member Wong
Council Member Cole
Mayor Furlong

III. Adopt Agenda

IV. Topic(s)

A. ZTA-21-1 Zoning Code Text Amendments to Implement the 2040 Comprehensive Plan

B. Utility Rate Study

C. City Manager Operational Updates

V. Other Business

VI. Adjournment

NORTH ST. PAUL
extraordinary.

Agenda Information Memorandum

To	Date
Honorable Mayor Furlong and City Council	June 15, 2021

Agenda Placement # IV.A

Topic(s)

Subject

ZTA-21-1 Zoning Code Text Amendments to Implement the 2040 Comprehensive Plan

Background/Facts

- The City has initiated a series of Zoning Code text amendments to implement the goals and policies of 2040 Comprehensive Plan.
- The Planning Commission has prepared the Zoning Code text amendments through a series of thirteen meetings beginning in April 2020.
- The Planning Commission held a public hearing on the requests on April 1, 2021. One resident provided public comment.
- The Planning Commission deliberated on text amendments on May 6, 2021. One resident in attendance provided comment.
- The Planning Commission unanimously recommended approval of the Zoning Code text amendments ordinance.

Recommendation:

City Planner Zweber will provide a presentation highlighting the proposed amendments. The City Council is encourage to discuss the proposed amendment and provide direction on any changes that are desired.

Attachments

1. Zoning Text Amendments - Staff Report - CC 06012021

Respectfully submitted,
Eric Zweber, Sr. Project Manager

MEMORANDUM

Date: 5/27/2021
To: Honorable Mayor and City Council Members
From: Eric Zweber, AICP, City Planner
CC: Scott Duddeck, City Manager
Re: Zoning Ordinance Text Amendments to Implement the 2040 Comprehensive Plan

BACKGROUND

The City adopted the 2040 Comprehensive Plan in December 2019. The Zoning Ordinance is required to be amended to comply with the adopted Comprehensive Plan and implement its goals and policies. Beginning in April 2020, the Planning Commission began preparing the required amendments during thirteen Planning Commission meetings concluding on May 6, 2021.

GENERAL STAFF REVIEW

The draft Ordinance of text amendments to the Zoning Ordinance contains revisions to six sections of the City Code including:

1. Title VII, Traffic Code, Chapter 72
    a. Section 04 Truck Parking Restricted
2. Title XV, Land Usage
    a. Section 003 Definitions
    b. Section 006 Residential Districts
    c. Section 007 Mixed Use Districts
    d. Section 008 Overlay Districts
    e. Section 010 General Regulations

A summary of the amendments proposed to each section is provided below.

<u>Title VII, Traffic Code, Chapter 72, Section 04 Truck Parking Restricted</u>
This amendment changes the title of this section to Restrictions on Certain Vehicles and addresses the restrictions of parking commercial vehicles within residential districts.

<u>Title XV, Land Usage, Section 003 Definitions</u>
The amendment adds 41 new definitions and amends 25 existing definitions. The amendment addresses three general topics: better describe uses regulated within the ordinance; address topics added to the Ordinance through the proposed amendments; or updates changes in State Statutes or Rules.

Title XV, Land Usage, Section 006 Residential Districts

The amendments within the residential districts are revisions to three tables: Table 3 Residential Use Districts; Table 4 Residential District Lot Requirements; and Table 5 Residential Districts Design Requirements. The amendments to Table 3 were to add cottage developments as a residential use and address a number of accessory uses, but the largest change was to combine the residential and mixed-use use tables into one table that addresses all uses within the City. The amendments to Table 4 are to reduce the minimum lot sizes of R-1 and R-2 to accommodate the densities described within the Comprehensive Plan and then reducing the lot width requirements to allow these new lot areas within the existing blocks. The amendments to Table 5 include increasing the maximum densities allowed within the R-1 and R-2 to accommodate the densities described within the Comprehensive Plan and adding minimum livable floor space requirements for the two-family and townhome residences.

Title XV, Land Usage, Section 007 Mixed Use Districts

The amendments within the mixed-use districts are revisions to two tables: Table 6 Mixed-Use Districts and Table 7 Mixed-Use Districts Lot Requirements. The amendments to Table 6 are to move the mixed uses into Table 3 to create a common table of all uses within the City and a number of amendments to the uses that are permitted or conditional. The amendments to Table 7 include adding a minimum lot area per dwelling unit and to increase the minimum lot size in the MU-1 district from zero square feet to one square feet.

Title XV, Land Usage, Section 008 Overlay Districts

The proposed amendments are to three overlay districts:

1. Downtown Overlay District
2. Planned Unit Development District
3. Shoreland Overlay District

The amendment to the Downtown Overlay District is to prohibit townhomes that are allowed within the MU-1 zoning district.

The amendments to the PUD district include clarifying the purpose and objectives of the district; clarify the types of development eligible to apply for a PUD; clarify the other sections of the Zoning Ordinance that can be deviated from with PUD standards; parking standards; add a concept PUD process; encourage a neighborhood meeting before a public hearing; update the preliminary and final PUD processes; update submittal requirements of PUD applications; and update the PUD amendment and revocation process.

The amendment to the Shoreland Overlay District is to add a minimum lot area and minimum lot width that is consistent with the existing R-2 zoning district to the Shoreland Overlay District. The purpose of this amendment is to prevent the proposed amendments to the minimum lot areas and lot width within the R-1 and R-2 zoning districts from applying within the Shoreland overlay District. Because any proposed amendments to the Shoreland Overlay District requires Minnesota Department of Natural Resources (DNR) approval, staff has emailed the DNR Area Hydrologist with the proposed amendment. The response is that the Area Hydrologist is supportive of maintaining the 60-foot minimum lot width but the Area Hydrologist recommends

maintaining the minimum lot size to the existing R-1 zoning district instead of the R-2 zoning district. This has been completed and included in Section 5 of the attached Ordinance. The correspondence with Area Hydrologist is attached to this memorandum.

Title XV, Land Usage, Section 010 General Regulations
The proposed amendments are to five subsections:

1. Useable Open Space
2. Supplemental Regulations
3. Architectural Requirements
4. Landscaping and Screening
5. Off Street Parking & Loading

The amendments to the useable open space requirements are to change the townhome requirement to 25% of the lot area and add a requirement for open space within the new category of cottage dwelling residential developments.

There are amendments to five subsections of the Supplemental Regulations:

1. Accessory Dwelling Unit (ADU)
2. Special Infill Housing
3. Townhomes
4. Cottage Developments
5. Two Family Dwelling

The amendment to the accessory dwelling unit regulations are to prohibit an ADU on a R-1 lot with a duplex; clarify the lot width of lot with an ADU; provide a minimum and maximum floor area of an ADU; the allowed locations of the ADU; and allowing Type I home occupations and prohibiting Type II home occupations within ADUs.

The amendment to the special infill housing regulations is to add a minimum floor area.

The amendments to the townhome regulations are to eliminate the transformer regulations and clarify that the townhome density must comply with the Comprehensive Plan.

Cottage development requirements are added to Zoning Ordinance including:

- Density and minimum lot area requirements
- Height and roof pitch requirements
- Lot coverage and floor area requirements
- Setbacks requirements
- Open space requirements
- Parking locations
- Porch regulations

Two family dwelling requirements are added to Zoning Ordinance including limiting the location of two family dwellings from each other and clarifying the minimum width of a common wall between the two family dwellings.

The amendments to the architectural requirements include removing the maximum number of connected units, addressing variations in facades, minimum number of design features, location of garages for townhomes, adding comparable design standards, and garage locations for two family dwellings.

The amendment to the landscaping and screening requirement is to prohibit trees from being planted within drainage and utility easements.

The amendments to the off-street parking and loading requirements include:

- Noting that the new commercial vehicle parking requirements in section 72.04 also applies.
- Allowing the City engineer to determine the parking space dimensions for commercial vehicles.
- Eliminating truck and bus parking which is now addressed within section 72.04.
- Creating a table outlining parking locations, numbers, and time limits.
- Clarifying where driveways are allowed and how parking within the driveway is regulated.

RECOMMENDED ACTION

The Planning Commission held a public hearing and deliberated on this request at their April 1st regular meeting and tabled the review until May 6. The Planning Commission deliberated on this request at their May 6th regular meeting The Commission unanimously recommended approval of the Zoning Code Text Amendment Ordinance.

Based on the findings described in this report, staff recommends the following actions:

Conditional Approval of An Ordinance Amending the North Saint Paul City Code of Ordinances Title VII, Traffic Code, Chapter 72 Parking Regulations, Section 04 Truck Parking Restricted, and Title XV, Land Usage, Chapter 154, Zoning Regulations, Section 003 Definitions, Section 006 Residential Districts, Section 007 Mixed Use Districts, Section 008 Overlay Districts, and Section 010 General Regulations.

CITY OF NORTH ST. PAUL

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE NORTH SAINT PAUL CITY CODE OF ORDINANCES TITLE VII, TRAFFIC CODE, CHAPTER 72, SECTION 04 TRUCK PARKING RESTRICTED, AND TITLE XV, LAND USAGE, CHAPTER 154, ZONING REGULATIONS, SECTION 003 DEFINITIONS, SECTION 006 RESIDENTIAL DISTRICTS, SECTION 007 MIXED USE DISTRICTS, SECTION 008 OVERLAY DISTRICTS, AND SECTION 010 GENERAL REGULATIONS

THE CITY COUNCIL OF THE CITY OF NORTH ST. PAUL, MINNESOTA ORDAINS:

SECTION 1. Section 72.04 of the North St. Paul City Code is hereby repealed and replaced as follows:

~~**§ 72.04 TRUCK PARKING RESTRICTED.**~~
~~No person shall park a truck, truck tractor or semi-trailer which has a gross vehicle weight in excess of six tons for more than two hours at a time on any street in any area zoned in whole or in part for residential use under the provisions of this code.~~

§ 72.04 RESTRICTIONS ON CERTAIN VEHICLES.

(A) No person shall park a commercial vehicle as defined in Chapter 154 for more than two hours at a time on any street in any area zoned in whole or in part for residential use under the provisions of this code.

(B) Exceptions:

(1) This section does not apply to commercial vehicles being actively loaded or unloaded, vehicles rendering a service, emergency vehicles of the police department, fire department, division of public health, to any public utility vehicle where actually engaged in the performance of emergency duties necessary to be performed by such public departments or public utilities; or to any vehicle owned by or performing work for the United States, the state, or the city. No person shall park a recreational vehicle as defined in Chapter 154 for more than two hours at a time on any street in any area zoned in whole or in part for residential use under the provisions of this code.

(2) This section does not apply to vehicles being actively loaded or unloaded.

(C) Please refer to **§ 154.010** for additional vehicular regulations.

SECTION 2. Section 154.003 of the North St. Paul City Code is hereby repealed and replaced as follows:

ANIMAL GROOMING. An establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged.

ARTISAN STUDIO OR MAKERSPACE. An establishment where hand-tools, mechanical tools and electronic tools are shared or individually used for the manufacture of artisan finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods, food and bakery products; non-alcoholic beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

AUTOMOBILE SALES OR RENTAL. Storage and display for sale of more than two motor vehicles or any type of trailer provided the trailer is unoccupied, and where repair or body work is incidental to the operation of the new or used vehicle sales. Motor vehicles sales includes motor vehicle retail, rental, or wholesale sales.

AUTOMOBILE SERVICE ~~STATION~~ OR REPAIR. ~~Any building or premises used for the dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries or minor automobile accessories. Services offered may include the installation of tires, batteries and minor accessories; minor automobile repairs; and greasing or washing of individual automobiles.~~ General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding, and major painting service.

BANK OR FINANCIAL INSTITUTION. A financial institution, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds. Does not include currency exchanges as defined by MN Statute 53A.01 Subd. 1.

BULK STORAGE (LIQUID). Bulk storage of flammable or combustible liquids or gases for use in industrial processes.

BUSINESS SALES OR SERVICES. ~~The activity of making, buying, or selling goods or providing services.~~ Establishments primarily engaged in rendering services to other business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; personnel and employment services; management and consulting services; protective services; equipment rental and leasing; photo finishing; copying and printing; travel; office supply; and similar services.

CAR WASH. An establishment where the principal use includes washing, drying, polishing, or vacuuming of an automobile or other motor vehicle done by service personnel, the driver, or by automated machinery.

CATERING. A facility in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

CLINIC. ~~A building designed and used for medical, osteopathic, dental or surgical diagnosis or treatment of patients under the care of doctors and/or nurses, with no overnight boarding.~~ An establishment principally engaged in providing therapeutic, preventative, corrective, healing and health-building treatment services on an outpatient basis by physicians, dentists and other practitioners with no overnight boarding. Includes Doctor's Offices, Dental Clinics, medical laboratories, and physical and occupational, and massage therapy facility, Chiropractic care.

COFFEE SHOP/TEA HOUSE. An establishment engaged principally in the sale of coffee, tea, and other nonalcoholic beverages for consumption on the premises or for carry out, which may also include the sale of a limited number of food items.

CONTRACTOR'S BUSINESS WITH SHOWROOM OR WORKSHOP. An establishment providing general contracting, building/site maintenance, or building construction services. Outdoor storage of equipment and materials shall be consistent with the requirements of this Ordinance.

CULTURAL CENTER. A use providing for display, performance, or enjoyment of heritage, history, or the arts. This use includes but is not limited to: museums, arts performance venues, cultural centers, or interpretive sites, but does not include commercially-operated theatres.

DEPENDENCY LIVING ARRANGEMENT. A living arrangement which permits a person with a physical or mental disability to live in a temporary separate living area within a single-family dwelling unit or permits a relative or paid attendant of a person with such a disability to live in a temporary separate living area within a single-family dwelling unit. Such living area may include a separate bath and separate kitchen facilities which permit a degree of independence. Ingress and egress for such a living area is from within the principal dwelling unit.

DRIVE/DRIVEWAY. A permanent, durable surface designed to provide vehicular access from a street to a lot or to provide vehicular access between different parts of a lot or parking area. A drive that is internal to a parking area is not the same as an aisle. For a detached home, duplex or townhome, the driveway may serve as part of the front yard parking space subject to setback requirements.

DWELLING, COTTAGE. A single-family or two-family dwelling that does not exceed 1,000 total square feet and is a part of a joint development with other cottage dwellings.

DWELLING, LIVE/WORK UNIT. A dwelling unit combining residential use types with commercial- or limited industrial-use types. This use classification includes but is not limited to: office, live/work facilities, or other similar uses.

DWELLING, MULTIPLE FAMILY. ~~A residence structure designed for or occupied by three or more families, either wholly (attached) or partially (detached), with separate housekeeping and cooking facilities for each.~~ A building, or portion thereof, on one lot, containing three or more dwelling units. (see FIGURE 11)

DWELLING, TOWNHOUSE. ~~A residence structure that is a single-family dwelling unit constructed in a group of two or more similar single-family dwelling units, with no other unit above it or below it, with each unit extending from the foundation to the roof, with each unit having a private entrance, and designed for not more than one family.~~ A one-family dwelling unit constructed in a group of two or more similar one-family dwelling units, each with a private entrance that has direct access to the outside, which is part of a structure whose dwelling units are attached and arranged either horizontally or vertically. When arranged horizontally, they may span more than 1 parcel.

DWELLING, TWO FAMILY. A residence structure~~, commonly referred to as a duplex, designed for or occupied by not more than two families, with separate housekeeping and cooking facilities for each.~~

located on a single parcel containing two dwelling units that each have separate housekeeping and cooking facilities, each of which has direct access to the outside. (see FIGURE 13).

DWELLING UNIT, ACCESSORY (ADU). Also known as a "granny flat," "mother-in-law apartment" or "carriage house" - is a self-contained living unit that can be located within the walls of an existing or newly constructed home, or that can be an addition to an existing home. It can also be a freestanding structure on the same lot as the main house or located within/attached to a detached garage.

EDUCATIONAL SERVICES. A business, professional, or other specialty school. This term includes, but is not limited to, a school offering instruction in music, art, dance, martial arts, computer use or programming, and cosmetology.

FARMERS' MARKET. ~~The seasonal selling or offering for sale at retail of vegetables or produce, occurring in a pre-designated area, where the vendors are generally individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale.~~ As defined by Minnesota Statute 28A.151 Subd. 1.

GARDEN MATERIALS SALES. A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, plant nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

GOLF COURSE. A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course includes a clubhouse and shelters as accessory uses.

GROCERY. Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

HOME OCCUPATION. An occupation, profession, activity, or use conducted for financial gain or profits on a residential property that is clearly secondary to the residential use of the dwelling not including a yard sale.

INSTITUTION. A use conducted by, or a facility or structure owned or operated by, a nonprofit, religious, or charitable institution that provides educational, cultural, recreational, religious, or other similar types of public services.

LAB, RESEARCH. A building or group of buildings in which are located facilities for technological or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

LIMITED PRODUCTION AND PROCESSING. Small-scale assembly, disassembly, fabrication, manufacture, cleaning, servicing, packaging, sorting or other handling of goods or materials, either as an intermediate input for further production or processing, or for final sale, use or consumption.

LIQUOR STORE. An establishment that sells alcoholic beverages for off-premises consumption.

LOT LINE. A line of record bounding a lot that divides one lot from another lot or from a public or private street or alley or any other public or private space.

LOT LINE, FRONT. The boundary of a lot which abuts an existing or dedicated public or private street. In the case of a ~~corner~~ lot with more than one street frontage, the front lot line shall be determined by the following circumstances:

1) the shortest dimension on a public or private street;

2) if the primary entrance of the principal structure is located facing a frontage other the shortest dimension on a public or private street, the front lot line may be designated by the Zoning Administrator.

3) if the dimensions of a ~~corner~~ lot with more than one street frontage are equal, the front line shall be designated by the ~~owner~~ Zoning Administrator.

MEDICAL CANNIBAS FACILITY. A facility involved in medical cannabis, including a medical cannabis manufacturer, medical cannabis distribution facility, and medical cannabis laboratory.

NATURAL ENVIRONMENT LAKES. ~~Generally small, often shallow lakes with limited capacities for assimilating the impacts of development and recreational use. They often have adjacent lands with substantial constraints for development such as high water tables, exposed bedrock, and unsuitable soils. These lakes, particularly in rural areas, usually do not have much existing development or recreational use.~~ As defined in Minnesota Rule 6120.3000.

OFFICE. Administrative, executive, professional, or similar organizations, providing direct services to consumers provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal permissible use. Examples include, but are not limited to, firms providing architectural, computer software consulting, data management, academic instruction, engineering, interior design, graphic design, or legal services.

~~MUNICIPAL~~ PARKING FACILITY. A commercial parking facility owned and operated by the city or by a private entity and designed to accommodate the off street parking of motor vehicles ~~as a capital improvement~~. Such parking may be located in a structured parking facility, a surface lot or a combination thereof.

PERSONAL SERVICES. Establishments providing nonmedically related services, including salons, spas (with or without massage), barber shops, garment tailoring or repair, laundry and dry-cleaning establishments, body art establishments, and post offices. These uses may also include accessory retail sales of products related to the services provided.

RECREATION, INDOOR, COMMERCIAL. A commercial recreational land use conducted entirely within a building, including arcade, arena, athletic and health clubs, bowling alley, community center, conference center, exhibit hall, gymnasium, movie theater, pool or billiard hall, skating rink, swimming pool, tennis court and the like.

RECREATION, OUTDOOR, COMMERCIAL. A commercial recreation facility that is primarily an open-air facility, such as baseball fields, swimming pools, skating rinks, golf driving ranges, or miniature golf facilities.

RECREATIONAL DEVELOPMENT LAKES. As defined in Minnesota Rule 6120.3000. ~~Generally medium-sized lakes of varying depths and shapes with a variety of landform, soil, and groundwater situations on the lands around them. They often are characterized by moderate levels of recreational use and existing development. Development consists mainly of seasonal and year-round residences and recreationally oriented commercial uses. Many of these lakes have capacities for accommodating additional development and use.~~

RESTAURANT. An establishment that involves the preparation of food and drink, served to and consumed by patrons primarily ~~within the building~~ on the premises or for carry out.

RETAIL SALES. A commercial enterprise that provides goods directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. These uses may also include accessory service of the types of retail goods sold on the premise.

SCHOOLS, ELEMENTARY OR SECONDARY. Public or private schools which provide an educational program for one or more grades between pre-kindergarten and grade 12 and which are commonly known as elementary schools, grade schools, middle schools, junior high schools, or high schools.

SELF-SERVICE STORAGE FACILITY. A building or group of buildings in a controlled-access, screened, and secured compound that contains individual compartmentalized and controlled-access storage spaces of varying sizes which are leased or rented for storage purposes on an individual basis.

SETBACK. The minimum required distance between a building or structure and the property line nearest thereto. (see FIGURE 17)

SETBACK, AREA: The required open area on a lot that must remain unoccupied and unobstructed by a building or structure from its lowest level to the sky except as permitted by this chapter. The setback area extends along the lot line at right angles to such lot line to a depth or width specified in the setback regulations for the zoning district in which the lot is located.

