

**CITY OF NORTH ST. PAUL PLANNING COMMISSION**  
**REGULAR MEETING AGENDA**  
**THURSDAY, May 6th, 2021**  
**6:30 PM**

North St. Paul City Hall – Council Chambers  
2400 Margaret Street

The City of North St. Paul has moved all of its public meetings online effective August 4, 2020. The move to online meeting access via Zoom ensures compliance with the Governor’s Emergency Executive Order and face covering mandate while providing our City Council members, staff and residents with safe and comfortable access to public meetings. Access information and links to meetings are available at northstpaul.org. This change to online meeting access will remain in effect until further notice. (Stat. 13D.02 subd. 4)

The May 6<sup>th</sup> Zoom meeting can be accessed [HERE](#) or via:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87556902183?pwd=d2VMK0dBUG5YV2J5SkILd0dJi9XZz09>

Passcode: 617033

Or Telephone:

Dial:

US: +1 301 715 8592 or +1 312 626 6799

Webinar ID: 875 5690 2183

Passcode: 617033

The Planning Commission 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**

COMMISSION

Elaine Barton, Commission Chair

Patrick Blees, Commissioner

Erik Brenna, Commissioner

Rick Gelbmann, Commissioner

John Monge, Commission Vice-Chair

Lisa Wong, Commission City Council Liaison

Andrew Wise, Commissioner

Allan Worm, Commissioner

STAFF

Eric Zweber, Planning Consultant

Lisa Ritchie, Planning Secretary

**III. ADOPT AGENDA**

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North St. Paul Planning Commission Agenda

May 6<sup>th</sup>, 2021

**IV. APPROVAL OF MINUTES**

- A. April 1, 2021 Regular Planning Commission Meeting Minutes.

**V. MEETING OPEN TO THE PUBLIC**

*Note: This is a courtesy extended to persons wishing to address the Commission concerning issues that are not on the agenda. This discussion will be limited to 15 minutes.*

**VI. PUBLIC HEARING**

- A. ZVA-21-3 Variance to Construct a Screen Porch within the Shoreland Setback at 2612 Swan Ave  
E.  
B. ZHO-21-1 Interim Use Home Occupation Permit for Bradley Plumbing

**VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS**

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

**VIII. OLD BUSINESS**

- A. None.

**IX. REPORTS FROM STAFF**

**X. REPORTS FROM COUNCIL LIASION**

**XI. REPORTS FROM COMMISSIONERS**

**XII. ADJOURNMENT**

**The next regularly scheduled Planning Commission Meeting is Thursday, June 3<sup>rd</sup>, 2021 at 6:30 p.m.**

If Planning Commissioners have any questions or know that they will not be able to attend the meeting, please contact Lisa Ritchie at [lisa.ritchie@northstpaul.org](mailto:lisa.ritchie@northstpaul.org) or 651-747-2440

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

**I. CALL TO ORDER**

Chair Barton called the meeting to order at 6:30 p.m. The meeting was conducted via Zoom.

**II. ROLL CALL**

COMMISSION

Elaine Barton, Commission Chair

Patrick Blees, Commissioner

Erik Brenna, Commissioner **EXCUSED ABSENT**

Rick Gelbmann, Commissioner

John Monge, Commission Vice Chair

Lisa Wong, Commission City Council Liaison

Andrew Wise, Commissioner

Allan Worm, Commissioner

STAFF

Eric Zweber, Planning Consultant

Planning Secretary Lisa Ritchie

**III. ADOPT AGENDA**

Motion to adopt agenda by Commissioner Gelbmann, and seconded by Commissioner Monge, with all present voting aye (6-0). Motion carried to adopt the April 1, 2021 Agenda.

**IV. APPROVAL OF MINUTES**

Motion to approve Minutes by Commissioner Worm, and seconded by Commissioner Blees, with all present voting aye (6-0). Motion carried to approve the March 4, 2021 regular meeting minutes as submitted.

**V. MEETING OPEN TO THE PUBLIC**

John Schmahl, 2750 Chisholm Avenue, stated CivicPlus notes that there are previous versions of tonight's meeting agenda. He added he has suggested to the City Council that any agenda update should be noted and highlighted, to make it easier to find. He noted the City Council has adopted that practice, and agenda changes are mentioned on CivicPlus. He suggested strongly that the Planning Commission should do the same. He noted he would prefer it changes were made in red.