SETBACK, FRONT. The minimum required distance by which any building or structure must be separated from the front lot line.

SETBACK, REAR. The minimum required distance by which any building or structure must be separated from the rear lot line.

SETBACK, SHORELAND. The minimum horizontal distance between a structure and the ordinary high-water mark.

SETBACK, SIDE. The minimum required distance by which any building or structure must be separated from the side lot line.

SHORT-TERM RENTAL. Any dwelling or portion thereof that is available for use or is used for overnight accommodations or lodging to guests for compensation, for periods of less than 30 consecutive days.

SPORT COURT. An outdoor play surface intended for use in sports. This term includes outdoor tennis courts, basketball courts, volleyball courts, and similar uses.

TRAILER, WEIGHTED. A trailer required by the State of Minnesota to be registered at over 3,000 pounds gross vehicle weight, that is ~~are~~ not a recreational trailer or towed as a tractor-semi trailer combination.

TRANSIT STATION. A building or structure used by persons changing transportation modes to or from transit; includes facilities where several transit routes converge, designed to accommodate several transit vehicles at once to permit transfer between transit routes. A transit station shall not include a transit stop.

WATER-ORIENTED ACCESSORY STRUCTURE OR FACILITY. A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, saunas, patios, and detached decks.

VEHICLE, COMMERCIAL. Any motor vehicle, trailer, or semi-trailer designed or used to carry freight, passengers for a fee, or merchandise in the furtherance of any commercial enterprise and similar vehicles not ordinarily used for personal transportation having a gross weight of more than 10,000 pounds and/or exceeding eighteen (18) feet in length.

VEHICLE, COMMERCIAL TYPE I. A commercial vehicle less than 8'6" height as measured to the top of any attachments or 22' in length as measured to include any attachments to the vehicle.

VEHICLE, COMMERCIAL TYPE II. A commercial vehicle greater than dimensions of Type I and less than 15,000 gross vehicle weight rating.

VEHICLE, LARGE RECREATIONAL. A recreational vehicle over 36 feet in length OR a boat or unoccupied trailer over 25 feet in length

VEHICLE, MOTOR. Any self-propelled vehicle designed and originally manufactured to operate primarily on highways, and not operated exclusively upon railroad tracks. Generally, does not include snow mobiles, manufactured homes or trailers. May include all-terrain vehicles if displaying disability plates per MN Statute 169.345.

VEHICLE, PASSENGER. Any motor vehicle designed and used for carrying not more than 15 individuals, including the driver. Passenger vehicle does not include buses, school buses, or commuter vans.

VEHICLE, RECREATIONAL. A vehicular type portable structure without permanent foundation which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreational, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes. Also includes trailers classified as “Small Utility

Trailers" by the Minnesota Department of Vehicle Services, receiving permanent registration with a gross vehicle weight of 3,000 pounds or less, and vehicles bearing a State of Minnesota recreational vehicle license plate required for self-propelled vehicles and trailers equipped as temporary human living quarters.

WAREHOUSING. A facility for the storage, packing, and crating of materials or equipment within an enclosed building or structure awaiting shipment to other premises.

YARD. ~~A required~~ The open space on a lot inclusive of the required setback areas. ~~which is unoccupied and unobstructed by a structure from its lowest level to the sky except as permitted by this chapter. The yard extends along the lot line at right angles to such lot line to a depth or width specified in the setback regulations for the zoning district in which such lot is located.~~

YARD, FRONT. That portion of the yard extending along the full width of the front lot line ~~between side lot lines and extending from the abutting street right-of-way line to the depth required in the setback regulations for the zoning district in which such lot is located.~~

YARD, REQUIRED, See 'Setback, Area'.

YARD, SIDE. That portion of the yard extending along the side lot line ~~between the front yard and the rear yard to the depth or width required by the setback requirements of the zoning district in which such lot is located~~.

YARD SALE. The sale or offering for sale to the general public of over five items of personal property on any portion of a lot in a residential zoning district, whether within or outside any building.

SECTION 3. Section 154.008, Subsection (B)4. of the North St. Paul City Code is hereby amended by the addition as follows:

4. Use. The allowed uses within the Downtown (D-1) overlay district are the same as the uses listed within the Downtown Mixed-Use (MU-1) zoning district in Table 3 except that Townhouses are not allowed within the D-1 district.

SECTION 4. Section 154.008, Subsection (C) of the North St. Paul City Code is hereby repealed and replaced as follows:

1. *Purpose*. Planned Unit Developments (or PUDs) are allowed to encourage innovation in project design that cannot be achieved through traditional zoning. More specifically, ~~T~~this district is established to:

(a) Provide for development as an integrated, coordinated unit as opposed to ~~a traditional~~ parcel-by-parcel, approach to development~~.~~

(b) Introduce flexibility of site design and architecture for the conservation of land and open space through clustering of buildings and activities~~.~~

(c) ~~Planned unit developments (PUD's) are to be~~Enable development that is characterized by central management, integrated planning and architecture, joint or common use of parking, maintenance of open space and other similar facilities, and a harmonious selection and efficient distribution of uses~~.~~

(d) Provide flexibility from ordinance requirements and joint planning between the city and developer to protect other features such as existing development, planned streets, vegetation, slopes, wetlands, lakes or streams~~.~~

(e) Promote more efficient uses of the land while preserving existing landscape amenities and allowing harmonious development consistent with the Comprehensive Plan and preserving the health, safety and general welfare of the community.

2. *Objectives*. The PUD~~It~~ is intended to encourage the efficient use of land and resources, to promote greater efficiency in public utility services and encourage innovation in the planning and building of all types of development. Public benefits to be derived as a result of the PUD include, but are not limited to:

(a) ~~Permit and promote greater flexibility to allow more creativity and imaginative design, and to promote more efficient uses of the land while preserving existing landscape amenities and allowing harmonious development consistent with the Comprehensive Plan and preserving the health, safety and general welfare of the community.~~Harmonious mix of land uses, building types, open spaces, and circulation elements

(b) ~~Ensure c~~Concentration of open space into more usable ~~areas, and the preservation of the natural resources of the site including wetlands, woodlands, steep slopes and scenic areas~~.

(c) Preserve natural resources of the site including wetlands, woodlands, steep slopes and scenic areas.

~~(c)~~ (d) Facilitate the economical provision of streets and public utilities.

~~(d)~~ (e) ~~Encourage the p~~Preserve~~ation~~ and enhance~~ment of~~ historic and natural resources ~~while creating a positive environment with special development features.~~

~~(e)~~ (f) Allow more than one principal building on a lot.

~~(f)~~ (g) ~~Allow for a~~Provision of a mixture of residential unit types and densities in an integrated and well-planned area~~, and provide for~~creating a variety of housing types~~,~~ consistent with the city's housing goals~~.~~

~~(g)~~ (h) Promote energy conservation through the use of more efficient building designs, sites and clustering of land uses and buildings~~.~~

~~(h) Provide for mixed commercial and residential uses, where appropriate.~~

~~3. Types of permitted planned unit developments. The underlying zoning district shall be consistent with the Comprehensive Plan. PUD overlay districts may be one of the following:~~

~~(a) Planned Residential District (PRD)~~

~~(b) Planned Commercial District (PCD)~~

~~(c) Planned Industrial District (PID)~~

~~(d) Planned Mixed-Use District (PMD)~~

~~4~~3. General requirements and standards.

(a) Eligibility. A site is eligible for PUD designation only if it meets at least one of the following:

i. has two or more principal uses or structures on a single parcel of land; this may include a mixture of townhouses, apartment projects involving more than one building, detached residential structures, or non-residential buildings.

ii. multi-use structures such as commercial uses in industrial-type developments, mixed residential and commercial developments, and more than one principal use in a single building.

(~~a~~b) Ownership. An application for PUD approval must be filed by the landowner or jointly by all landowners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approval of the final plat shall be binding on all owners. In absence of an ownership application, the project developer may submit with the development application the written consent of all property owners within the proposed PUD. The financial commitments incurred through any portion of the development shall be the responsibility of the owner.

(~~b~~c) Consistency with Comprehensive Plan. The proposed PUD shall be consistent with the Comprehensive Plan.

(~~c~~d) Permitted uses. All permitted, conditional, and interim uses contained in the underlying zoning district shall be treated as permitted, conditional, and interim uses in the PUD Overlay District.

(~~d~~e) Density. In a PUD, the City may permit increased density beyond the maximums provided in Table 4, if certain public benefits are achieved. The City will consider allowing an increase in the allowable density upon proof by the applicant that some of the following ~~features~~ are being provided as part of the proposed development:

i. Increased ~~P~~preservation of natural site features, topography, geological features, wetlands, lowlands, wooded areas, and the like, beyond what is required ~~protected~~ by the Minnesota Department of Natural Resources, by the C~~c~~ity and/or Ramsey County ordinances.

ii. Creation of conservation easements due to steep slopes, wooded areas and/or environmentally sensitive areas, as identified in the Comprehensive Plan.

iii. Creation of park/public areas for active and passive park uses beyond required standards or other public purposes such as schools, public buildings, greenways, and the like which meet the intent of the Park and Recreation goals of the Comprehensive Plan and are consistent with the public dedication requirements for the proposed development.

iv. Installation of public improvements designed to serve areas beyond the project boundary.

v. ~~The city may consider increased density for h~~Housing projects which provide affordable housing options, consistent with the Comprehensive Plan.

(~~e~~f) ~~Minimum lot size~~Development Density. The minimum lot size requirements of other sections of this chapter do not apply to a PUD except that the minimum lot size requirements of the underlying zone shall serve as a guideline to determine the maximum dwelling unit density of a total development. The maximum dwelling unit density shall be determined by the area remaining after appropriate space for street right-of-ways and any other public dedications have been determined and subtracted from the total PUD area. If the property involved in the PUD includes land in more than one zoning district, the number of dwelling units or the square footage of commercial, residential or industrial uses in the PUD shall be proportional to the amount that would be allowed separately on the parcels located in each of the underlying zoning districts or as guided by the Comprehensive plan. In the Shoreland Overlay District total development density shall be that of the underlying zone.

(g) Flexibility from Ordinance Requirements. The City may, but shall not be required to, provide concessions in setbacks, density, lot size, street width or parking to achieve the purpose and objectives of the PUD in (C) (1 and 2) herein.

(~~f~~h) Relationship of PUD site to adjacent areas. The design of a PUD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PUD shall be so designed as to minimize undesirable impact of the PUD on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PUD.

(~~g~~i) Utility requirements. Utilities, including telephone and electrical systems, installed within a PUD shall be placed underground. Utility appurtenances which can be effectively screened may be exempt from this requirement if the city finds that such exemption will be consistent with the objective of this section and the character of the proposed PUD.

(~~h~~j) Parking. Off-street parking and loading space shall be provided in each PUD in the same ratios for types of buildings and uses as required in the underlying zoning district ~~.~~unless the developer can demonstrate, to the City's satisfaction, that a lesser standard should be permitted on the grounds of one or more of the following:

i. The complementarity of peak parking demands by the uses within the PUD. The City may require execution of a restrictive covenant limiting future use of the property to those uses which will continue this parking complementarity, or which are otherwise approved by the City.

ii. Shared parking~~.~~ provided through a nonexclusive agreement with the owners of property located within 600 feet of the use if the parking demands of the uses do not coincide.

iii. Proximity to mass transit. A 10% reduction may be awarded if building entrances are located within 300 feet of a transit stop. An additional reduction may be granted if an adequate sheltered transit stop within the development is provided.

vi. Car-ownership characteristics of the anticipated or targeted residential population.

(~~i~~k) Street width. Requirements outlined in the subdivision ordinance for street widths may be relaxed depending on the number of off-street parking locations and the anticipated density in the planned unit

development. The Planning Commission, City Engineer and city's Emergency Services (Fire, Ambulance and Police) shall review each planned unit development to determine street width requirements.

(~~j~~l) Landscaping. In any PUD, the developer shall prepare and submit a landscaping plan as a part of the Final Plan, which shall include a detailed planting list with sizes and species indicated to be approved by the City Council. In assessing the landscaping plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structures and the overall scheme of the PUD plan.

(~~k~~m)Public services. The proposed project shall be served by the city water and sewer system and fire hydrants shall be installed at such locations as required by the City Engineer or the Fire Chief to provide fire protection.

(~~l~~n) Building height. Height limitations shall be the same as imposed in the ~~respective~~ underlying zoning district~~s~~.

(~~m~~o)Development agreement. Prior to the issuance of a building permit as part of the PUD, the permit applicant, builder, or developer shall execute and deliver to the City Council a development agreement for the PUD.

(~~n~~p) Open space. Common open space shall be either held in common ownership by all owners in the PUD or dedicated for public use with approval of the City Council. Whenever possible, common open space shall be linked to the open space areas of adjoining developments. Common open space shall be of such size, shape, character, and locations as to be useable for its proposed purpose.

~~(o) Flexibility from Ordinance Requirements. The city may, but shall not be required to, provide concessions in setbacks, density, lot size, street width or parking to achieve the purpose and objectives of the PUD in (C) (1 and 2) herein.~~

~~5~~4. Operating and maintenance requirements for PUD common open space and service facilities.

(a) Whenever common open space or service facilities are provided within the PUD, the PUD plan shall contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard.

(b) Common open space and service facilities within a PUD shall be placed under the ownership of one or more of the following or may include a method deemed most appropriate by the City Council.

i. Landlord control, where only use by tenants is anticipated.

ii. Property owners association, provided all of the following conditions are met:

A. Prior to the use, occupancy, sale or the execution of contracts for sale of an individual building unit, parcel, tract, townhouse, apartment, or common area, a declaration of covenants, conditions and restrictions or an equivalent document as specified in M.S. § 515.00, as may be amended from time to time, shall be filed with the Zoning Administrator prior to the filings of the declaration of documents or floor plans with the Ramsey County's Recorder's Office.

B. The declaration of covenants, conditions and restrictions or equivalent document shall specify that deeds, leases or documents of conveyance affecting buildings, units, parcels, tracts, townhouses or apartments shall subject the properties to the terms of the declaration.

C. The declaration of covenants, conditions and restrictions shall provide that an owner's association or corporation may be formed, and if such an association or corporation is formed property owners must be members of the association or corporation which shall maintain all properties and common areas in good repair and which shall assess individual property owners proportionate shares of joint or common costs. This declaration shall be subject to the review and approval of the City Attorney. The intent of this requirement is to protect the property values of the individual owner through establishing effective private control.

D. The declaration shall additionally, amongst other things, provide that in the event the association or corporation fails to maintain properties in accordance with the applicable rules and regulations of the city, or fails to pay taxes or assessments on properties as they become due, and in the event the city incurs any expenses not immediately reimbursed by the association or corporation, then the city shall have the right to assess each property its pro rata share of the expenses. Such assessments, together with interest thereon and costs of collection, shall be a lien on each property against which such assessment is made.

E. Membership in the association must be mandatory for each owner and any successive buyer and the association must be responsible for liability insurance, taxes, and the maintenance of the open space facilities to be deeded to it. This requirement may be waived by the City Council for existing units which are being incorporated into a PUD.

F. The open space restrictions must be permanent and not for a given period of years.

G. Property owners must pay their pro rata share of the cost of the association by means of an assessment to be levied by the association which meets the requirements for becoming a lien on the property in accordance with state law and the association must be able to adjust the assessment to meet changing needs.

H. The by-laws and rules of the association and all covenants and restrictions to be recorded must be approved by the City Council prior to the approval of the final PUD plan. If a final PUD plan is filed in one phase, with staged final plats, the bylaws, rules of the association and all covenants and restrictions may be filed with the final plat.

I. Staging of common open space. The construction and provision of all of the common open space and public improvements and recreational facilities that are shown on the final development plan for a PUD must proceed at the same rate as the construction of dwelling units or other private facilities.

~~6~~5. PUD process<u>es</u>.

(a) Pre-application meeting. <u>Applicants</u> of ~~the~~<u>a</u> proposed PUD ~~shall~~ <u>are encouraged to</u> arrange for and attend an informational meeting with city staff. At such conference, the applicant shall be prepared to generally describe their proposal for a PUD. The primary purpose of the meeting shall be to provide the applicant with an opportunity to gather information and obtain guidance as to the general suitability of the conformity to the provisions of this Code before incurring substantial expense in the preparation of detailed plans, surveys, and other data.

(b) Concept PUD plan. Applicants may, at their option, prepare development sketch plans for review by the city. As far as may be practicable on the basis of a sketch plan, the city will informally advise the owner as promptly as possible of the extent to which the proposed plan conforms to the design standards of this section and discuss possible plan modifications necessary to secure conformance. The sketch may be reviewed, where applicable, by the Planning Commission and the Council. Such sketch plans submitted shall be for informal discussion between the developer and the city. Submission of sketch plan shall not constitute formal filing of an application.

(c) Recommended Neighborhood Meeting. The applicant is strongly encouraged to hold a neighborhood meeting. Property owners within 350 feet of the PUD, or a larger area as determined by the City, should be given notice of the meeting. The purpose of the meeting is to inform the neighborhood of the proposal, discuss the concepts and basis for the plan being developed, and to obtain information and suggestions from the neighborhood.

(~~b~~d) Preliminary PUD plan. ~~process:~~

i. The developer/owner shall submit an application for subdivision or preliminary PUD plan at least 30 days prior to the Planning Commission meeting.

ii. The Zoning Administrator shall review the preliminary application and distribute to appropriate staff and consultants for review. The Zoning Administrator shall post notice of a public hearing and forward all comments, along with the application, to the Planning Commission.

iii. The Planning Commission shall conduct a public hearing, following published notice and mailed notice to property owners within 350 feet of the proposed PUD. Notice shall occur not less than ten or more than 30 days prior to the hearing. Failure of a property owner to receive notice shall not invalidate the process. The Planning Commission shall review the preliminary PUD plan and submit a written report and recommendation to the City Council. ~~If the Planning Commission fails to make a report within 30 days after receipt of the application, the City Council may proceed without the report.~~ Such report shall contain the findings and recommendations of the Planning Commission ~~with respect to the conformity of the preliminary PUD plan to the approved general concept plan, with respect to the merit or lack of merit of any departure of the preliminary PUD plan from substantial conformity with the general concept plan, and~~ with respect to the compliance of the preliminary PUD plan with the provisions of this Code and all other applicable federal, state, and local codes and ordinances, and the Comprehensive Plan or other relevant plans.

iv. Within 60 days of the receipt of a complete application, the City Council ~~will~~ may take action to grant approval, grant conditional approval, or deny approval of the plan. The City may extend the review period by up to 60 days if it provides the applicant written notice of and reasons for the extension before the end of the initial 60 days.

v. Upon City Council approval, the City Attorney shall draft a PUD development agreement which stipulates the specific terms and conditions established and approved by the City Council and accepted by the applicant. This agreement shall be signed by the Mayor, City Manager, and the applicant.

vi. Where the preliminary PUD plan is denied approval, City Council action shall be by resolution setting forth the reasons for its actions. A certified copy of the document evidencing said City Council action shall be delivered to the applicant. The applicant will have 60 days to submit a

revised preliminary PUD plan to the Planning Commission. After the 60 day period, a revised general concept plan must be submitted to the Planning Commission unless otherwise arranged with the Zoning Administrator.

vii. If subsequent submittals of the preliminary PUD plan are denied approval two times within one year of the original submission date, the applicant will be required to submit a revised general concept plan.

viii. Limitation on preliminary PUD Plan approval. Unless a final plan covering the area designated in the first stage of the preliminary PUD plan has been filed within six months from the date the City Council grants preliminary PUD plan approval, or in any case where the applicant fails to file final plans and to proceed with development in accordance with the provisions of this section and/or an approved preliminary PUD plan, the approval shall expire. The City Council may, at its discretion, extend for not more than one additional period of six months the filing deadline for any final plan when, for good cause, such extension is necessary. In any case where the preliminary PUD plan approval expires, the City Council shall forthwith adopt a resolution repealing the general concept plan approval and the preliminary PUD plan approval for that portion of the PUD that has not received final plan approval, and re-establish the zoning and other ordinance provisions that would otherwise be applicable.

ix. Review and evaluation criteria. The evaluation of the proposed preliminary PUD plan shall include, but not be limited to, the following criteria:

A. Adequate property control is provided to protect the individual owner's rights and property values and the public responsibility for maintenance and upkeep.

B. The interior circulation plan plus access from and onto public rights-of-way does not create congestion or dangers and is adequate for the safety of the project resident and the general public.

C. A sufficient amount of usable open space is provided.

D. The arrangement of buildings, structures, and accessory uses does not unreasonably disturb the privacy or property values of the surrounding residential uses.

E. The architectural design of the project is visually compatible with the surrounding area. Architectural style or type of buildings shall not solely be a basis for denial or approval of the preliminary PUD plan. However, the overall appearance and compatibility of individual buildings to other site elements of surrounding development will be given primary consideration in the review stages of the Planning Commission and City Council.

F. The drainage and utility system plans are submitted to the City Engineer and shall be subject to approval of the City Engineer.

G. The development schedule insures a logical development of the site which will protect the public interest and conserve land.

H. Proposed unit and accessory use requirements are in compliance with the district provisions in which the development is planned. The Preliminary PUD is consistent with the goals and objectives of the Comprehensive plan and any applicable plan.

I. Whether the proposed PUD is consistent with the purpose and objectives of (C) (1 and 2) herein.

(~~ee~~) Final PUD plan ~~process~~. The final plan is to serve as a complete, thorough and permanent public record of the PUD and the manner in which it is to be developed. It shall incorporate all prior approved plans and all approved modifications thereof resulting from the PUD process. It shall serve in conjunction with other city ordinances as the land use regulation applicable to the PUD.

i. Submission of the final plan. Upon approval of the preliminary PUD plan, the applicant shall file with the Zoning Administrator a final plan consisting of the information and submissions required by the final plan stage, for the entire PUD or for one or more stages. The final plan is intended only to add detail to, and to put in final form, the information contained in the general concept plan and the preliminary PUD plan which shall conform to the preliminary PUD plan in all respects. A final plan of a single-phase proposed development or a portion of ~~the~~ a multiple phase proposed development may be submitted simultaneously with the overall preliminary plan for purposes of expediting the review process.

ii. Review and approval of final plan. The Zoning Administrator shall forward comments of staff and consultants to the Planning Commission, who shall prepare a recommendation for the City Council. No public hearing shall be required for approval of the final plan. The City Council may approve the PUD final plan with a majority vote.

iii. Recording of final plat and PUD agreement. Within ~~30~~180 days of the Zoning Administrator's notice of approval, the applicant shall record the final plat and PUD agreement, or such portions thereof as are appropriate, with the Office of the Ramsey County Recorder.

iv. Building and other permits. No building permit shall be granted on land for which a plan for a PUD is in the process of review or which does not conform to the approved final plan. Upon receiving notice from the Zoning Administrator that the approved final plat and agreement has been recorded and upon appropriate application of the applicant, building and other permits may be issued to the applicant if the following conditions are met:

A. Public open space, if applicable, has been deeded to the city and officially recorded.

B. A development agreement has been approved and executed by all parties.

C. The homeowner's association (if applicable) by-laws, covenants and deed restrictions have been approved by the City Attorney and officially recorded.

D. The construction plans for proposed structures have been approved by the Building Official.

E. All detailed site plans have been approved by the Zoning Administrator.

v. Limitation of final plan approval. Within one year after the approval of a final plan for PUD, or such shorter time as may be established by the appropriate development schedule, construction shall commence in accordance with such approved plan. Failure to commence construction within such period shall, unless an extension has been granted as hereinafter provided, automatically renders void the PUD permit and all approvals of the PUD plan. The area

encompassed within the PUD shall thereafter be subject to those provisions of the zoning ordinances and other ordinances applicable in the district in which it is located. In such case, the City Council shall forthwith adopt a resolution repealing the PUD permit and PUD approvals and re-establishing the zoning and other ordinance provisions that would otherwise be applicable.

~~7~~6. PUD data requirements.

(a~~) Pre-application c~~Concept PUD plan. Prior to ~~the initiation of a zoning change~~Preliminary PUD application, owners of property in the PUD District are invited to prepare, for review by the city, development sketch plans. Items to be supplied by the applicant ~~for the pre-application meeting~~ include:

i. Overall maximum PUD density range.

ii. Proposed general development and use.

iii. General location of major streets, pedestrian walkways adjacent to the tract, and scale and tract boundaries and north point.

iv. General location and extent of public and/or common open space, areas to be preserved, significant topographical and physical features.

v. Sketch illustrating the general location of residential and non-residential land uses with approximate intensities of development and any zoning change requested.

vi. Staging and timetable of development.

vii. Other special criteria for development.

~~viii. Such sketch plans submitted shall be for informal discussion between the developer and the city. Submission of sketch plan shall not constitute formal filing of an application.~~

~~ix. As far as may be practicable on the basis of a sketch plan, the city will informally advise the owner as promptly as possible of the extent to which the proposed plan conforms to the design standards of this section and discuss possible plan modifications necessary to secure conformance. The sketch may be reviewed, where applicable, by the Planning Commission and the Council.~~

~~x. The proposed use(s) must be consistent with the Comprehensive Plan.~~

~~xi. All proposals shall include a PUD plan for the site.~~

(b) Preliminary PUD plan. An application for approval of a preliminary PUD plan shall be filed with the Zoning Administrator by the owner(s) of title of property for which the PUD is proposed. A filing fee, as established from time to time by City Council ordinance, shall accompany the preliminary PUD application. The application and accompanying statements shall be submitted and shall include:

i. A vicinity map at a scale approved by the Zoning Administrator showing property lines, streets, easements, existing zoning, graphic scale, north point, date of preparation, and such other items as the Planning Commission may require to show the relationship of the proposed PUD to the

Comprehensive Plan of the city, to existing schools and other community facilities and services, and to the surrounding area.

ii. Abstractor's certified copy property certificate providing names and addresses of property owners within 350 feet of the outer boundaries of the property (one copy).

iii. The legal description of the property and lot size.

iv. Boundary survey prepared by a registered surveyor, including the property and 200 feet beyond, which illustrates:

A. Existing property lines and dimensions.

B. Ownership of all parcels.

C. Platting and easements.

D. Street and railroad rights-of-way.

E. Buildings.

F. Utility lines and facilities.

G. Public park and open space.

H. Private land use, subdivisions, and private property.

v. Natural features map(s) illustrating:

A. Contour lines at no more than two-foot intervals.

B. Steep slopes of 18% or more.

C. Hydraulic information including drainage patterns, delineated wetlands and land subject to periodic flooding, floodplain, watercourses.

D. Soil and subsoil conditions.

E. Vegetation including classification of tree cover by species.

vi. A preliminary plan of the entire area in such detail as to show the land uses being requested, the densities being proposed, the proposed lots and blocks and the off-street parking system or preliminary plat, if applicable.

vii. A written statement explaining in detail, and with supporting documentation, the specifics of the development plan as it relates to the type of dwelling units proposed and the resulting population, the extent and nature of non-residential development and the resulting traffic generated and parking demands created.

viii. The proposed schedule and/or phasing for the development of the site.

ix. The location, shape, size, and character of public or private/common open space, which is suitable for the PUD, in accordance with the City Code Chapter 153 requirements for park and open space dedication.

x. The location and size of all utilities including telephone, electricity, gas, cable, water, sanitary sewer and storm sewer.

xi. Landscape plan including a detailed planting list.

xii. Size and location of all street rights-of-way and proposed paved widths, and vehicular and pedestrian circulation, in conformance with the City Code Chapter 153.

xiii. A statement setting forth the reasons why, in the opinion of the applicant, the PUD will be in the public interest and consistent with the objectives specified for PUD's.

xiv. Financial capacity of the developer/owner and fiscal resources available including a FDIC insured letter of credit for 110% of the estimated cost of public improvements associated with the development.

xv. Market area of the project and demand trends within the area.

xvi. Other materials as requested by the Planning Commission or City Council.

(c) Final plan data requirements. A final application and its supporting documentation shall give the same information as is required of plats under City Code Chapter 153 in addition to such other information as required by this chapter and by the Planning Commission as a condition for approval of the preliminary plan. In addition, the application shall be accompanied by such other documentation, such as:

i. The location, size, use and arrangement, including height in stories and feet, and total square feet of ground area coverage and floor area, for proposed building, and existing buildings which will remain, if any.

ii. The location, dimensions and number of all driveways, entrances, curb cuts, parking stalls, loading spaces, access alleys, and all other circulation elements including bicycle, pedestrian walkways, and the total site coverage of all circulation elements.

iii. Approximate area, and potential floor area, devoted to commercial or office uses.

iv. Approximate area, and potential floor area, devoted to industrial uses.

v. Schedule of construction. When the PUD is to be constructed in stages during a period of time extending beyond a single construction season (time period between road restrictions), a schedule for the development of such stages or units shall be submitted stating the approximate beginning and completion date for each stage or unit and the proportion of the total PUD public or common open space and dwelling units to be provided or constructed during each such stage, and the overall chronology of development to be followed from stage to stage.

vi. Care and maintenance of open spaces or service facilities. When the proposed PUD includes provisions for public or common open space or service facilities, a statement describing the provision that is to be made for the care and maintenance of such open space or service facilities shall be submitted. If it is proposed that such open space be owned, operated and/or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and by-laws of such entity shall be submitted during the preliminary PUD plan stage.

vii. Where applicable, a preliminary and final plat prepared by a land surveyor, duly registered in the state, in accordance with M.S. § 505.00 and City Code Chapter 153, as may be amended from time to time, which shall contain a notarized certification by such surveyor that the plat represents a survey made by the surveyor and that the monuments shown herein exist as located, and all dimensions are correct, and a notarized certification by the owner or owners of the adoption of the plat and the dedication of streets and other public areas as required.

viii. Detailed utility and infrastructure construction plans, grading plan and drainage plan, approved by the City Engineer.

ix. A statement summarizing all changes which have been made to any document, plan data, or information previously submitted, together with revised copies of any such document, plan or data.

x. Such other and further information as the Zoning Administrator, City Engineer, Planning Commission or City Council shall find necessary to a full consideration of the entire proposed PUD or any stage thereof.

xi. Title opinion provided by the developer showing good and marketable title in the names of the owners of the property. This opinion, together with an updated abstract, should be submitted to the City Attorney for review.

xii. The Planning Commission may, by a written order, excuse any applicant from submitting any specific item of information required herein which it finds to be unnecessary to the consideration of the specific proposal for PUD approval.

~~8~~7. Amendments and administration.

(a) Generally. Amendments may be made in the approved final plan when they have shown to be required by changes in conditions that have occurred since the final plan was approved or by changes in the development policy of the city.

(b) Minor changes ~~in location, siting, design, and height of buildings and structures~~ may be authorized by the Zoning Administrator if requested, and if caused by unforeseen circumstances and if they are consistent with the intent and purpose of the final plan and do not increase the size of any building or structure any more than 10% than originally proposed in the preliminary PUD plan. Minor changes are:

i. Less than a ten (10) percent change in the approved separation of buildings or location in relation to streets or other property lines;

ii. Change in the design of ten (10) percent or less of any building elevation;

iii. Less than a ten (10) percent change in building height;

iv. Modification to parking lot configuration provided no reduction in the number of stalls;

v. Engineering details or stormwater functions that do not affect the layout of the site; or landscaping changes in plant type.

(c) All other changes, including but not limited to use, rearrangement of lots, blocks and open space must be ~~authorized~~ reviewed and approved by the Planning Commission and City Council under procedures outlined in the preliminary PUD plan, following a public hearing, with amendments to the recorded copy of the final plan, following Council approval. ~~It could leave questions later on that it wasn't listed in the ordinance.~~

(d) ~~Annual review.Revokation~~Revocation. ~~The Zoning Administrator shall review each PUD at least once each year and shall make a report through the Planning Commission to the City Council on the status of the development in each PUD Overlay District. If development is not progressing reasonably well, according to schedule, the owner shall be required to submit a statement to the Zoning Administrator setting forth the reasons for the lack of progress.~~ If the City Council finds that the development has not occurred according to the establishing development schedule or is not otherwise reasonable in the view of the City Council, the City Council may revoke the PUD Overlay District ~~in any event~~.

SECTION 5. Section 154.008, Subsection (D)4.(a) of the North St. Paul City Code is hereby repealed and replaced as follows:

(a) Lot area and width standards shall be regulated per the following tables~~underlying zoning district of the property.~~:

Recreational development lake:

Lot Type	Lot Area (sf)	Lot Width (ft)
Dwelling, Single-Family	7,920	60
Dwelling, Two Family	11,934	120
Dwelling, Townhouse	5,967 per Unit	60 per Unit

Natural environment lake:

Lot Type	Lot Area (sf)	Lot Width (ft)
Dwelling, Single-Family	7,920	60
Dwelling, Two Family	11,934	120
Dwelling, Townhouse	5,967 per Unit	60 per Unit

SECTION 6. Section 154.010, Subdivision (A)13. of the North St. Paul City Code is hereby repealed as follows:

~~13. Boats, trailers, and recreational vehicles. There shall be no front yard storage of boats, trailers or recreational vehicles on the grass or landscaped areas required by this chapter. Boats or recreational vehicles stored on hard surfaced areas required by this chapter and not required for off-street parking shall not exceed 21 feet in length.~~

SECTION 7. Section 154.010, Subdivision (B)1.(d) of the North St. Paul City Code is hereby repealed and replaced as follows:

(d) Townhouse. Each lot shall contain at least 25 percent of each individual lot area as ~~500 square feet~~ usable open space ~~for each unit~~.

SECTION 8. Section 154.010, Subdivision (B)1. of the North St. Paul City Code is hereby amended by the addition of a new subsection (e) as follows:

(e) Cottage Developments. 25 percent of the site within a minimum of one contiguous area at least 3,000 square feet in size is required.

SECTION 9. Section 154.010, Subsection (D).2 of the North St. Paul City Code is hereby repealed and replaced as follows:

2. *Accessory dwelling unit.*

(a) No more than one accessory dwelling unit may be located on a lot. No accessory dwelling unit shall be located on an R-1 zoned lot containing a two-family dwelling.

(b) The lot shall have a minimum area of 5,000 square feet.

(c) The lot shall have a minimum width ~~of 60 feet~~equal to the underlying zoning district requirement.

(d) An attached accessory dwelling unit shall be part of the ~~single-family~~ principal dwelling on the same lot for the purpose of the bulk requirements of the district. Any secondary dwelling unit connected to the ~~single-family~~ principal dwelling is considered attached. An attached accessory dwelling unit must meet the following:

i. The associated principal dwelling unit must continue to meet minimum floor area requirements.

ii. Minimum size of the Accessory Dwelling unit shall be 300 square feet with a maximum size of 900 square feet.

(e) A detached accessory dwelling unit shall be located ~~only~~ within a freestanding structure or above a detached garage of the ~~single-family~~ principal dwelling on the same lot. The minimum size of the detached accessory dwelling unit shall be 300 square feet with a maximum size of 900 square feet.

(f) A detached accessory dwelling unit shall be setback a minimum of ten feet from side and rear property lines or up to an easement line, but not on it whichever is greater.

~~(g) The height, lot area per dwelling unit, and usable open space requirements for detached accessory dwelling units shall be determined by the Zoning Administrator.~~

~~(h) The usable open space requirements for a detached accessory dwelling unit shall be 50% of the usable open space requirement in the district~~.

~~(i) The single-family dwelling on the lot shall be owner-occupied.~~

(~~j~~g) The entryway to the accessory dwelling unit shall be connected by a paved route, to include driveways or sidewalks, to a street frontage ~~with a paved walkway~~.

(~~k~~h) The accessory dwelling unit shall have a separate entrance from the ~~single-family~~ principal dwelling.

(i) Home Occupations. Type I home occupations are allowed within an accessory dwelling unit, subject to existing general provisions, provided the home occupation is incidental and secondary to the Accessory Dwelling unit. The home occupation within the ADU shall not be in addition to more than one home occupation within the principal dwelling. Type II home occupations are not allowed within accessory dwelling units.

SECTION 10. Section 154.010, Subdivision (D)41. of the North St. Paul City Code is hereby amended by the addition of a new subsection (d) as follows:

(d) The first floor or main floor area for a proposed house shall be a minimum of 600 square feet.

SECTION 11. Section 154.010, Subdivision (D)45. of the North St. Paul City Code is hereby repealed and replaced as follows:

(a) Access. Each townhouse unit shall have direct vehicle access from the garage and driveway to a public road or to an improved private road meeting the requirements of the city.

(b) Drainage. Drainage shall be provided as required consistent with the city and Watershed District requirements. Any required NURP ponds shall be integrated into the overall plan and proper easement and maintenance agreements shall be provided.

(c) Projecting air conditioning and heating units. Air conditioning or heating units shall not project through exterior walls or windows unless located behind a balcony and screened from view as viewed from public and private streets, or internal circulation driveways in developments with multiple buildings.

~~(d) Transformers. If located outside, shall be screened from view.~~

(~~e~~d) Utilities. Building utility services and structures such as meters, transformers, refuse containers, including dumpsters, ancillary equipment and the like shall be either located inside the principal building, inside an accessory building, or, where allowed, be outside and entirely screened from off-site views. For new buildings, all utilities shall be underground.

(~~f~~e) Density. Townhouses within the Mixed-Use Districts shall be developed in accordance with the density as guided by the Comprehensive Plan.

(f) Public roads. Each townhouse development shall have direct vehicle access to a public road.

(g) Guest parking. Off-street parking areas for guests must be considered for each development. In instances where the length and width of the driveway and the street are not adequate for parking, a separate parking bay or parking lot might be required.

(h) Compliance. No permit shall be issued allowing construction of a new building, the moving of an existing building into the city, nor shall any existing building be expanded more than 2,000 square feet or significantly structurally altered on the exterior unless it meets the requirements of this chapter and is approved.

SECTION 12. Section 154.010, Subdivision (D) of the North St. Paul City Code is hereby amended by the addition of a new subsection 51. as follows:

51. Cottage Developments

(a) Density and Minimum Lot Area.

i. In Cottage Developments the permitted density shall not exceed the density permitted in the underlying Zoning District.

ii.. The minimum total lot area for a Cottage Development shall be 0.5 acres.

iii. On a lot to be used for a Cottage Development, an existing detached single-family residential or two-family dwelling, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased.

(b) Height Limit and Roof Pitch.

i. The height limit permitted for structures in Cottage Developments shall be 18 feet.

ii. The ridge of pitched roofs with a minimum slope of six to 12 may extend up to 25 feet. All parts of the roof above 18 feet shall be pitched.

(c) Lot Coverage and Floor Area.

i. The maximum lot coverage permitted for principal and accessory structures in Cottage Development shall not exceed 40 percent.

ii. The first floor or main floor area for an individual principal structure in a Cottage Development shall be a minimum of 600 square feet and shall not exceed 1,000 square feet.

iii. The total floor area of each cottage shall not exceed either one and one-half times the area of the main level or 1,000 square feet, whichever is less.

(d) Setbacks. The setbacks required in the underlying Zoning District shall apply from adjacent property lines along the perimeter of the Cottage Development site to structures, but not internally within the site.

(e) Required Open Space. At least 50 percent of the cottage unit shall abut the common open space, all of the cottage units shall be within 60 feet walking distance of the common open space, and the common open space shall have cottages abutting at least two sides.

(f) Parking Location. Parking shall be on the Cottage Development property and may be in or under a structure or outside a structure; provided, that:

i. The parking shall be screened from direct street view by one or more street facades, by garage doors, or by a fence and landscaping.

ii. Parking between structures is only allowed when it is located toward the rear of the principal structure and is served by an alley or private driveway.

iii. Parking may not be located in the front yard.

iv. Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.

(g) Porches. Each unit in the Cottage Development shall have a front porch at least 80 square feet in size and facing a street or common open space.

SECTION 13. Section 154.010, Subdivision (D) of the North St. Paul City Code is hereby amended by the addition of a new subsection 52. as follows:

52. Two-Family dwelling.

(a) Because groupings of two-family dwellings have higher levels of neighborhood impact than stand alone, infill two-family dwellings, approval of groupings of two-family dwellings warrants a higher level of review and discretion. Plans for groupings of two-family dwellings within the R-1 District may only be approved when a planned unit development overlay zoning district has first been approved by the City Council. Two-family dwellings qualify as a grouping when the parcel on which a two-family dwelling is proposed within 500 feet of a parcel occupied by an existing or proposed two-family dwelling, measured along existing or proposed public streets.

(b) Attachment required. The two units in a two-family dwelling must have a common wall of at least ten feet in length or be oriented in an over/under relationship.

SECTION 14. Section 154.010, Subdivision (E)4.(b) of the North St. Paul City Code is hereby repealed and replaced as follows:

(b) ~~Two-family dwelling, t~~ Townhouse dwelling and modular housing.

i. Shall be designed to consist of exterior materials compatible with residential development in the area with due regard to architectural quality and the massing of structures.

~~ii. Number of units. There shall be no more than five townhouse units attached in any one group or building. For unique designs involving special circumstances, a greater number may be allowed, provided views, windows (in at least three directions for each unit), privacy and line of sight are preserved in the design.~~

~~iii.~~ii. ~~Modulation, length. The building and units shall be modulated to provide interest.~~ Variation of exterior walls. No more than two adjacent townhouse units may have front facades in the same vertical plane. Where a variation in front façade plane is required, the variation shall be a minimum of three feet. For purposes of this section adjacent townhouse units refer to those physically attached or units located within 15 feet, if not physically attached.