Chair Barton asked whether that change can be made. Planning Secretary Lisa Ritchie confirmed this.

## VI. PUBLIC HEARINGS

### A. ZCU-21-2 Conditional Use Permit to Construct a Security Entrance and Addition for Administrative Offices at Cowern Elementary School at 2131 Margaret Street N.

City Planner Eric Zweber reviewed a Conditional Use Permit Request for Cowern Elementary School to amend the existing CUP which was approved in 2004. The proposal is for a 1,750 square foot addition to the east side of the building. Proposed conditions of approval include a more secure vestibule addition; location of the principal's office and nurse's office to the front of the building; and an exterior window in the reception area. The current office location will be remodeled into working space for teachers. The proposal meets all R-1 building standards, and no setback reductions are proposed. City Staff have requested that two trees will be relocated.

Mr. Zweber stated parking will be addressed as part of the proposed project, as the three parking lots that serve the school are in various conditions. The south Avenue parking lot is deficient, and the school-owned property on Margaret Street, previously a house and driveway, has paved areas and gravel. City Staff are proposing that the property be improved and striped.

Mr. Zweber stated a variance is not necessary as the property is an existing legal nonconforming use. The number of classrooms will not be increased, and no changes to site lighting is proposed. Conditions of approval include submission of plans; relocation of 2 trees; parking improvements; permits; information regarding water usage for potential SAC charges; and comments in the engineer's memo to be addressed.

Commissioner Blees stated there appears to be a new sanitary sewer connection. Mr. Zweber stated there is a storm sewer connection to the building that will be relocated.

Chair Barton asked who uses the South Avenue parking lot. Mr. Zweber stated that lot is used for staff parking, general public parking, and bus drop off and pick up.

Chair Barton asked what whether the South Avenue lot is striped. Mr. Zweber stated it will be necessary to restripe the parking lot. He added the intention is for a total of 60 parking spaces in all three locations.

Sal Bagley, Wold Architects, introduced herself and her colleague, Sean Kelly, as well as Mike Boland from the School District. Ms. Bagley stated there are approximately 55 parking spaces, counting footage in the gravel area. She added they are working with City Staff to reach the target of 60 parking spaces. She noted the northernmost lot might be able to hold more cars if it were striped differently.

Chair Barton opened public hearing at 6:55 p.m.

There were no comments.

Close public hearing at 6:56 p.m.

Chair Barton requested that the staff report for the City Council meeting packet should reflect site changes. Mr. Zweber confirmed this.

Motion by Commissioner Monge, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to recommend conditional City Council approval of an amendment to the existing Conditional Use Permit to Construct a Security Entrance and Addition for Administrative Offices at Cowern Elementary School at 2131 Margaret Street N., with 6 conditions as listed in the Staff Report.

B. ZCU-21-1 and ZVA-21-1 Conditional Use Permit and Height Variance to Construct a Three-Story and Eleven Classroom Addition to North High School at 2416 11<sup>th</sup> Avenue E.

Mr. Zweber reviewed a Conditional Use Permit amendment and building height variance for proposed construction at North High School. The proposed project includes a 27,000 square-foot, 11-classroom addition on three levels on the west side of the building, as well as exterior building improvements and main entrance security upgrades. Along with interior renovations, the exterior parking areas will be completely reconstructed. The proposed addition will require a height variance due to grading on 11<sup>th</sup> Avenue.

Mr. Zweber stated the lot size and width setbacks meet requirements, but the proposed height due to the existing grade requires a variance request. A decrease in the amount of parking is proposed due to improvements in access and circulation. There are currently 250 parking stalls for school staff, proposed to be reduced to 180 stalls; and 180 parking stalls for students, proposed to be reduced to 140 stalls. Total parking on the property would go from 427 spaces to 325 spaces, for a reduction of 102 spaces. There is an easement at St. Mark's Church across the street for 102 spaces.

Mr. Zweber stated a total of 325 student parking spaces are required, with 1 parking stall per classroom and 1 parking stall for every 7 students. Access improvements will be an important element of the renovation of the parking lots, including a designated parent drop-off area of 11 spaces.

Mr. Zweber stated, with regard to the 11<sup>th</sup> Avenue façade, City Staff are requesting the addition of windows or other elements, as required by City Code. No landscaping is proposed near the addition due to the excessive slope that will be created due to necessary grading. A retaining wall is recommended to accommodate the grade change.