~~iv.~~iii. ~~Diversity. Townhouse groupings shall provide diversity in terms of size, type and building orientation and form.~~Design features. At least two of the following design features shall be provided for visual relief along all facades of each townhome structure:

(a) Roof dormers;

(b) Gables;

(c) Recessed entries;

(d) Covered porches;

(e) Bay windows;

(f) Eaves of at least 12 inches beyond the building wall or a parapet wall with an articulated design (decorative cornice, etc.);

(g) Recesses/shadow lines.

iv. Garage frontage. Townhouse dwelling unit garage doors facing a public or private street are limited to 40% of the structure width facing the same street.

v. Equipment. All building equipment shall be hidden from view. Building vents and chimneys shall consist of similar materials to the building roof and the sides of the building.

SECTION 15. Section 154.010, Subdivision (E)4. of the North St. Paul City Code is hereby amended by the addition of a new subsection (f) as follows:

(f) Two-family dwelling.

i. Shall be designed to consist of exterior materials compatible with residential development in the area with due regard to architectural quality and the massing of structures.

ii. Garage frontage. Two-family dwelling garage doors facing a public or private street are limited to 40% of the structure width facing the same street.

SECTION 16. Section 154.010, Subdivision (F)3.(a) of the North St. Paul City Code is hereby repealed and replaced as follows:

(a) Number of trees. Trees must be planted within the property lines and in a location as not to interfere with sight line visibility at maturity. Trees shall not be planted in drainage and utility easements. The minimum number of trees of any given site shall be as follows:

SECTION 17. Section 154.010, Subsection (J)1. of the North St. Paul City Code is hereby repealed and replaced as follows:

1. *Purpose.* The purpose of this section is to provide for off-street parking and loading areas and pedestrian facilities that are accessible, attractive, secure, maintained and meet the needs generated by specific uses. It is further the intent of these regulations to avoid undue congestion on public streets; to protect the level of service and capacity of existing streets; to avoid unnecessary conflicts between pedestrians and vehicles; to preserve and enhance the city and to protect the public health, safety and welfare. Please refer to § 72.04 for additional vehicular regulations.

SECTION 18. Section 154.010, Subsection (J)3. of the North St. Paul City Code is hereby repealed and replaced as follows:

3. *General standards*

(a) General standards for commercial, industrial, institutional and attached residential uses.

i. Minimum size regulations. Each space for a passenger vehicle shall contain a minimum area of not less than 180 square feet, exclusive of access drives, a width of not less than nine feet and a depth of not less than 20 feet. Each space intended for commercial vehicle parking shall have a minimum area and dimensions as determined by the City Engineer. ~~Each space shall be adequately served by access drives as determined by the Zoning Administrator~~. All loading spaces shall be sufficient to meet the requirements of each use and shall provide adequate space for storage and maneuvering of the vehicles they are designed to serve. Parking ramps and underground parking may be allowed to have some reduction in the dimensions stated above.

ii. Use of parking and loading space. Required parking or loading space shall not be used for storage of goods or for storage of vehicles that are inoperable or for sale or rent.

iii. Computing requirements. In computing the number of such parking spaces required, the following rules shall govern:

A. Floor area shall mean the gross floor area of the specific use;

B. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.

iv. Buffer fences and planting screens. Off-street parking and loading areas near or adjoining residence districts shall be screened by a buffer fence of adequate design or a planted buffer screen; plans of such screen or fence shall be submitted for approval as part of the required site plan, and such fence or landscaping shall be installed as part of the initial construction.

v. Access.

A. Parking and loading space shall have proper access from a public right-of-way or internal to the parking area as determined by the Zoning Administrator.

B. The number and width of access drives shall be so located as to minimize traffic congestion and traffic hazard.

vi. Combined facilities.

A. Except in the R-1 District, combined or joint parking facilities may be provided for one or more buildings or uses, provided that the total number of spaces shall equal the sum of the requirements for each building or use.

B. Underground parking bonus. If 50% or more of the required parking is provided underground or under the principal structure, 300 square feet shall be added as lot area for each space, so placed, and said lot area shall be used to determine the maximum allowable use of the property; for example, the number of dwelling units or the floor area ratio for an office building, provided the maximum bonus shall not increase the number of units or floor area by more than 30%.

vii. Lighting. Lighting shall meet the requirements specified in the zoning district and for the specific use where stated.

viii. Required site plan. Application for a building permit shall include a site plan drawn to scale and dimensioned showing off-street parking and loading space to be provided in compliance with this section. The site plan shall include an acceptable drainage plan.

(b) General standards for detached residential uses.

i. Minimum size regulations. Each space for a passenger vehicle shall contain a minimum area of not less than 180 square feet, exclusive of access drives, a width of not less than nine feet and a depth of not less than 20 feet.

SECTION 19. Section 154.010, Subsection (J)9. of the North St. Paul City Code is hereby repealed and replaced as follows:

(a) ~~Truck or bus parking in residential districts. Off-street parking of commercially licensed trucks, trailers or buses with a gross weight of over six tons shall be prohibited, except for deliveries or unloading. Trucks, trailers or buses of less than six tons gross weight shall not be stored in the front yard.~~Vehicles may be parked in residential districts per the following table:

Type of Vehicle	**Permitted Location**	**Number**	**Time Limit**

Passenger Automobile	Garage, driveway, side yard, or rear yard surfaced area	No limit	No limit
Type 1 Commercial Vehicle	Garage, driveway, side yard, or rear yard surfaced area	Two (2) per lot	No limit
Type 2 Commercial Vehicle	Garage	One (1) per lot	No Limit
Recreational Vehicle	Garage, driveway, side yard or rear yard surfaced area	Two (2) per lot	Front yard: No Limit Garage: No limit Side yard or rear yard surfaced area: No limit provided the vehicle is adequately screened per 154.010 (D)(32)(c). Must be in compliance with off-street parking regulations including setbacks
Large Recreational Vehicle	Garage, driveway, side yard, or rear yard surfaced area	One (1) per lot	Front yard: no longer than a 72-hour period, or while being actively loaded or unloaded Garage: No limit Side yard or rear yard surfaced area: No limit provided the vehicle is adequately screened per 154.010 (D)(32)(c). Must be in compliance with off-street parking regulations including setbacks

(b) ~~Vehicle storage~~Paved surface. All vehicles personal, recreational, or commercial shall be stored or parked on a driveway surface.

(c) Setbacks. New driveways and off-street parking shall be set back a minimum of three feet from side property lines. ~~Driveways located on a corner lot shall be set back a minimum of 15 feet from the corner of the two streets fronting the lot~~

(d) Location of parking. Required off-street parking spaces shall be provided on the same lot.

(e) Driveways, authorized parking areas, and authorized garages.

i. Driveways must lead to an authorized parking area or lead to and abut a vehicle access door having a width of at least eight feet. Driveways must not exceed a 22-foot maximum width at the property line.

~~ii. Existing driveways which do not lead to an authorized parking area or authorized garage must be removed and landscaped.~~

~~iii.~~ii. Existing driveways which provide access to an authorized parking area or garage shall be improved/surfaced according to this section; however, if the driveway leads to an unpaved street or alley, a waiver to the surface requirement will be considered by the city upon receipt of a written request explaining the reason and justification for this request.

~~iv.~~iii. Required number of off-street parking spaces. The minimum number of required off-street parking spaces are located in Table 8.

~~v.~~iv. Parking.Vehicles parked in a driveway must be located at least ten (10) feet from the curb or roadway. ~~or other area are not allowed to extend or encroach upon the alley or street right-of-way or public sidewalk.~~ Parked vehicles are not allowed to extend or encroach upon the alley or public sidewalk.

iv. Driveways located on a corner lot shall be set back a minimum of 15 feet from the corner of the two streets fronting the lot.

SECTION 20. Appendix (A), Table 3 of the North St. Paul City Code is hereby repealed and replaced as follows:

Table 3. ~~Residential~~ Use Districts

-	~~**R-1**~~	~~**R-2**~~	~~**R-3**~~	~~**Supplemental Regulations**~~
~~Mortuary, Funeral Home~~	-	-	~~P~~	-
~~Seasonal Business~~	~~I~~	~~I~~	~~I~~	-
~~**Commercial Recreation, Entertainment and Lodging**~~	~~**R-1**~~	~~**R-2**~~	~~**R-3**~~	~~Supplemental Regulations~~
~~Outdoor Recreation~~	~~C~~	~~C~~	~~C~~	~~X~~
~~Golf Course~~	~~C~~	~~C~~	~~C~~	~~X~~
~~**Residential - Family Living**~~	~~**R-1**~~	~~**R-2**~~	~~**R-3**~~	~~Supplemental Regulations~~
~~Manufactured Housing (Home Parks)~~	~~C~~	~~C~~	~~C~~	-
~~Modular Building~~	~~P~~	~~P~~	~~P~~	-

Multiple Family Dwelling	-	-	C	X
Planned Unit Development	P	P	P	-
Single Family Dwelling	P	P	-	-
Special Infill Housing	C	C	C	X
Townhouse Dwelling	-	P	P	X
Two Family Dwelling	-	P	P	-
Residential - Group Living	**R-1**	**R-2**	**R-3**	Supplemental Regulations
Assisted Living and/or Memory Care Facility	-	-	C	X
Lodging House	-	-	P	-
Senior Housing	-	-	C	X
Senior Housing with Services	-	-	C	X
State Licensed Residential Facility (serving six or fewer persons)	P	P	P	X
State Licensed Residential Facility (serving from 7- 16 persons)	-	-	P	-
Civic and Institutional	**R-1**	**R-2**	**R-3**	Supplemental Regulations
Cemetery	C	C	C	-
Day Care Center, Day Nursery	C	C	C	X
Institutions	C	C	C	X
Municipal Administrative Building, Fire Station or other Public Safety or Service Facilities	P	P	P	X

~~Schools, Public and Private~~	~~C~~	~~C~~	~~C~~	~~X~~
~~Public Park or Playground and Open Space~~	~~P~~	~~P~~	~~P~~	-
~~**Utility Uses**~~	~~**R-1**~~	~~**R-2**~~	~~**R-3**~~	~~Supplemental Regulations~~
~~Essential Service Structure, including but not limited to buildings such as Telephone Exchange~~	~~C~~	~~C~~	~~C~~	~~X~~
~~Substations, Booster or Pressure Regulating Stations, Wells and Pumping Stations and Elevated Tanks~~				
~~**Agricultural Uses**~~	~~**R-1**~~	~~**R-2**~~	~~**R-3**~~	~~Supplemental Regulations~~
~~Community Garden~~	~~I~~	~~I~~	~~I~~	-

P: Permitted **C: Conditional Use** **I: Interim Use** **X: See Section 154.010 (D) for requirements**	**R-1**	**R-2**	**R-3**	**MU-1**	**MU-2**	**MU-3**	**Supplemental Regulations**
RESIDENTIAL	-	-	-	-	-	-	-
Household Living	-	-	-	-	-	-	-
Single Family Dwelling	P	P	P	-	-	-	-
Two Family Dwelling	P	P	P	-	-	-	X
Multiple Family Dwelling	-	-	P	-	-	P	X
Townhouse Dwelling	-	P	P	P*	P	P	X (*Subject to the restrictions within Sec. 154.008(B) Downtown Overlay

							District (D-1))
Live/Work Unit	-	-	-	C	C	C	-
Manufactured Housing (Home Parks)	C	C	C	-	-	-	-
Modular Building	P	P	P	-	-	-	-
Cottage Development	-	P	P	-	-	-	X
Special Infill Housing	C	C	C	-	-	-	X
-	-	-	-	-	-	-	-
Group Living	-	-	-	-	-	-	-
Lodging House	-	-	P	-	C	C	-
Assisted Living and/or Memory Care Facility	-	-	C	-	-	C	X
Residential Unit over Nonresidential Use	-	-	-	P	P	P	-
Senior Housing	-	-	C	C	-	C	X
Senior Housing with Services	-	-	C	C	-	C	X
State Licensed Residential Facility (serving six or fewer persons)	P	P	P	C	C	C	X
State Licensed Residential Facility (serving from 7- 16 persons)	-	-	P	C	C	C	-
P: Permitted **C: Conditional Use** **I: Interim Use** **X: See Section 154.010 (D) for requirements**	**R-1**	**R-2**	**R-3**	**MU-1**	**MU-2**	**MU-3**	**Supplemental Regulations**
CIVIC & INSTITUTIONAL	-	-	-	-	-	-	-
Cemetery	C	C	C	-	-	-	-
Day Care Facility and Day Nursery	C	C	C	C	C	C	X

Institutions	C	C	C	C	C	C	X
Municipal Administrative Building, Fire Station or other Public Safety or Service Facilities	P	P	P	P	-	P	X
School, Elementary or Secondary	C	C	C	C	C	C	X
Public Park or Playground and Open Space	P	P	P	P	P	P	-
Community Garden	I	I	I	I	I	I	-
MEDICAL	-	-	-	-	-	-	-
Clinic	-	-	-	P	P	P	-
Hospital	-	-	-	-	-	P	X
Animal or Veterinary Hospital or Clinic	-	-	-	-	-	P	-
Medical Cannabis Facility	-	-	-	-	-	C	-
UTILITY	-	-		-	-	-	-
Essential Service Structure, including but not limited to buildings such as Telephone Exchange Substations, Booster or Pressure Regulating Stations, Wells and Pumping Stations and Elevated Tanks	C	C	C	P	P	P	X
P: PermittedC: Conditional UseI: Interim UseX: See Section 154.010 (D) for requirements	**R-1**	**R-2**	**R-3**	**MU-1**	**MU-2**	**MU-3**	**Supplemental Regulations**
COMMERCIAL	-	-	-	-	-	-	-
Lodging	-	-	-	-	-	-	-
Bed and Breakfast Establishment	-	-	-	-	P	P	X
Hotel or Motel	-	-	-	-	C	P	-
Indoor Entertainment, Recreation, Food, and Beverage	-	-	-	-	-	-	-
Adult Uses	-	-	-	-	-	C	X
Brewery, Micro-Brewery, Micro-Distillery, Micro-Winery, or Tap Room	-	-	-	P	P	P	-

Catering	-	-	-	C	P	P	-
Club or Lodge	-	-	-	P	C	C	X
Coffee Shop or Tea House	-	-	-	P	P	P	-
Cultural Center	-	-	-	P	P	P	-
Indoor Recreation	-	-	-	P	P	P	X
Restaurant	-	-	-	P	P	P	-
Service or Workplace	-	-	-	-	-	-	-
Animal Boarding Facility	-	-	-	-	-	C	X
Animal Grooming	-	-	-	P	P	P	X
Artisan Studio / Makerspace	-	-	-	P	P	P	-
Bank, Financial Institutions	-	-	-	P	P	P	X
Business Sales or Services	-	-	-	P	P	P	-
Personal Services	-	-	-	P	P	P	-
Educational Services	-	-	-	P	P	P	-
Contractor's Business with Showroom or Workshop	-	-	-	-	-	P	-
Drive-In or Self-Service Business	-	-	-	C	P	P	X
Lab, Research	-	-	-	P	P	P	-
Funeral Home	-	-	-	C	C	C	-
Office	-	-	-	P	P	P	X
P: Permitted **C: Conditional Use** **I: Interim Use** **X: See Section 154.010 (D) for requirements**	**R-1**	**R-2**	**R-3**	**MU-1**	**MU-2**	**MU-3**	**Supplemental Regulations**
Retail	-	-	-	-	-	-	-
Farmer's Market	-	-	-	P	P	P	-
Garden Material Sales	-	-	-	C	C	P	X

Grocery	-	-	-	P	P	P	-
Liquor Store	-	-	-	P	P	P	-
Retail Sales	-	-	-	P	P	P	X
Outdoor Recreation	-	-	-	-	-	-	-
Outdoor Recreation	C	C	C	-	-	-	X
Golf Course	C	C	C	-	-	-	X
Automobile, Parking, Transportation	-	-	-	-	-	-	-
Automobile Service or Repair	-	-	-	-	-	C	X
Car Wash	-	-	-	-	-	C	X
Automobile Sales and Rental	-	-	-	-	-	C	X
Automobile Service Station/Convenience Store	-	-	-	C	C	C	X
Transit Station	-	-	-	P	P	P	-
Parking Facility	-	-	-	P	P	P	-
P: PermittedC: Conditional UseI: Interim UseX: See Section 154.010 (D) for requirements	**R-1**	**R-2**	**R-3**	**MU-1**	**MU-2**	**MU-3**	**Supplemental Regulations**
LIMITED PRODUCTION, PROCESSING, STORAGE	-	-	-	-	-	-	-
Limited Production and Processing	-	-	-	P	P	P	X
Self-Service Storage Facility	-	-	-	-	-	C	-
Warehousing	-	-	-	-	-	P	X
Wholesale Establishment	-	-	-	P	P	P	-
OTHER USES	-	-	-	-	-	-	-
Uses determined by the Community Development Department to be of similar scale, impact and character.	-	-	-	P	P	P	-
Planned Unit Development	P	P	P	P	P	P	***See Sec. 154.008.C.***

P: Permitted **C: Conditional Use** **I: Interim Use** **X: See Section 154.010 (D) for requirements**	**R-1**	**R-2**	**R-3**	**MU-1**	**MU-2**	**MU-3**	**Supplemental Regulations**
ACCESSORY USES & STRUCTURES	-	-	-	-	-	-	-
Accessory Buildings and Structures	P	P	P	-	-	P	X
Accessory Dwelling Unit	C	C	C	-	-	-	X
Dependency Living Arrangement	P	P	P	-	-	-	-
Portable Storage Units	P	P	P	-	-	-	X
Temporary Buildings for storage of construction materials and equipment	P	P	P	-	-	-	X
Geothermal Energy Systems	P	P	P	P	P	P	-
Solar Energy Systems	P	P	P	P	P	P	X
Wind Energy Systems	C	C	C	P	P	P	X
Wind Energy Systems (excess height)	-	-	-	C	C	C	X
Temporary Outdoor Events	P	P	P	P	P	P	X
Temporary Outdoor Events (greater than 45 days)	-	-	-	C	C	C	X
Composting	P	P	P	-	-	-	-
Yard Sales	P	P	P	P	P	P	X
Day Care Facility (serving 12 or fewer persons)	P	P	P	P	P	P	-
Day Care Facility (serving from 13 through 16 persons)	P	P	P	P	P	P	-
Group Family Day Care serving 14 or fewer children	P	P	P	P	P	P	-
Home Occupation	P/I	P/I	P/I	P	P	P	X
Rain Garden	P	P	P	P	P	P	X
Surface Parking	P	P	P	P	P	P	-

Outdoor Storage	-	-	-	C	C	C	X
Bulk Storage (liquid)	-	-	-	-	-	P	X
Communication Structures	P	P	P	P	P	P	X
Outdoor Seating	-	-	-	P	P	P	X
Outdoor Display	-	-	-	P	P	P	X
Sport Court	P	P	P	-	-	P	-
Residential Swimming Pools and Hot Tubs	P	P	P	-	-	P	X

SECTION 21. Appendix (A), Table 4 of the North St. Paul City Code is hereby repealed and replaced as follows:

TABLE 4: RESIDENTIAL DISTRICT LOT REQUIREMENTS

District	**Minimum Lot Area***	**Minimum* Lot Width**	**Setbacks**		
			Front Yard	**Rear Yard**	**Side Yard**
R-1 Single Family Residential District	**~~7,920~~ 6,250 sq. ft. per dwelling unit** Institutions: 10,000 sq. ft. Manufactured Houses (Home Parks): 5,000 sq. ft. per dwelling unit	5~~6~~0 ft.	25 ft.	25 ft.	Internal Lot: 6 ft. Corner Lot: 15 ft. Senior Housing: Internal Lot: 15 ft. Corner Lot: 15 ft.
R-2 Mixed Residential District	**~~5,967~~ 3,630 sq. ft. per dwelling unit** Institutions: 10,000 sq. ft. Manufactured Houses (Home Parks): ~~5,000~~3,630 sq. ft. per dwelling unit				
R-3 Multiple Family Residential District	**1,980 sq. ft. per dwelling unit** Required total lot area shall not be less than the minimum lot area per dwelling unit multiplied by the number of units. Senior Housing: 1,800 sq. ft. per dwelling unit Institutions: 10,000 sq. ft. Manufactured Houses (Home Parks): 5,000 sq. ft. per dwelling unit	80 ft.			Internal Lot: 15 ft. Corner Lot: 15 ft.

* Tables 6.25 D. and F. from Model Shoreland Ordinance may be more restrictive.

SECTION 22. Appendix (A), Table 5 of the North St. Paul City Code is hereby repealed and replaced as follows:

Table 5. Residential Districts Design Requirements					
District	**Maximum Height**	**Lot Coverage**	**Density**	**Minimum Livable Floor Space per unit**	**Limit of Surfacing in Front Yard**
R-1 Single Family Residential District	**Two (2) stories or 35 ft. in height,** except flag poles, monuments and chimneys, church spires, belfries or domes which do not contain usable spaces, and radio and TV reception towers may extend to a maximum height of 45 ft. above the ground, City Water towers may extend to a height of 140 ft. Senior Housing: Three (3) stories or 35 ft. in height. Accessory Building: 15 ft. except for Accessory Dwelling Unit, then 20 ft.	40%	Low (3.0 - 5.5 7.0 units/acre)	Single Family: One Story: 900 sq. ft. Two Story: 1,200 sq. ft. Two Family: 900 sq. ft.	40%
R-2 Mixed Residential District		50%	Medium (5.6 - 7.3 12.0 units/acre)	Single Family: One Story: 900 sq. ft. Two Story: 1,200 sq. ft. Two Family: 900 sq. ft. Townhome: 900 sq. ft.	

R-3 Multiple Family Residential	**Three (3) stories or 35 ft.** in height, except flag poles, monuments and chimneys, church spires, belfries or domes which do not contain usable spaces, and radio and TV reception towers may extend to a maximum height of 45 ft. above the ground, City Water towers may extend to a height of 140 ft. Separate height restrictions exist for accessory buildings.	50%	High (7.4 - 22 units/acre)	Multiple Family: Efficiency Unit: 400 sq. ft. One Bedroom: 550 sq. ft. Two Bedroom: 700 sq. ft. Three Bedroom: 850 sq. ft. Four Bedroom: 1000 sq. ft. Two Family: 900 sq. ft. Townhome: 900 sq. ft.	

SECTION 23. Appendix (A), Table 6 of the North St. Paul City Code is hereby repealed as follows:

~~TABLE 6: MIXED USE DISTRICTS (PERMITTED, CONDITIONAL & INTERIM USES)~~				
-	-	-	-	**~~Supplemental Regulations~~**
~~Offices~~	**~~MU-1~~**	**~~MU-2~~**	**~~MU-3~~**	
~~Artist, Photographer Studio, etc.~~	~~P~~	~~P~~	~~P~~	-
~~Insurance Office, Real Estate Office, Sales Office~~	~~P~~	~~P~~	~~P~~	-
~~Office~~	~~P~~	~~P~~	~~P~~	~~X~~
-	-	-	-	

Medical Facilities	**MU-1**	**MU-2**	**MU-3**	Supplemental Regulations
Clinic - Health	P	P	P	-
Hospital	-	-	P	X
Medical Laboratory	P	-	P	-
Physical, Occupational or Massage Therapy	P	P	P	-
Animal or Veterinary Hospital or Clinic	-	-	P	-
-	-	-	-	Supplemental Regulations
Retail Sales and Services	**MU-1**	**MU-2**	**MU-3**	
Animal: Boarding Facility, Kennel, Shelter, Day Care	-	-	C	X
-	-	-	-	**Supplemental Regulations**
Offices	**MU-1**	**MU-2**	**MU-3**	
Animal Grooming	P	P	P	X
Auction Rooms	P	P	P	-
Bank, Financial Institutions	P	P	P	X
Business Sales and Services	P	P	P	-
Body Art Establishment	P	P	P	X
Contractor's Business with Showroom or Workshop	-	-	P	-
Drive-In or Self-Service Business	C	P	P	X
Dry Cleaning, Commercial Laundry	P	P	P	-
Farmer's Market	P	P	P	-
Furniture and Household Goods Sales	P	P	P	-
Garden Center	C	C	P	X

Greenhouse, Nursery	C	C	P	X
Retail Sales and Service Uses	P	P	P	X
Grocery Store and Produce Store	P	P	P	-
Laundromat, Self-Service	P	P	P	-
Liquor Store	P	P	P	-
Mortuary, Funeral Home	C	C	C	-
Package Delivery Service	-	-	P	-
Payday Loan Business	-	-	C	-
Photocopying	P	P	P	-
Post Office	P	P	P	-
Seasonal Business	I	I	I	-
Secondhand Goods Sales	P	P	P	-
Small Appliance Repair	P	P	P	-
Sporting Goods Store, Bait Shop	P	P	P	-
Tobacco Sampling	-	-	-	-
Food and Beverages	**MU-1**	**MU-2**	**MU-3**	Supplemental Regulations
Catering	P	P	P	-
Coffee Shop, Tea House	P	P	P	-
Restaurant	P	P	P	-
Restaurant-Tavern	P	P	P	-
Brewery, Micro-Brewery, Micro-Distillery, Micro-Winery,	P	P	P	-
-	-	-	-	**Supplemental Regulations**
Offices	**MU-1**	**MU-2**	**MU-3**	

Tap Room	-	-	-	-
Commercial Recreation, Entertainment and Lodging	**MU-1**	**MU-2**	**MU-3**	Supplemental Regulations
Bed and Breakfast Establishment	-	P	P	X
Health/Sports Club	P	P	P	-
Hotel, Inn	-	C	P	-
Indoor Recreation	P	P	P	X
Lodge, Private Club, Reception Hall	P	C	C	X
Outdoor Recreation	-	-	C	X
Golf Course	-	-	C	X
Adult Uses	-	-	C	X
Theater, Assembly Hall, Concert Hall	P	P	P	-
-	-	-	-	Supplemental Regulations
Automobile Service	**MU-1**	**MU-2**	**MU-3**	
Automobile Body Shop or Automobile Repair Station	-	-	C	X
Automobile Sales and Rental	-	-	C	X
Automobile Service Station/Convenience Store	C	C	C	X
Car Wash	-	-	C	X
Parking, Storage and Display Facilities	-	-	-	Supplemental Regulations
	MU-1	**MU-2**	**MU-3**	
Parking Facility, Private	P	P	C	-
Parking Facility, Public	P	P	C	-
-	-	-	-	Supplemental Regulations
Transportation	**MU-1**	**MU-2**	**MU-3**	

Taxicab or Limousine Business	P	P	P	-
Limited Production, Processing and Storage	-	-	-	Supplemental Regulations
	MU-1	**MU-2**	**MU-3**	
Artisan Workshop	P	P	P	-
Laboratory, Research and Development	P	P	P	-
Limited Production and Processing	P	P	P	X
Printing and Publishing	-	-	P	-
-	-	-	-	**Supplemental Regulations**
Offices	**MU-1**	**MU-2**	**MU-3**	
Warehousing/Storage	-	-	P	X
Warehousing as Primary Use of Space	-	-	-	-
Wholesale Establishment	P	P	P	-
-	-	-	-	Supplemental Regulations
Other Uses	**MU-1**	**MU-2**	**MU-3**	
Uses determined by the Community Development Department to be of similar scale, impact and character.	-	-	-	-
	P	P	P	
-	-	-	-	Supplemental Regulations
Residential - Family Living	**MU-1**	**MU-2**	**MU-3**	
Multiple Family Dwelling	-	-	P	X
Planned Unit Development	P	P	P	-
Townhouse Dwelling	-	-	P	X
Live/Work Unit	C	C	C	X
Residential Unit over Nonresidential Use	P	P	P	-
-	-	-	-	

Residential - Group Living	**MU-1**	**MU-2**	**MU-3**	Supplemental Regulations
Assisted Living and/or Memory Care Facility	-	-	C	X
Lodging House	-	C	C	X
Senior Housing	C	-	C	X
Senior Housing with Services	C	-	C	X
State Licensed Residential Facility (serving six or fewer	-	-	-	-
persons)	C	C	C	X
State Licensed Residential Facility (serving from 7-16	-	-	-	-
persons)	C	C	C	
-	-	-	-	Supplemental Regulations
Civic and Institutional	**MU-1**	**MU-2**	**MU-3**	
Day Care Center, Day Nursery	C	C	C	X
Institutions	C	C	C	X
Municipal Administrative Building, Fire Station or other	-	-	-	-
Public Safety or Service Facilities	P		P	X
Schools, Public and Private	P	P	P	X
-	-	-	-	**Supplemental Regulations**
Offices	**MU-1**	**MU-2**	**MU-3**	
Public Park or Playground and Open Space	-	-	P	-
-	-	-	-	Supplemental Regulations
Utility Uses	**MU-1**	**MU-2**	**MU-3**	

Essential Service Structure, including but not limited to buildings such as Telephone Exchange Substations, Booster or Pressure Regulating Stations, Wells and Pumping Stations and Elevated Tanks	-	-	-	-
	-	-	-	-
	P	P	P	X
-	-	-	-	Supplemental Regulations
Agricultural Uses	**MU-1**	**MU-2**	**MU-3**	
Community Garden	I	I	I	-
-	-	-	-	Supplemental Regulations
Accessory Uses and Structures	**MU-1**	**MU-2**	**MU-3**	
Accessory Buildings and Structures	-	-	P	X
Ground Source Heat Pump Systems	P	P	P	-
Solar Energy Systems	P	P	P	X
Temporary Outdoor Events	P	P	P	X
Temporary Outdoor Events (greater than 45 days)	C	C	C	X
Vending Machines	P	P	P	-
Wind Energy Systems (excess height)	C	C	C	X
Wind Energy Systems	P	P	P	X
Day Care Facility (serving 12 or fewer persons)	P	P	P	-
Day Care Facility (serving from 13 through 16 persons)	P	P	P	-
Group Family Day Care serving 14 or fewer children	P	P	P	-
Home Occupation	P	P	P	X
Outdoor Storage	C	C	C	X
Rain Garden	P	P	P	X

~~Bulk Storage (liquid)~~	-	-	~~P~~	~~X~~
~~Communication Structures~~	~~P~~	~~P~~	~~P~~	~~X~~
~~Outdoor Seating~~	~~P~~	~~P~~	~~P~~	~~X~~
~~Outdoor Display~~	~~P~~	~~P~~	~~P~~	~~X~~

SECTION 24. Appendix (A), Table 7 of the North St. Paul City Code is hereby repealed and replaced as follows:

District	**Minimum Lot Size**	**Lot Width**	**Minimum Lot Area Per Dwelling Unit**	**Front Yard Setback**	**Side Yard Setback**	**Rear Yard Setback**	**Maximum Height**
MU-1 Downtown Mixed-Use District	1~~0~~ sq. ft.	20 ft.	1,980 sf.	0 ft.	0 ft. When abutting a Residential District 20 ft.	0 ft.	Three (3) stories or 35 ft. New mixed-use buildings with residential units above nonresidential, office or service uses may be up to four (4) stories or 50 ft.
MU-2 Transitional Mixed-Use District	15,000 sq. ft.	65 ft.	1,980 sf.	30 ft.	Interior Lot: 15 ft. Corner Lot: 30 ft.	30 ft.	Three (3) stories or 35 ft.
MU-3 Corridor Mixed-Use District	35,000 sq. ft.	120 ft.	1,089 sf.	25 ft.	0 ft.	0 ft.	Five (5) stories or 55 ft.

SECTION 25. Appendix (A), Table 8 of the North St. Paul City Code is hereby repealed and replaced as follows:

Table 8. Off-Street Parking and Loading Requirements		
Uses	**Number of Required Parking Spaces**	
PARKING-RELATED DEFINITIONS Gross floor area (GFA): Total gross floor area including exterior building walls of all floors of a building or structure. Also referred to as gross square feet, or GSF. Gross leasable area (GLA): The portion of GFA that is available for leasing to a tenant. Net floor area (NFA): Total floor area, excluding exterior building walls. Net rental area (NRA): The portion of NFA that is rentable to a tenant. Also called net leasable area. ksf = 1,000 square feet The total number of parking spaces = the total square footage, divided by ksf, ~~mutliplied~~ multiplied by the parking value		
Residential		
Cottage Development Residential-Family Living	Single Family Dwelling Unit Multifamily Dwelling Unit	1.25 per dwelling unit
Accessory Dwelling Unit Accessory Use	Accessory Dwelling Unit (ADU)	1 space maximum per dwelling unit

SECTION 26. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2021, by the City Council of the City of North St. Paul, Minnesota.

On motion by _____
Second by _____

Voting: Ayes:
Absent:
Abstain:

CITY OF NORTH ST. PAUL

BY: _____
Terry Furlong, Mayor

ATTEST:

_____
Scott Duddeck, City Manager

Summary published in Review: _____

CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, APRIL 1, 2021
6:30 P.M.

VI. PUBLIC HEARINGS

C. ZTA-21-1 Zoning Code Text Amendments to Implement the 2040 Comprehensive Plan.

Mr. Zweber reviewed lengthy Zoning Code text amendments, which are intended to bring the Zoning Code up to date and in alignment with the goals and policies of the Comprehensive Plan.

Mr. Zweber reviewed proposed changes to six sections of the Zoning Code:
Truck parking restrictions – proposed amendments would place restrictions on certain vehicles including commercial and larger vehicles as well as limitations on where they can be parked in residential districts.

Land Use definitions – 41 new definitions and 25 modifications are proposed to better describe regulated uses and add new definitions due to changes in State statute.

Table 3 – Residential Districts – the proposed addition of cottage developments and definitions for accessory uses. The use table for mixed uses would be combined with the table for residential uses to ensure consistency.

Table 4 – Residential Lot Requirements, to reduce minimum the lot size in R-1 and R-2 districts and reduce lot width from 60 feet to 50 feet.

Table 5 – increase maximum density for R-1 and R-2 to match the Comprehensive Plan and add livable floor space requirements for two-family and townhome units.

Tables 6 and 7 - Mixed Use Districts and Lot Requirements – the addition of a minimum lot requirement per dwelling.

Overlay Districts – Downtown Overlay, Shoreland Overlay and Planned Unit Development. Townhomes are proposed to be prohibited in the Downtown Overlay District. A minimum lot width would be created in the Shoreland Overlay District that is the same as R-1 and R-2, and lot size that is the same as the R-2. Changes would need to be approved by the Minnesota Department of Natural Resources (MnDNR).

Mr. Zweber stated he recommends that minimum lot area should be included in R-1 requirements to ensure less impervious surface.

Section 10 – amendment of 5 subjections, including usable open space, supplemental regulations, architectural requirements, landscaping and screening, and off-street parking and loading.

Chair Barton asked whether the Planning Commission already decided on a minimum dwelling unit for a detached Accessory Dwelling Unit (ADU). She added it is necessary to provide adequate livable space.

Mr. Zweber stated he recommends a minimum of 201 feet, as accessory structures under 200 feet do not require a building permit. Chair Barton stated she would recommend 300 feet to be consistent.

Chair Barton opened the public hearing at 8:45 p.m.

John Schmahl, 2750 Chisholm Avenue, stated he submitted his comments to Mr. Zweber yesterday, as he was unsure whether he would be well enough to join the public hearing.

Mr. Zweber reviewed his notes regarding his conversation with Mr. Schmahl. He stated Mr. Schmahl expressed concern about parking provisions for large recreational vehicles, and the requirement that recreational vehicles cannot be parked in the front yard or driveway for more than 72 hours. Mr. Schmahl indicated he would like more community outreach on this issue because this will be a big change for residents.

Mr. Zweber stated Mr. Schmahl expressed concern about restrictions related to vehicles parked within the 10-foot right of way, from the back of the curb or driveway. He added he and Mr. Schmahl discussed right of way width, which has been moved to another section of the Code, and whether 10 feet is the right number.

Mr. Zweber stated, in Section 3, parking stall size should apply to detached residential properties.

Mr. Schmahl stated the section in the Traffic Code about vehicles being actively loaded and unloaded should be removed, as it relates to commercial vehicles.

Mr. Schmahl stated he thought the section prohibiting landscaping within drainage and utility easements was positive.

Mr. Schmahl asked whether "authorized parking area", must be paved or properly surfaced, and an appropriate size. He added a 9x20 foot minimum area is required when a new home is built. He noted there should be something in the code that regulates the size and condition of authorized parking areas.

Mr. Schmahl stated driveways may not exceed 22-foot maximum width at the property line. He added this is a problem for pie-shaped properties and caused a dispute between neighbors on Chisholm Avenue when someone wanted to widen their driveway. He noted it should be stated that you are dealing with property lines when you expand the width of a driveway.

Mr. Schmahl stated he agrees that vans can be commercial vehicles.

Mr. Schmahl stated it is strange that you can park a commercial vehicle in your front yard for as long as you want, but you cannot park a recreational vehicle for more than 72 hours. He added he does not see what the problem is with parking recreational vehicles in front yards.

Mr. Schmahl stated parking of recreational vehicles in "side yard or rear yard surfaced area" should be referenced under the "no parking limit".

Mr. Schmahl stated the measurements stated in the draft document should defined to determine where the front yard is.

Chair Barton closed public hearing at 9:12 p.m.

Chair Barton stated she forwarded some comments to Mr. Zweber. She asked whether the Planning Commission wanted to review her comments, or discuss issues brought up during the public hearing.

Commissioner Blees stated he would prefer to table this lengthy discussion to another meeting. The Planning Commission agreed.

Chair Barton stated the Planning Commission discussed recreational vehicles at a previous meeting. She added she will find the minutes and review them.

Mr. Zweber stated the definition of "commercial vehicle" was erroneously omitted. He agreed to look into it.

Mr. Zweber agreed to combine the group's comments, Chair Barton's recommendations and comments from Mr. Schmahl and draft a memo outlining changes and why they were made. He requested that any comments or suggestions should be forwarded to himself or Ms. Ritchie.

Chair Barton stated she would like to discuss two uses: community gardens and accessory uses – yard sale. She added they are not allowed in the MU districts, and yet there are residential homes in the MU districts, so it seems that they should be allowed. She noted yard sales are listed as an interim use which is even more strange.

Mr. Zweber stated the use could be added as an interim use in the MU districts, which would indicate that it is eventually meant to be redeveloped into something else.

Commissioner Worm asked for this item to be tabled.

Chair Barton stated she wanted to get agreement on potential uses.

Mr. Zweber stated he will have all the necessary information ready for the May 6, 2021 meeting.

Motion by Commissioner Worm, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to table Zoning Code Text amendments to be addressed at the May 6, 2021 meeting.

CITY OF NORTH ST. PAUL
PLANNING COMMISSION
DRAFT REGULAR MEETING MINUTES
THURSDAY, MAY 6, 2021
6:30 P.M.

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. ZTA-21-1 Zoning Code Text Amendments 21-1 to Implement the 2040 Comprehensive Plan.

Mr. Zweber reviewed changes to the draft Zoning Ordinance that have been added since the Planning Commission's last discussion. He noted these revisions relate to truck parking; commercial vehicle definitions; Accessory Dwelling Unit (ADU) size requirement; parking standards; and community gardens and yard sales in Mixed Use Districts.

Mr. Zweber stated City Staff recommends approval of the proposed Ordinance changes.

Chair Barton stated Mr. Schmahl had indicated that he wished to speak during this Agenda Item. She invited him to speak.

John Schmahl stated, with regard to "lot line front" on page 31 of 75, there is no mention of how that is determined. He added many things depend upon knowing that, and a survey may be necessary. He noted it is frustrating that there is no mention of where it might be.

Mr. Schmahl stated on page 33 of 75, "vehicle commercial 1" is referred to twice. He added he assumes the second reference is supposed to be "Vehicle Commercial 2". Chair Barton agreed.

Mr. Zweber agreed to make that change.

Mr. Zweber stated, with regard to Mr. Schmahl's comments regarding front lot lines, the Code is clear that the front lot line is the boundary of the lot that abuts the dedicated public or private street. He added every plat is available on Ramsey County's website. He noted he does not believe the language should be corrected.

Chair Barton stated, in the Zoning Code, Section 154.010.A.13 reads, "Boats and recreational vehicles in the front yard may not exceed 21 feet." She added that should be removed to be consistent. Mr. Zweber agreed to take care of that.

Chair Barton requested feedback and comments from the Commissioners.

Commissioner Gelbmann stated he is satisfied with the way it is now.

Chair Barton stated assisted living and memory care is allowed in the MU-1, but not senior housing with services, which includes assisted living and memory care.

Mr. Zweber stated it is his guess that senior housing with services is not updated correctly. He added the term "skilled nursing facility" could be used. He noted there is a definition in State statute of housing for the elderly, which is identified as senior housing with services.

Chair Barton stated assisted living and memory care is allowed in MU-1, but senior living with services is not. She added it should not be added as a non-conforming use in MU-1.

Motion by Commissioner Gelbmann, and seconded by Commissioner Monge, with all present voting aye (5-0). Motion carried to recommend City Council approval of ZTA-21-1 Zoning Code Text Amendments 21-1 to Implement the 2040 Comprehensive Plan, with the following additions: clarify "Vehicle Commercial 2" and reference to boats and trailers to be added to the list of amendments.

Eric,

Thank you for notifying the DNR of the proposed changes to the City's shoreland zoning ordinance.

DNR is pleased to see the City maintain the existing 60-feet lot width standard within the City's shoreland district. Setting a higher standard in the shoreland district is important for protecting the City's sensitive shoreland areas and the overall quality of its public waters - Silver Lake and Casey Lake.

On the other hand, we note the proposed changes appear to reduce the minimum lot area standard for properties in the shoreland district with underlying R1 zoning from 7,920 sq. ft. to 5,967 sq. ft. per dwelling unit. We encourage the City to retain the existing minimum lot area. These lot minimums appear to be consistent with long-term development patterns. Allowing smaller lot sizes is likely to increase pressure for approving development that exceeds the City's current 40% impervious surface limit leading to reduced vegetation and an overall reduction in the quality of the City's public waters.