Mr. Zweber stated the proposed lighting plan exceeds candle limitations, and a revised photometric plan is requested. No rooftop equipment is proposed on the addition as mechanicals will be enclosed within the building's main level.

Mr. Zweber stated City Staff are requesting Planning Commission consideration of two separate motions: 12 Conditions of Approval as listed in the Staff Report, and a variance for building height with a condition that the building height not exceed 3 stories or 41 feet.

Commissioner Monge asked why there are no windows on the 11<sup>th</sup> Avenue façade. Mr. Zweber stated the Code limits the number of windows, but not where they can be located.

Commissioner Gelbmann stated he is surprised by 325 parking spaces. He added there are always many cars parked on the street during school hours. He noted he supports the modification that allows parent access and staff parking combined, while student parking would be moved, as that seems like a good way to address traffic issues. He expressed concern about where students can park and what it will do to the neighborhood.

Mr. Zweber stated the applicant is proposing a balance of parking, but parking standards should be reviewed in the future, as they are the same for all schools.

Commissioner Gelbmann asked whether the Code is based on the current number of students, and why they are adding classrooms. Mr. Zweber confirmed that the addition will be able to accommodate the projected number of students.

Commissioner Monge stated he would recommend signage on 11<sup>th</sup> Avenue to indicate that there is a sharp curve and decline, with a stop sign. He added that will continue to be a very dangerous spot, especially if students are crossing from St. Marks.

Sal Bagley, project architect, stated the end capacity will be 1809 students when the building is complete. She added the building Code does not indicate which side windows must face, but new State legislation requires any school building with capacity of over 50 occupants to be fully engineered to survive a F-4 tornado. She noted windows must have internal hurricane-rated shutters.

Ms. Bagley stated the north façade faces the street, and the addition of a window or two is possible. She added windows are focused on classroom exterior walls, but a material change of that sort would be compliant with City Code and Ordinances.

Sean Kelly, project architect, stated the west parking lot functions as a dedicated parent drop-off area, but it was not designed for that purpose.

Commissioner Blees asked whether the paved area on the steep slope along the north façade of the building is proposed to create an accessible egress.

Nate from Larson Engineering stated the egress from the building on the north side requires a 6-foot-wide sidewalk, which is unable to be graded to soften that slope.

Mike Boland, School District Operations Supervisor and Construction Manager, stressed the importance of keeping in mind that over 300 students will no longer be required to leave the high school every hour to attend classes in the District Education Center. He added the school population is not going to increase.

Commissioner Gelbmann stated students may be amenable to riding bikes to school, as people become more aware of environmental issues. He added bike access to the trails and streets surrounding the school will be important links for students to get to school. He noted the trail over

Highway 36 always seems to be jammed there. He asked what is planned to increase ease of bike-ability.

Mr. Zweber stated City Staff and the School District have discussed the trail and its entrance, as well as flow of traffic. He presented a pdf depiction showing improvements.

Commissioner Gelbmann stated this redesign project is an important opportunity to integrate the City's transportation goals, creating better accessibility for bikes and pedestrians.

Mr. Zweber stated there was concern from the Fire Chief regarding bus access, and the new plans are more efficient access for emergency services. He added City Staff are waiting for written recommendations from the Fire Chief.

Commissioner Gelbmann requested clarification regarding security changes at the main entrance. He asked what security measures are proposed at the athletic entrance.

Mr. Boland stated the main entrance is locked during the day, except when students are entering or exiting the building in a large capacity.

Mr. Kelly stated this is consistent with how the majority of School District facilities are operated. He added all perimeter doors are locked during the day, and the main entrance is the only access point. He noted this was a factor that was considered in moving the student parking lot.

Commissioner Wise echoed Commissioner Gelbmann's comments regarding the trail connection. He added this will be a nice improvement to what is currently there, even with a change in bus direction. He noted pedestrian and bike access to the school and neighborhoods will be greatly improved.

Commissioner Wise stated the rendering shows a school logo on the northeast corner of the building facade. He added that is a great visual opportunity as that corner is a gateway to the school. He asked whether a similar design could be added to the northwest corner, which is also a gateway area and could be presented as a more formal approach.