Best Regards,

Dan Scollan
Interim East Metro Area Hydrologist – Ramsey and Washington Counties
Division of Ecological and Water Resources

Minnesota Department of Natural Resources
1200 Warner Road
St. Paul, MN 55106
Phone: 651-259-5754
Cell: 651-249-7759
Fax: 651-772-7977
Email: daniel.scollan@state.mn.us
mndnr.gov

NORTH ST. PAUL
extraordinary.

Agenda Information Memorandum

To	Date
Honorable Mayor Furlong and City Council	June 15, 2021

Agenda Placement # IV.B

Topic(s)

Subject

Utility Rate Study

Background/Facts

As part of the strategic planning process, City staff would like to request proposals for a study to be performed on the City's utility rates. Staff is currently in the midst of preparing a 10-year capital improvement plan for Council's review, and a utility rate study would provide a basis for how to achieve this plan. The last studies performed were in 2017 and are based on assumptions and improvement plans that are outdated.

Staff will plan to engage multiple qualified vendors to ensure a fair cost is determined along with a review of their experience in long-term utility rate projections. A utility rate study will result in:

- A long-term funding plan for the utilities' capital needs.
- Recommendations for appropriate cash balance & strategy for maintaining cash reserves.
- Recommendations for rate designs.
- A flexible planning tool allowing the City to respond to changing circumstances or assumptions about the timing of capital investments
- A process and methodology for setting utility rates that meet the City's needs and ordinance requirements.

An updated utility rate study will be a tool to utilize in our future strategic planning and budgeting processes. It will allow us to match the City's capital needs with proper rates to continue providing quality services to our community.

Recommendation:

Staff is requesting approval to seek competitive proposals for a utility rate study.

Attachments

1. NSP Utility Rate Study Updated July 2017

2. Study Final_Surface Water Utility Report_08-09-2017

Respectfully submitted,
Kyle Stasica, Accountant

City of North St. Paul, MN
Water System
Capital Improvement Program

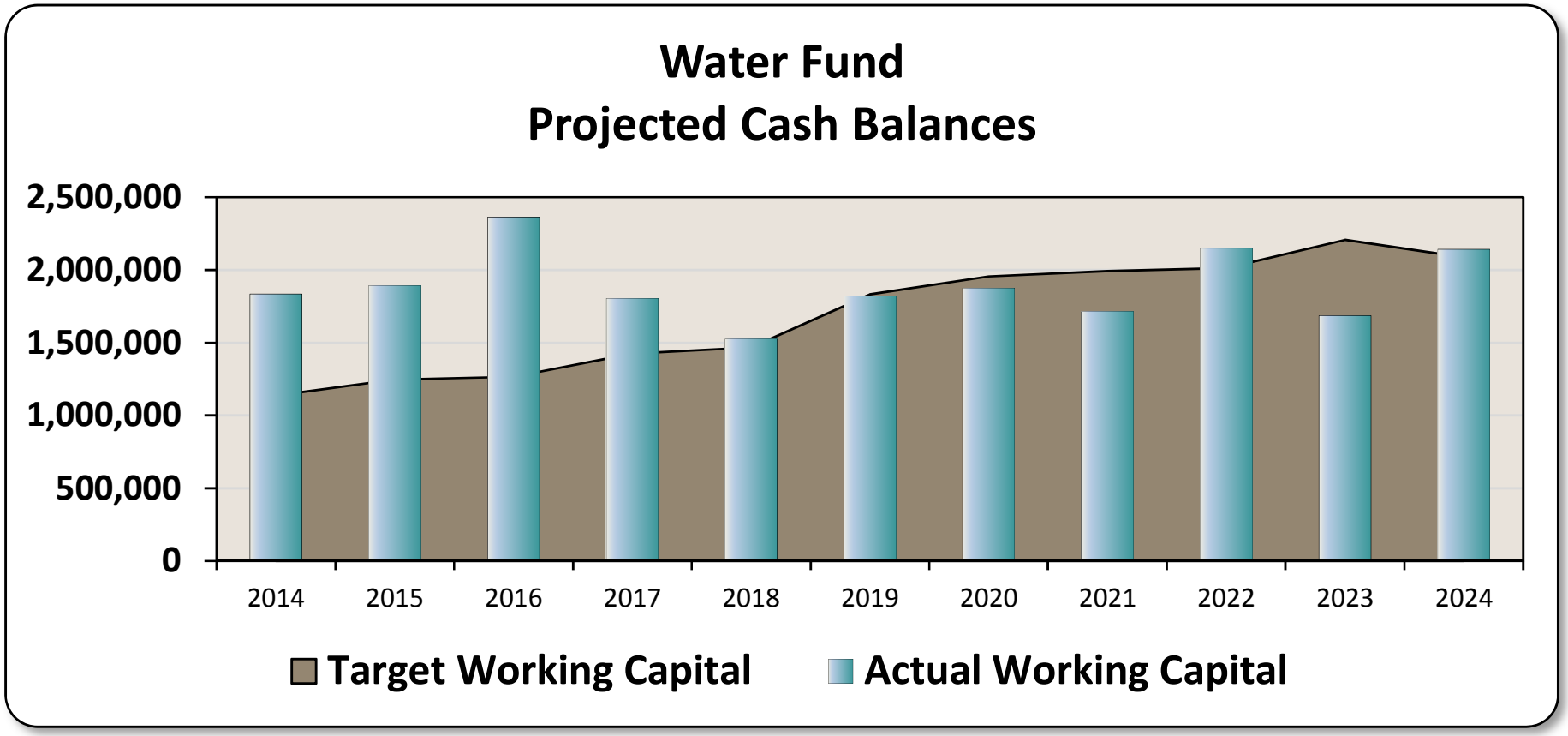
Projects	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
CAPITAL EQUIPMENT											
(Included in Operating Expenses)											
PROJECTS											
New Water Meters											
Street and Utility Improvements		1,121,000		1,864,000						1,732,000	
2018 CIP - Potential Add'l Alternate		0									
Utility Structure Remediation	11,000	11,000	11,000	11,000	5,300	5,300	5,300	5,300	5,300	5,300	5,300
Well House Rehabilitation	80,000										
7th Ave. Reconstruction (Downtown Revitalization)						700,000	1,060,000	410,000			
10 Inch Watermain Loop per Comp Plan					683,000						
New Water Tower 750,000						2,415,000					
Actual CIP (2017 Dollars)	**91,000**	**1,132,000**	**11,000**	**1,875,000**	**688,300**	**3,120,300**	**1,065,300**	**415,300**	**5,300**	**1,737,300**	**5,300**
Percent Inflation	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**
	91,000	**1,177,280**	**11,898**	**2,109,120**	**805,214**	**3,796,322**	**1,347,944**	**546,506**	**7,253**	**2,472,720**	**7,845**

Water Fund **48**

		Actual			Budget	Projected									
		2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Rates Inflation				5.50%	5.00%	5.00%	5.00%	5.00%	5.00%	4.00%	4.00%	4.00%	4.00%	4.00%
2	Revenue growth assumption - non-usage					2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
3	Investment income yield				0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
4	Expense growth - general and administrative				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
5	Expense growth - contractual				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
6	Expense growth - non personnel				2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
7	MCES growth assumption														
8															
9	Beginning net assets	1,954,445	2,060,270	2,238,225	2,609,535	3,233,352	3,739,131	4,309,215	4,896,889	5,533,468	6,149,690	6,800,024	7,499,519	8,263,585	9,036,650
10															
11	Operating Revenues														
12	Water sales	1,418,025	1,497,299	1,617,305	1,642,070	1,723,585	1,809,176	1,899,047	1,993,411	2,092,493	2,175,722	2,262,281	2,352,301	2,445,923	2,543,289
13	Sewer charges	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14	Other services	11,846	32,045	30,724	20,000	0	0	0	0	0	0	0	0	0	0
15	Revenue Due to Growth	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16	Total Operating Revenues	1,429,871	1,529,344	1,648,029	1,662,070	1,723,585	1,809,176	1,899,047	1,993,411	2,092,493	2,175,722	2,262,281	2,352,301	2,445,923	2,543,289
17															
18	Operating Expenses														
19	Personal services	311,236	183,389	212,583	242,765	250,048	257,549	265,276	273,234	281,431	289,874	298,570	307,527	316,753	326,256
20	Professional Services	178,031	382,276	297,355	357,356	364,503	371,793	379,229	386,814	394,550	402,441	410,490	418,700	427,073	435,615
21	Purchased utilities (MCES)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22	Increased MCES due to growth	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	Materials and supplies	415,837	368,735	315,782	88,000	90,640	93,359	96,160	99,045	102,016	105,077	108,229	111,476	114,820	118,265
24	Equipment Replacement	0	0	0	26,367	27,158	27,973	28,812	29,676	30,567	31,484	32,428	33,401	34,403	35,435
25	Depreciation	160,457	162,240	162,915	162,914	192,346	192,643	245,371	265,502	360,410	387,369	401,031	401,213	463,031	463,227
26	Total Operating Expenses	1,065,561	1,096,640	988,635	877,402	924,695	943,318	1,014,848	1,054,271	1,168,974	1,216,244	1,250,748	1,272,316	1,356,080	1,378,797
27															
28	Net Operations	364,310	432,704	659,394	784,668	798,890	865,858	884,198	939,140	923,520	959,478	1,011,532	1,079,985	1,089,842	1,164,492
29	Non operating revenues (expenses)														
30	Interest income	6,578	4,197	17,344	3,000	9,174	9,460	11,812	9,017	7,623	9,110	9,379	8,574	10,746	8,429
31	Connection Charges	0	68,150	28,358	164,934	0	0	0	0	0	0	0	0	0	0
32	Other Income	1,184	4,078	4,207	0	0	0	0	0	0	0	0	0	0	0
33	Interest and Other Expenses	(81,247)	(88,737)	(132,993)	(93,785)	(60,234)	(55,923)	(51,546)	(47,083)	(42,491)	(37,652)	(32,396)	(26,802)	(20,901)	(14,641)
34	Transfers in	0	42,799	0	0	0	0	0	0	0	0	0	0	0	0
35	Transfers out	(185,000)	(185,000)	(205,000)	(235,000)	(242,050)	(249,312)	(256,791)	(264,495)	(272,429)	(280,602)	(289,020)	(297,691)	(306,622)	(315,820)
36	Total non operating revenue (expenses)	(258,485)	(154,513)	(288,084)	(160,851)	(293,110)	(295,775)	(296,524)	(302,561)	(307,298)	(309,144)	(312,037)	(315,919)	(316,777)	(322,033)
37															
38	Net increase (decrease) in resources	105,825	278,191	371,310	623,817	505,780	570,083	587,674	636,579	616,222	650,334	699,495	764,066	773,065	842,459
39	Change in accounting principal		(100,236)												
40	**Ending net assets**	**2,060,270**	**2,238,225**	**2,609,535**	**3,233,352**	**3,739,131**	**4,309,215**	**4,896,889**	**5,533,468**	**6,149,690**	**6,800,024**	**7,499,519**	**8,263,585**	**9,036,650**	**9,879,109**

Water Fund **48**

		Actual			Budget	Projected									
		2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Rates Inflation				5.50%	5.00%	5.00%	5.00%	5.00%	5.00%	4.00%	4.00%	4.00%	4.00%	4.00%
2	Revenue growth assumption - non-usage					2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
3	Investment income yield				0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
4	Expense growth - general and administrative				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
5	Expense growth - contractual				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
6	Expense growth - non personnel				2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
7	MCES growth assumption														
8															
9	Beginning net assets	1,954,445	2,060,270	2,238,225	2,609,535	3,233,352	3,739,131	4,309,215	4,896,889	5,533,468	6,149,690	6,800,024	7,499,519	8,263,585	9,036,650
10															
41	CIP Funding														
42	Purchase of Capital Assets	(799,528)	(131,186)	(517,190)	(368,390)	(1,177,280)	(11,898)	(2,109,120)	(805,214)	(3,796,322)	(1,347,944)	(546,506)	(7,253)	(2,472,720)	(7,845)
43	Bond Proceeds	986,112	1,336,405	654,967	0	750,000	0	1,000,000	0	3,500,000	1,000,000	0	0	1,500,000	0
44	Bond P&I - Future - 15 yrs at 3.00%	0	0	0	0	0	0	0	0	0	0	0	0	0	0
45	Bond P&I - Future - 15 yrs at 3.00%	0	0	0	0		(62,825)	(62,825)	(62,825)	(62,825)	(62,825)	(62,825)	(62,825)	(62,825)	(62,825)
46	Bond P&I - Future - 15 yrs at 3.25%	0	0	0	0			0	0	0	0	0	0	0	0
47	Bond P&I - Future - 15 yrs at 3.50%	0	0	0	0				(86,825)	(86,825)	(86,825)	(86,825)	(86,825)	(86,825)	(86,825)
48	Bond P&I - Future - 15 yrs at 3.50%	0	0	0	0					0	0	0	0	0	0
49	Bond P&I - Future - 20 yrs at 3.75%	0	0	0	0						(251,867)	(251,867)	(251,867)	(251,867)	(251,867)
50	Bond P&I - Future - 20 yrs at 3.75%	0	0	0	0							(71,962)	(71,962)	(71,962)	(71,962)
51	Bond P&I - Future - 20 yrs at 3.75%	0	0	0	0								0	0	0
52	Bond P&I - Future - 20 yrs at 4.00%	0	0	0	0									0	0
53	Bond P&I - Future - 20 yrs at 4.00%	0	0	0	0										(110,373)
54	Bond P&I - Future - 20 yrs at 4.00%	0	0	0	0										
55	Bond Prin - Existing	(137,200)	(138,300)	(174,200)	(1,435,780)	(213,663)	(217,583)	(220,183)	(226,029)	(233,155)	(234,475)	(241,601)	(250,047)	(253,293)	(257,819)
56															
57	**Beginning Cash**	**545,242**	**965,329**	**2,270,964**	**2,852,283**	**1,834,844**	**1,892,026**	**2,362,448**	**1,803,365**	**1,524,554**	**1,822,058**	**1,875,825**	**1,714,764**	**2,149,262**	**1,685,866**
58	Add net operations (line 28)	364,310	432,704	659,394	784,668	798,890	865,858	884,198	939,140	923,520	959,478	1,011,532	1,079,985	1,089,842	1,164,492
59	Add back depreciation (line 25)	160,457	162,240	162,915	162,914	192,346	192,643	245,371	265,502	360,410	387,369	401,031	401,213	463,031	463,227
60	Add net non operating (line 35)	(258,485)	(154,513)	(288,084)	(160,851)	(293,110)	(295,775)	(296,524)	(302,561)	(307,298)	(309,144)	(312,037)	(315,919)	(316,777)	(322,033)
61	Add capital and bond (lines 41-47)	49,384	1,066,919	(36,423)	(1,804,170)	(640,943)	(292,306)	(1,392,128)	(1,180,893)	(679,127)	(983,937)	(1,261,587)	(730,780)	(1,699,492)	(849,516)
62	Net change in balance sheet items	104,421	(201,715)	83,517	0	0	0	0	0	0	0	0	0	0	0
63	**Ending Cash**	**965,329**	**2,270,964**	**2,852,283**	**1,834,844**	**1,892,026**	**2,362,448**	**1,803,365**	**1,524,554**	**1,822,058**	**1,875,825**	**1,714,764**	**2,149,262**	**1,685,866**	**2,142,036**
64	Other investments														
65	**Ending net assets**	**2,060,270**	**2,238,225**	**2,609,535**	**3,233,352**	**3,739,131**	**4,309,215**	**4,896,889**	**5,533,468**	**6,149,690**	**6,800,024**	**7,499,519**	**8,263,585**	**9,036,650**	**9,879,109**
66															
67	Target minimum working capital	1,160,812	1,261,793	2,434,198	1,136,229	1,246,754	1,264,447	1,425,085	1,467,993	1,832,050	1,954,216	1,992,696	2,012,795	2,206,447	2,086,066
68	Actual working capital-cash balance	965,329	2,270,964	2,852,283	1,834,844	1,892,026	2,362,448	1,803,365	1,524,554	1,822,058	1,875,825	1,714,764	2,149,262	1,685,866	2,142,036
69	Over (Under) target working capital	(195,483)	1,009,171	418,085	698,615	645,272	1,098,001	378,281	56,561	(9,992)	(78,392)	(277,933)	136,468	(520,581)	55,970


Water Fund
Projected Cash Balances
2,500,000
2,000,000
1,500,000
1,000,000
500,000
0
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
Target Working Capital
Actual Working Capital

City of North St. Paul, MN
Sanitary Sewer System
Capital Improvement Program

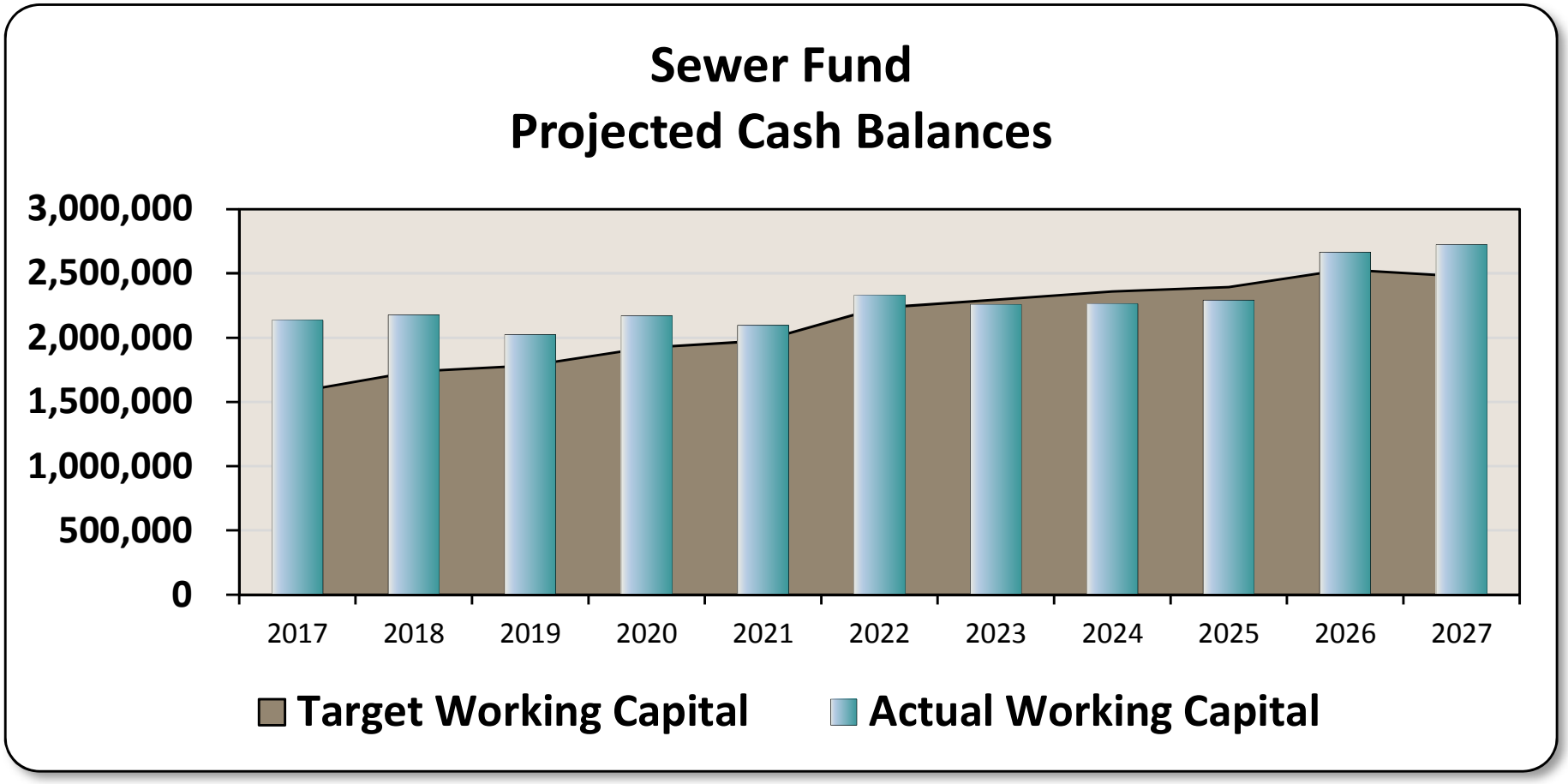
Projects	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
CAPITAL EQUIPMENT											
(Included in Operating Expenses)											
PROJECTS											
Street and Utility Improvements		844,800		484,000						359,000	
2018 CIP - Potential Add'l Alternate		0									
Utility Structure Remediation	11,000	11,000	11,000	11,000	5,300	5,300	5,300	5,300	5,300	5,300	5,300
Lift Station Rehab - Silver Lake											
Lift Station Rehab - Casey Lake											
Utility Projects - Sewer Upgrades	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
7th Ave. Reconstruction (Downtown Revitalization)						1,600,000					
Lift Station Rehab - 11th Ave											
Actual CIP (2017 Dollars)	**211,000**	**1,055,800**	**211,000**	**695,000**	**205,300**	**1,805,300**	**205,300**	**205,300**	**205,300**	**564,300**	**205,300**
Percent Inflation	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**	**4%**
Inflated Project Costs	**211,000**	**1,098,032**	**228,218**	**781,780**	**240,172**	**2,196,423**	**259,770**	**270,161**	**280,967**	**803,175**	**303,894**