Ms. Bagley agreed, stating the logo at the main entrance is a placeholder, and the architects are working with the School District communications staff on branding with consistency and equity across all buildings. She added, however, the proposal for additional signage on the northwest side is a great idea. She noted the City's sign Ordinance can be reviewed to determine whether a variance would be required.

Commissioner Wise stated the proposal calls for many improvements and will be a great addition to the school building.

Commissioner Monge asked whether adding more windows would be a major expense. Ms. Bagley agreed, stating the windows are expensive due to the required hurricane shutters. Mr. Kelly stated requirements for specific amount of continuous structure must be met. He added there would also be design considerations.

City Council Liaison Lisa Wong stated the City Council will have many questions regarding design and parking, as well as consideration for pedestrian access and other City goals embedded in the Comprehensive Plan. She added parking may be a sticking point, but the design is much improved.

Ms. Bagley requested clarification from the Planning Commission regarding how to proceed with Condition #9.

Chair Barton stated that can be addressed after the public hearing.

Chair Barton opened the public hearing at 7:46 p.m.

There were no comments.

Chair Barton closed the public hearing at 7:47 p.m.

Chair Barton expressed agreement that the proposal aligns with the City's goals related to increased bike and pedestrian access that does not create traffic conflicts.

Chair Barton requested clarification regarding the parking lot circulation.

Mr. Zweber stated parking lot access from 2<sup>nd</sup> Street will stay essentially the same. He added the intention is that parents can enter the drop off area which will have space for 11 cars and a passing lane and exit into 2-way traffic.

Chair Barton asked how pedestrians will cross from St. Mark's parking lot, if buses are still parked on 11<sup>th</sup> Avenue. She added there is a lot of street parking on 11<sup>th</sup> Avenue. She noted the proposal does not fix any of those issues.

Mr. Zweber stated closing the third parking lot entrance is a benefit. Chair Barton agreed.

Chair Barton stated Ms. Bagley had a question about Condition #9. Mr. Zweber stated that is addressed in the staff report as Condition #8, because Condition #6 was divided into two separate conditions.

Chair Barton stated she would support a review of how increasing the use of bikes will reduce traffic and demand for parking. She added the proposed amount of parking meets requirements but is not sufficient. She noted she would like the City's goals of walkability and bike-ability to be incorporated into these plans.

Chair Barton stated the plans do not include any bike racks. She added that seems like something the School District would be interested in pursuing.

Commissioner Gelbmann agreed, adding that would make it more inviting for students and staff to bike to school.

Mr. Zweber stated, with regard to Condition #8 in the staff report, City Staff met with the architects, engineers and School District to discuss potential changes in the public right of way on 2<sup>nd</sup> Street and possibly 11<sup>th</sup> Avenue to encourage pick-up and drop off by parents. He added it may be possible within the existing curb line and would be beneficial in terms of traffic flow. He noted this condition will allow the City to review other potential improvements and address the Fire Chief's comments.

Mr. Zweber stated City Staff is uncomfortable with expanding on that condition and moving this forward to the City Council until the appropriate improvements have been identified. He added he recommends a separate condition requiring the School District to prepare a plan to address parking demands, and to work with students to decrease parking requirements. The Planning Commission agreed.

Commissioner Blees stated he would recommend improving the crosswalk across the bus lane to make it more visible and obvious, as well as accessible, for bikers and walkers. He added the pavement could be raised or changed to make it more intentional as a pedestrian link.

Commissioner Worm stated Condition #4, should be changed to state "windows and/or logo on the north side".

Mr. Zweber reviewed new and amended Conditions of Approval as referenced in the Staff Report:

- Amendment to Condition #4 - to add logo or branding that could be an architectural element
- New Condition #11 – report from School District on implementation of parking and multi-modal plans
- New Condition #12 – implementation of a signage and wayfinding plan to assist drivers and improve one-way traffic
- New Condition #13 - continue to work with City Staff on improvements to bicycle and pedestrian crossings, including bike trail access through the parking lot

Commissioner Monge stated he would like to see improved signage at the stop sign on 11<sup>th</sup> Avenue. He added a flashing pedestrian sign may be appropriate.

Chair Barton stated that would be a City consideration.

Mr. Zweber stated that can be referenced in Condition #8.

Chair Barton requested clarification regarding the time frame.

Mr. Zweber stated the project is a multi-year phase. He added November 1, 2021 would be a reasonable anticipated approval date.

Mr. Zweber reviewed amendments to the conditions as discussed by the Planning Commission: modifications to #4; modifications to #8 regarding traffic signage or stop sign; the addition of 3 new conditions; report back to City Council by November 1, 2021; signage plan and wayfinding for directional flow; and improvements to bicycle and pedestrian infrastructure.

Chair Barton stated signage in the parking lots should not be limited to drop off locations but rather any place where it would be appropriate to increase traffic flow efficiency.

Motion by Commissioner Wise, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to recommend conditional City Council approval of a Conditional Use Permit to Construct a Three-Story and Eleven Classroom Addition to North High School at 2416 11<sup>th</sup> Avenue E.

Motion by Commissioner Gelbmann, and seconded by Commissioner Monge, with all present voting aye (6-0). Motion carried to recommend conditional City Council approval of a Height Variance for the proposed Addition to North High School not to exceed Three Stories and 41 feet in height.

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 subsections, 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 be 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.

## **VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS**

-None.

## **VIII. OLD BUSINESS**

-None.

## **IX. REPORTS FROM STAFF**

Chair Barton asked Ms. Ritchie whether the new Planning Commissioners will be getting a City email address on the CivicPlus platform. Ms. Ritchie stated she has not heard that Commissioner email addresses have been put on hold, but she does not have additional follow-up on that issue.

Mr. Zweber stated there are no applications for the Planning Commission's May 6, 2021 meeting, but City Staff are in discussions with two potential applications.

## **X. REPORTS FROM COUNCIL LIAISON**

City Council Liaison Wong thanked the Commissioners for their hard work and efforts which are greatly appreciated. She stated the Planning Commission/EDA Joint meeting was a great opportunity and she hopes that can be planned on a more regular basis.

City Council Liaison Wong stated the City Council is working on developments in terms of property use in the downtown area.

Commissioner Gelbmann asked whether there is a possibility that the City might prioritize infrastructure, in particular, potential improvements at the intersection of Highway 36 and Century Avenue.

City Council Liaison Wong stated there has been discussion at the City Council level about that issue as a main priority that would require funding opportunities. She added American Investment Plan funding is being considered as a potential source of funding.

## **XI. REPORTS FROM COMMISSIONERS**

-None.

## **XII. ADJOURNMENT**

There being no further business, motion to adjourn by Commissioner Gelbmann, and seconded by Commissioner Worm, with all present voting aye (6-0). Motion carried to adjourn the meeting at 9:36 p.m.

**The next regularly scheduled Planning Commission Meeting is Thursday, May 6, 2021 at 6:30 p.m.**

Members, please notify any planned absences to: Lisa Ritchie  
Planning Commission Secretary

[lisa.ritchie@northstpaul.org](mailto:lisa.ritchie@northstpaul.org)  
651-747-2400