Sewer Fund

		Actual			Budget	Projected									
		2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Rates Inflation				6.50%	6.50%	6.50%	6.50%	6.50%	6.50%	6.50%	6.00%	6.00%	4.00%	4.00%
2	Revenue growth assumption - non-usage					2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
3	Investment income yield				0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
4	Expense growth - general and administrative					3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
5	Expense growth - contractual					3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
6	Expense growth - non personnel					2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
7	MCES growth assumption					5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
8															
9	Beginning net assets	480,734	768,933	984,341	1,398,128	1,689,908	1,961,482	2,304,536	2,710,292	3,200,364	3,731,800	4,348,693	5,055,952	5,799,910	6,568,678
10															
11	Operating Revenues														
12	Water sales														
13	Sewer charges	1,634,448	1,733,290	1,898,075	1,942,945	2,102,673	2,239,346	2,384,904	2,539,923	2,705,018	2,867,319	3,039,358	3,160,932	3,287,369	3,418,864
14	Other services	19,207	36,526	13,437	30,000	0	0	0	0	0	0	0	0	0	0
15	Revenue Due to Growth	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16	Total Operating Revenues	1,653,655	1,769,816	1,911,512	1,972,945	2,102,673	2,239,346	2,384,904	2,539,923	2,705,018	2,867,319	3,039,358	3,160,932	3,287,369	3,418,864
17															
18	Operating Expenses														
19	Personal services	50,266	128,819	178,881	191,442	197,185	203,101	209,194	215,470	221,934	228,592	235,450	242,513	249,788	257,282
20	Professional Services	84,106	161,264	287,323	167,962	171,321	174,748	178,243	181,807	185,444	189,152	192,936	196,794	200,730	204,745
21	Purchased utilities (MCES)	790,766	848,551	835,649	917,006	962,856	1,010,999	1,061,549	1,114,627	1,170,358	1,228,876	1,290,320	1,354,836	1,422,577	1,493,706
22	Increased MCES due to growth	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	Materials and supplies	86,224	131,373	60,660	50,000	51,500	53,045	54,636	56,275	57,964	59,703	61,494	63,339	65,239	67,196
24	Equipment Replacement	0	0	0	62,340	64,210	66,137	68,121	70,164	72,269	74,437	76,670	78,970	81,340	83,780
25	Depreciation	148,457	113,889	106,296	106,295	133,746	139,451	158,996	165,000	219,911	226,405	233,159	240,183	260,262	267,860
26	Total Operating Expenses	1,159,819	1,383,896	1,468,809	1,495,045	1,580,819	1,647,480	1,730,738	1,803,343	1,927,879	2,007,165	2,090,028	2,176,635	2,279,936	2,374,568
27		160													
28	Net Operations	493,836	385,920	442,703	477,900	521,854	591,866	654,166	736,579	777,139	860,154	949,330	984,297	1,007,433	1,044,296
29	Non operating revenues (expenses)														
30	Interest income	12,501	9,124	22,590	8,000	10,676	10,886	10,117	10,855	10,479	11,651	11,295	11,318	11,462	13,328
31	Connection Charges	0	62,800	148,894	97,614	0	0	0	0	0	0	0	0	0	0
32	Other Income	19,944	7,907	115,383	0	0	0	0	0	0	0	0	0	0	0
33	Interest and Other Expenses	(113,082)	(116,839)	(170,783)	(126,734)	(91,005)	(84,650)	(78,227)	(71,654)	(64,902)	(57,893)	(50,437)	(42,640)	(34,839)	(27,011)
34	Transfers in	0	63,034	0	0	0	0	0	0	0	0	0	0	0	0
35	Transfers out	(125,000)	(125,000)	(145,000)	(165,000)	(169,950)	(175,049)	(180,300)	(185,709)	(191,280)	(197,019)	(202,929)	(209,017)	(215,288)	(221,746)
36	Total non operating revenue (expenses)	(205,637)	(98,974)	(28,916)	(186,120)	(250,279)	(248,813)	(248,410)	(246,507)	(245,702)	(243,261)	(242,071)	(240,340)	(238,665)	(235,429)
37															
38	Net increase (decrease) in resources	288,199	286,946	413,787	291,780	271,575	343,053	405,756	490,072	531,436	616,893	707,259	743,957	768,768	808,867
39	Change in accounting principal		(71,538)												
40	**Ending net assets**	**768,933**	**984,341**	**1,398,128**	**1,689,908**	**1,961,482**	**2,304,536**	**2,710,292**	**3,200,364**	**3,731,800**	**4,348,693**	**5,055,952**	**5,799,910**	**6,568,678**	**7,377,545**

Sewer Fund

		Actual			Budget	Projected									
		2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
1	Rates Inflation				6.50%	6.50%	6.50%	6.50%	6.50%	6.50%	6.50%	6.00%	6.00%	4.00%	4.00%
2	Revenue growth assumption - non-usage					2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
3	Investment income yield				0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
4	Expense growth - general and administrative					3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
5	Expense growth - contractual					3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
6	Expense growth - non personnel					2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
7	MCES growth assumption					5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
8															
9	Beginning net assets	480,734	768,933	984,341	1,398,128	1,689,908	1,961,482	2,304,536	2,710,292	3,200,364	3,731,800	4,348,693	5,055,952	5,799,910	6,568,678
10															
41	CIP Funding														
42	Purchase of Capital Assets	(620,340)	(190,219)	(2,011,086)	(331,949)	(1,098,032)	(228,218)	(781,780)	(240,172)	(2,196,423)	(259,770)	(270,161)	(280,967)	(803,175)	(303,894)
43	Bond Proceeds	776,960	2,105,051	2,455,545	0	1,050,000	0	775,000	0	2,175,000	0	0	0	800,000	0
44	Bond P&I - Future - 15 yrs at 3.00%	0	0	0	0	0	0	0	0	0	0	0	0	0	0
45	Bond P&I - Future - 15 yrs at 3.00%	0	0	0	0		(87,955)	(87,955)	(87,955)	(87,955)	(87,955)	(87,955)	(87,955)	(87,955)	(87,955)
46	Bond P&I - Future - 15 yrs at 3.25%	0	0	0	0			0	0	0	0	0	0	0	0
47	Bond P&I - Future - 15 yrs at 3.50%	0	0	0	0				(67,289)	(67,289)	(67,289)	(67,289)	(67,289)	(67,289)	(67,289)
48	Bond P&I - Future - 15 yrs at 3.50%	0	0	0	0					0	0	0	0	0	0
49	Bond P&I - Future - 20 yrs at 3.75%	0	0	0	0						(156,518)	(156,518)	(156,518)	(156,518)	(156,518)
50	Bond P&I - Future - 20 yrs at 3.75%	0	0	0	0							0	0	0	0
51	Bond P&I - Future - 20 yrs at 3.75%	0	0	0	0								0	0	0
52	Bond P&I - Future - 20 yrs at 4.00%	0	0	0	0									0	0
53	Bond P&I - Future - 20 yrs at 4.00%	0	0	0	0										(58,865)
54	Bond P&I - Future - 20 yrs at 4.00%	0	0	0	0										
55	Bond Prin - Existing	(126,700)	(1,018,200)	(230,600)	(1,289,710)	(315,292)	(320,076)	(322,376)	(334,878)	(340,395)	(342,879)	(353,996)	(362,598)	(340,799)	(344,616)
56															
57	**Beginning Cash**	**919,927**	**1,338,314**	**2,517,116**	**2,137,249**	**2,135,198**	**2,177,194**	**2,023,450**	**2,171,090**	**2,095,868**	**2,330,152**	**2,259,040**	**2,263,539**	**2,292,352**	**2,665,647**
58	Add net operations (line 28)	493,836	385,920	442,703	477,900	521,854	591,866	654,166	736,579	777,139	860,154	949,330	984,297	1,007,433	1,044,296
59	Add back depreciation (line 25)	148,457	113,889	106,296	106,295	133,746	139,451	158,996	165,000	219,911	226,405	233,159	240,183	260,262	267,860
60	Add net non operating (line 35)	(205,637)	(98,974)	(28,916)	(186,120)	(250,279)	(248,813)	(248,410)	(246,507)	(245,702)	(243,261)	(242,071)	(240,340)	(238,665)	(235,429)
61	Add capital and bond (lines 41-47)	29,920	896,632	213,859	(1,621,659)	(363,324)	(636,249)	(417,111)	(730,294)	(517,063)	(914,411)	(935,919)	(955,327)	(655,736)	(1,019,137)
62	Net change in balance sheet items	(48,189)	(118,665)	(1,113,809)	1,221,533	0	0	0	0	0	0	0	0	0	0
63	**Ending Cash**	**1,338,314**	**2,517,116**	**2,137,249**	**2,135,198**	**2,177,194**	**2,023,450**	**2,171,090**	**2,095,868**	**2,330,152**	**2,259,040**	**2,263,539**	**2,292,352**	**2,665,647**	**2,723,236**
64	Other investments														
65	**Ending net assets**	**768,933**	**984,341**	**1,398,128**	**1,689,908**	**1,961,482**	**2,304,536**	**2,710,292**	**3,200,364**	**3,731,800**	**4,348,693**	**5,055,952**	**5,799,910**	**6,568,678**	**7,377,545**
66															
67	Target minimum working capital	2,065,881	1,465,777	2,553,374	1,580,280	1,736,975	1,783,276	1,922,704	1,976,173	2,233,904	2,297,113	2,360,053	2,395,294	2,530,592	2,477,262
68	Actual working capital-cash balance	1,338,314	2,517,116	2,137,249	2,135,198	2,177,194	2,023,450	2,171,090	2,095,868	2,330,152	2,259,040	2,263,539	2,292,352	2,665,647	2,723,236
69	Over (Under) target working capital	(727,567)	1,051,339	(416,125)	554,918	440,220	240,174	248,386	119,695	96,249	(38,073)	(96,514)	(102,942)	135,055	245,975


Sewer Fund
Projected Cash Balances
3,000,000
2,500,000
2,000,000
1,500,000
1,000,000
500,000
0
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
Target Working Capital
Actual Working Capital

Projected Rates
City of North St. Paul, MN

Monthly Water Rates

	Existing		Proposed Monthly Rates			
	2016	2017	2018	2019	2020	2021
Rate Increase (%)		**5.50%**	**5.00%**	**5.00%**	**5.00%**	**5.00%**
Fixed Charges						
Residential						
Base Fee	9.94	10.49	11.01	11.56	12.14	12.74
Commercial						
Base Fee	19.89	20.98	22.03	23.13	24.29	25.50
Usage Rates						
Residential						
0-7,000	2.91	3.07	3.22	3.38	3.55	3.73
7,001-20K	3.81	4.02	4.22	4.43	4.65	4.89
>20,001	5.54	5.84	6.13	6.44	6.76	7.10
Commercial						
0-50,000	2.91	3.07	3.22	3.38	3.55	3.73
50,001-150K	3.81	4.02	4.22	4.43	4.65	4.89
>150,001	5.54	5.84	6.13	6.44	6.76	7.10

Monthly Wastewater Rates

	Existing		Proposed Monthly Rates			
	2016	2017	2018	2019	2020	2021
Rate Increase (%)		**6.50%**	**6.50%**	**6.50%**	**6.50%**	**6.50%**
Fixed Charges						
Residential						
Base Fee	27.06	28.82	30.69	32.69	34.81	37.07
Commercial						
Base Fee	54.08	57.60	61.34	65.33	69.58	74.10
Usage Rates						
All Users						
0-7,000	2.60	2.77	2.95	3.15	3.35	3.57
7,001-20K	2.94	3.13	3.34	3.55	3.78	4.03
>20,001	3.29	3.50	3.73	3.97	4.23	4.50

Sample Bill: Impact Analysis
City of North St. Paul, MN

	Existing		Proposed Monthly Bills			
	2016	2017	2018	2019	2020	2021
Utility Rates						
NSP Residential Property						
Water (8,000 gallons/month)	$ 34.12	$ 36.00	$ 37.79	$ 39.68	$ 41.67	$ 43.75
Sewer (5,000 gallons/month)	40.08	42.69	45.46	48.41	51.56	54.91
Total Monthly Utility Bill	$ 74.20	$ 78.68	$ 83.25	$ 88.10	$ 93.23	$ 98.67
$ Increase/(Decrease)		$ 4.48	$ 4.57	$ 4.84	$ 5.13	$ 5.43
Total Annual Utility Bills	**$ 890.38**	**$ 944.16**	**$ 999.06**	**$ 1,057.19**	**$ 1,118.76**	**$ 1,183.98**
$ Increase		**53.78**	**54.89**	**58.14**	**61.57**	**65.22**
% Increase		**6.0%**	**5.8%**	**5.8%**	**5.8%**	**5.8%**
Commercial Property						
Water (35,000 gallons/month)	$ 121.74	$ 128.43	$ 134.85	$ 141.60	$ 148.68	$ 156.11
Sewer (35,000 gallons/month)	159.84	170.24	181.31	193.09	205.64	219.01
Total Monthly Utility Bill	$ 281.58	$ 298.67	$ 316.16	$ 334.69	$ 354.32	$ 375.12
$ Increase/(Decrease)		$ 17.09	$ 17.49	$ 18.53	$ 19.63	$ 20.80
Total Annual Utility Bills	**$ 3,378.96**	**$ 3,584.07**	**$ 3,793.92**	**$ 4,016.25**	**$ 4,251.82**	**$ 4,501.42**
$ Increase		**205.11**	**209.85**	**222.33**	**235.57**	**249.61**
% Increase		**6.1%**	**5.9%**	**5.9%**	**5.9%**	**5.9%**

NORTH ST. PAUL
extraordinary.

Surface Water Utility Report

AUGUST 2017

WSB PROJECT NO. 1887-52

WSB

Table of Contents

Executive Summary **1**

Summary of Need 1

Database Review 1

Impact of Changes 1

Summary of Need **2**

Current Calculation of Charges **3**

Review of Stormwater Utility Calculation Methods **4**

Hydrology and Utility Factors 4

Updates to Billing Database 5

Determination of Charge by Estimated Costs 5

Determination of Rate Reductions 6

Using Percent Impervious for Calculations **7**

Other Changes to the Stormwater Utility **8**

Future Stormwater Utility Revenue Needs **9**

Schedule of Revisions to the North St. Paul Stormwater Utility **11**

Conclusions and Recommendations **12**

Executive Summary

Summary of Need

These factors warrant an update and of North St. Paul's Surface Water Utility:

1. **Timing:** Rates and the methods of determining these should be reviewed every few years.
2. **2017 Flood Control Assessment:** North St. Paul has prepared a Flood Control Assessment to address recurring flooding. Recommendations from the study will lead to a substantial increase in stormwater infrastructure expenditures for many years. A stable funding source is needed.
3. **Updates to Billing Database:** North St. Paul's billing database does not include all the formulas and assumptions to show how the charge is calculated. Neither does it use Ramsey County's GIS database. As part of the effort summarized here, the entire billing database has been expanded to include all the detail necessary to understand the basis of any individual property's charge.

Database Review

There are several areas the database that were reviewed:

Hydrology and Utility Factors: The North St. Paul Stormwater Utility is based on sound hydrologic concepts but the charge is not directly commensurate with a property's generation of runoff and thus its use of the system. The recommended change to a percent impervious method of calculation resolves this issue.

Updates to Billing Database: North St. Paul's database does not integrate with Ramsey County GIS parcel data. A database with GIS functionality would allow the City to manage the surface water utility more effectively.

Determination of Charge by Estimated Cost: A surface water utility should be tied directly to capital improvement plans and the stormwater operation and maintenance budget. Based on the recommendations of the 2017 Flood Control Assessment, the City will need to increase revenue to fund its stormwater capital improvements to alleviate flooding.

Determination of Rate Reductions: The current surface water utility ordinance and supporting materials do not identify a method for evaluating potential stormwater utility rate reductions or credits. Rate reductions occur when existing properties retrofit stormwater management which is a benefit to the entire City. Since credits have the potential to disrupt expected revenue, it is recommended that any credits given be implemented over a five-year period with 20 percent of full credit added each year.

Impact of Changes

The recommended changes will occur over a number of years and are summarized by year:

- 2017 Changes
  - Increase unit charge from $8.27 in 2016 to $8.97 for 2017, an 8.5% increase.
- 2017 Activities
  - Review unbilled properties and apply charges as warranted.
  - Finalize credit system.
  - Desk top review of largest accounts to determine percent impervious.
  - Review current ordinance, revise to support surface water utility changes.
- 2018 Changes
  - Townhomes and double homes become equivalent to single family base case.
  - Charges based on parcel area obtained from Ramsey County GIS.

    - Increase unit charge from $8.97 to $9.73, an 8.5% increase.
    - Move to percent impervious method.
- 2019 Changes
    - Increase unit charge from $9.73 to $10.56, an 8.5% increase.
- 2019 Activities
    - Revise Stormwater Capital Improvement Plan to reflect current priorities and potential funding sources.

Table EX-1 shows the impact of these changes on some actual properties within North St. Paul.

Table EX-1 – Current and Future Stormwater Utility Charges

Land Use	Area (ac)	Monthly Charge (2017 $)				
		2016	2017	2018	2019	2026
Single Family Residential	NA	$8.27	$8.97	$9.73	$10.56	$19.87
Townhome	NA	$5.62 to $10.59	$6.10 to $11.49	$9.73	$10.56	$19.87
Church at 40% Impervious	6.85	$177.47	$192.50	$243.32[a]	$264.00	$496.76
Church at 75% Impervious	5.87	$491.82	$533.45	$533.45	$575.01	$1,081
Church at 80% Impervious	3.78	$346.51	$375.84	$376.18[b]	$408.15	$768.97
Commercial @ 90% Impervious	2.14	$229.08	$248.47	$253.30	$274.83	$517.15
Industrial @ 100% Impervious	1.74	$137.61	$149.26	$240.29[c]	$260.72	$490.59
School @ 40% Impervious[d]	7.96	$667.14	$723.61	$723.61	$723.61	$723.61

a. 2018 begin using Ramsey County GIS parcel area. Not known if previous charge was due to mistaken area, unspecified credits or other unknown assumption.
b. Coincidentally, decrease in rate due to using Ramsey County GIS parcel data exactly offset by rate increase.
c. Now charged according to percent impervious and not “industrial” category from Attachment G, leading to an increase in the charge.
d. Now charge according to percent impervious and not “churches/schools” category from Attachment G, leading to no increase for this particular school over the funding cycle.

Summary of Need

North St. Paul City Ordinances Section §56.04 establish a surface water utility to be operated as a public utility as defined in Minnesota Statutes §444.075. North St. Paul maintains a surface water utility to fund its stormwater management program and currently uses the utility revenue for street sweeping, maintenance, construction, and reconstruction of the stormwater system. In the future, the City will spend more money on flood control projects for existing areas as it implements its long-term Flood Control Capital Improvement Plan.

The City charges utility customers according to their contribution of runoff volume, runoff rate, and runoff pollution to the municipal stormwater system. The relationship between impervious surface and volume, rate, and pollution is well established. Impervious surface coverage can be used as a surrogate for these

parameters. Historically, North St. Paul has determined its charge based on land use, which was assumed to reflect impervious coverage. With the advent of advanced mapping and land data management software, the City can now calculate impervious coverage directly. The City should shift the basis of its charge from land use categories (within which impervious coverage and runoff can be highly variable) to impervious, which more closely calculates the actual runoff variability of different properties.

These factors warrant an update and of North St. Paul's stormwater utility:

1. **Timing:** Rates and the methods of determining these should be reviewed every few years.
2. **2017 Flood Control Assessment:** North St. Paul has prepared a Flood Control Assessment to address recurring flooding. Recommendations from the study will lead to a substantial increase in stormwater infrastructure expenditures for many years. A stable funding source is needed.
3. **Updates to Billing Database:** North St. Paul's billing database does not include all the formulas and assumptions to show how the charge is calculated. Neither does it use Ramey County's GIS database. As part of the effort summarized here, the entire billing database has been expanded to include all the detail necessary to understand the basis of any individual property's charge.

Current Calculation of Charges

North St. Paul ordinance does not define the basis of the surface water utility charge which, in most municipal stormwater utilities, relies on the concept of the Residential Equivalency Factor (REF). One REF is most commonly defined as the runoff generated by a typical, single-family residential lot. North St. Paul's utility considers this lot to be one-quarter acre in size and have 40 percent impervious coverage.

In practice, North St. Paul uses different terminology:

- Utility factor: dimensionless ratio of runoff from a landuse to the residential base case. Runoff from a two-inch rainfall is used for this ratio.
- Use factor: Utility factor multiplied by four to convert base case quarter-acre lot size to a per acre basis. Equivalent to the more commonly use term REFs/acre.
- Billing factor: Use factor multiplied by the parcel area. Equivalent to the more commonly used term REFs or REFs per parcel.
- Bill amount: Billing factor multiplied by the current unit billing rate, which in 2016 was $8.27 per month. Attachment G from the North St. Paul Storm Water Utility is presented here as **Table 1**.

Table 1 – Attachment G from North St. Paul Stormwater Utility

								REVISED 12/19/2006		
PROPERTY ZONING	LOT SIZE (ACRE)	CN	RUNOFF (INCHES)	AREA (ACRES)	RUNOFF VOLUME (AC.in)	TOTAL % RUNOFF	UTILITY FACTOR (1)	MONTHLY COSTS TOTAL (2) (4)	PER ACRE (3)	PER LOT
SF RES	0.25	75	0.38	793	302.10	48.4%	1	$16,973	$21.40	$5.35
TOWNHOMES		85	0.80	24	19.08	3.1%	2.09	$1,072	$44.67	NA
APARTMENTS		88	0.97	47	45.37	7.3%	2.53	$2,549	$54.23	NA
COMMERCIAL		92	1.24	83	102.67	16.5%	3.25	$5,769	$69.50	NA
INDUSTRIAL		88	0.97	51	49.23	7.9%	2.53	$2,766	$54.23	NA
CHURCHES/SCHOOLS		88	0.97	84	81.08	13.0%	2.53	$4,555	$54.23	NA
PARKS		69	0.22	87	18.87	3.0%	0.57	$1,060	$12.18	NA
OPEN SPACE				80					EXEMPT	
STREETS AND LAKES				660					EXEMPT	
PARKING LOTS		98	1.77	3	5.32	0.9%	4.66	$299	$99.69	NA
UNDEVELOPED				111					EXEMPT	
TOTAL				2023	623.72	100.0%		$35,043		
								$420,510	ANNUAL REVENUE	

(1) UTILITY FACTOR IS RUNOFF (INCHES) DIVIDED BY RUNOFF (INCHES) FOR SINGLE FAMILY RESIDENTIAL
(2) TOTAL QUARTERLY COST FOR SINGLE FAMILY RESIDENTIAL IS A PERCENTAGE OF THE TOTAL QUARTERLY REVENUE EQUAL TO THE PERCENTAGE OF TOTAL RUNOFF
(3) COST PER ACRE IS PER ACRE COST FOR SINGLE FAMILY RESIDENTIAL MULTIPLIED BY UTILITY FACTOR
(4) TOTAL QUARTERLY COSTS FOR PROPERTIES OTHER THAN SINGLE FAMILY RESIDENTIAL EQUAL COST PER ACRE TIMES TOTAL ACRES

Table 2 shows the ratio of charges to the residential base case in the City's current utility.

Table 2 – Stormwater Utility Land Uses and REF

Land Uses	Use Factor	REFs/Ac
Single Family Residential	1.00	4.00
Townhomes	2.09	8.36
Apartments, Industrial, Church, School	2.53	10.12
Commercial	3.25	13.00
Parks	0.57	2.28
Parking lots	4.66	18.64

One acre of townhomes is charge 8.36 times more than a single-family lot. One acre of parking lot is charged 18.64 times more than a single-family lot. One acre of single family residential (assuming quarter-acre lots) is by definition charge four times more than a single-family lot. The City assumes that a single family residential property totals one REF regardless of its size which is standard practice among Twin Cities communities.

Review of Stormwater Utility Calculation Methods

This section evaluates the current calculation methods, whether they are technically sound and represent best available methods.

Hydrology and Utility Factors

The hydrologic method that generates the **Table 2** ratios is the Curve Number (CN) of Attachment G (**Table 1**). CN describes an area's generation of runoff based upon its land use. While generally

accepted for area analysis, CN does work as well on a parcel basis due to the wide variability of impervious coverage often found on parcels of the same land use.

The current methods are justified in that they are based on sound hydrologic concepts. However, the methods do not reflect the specific hydrology of the parcel being charged. With the current availability of digital geographic information and aerial photos, actual impervious percentage can be determined easily and accurately. It is recommended that North St. Paul convert its surface water utility to a percent impervious basis.

Updates to Billing Database

The surface water utility database should include all assumptions and all calculations.

The current North St. Paul database provides:

1. Account number
2. Billing name and address
3. Billing Factor and total charge

A complete database should also include the following items:

1. Property identification number (PIN or PID)
2. County land use designation and City zoning
3. Site address and billing address List the Utility Factor based on a designated land use
4. Multiply the Utility Factor by four to obtain the Use Factor
5. Present the parcel area
6. Multiply Use Factor by the parcel area to obtain the Billing Factor
7. Multiply the Billing Factor by the Billing Rate to obtain the total stormwater utility bill
8. Include credits toward the charge in the database

And expanded, GIS-compatible, database would allow the City to manage the stormwater utility more effectively.

Determination of Charge by Estimated Costs

The surface water utility should be directly tied capital improvement plans and the annual stormwater operation and maintenance budget.

The surface water operation and maintenance budget includes the following:

1. Storm system maintenance and repair, including pond dredging and outfall repairs
2. Maintenance staff salaries and equipment
3. Stormwater compliance costs including costs for preparing permit related items, whether by staff or consultants
4. Stormwater education and public outreach

A stormwater capital improvement plan would typically consist of the following:

1. Storm sewer, pond, and flood control improvements at a neighborhood scale
2. Water quality retrofits to existing properties
3. Cost participation with other entities for flood control or water quality improvements
4. Storm sewer infrastructure upgrades and replacements
5. Legal, design, and other services to support the above

As part of its 2017 Flood Control Assessment, North St. Paul developed its Flood Control Capital Improvement Plan to address widespread and frequent flooding within the community. The plan consists

of a number of projects that will be partially funded by local money obtained through the surface water utility charges. Since the flood improvements occur throughout the City and the benefits of these improvements accrue for the City as a whole, the local funding need will be spread across the entire utility.

Determination of Rate Reductions

The current surface water utility ordinance and supporting materials do not identify a method for evaluating potential rate reductions. An existing property that retrofits a pond or other stormwater management practice to control its discharge rate and water quality uses the stormwater system to a lesser extent than a parcel of similar size and impervious percentage that does not implement these practices. There should be a rate reduction to reflect this reduced use of the system and to encourage this behavior.

Rate reductions should not be given for stormwater management required by State permits, watershed rules, or City ordinance. Rate reductions should be given for voluntary implementation only.

The following represents a rate reduction framework for consideration by North St. Paul staff and city council:

Residential Rain Garden Credit

Application: Single family residential lots

Criteria: Ability to hold, on site, one inch of runoff from the site's impervious surface

Rate Reduction: 35 percent for holding the full inch, proportional for holding less

Practices: Rain gardens, turf depressions, rain barrels/cisterns

Water Quality Credit

Application: Non-residential properties

Criteria: Ability to retain, on site, one inch of runoff from the site's impervious surface

Rate Reduction: 35 percent for retaining the full inch, proportional for retaining less

Practices: Rain gardens, depressed landscape features, filtration basins, filter swales, permeable pavements

Flood Control Credit

Application: Non-residential properties

Criteria: Current impervious area 50 percent or less, Q_{100} < 1.1 cfs/acre

Current impervious area 50 to 70 percent, Q_{100} < 1.6 cfs/acre

Current impervious area > 70%, Q_{100} < 2.1 cfs/acre

Rate Reduction: 50 percent for achieving criteria above, 25 percentage for up to two times the Q_{100} criteria above.

Practices: Flood control ponds, underground tanks, depressed landscape features including large rain gardens

Only privately owned stormwater practices should be eligible. The maximum rate reduction available to any one property should be capped at 50 percent.

The City has already identified 11 residential stormwater utility accounts that realize a rate reduction due to residential rain gardens. These could be evaluated as to the ability to hold one inch and an appropriate rate reduction calculated.

Development projects that have mandated stormwater management should be encouraged to oversize their systems to achieve the flood control credit. In these cases, the City might share in project capital costs and/or offer the credit on the surface water utility. Since rate reductions have the potential to disrupt expected revenue, it is recommended that any credits given be implemented over a five-year period with 20 percent of the full credit added each year.

Using Percent Impervious for Calculations

As noted above, North St. Paul currently uses a CN method to determine a parcel's hydrology and thus its surface water utility charge. The CN method is appropriate for large areas but does not account for the variability of impervious surface among parcels within the same zoning category. The percent impervious method accounts for this potential variability and thus represents a more exact determination of a property's use of the stormwater system.

Table 3 shows runoff depths for the 1-year rainfall for five typical land uses. The 1-year rainfall of 2.4 inches is chosen as the rainfall event for the surface water utility because it is a widely accepted design event that comes closest to the 2.0 inch rainfall currently used by the stormwater utility (Attachment G). **Table 4** converts the runoff depths to ratios where the residential example becomes the base case. The **Table 4** ratios would replace the utility factors of Attachment G.

Table 3 – Runoff Depths for the 1-year Rainfall

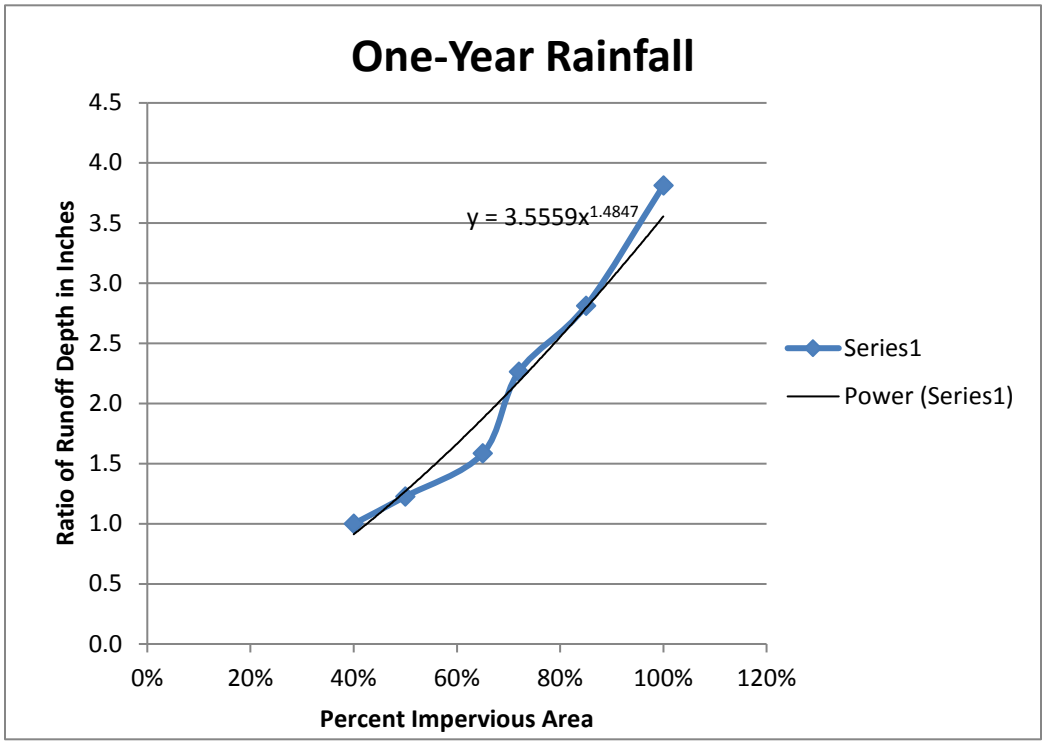
% Impervious	Typical of	1-year	
		Q	Volume
		(cfs)	(in)
40%	NSP single family	0.84	0.53
50%	Churches and Schools	1.06	0.65
65%	Medium Density Residential	1.39	0.84
72%	Commercial and Industrial	1.96	1.20
85%	Commercial and Industrial	2.38	1.49
100%	Urban District Commercial	2.92	2.02

Table 4 – Revised Utility Factors Using Percent Impervious

% Impervious	Typical of	1-year	
		Q	Volume
		Ratio to Basis	
40%	NSP single family	1.0	1.0
50%	Churches and Schools	1.3	1.2
65%	Medium Density Residential	1.7	1.6
72%	Commercial and Industrial	2.3	2.3
85%	Commercial and Industrial	2.8	2.8
100%	Urban District Commercial	3.5	3.8

Chart 1 shows the relationship between percent impervious and the ratio of runoff depth to the single-family base case from **Table 4**.

Chart 1 – 1-year Rainfall Runoff versus Percent Impervious



The equation $y=3.5559x^{1.4847}$ would be used in the billing database to determine Use Factor based on a parcel's impervious percentage.

Other Changes to the Surface Water Utility

In addition to a transition to percent impervious, two other changes to the surface water utility are recommended.

The current utility calculates the rate for townhomes and double homes using a utility factor from Attachment G (**Table 1**). These properties tend to be smaller than single family dwellings on a unit basis but they also tend to be more impervious. In effect, these two factors cancel each other and the current utility shows that charges on townhomes vary from 25 percent less to 25 percent more than single family

homes. Recognizing this, many cities charge townhomes as a single base unit equivalent to the single-family base case. This strategy simplifies the utility and does not affect revenue in a significant way and is recommended for North St. Paul going forward.

There are also a number of properties that are currently not billed. These have been identified and sorted within the database. Some the unbilled properties are publicly owned. Among publicly-owned properties, rights-of-way should be exempt but all others should pay a charge. A portion the unbilled properties appear to be undeveloped as they have no assigned addressed. These undeveloped properties and the remaining unbilled properties having an address should be reviewed by City staff and added to the billing database as appropriate.

Future Surface Water Utility Revenue Needs

The methodology and calculations detailed above determine how the surface water utility revenue need is spread among the City's properties. The revenue need is determined by the City's annual operations and maintenance budget, Flood Control Capital Improvement Plan, Streets Capital Improvement Plan, and Special Projects.

Annual operations and maintenance include costs for personnel, supplies, services, minor capital improvements and repairs, pond dredging, and debt service. The annual operations and maintenance expenditure is projected to be $630,000 in 2017 and $672,000 in 2018. Added to this is debt service of $162,000 in 2017 and $198,000 in 2018.

The Flood Control Capital Improvement Plan constitutes a major commitment by the City toward reducing flooding in certain parts of the City. The overall program constitutes a $10.8 million commitment over many years to flood control projects. The City hopes to obtain financial assistance with a number for these projects, but can still expect to expend a significant portion of its own funds on these improvements. Grant programs change and the local match is variable depending on grant program; however, it would be reasonable to assume that North St. Paul must provide 50 percent of the money for its flood control program. Not considering interest, this is at least a $268,000 annual commitment by the City for flood control, assuming a 20-year implementation schedule.

The Streets Capital Improvement Plan includes improvements to the City's storm sewer system. The worst-case scenario expenditure for this 10-year program is on $3.14 million on storm sewer improvements. This cost includes a small amount of potential overlap with the Flood Control CIP. At present, the City plans to fund this commitment through bonding and the general levy, not through utility rates.

Special projects include potential items such as an alum treatment for Silver Lake or other water quality improvements. These projects are not fully developed at this time. The line item for these serves as a placeholder for these projects as they emerge.

The City increased the surface water utility rates by 8.5 percent for 2017. In order to fund the obligations described above, it is recommended that this rate of increase continue until the entire program has adequate funding. **Table 5** presents the needs for each the four components and compares them to recommended stormwater utility funding.

Table 5 – Surface Water Utility Projected Revenue and Expenditures

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Revenue	702,805	762,543	827,360	897,685	973,988	1,056,777	1,146,604	1,244,065	1,349,810	1,464,544
Op. & Maint.[1]	630,000	672,000	688,800	706,020	723,671	741,762	760,306	779,314	798,797	818,767
Debt Service[2]	162,000	182,000	262,000	262,000	262,000	262,000	262,000	262,000	262,000	262,000
Flood Control CIP	0	268,250	268,250	268,250	268,250	268,250	268,250	268,250	268,250	268,250
Streets CIP[3]	0	0	0	0	0	0	0	0	0	0
Special Projects[4]	0	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Total Expenditure	792,000	1,172,250	1,269,050	1,286,270	1,303,921	1,322,012	1,340,556	1,359,564	1,379,047	1,399,017
Surplus (Shortfall)	(89,195)	(409,707)	(441,690)	(388,585)	(329,932)	(265,235)	(193,953)	(115,499)	(29,236)	65,527

1 Assumed annual increase of 2.5% due to deferred maintenance
2 2019 Increase reflects bonding to fund City portion of FCCIP
3 Currently assumed to be funded through the levy
4 Strictly assumed, no specific projects identified

The City currently consists of 6,142 REFs. The annual 8.5% increases lead to a 2026 charge of $19.87 per REF (single family residential home) in 2026. This assumes that 50% of the FCCIP is funded by other sources such as State bonding and grants.

Schedule of Revisions to the North St. Paul Surface Water Utility

The following changes are recommended to the surface water utility:

- 2017 Changes
  - Increase unit charge from $8.27 in 2016 to $8.97 for 2017, an 8.5% increase.
- 2017 Activities: Review unbilled properties and apply charges as warranted.
  - Finalize rate reductions for private stormwater implementation.
  - Desk top review of largest accounts to determine percent impervious.
  - Review current ordinance, revise to support surface water utility changes.
- 2018 Changes
  - Townhomes and double homes become equivalent to single family base case.
  - Charges based on parcel area obtained from Ramsey County GIS.
  - Increase unit charge from $8.97 to $9.73, an 8.5% increase.
  - Move to percent impervious method.
- 2019 Changes
  - Increase unit charge from $9.73 to $10.56, an 8.5% increase.
- 2019 Activities
  - Revise Stormwater Capital Improvement Plan to reflect current priorities and potential funding sources.

Table 6 shows the impact these changes will have on different properties. These are actual properties in North St. Paul.

Table 6 – Current and Future Surface Water Utility Charges

Land Use	Area (ac)	Monthly Charge (2017 $)				
		2016	2017	2018	2019	2026
Single Family Residential	NA	$8.27	$8.97	$9.73	$10.56	$19.87
Townhome	NA	$5.62 to $10.59	$6.10 to $11.49	$9.73	$10.56	$19.87
Church at 40% Impervious	6.85	$177.47	$192.50	$243.32[a]	$264.00	$496.76
Church at 75% Impervious	5.87	$491.82	$533.45	$533.45	$575.01	$1,081
Church at 80% Impervious	3.78	$346.51	$375.84	$376.18[b]	$408.15	$768.97
Commercial @ 90% Impervious	2.14	$229.08	$248.47	$253.30	$274.83	$517.15
Industrial @ 100% Impervious	1.74	$137.61	$149.26	$240.29[c]	$260.72	$490.59
School @ 40% Impervious[d]	7.96	$667.14	$723.61	$723.61	$723.61	$723.61

a. 2018 begin using Ramsey County GIS parcel area. Not known if previous charge was due to mistaken area, unspecified credits or other unknown assumption.
b. Coincidentally, decrease in rate due to using Ramsey County GIS parcel data exactly offset by rate increase.
c. Now charged according to percent impervious and not “industrial” category from Attachment G, leading to an increase in the charge.
d. Now charge according to percent impervious and not “churches/schools” category from Attachment G, leading to no increase for this particular school over the funding cycle.

The following is a sample calculation for how these charges area derived using the Land Use “80% Impervious Church” and the $19.87 for 2026:

Use Factor = 2.6 (generates 2.6 times more runoff per acre than the base case of 40 percent impervious, derived from **Chart 1**)

REFs/Ac = 2.6 x 4 REFs/Ac = 10.2 REFs/Ac (base case is a quarter-acre lot, converts this to one acre)

REFS = 3.78 Ac x 10.2 REFs/Ac = 38.7 REFs

Charge = 38.7 REFs x $19.87/REF = $768.97

Conclusions and Recommendations

The review of North St. Paul’s surface water utility leads to the following conclusions:

1. Current revenue is not adequate to fully fund the Flood Control Capital Improvement Plan.
2. While based on sound hydrologic methods, the current utility calculations do not consider the unique runoff generation of individual properties and are thus not considered commensurate with each parcel’s use of the system.
3. The current database does not show how the utility charge is derived only its result. This creates discrepancies when the City moves to using the Ramsey County GIS parcel data.
4. The current stormwater utility does not have a credit system to encourage property owners to implement stormwater management.

We have the following recommendations related to these conclusions:

1. The City should increase the surface water utility rate over a number of years to generate utility revenue adequate to fund the Flood Control Capital Improvement plan.
2. The City should charge all single family residential, townhome, and double homes with distinct addresses as one REF.
3. The City should move to a percent impervious method in 2018.
4. The City should use Ramsey County GIS parcel data and a more comprehensive database for billing beginning in 2018.
5. The City Council should consider and implement a credit system for stormwater management in 2018.
6. The Surface Water Utility ordinance should be updated to reflect the changes implemented due to this report.

NORTH ST. PAUL
extraordinary.

Agenda Information Memorandum

To	Date
Honorable Mayor Furlong and City Council	June 15, 2021

Agenda Placement # IV.C

Topic(s)

Subject

City Manager Operational Updates

Background/Facts

Recommendation:

Attachments

None

Respectfully submitted,