## MEMORANDUM

Date: 4/29/2021

To: Planning Commissioners

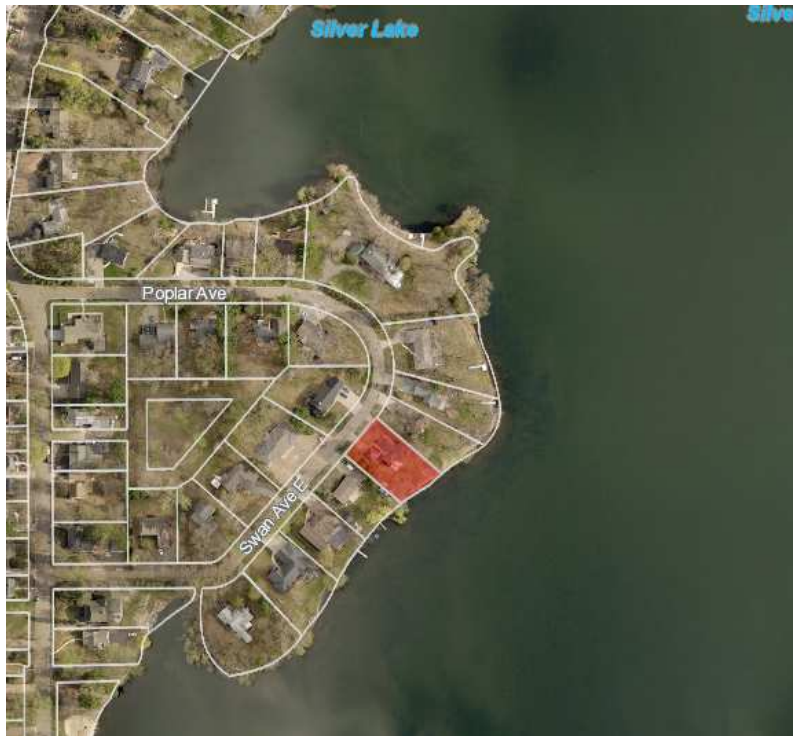
From: Eric Zweber, AICP, City Planner

CC: Scott Duddeck, City Manager

Re: Variance Request to construct a screen porch at the property located at 2612 Swan Ave E

## BACKGROUND

The owner of the property located at 2612 Swan Ave E, Paul Andersen has submitted an application for a Variance to facilitate the construction of a screen porch over an existing deck that is within 75 feet of the Ordinary High Water Line (OHWL). The property is zoned R-1 – Single Family Residential and is located within the Shoreland Overlay District.



*Figure 1: Location Map*



Figure 2: Zoning Map

## GENERAL STAFF REVIEW

### Shoreland Overlay District Requirements

- 154.008(D) *Shoreland Overlay District (S-1).*  
 (4)(i) *The following setback requirements from the ordinary high-water level (OHWL) shall apply as indicated in the chart below. As an alternative, the setback distance determined by the average setback of structures on the two immediately adjoining lots can be sued if the proposed structure is not located in a shore impact zone.*

| Lake Name   | Principal Structures & All Additional Accessory Buildings | Proposed                     |
|-------------|-----------------------------------------------------------|------------------------------|
| Silver Lake | 75 feet                                                   | <i>Approximately 60 feet</i> |

### Consistency with the City Plans

- 154.004 (E)(2) *Variance Standards*  
 (a) *The variance is in harmony and consistent with the general purposes and intent of the Comprehensive Plan and this chapter;*

The 2040 Comprehensive Plan guides the subject property as Low Density Residential, which represents single-family detached uses, duplexes and townhomes left as the result of older infill housing. The proposed use is consistent with the vision and intent of the Comprehensive Plan for this area.

The existing use and proposed use as a single-family residential use is permitted in the R-1 Zoning District. The property is also located within the Shoreland and is subject to the Shoreland Overlay District requirements.

#### Health, Safety, and General Welfare

- *154.004 (E)(2) Variance Standards*  
*(b) The variance will not adversely affect the health, safety, or general welfare of the city;*

The proposed project to construct a screen porch is not likely to negatively impact the health, safety, or general welfare of the City. The single-family home currently has a deck and the proposed project would convert the deck into a screen porch within the same footprint of the existing deck.

#### Special Conditions Applying to the Structures or Land

- *154.004 (E)(2) Variance Standards*  
*(c) The variance is necessary due to special conditions applying to the structures or land in question that are particular to the property and do not apply generally to other land or structures in the district or vicinity in which the land is located;*

The shoreland setback has two standards: 75 feet from the OHWL or the average distance of the two houses adjacent to the subject property.

| <i>Address</i>         | <i>Existing OHWL Setback</i> |
|------------------------|------------------------------|
| 2614 Swan Ave E        | ~95 feet                     |
| <b>2612 Swan Ave E</b> | <b>~70 feet</b>              |
| 2600 Swan Ave E        | ~80 feet                     |
| 2598 Swan Ave E        | ~60 feet                     |
| 2594 Swan Ave E        | ~60 feet                     |
| 2592 Swan Ave E        | ~30 feet                     |

The subject property is 2612 Swan Ave E. The average setback is 87.5 feet (2614 Swan and 2600 Swan). For 2594 Swan Ave E, the average setback would be 45 feet (2598 Swan and 2592 Swan). The variance requirement for a ~58 feet setback is unique to this property.

#### Minimum Variance Request

- *154.004 (E)(2) Variance Standards*  
*(d) The variance requested is the minimum variance necessary to alleviate the practical difficulty;*

The deck exists on the house today. The applicant is not requesting to expand the deck before it is enclosed by a screen porch. This is the minimum variance to enclose the existing deck within a screen porch.

#### Strict Application of the Zoning Code

- *154.004 (E)(2) Variance Standards*
  - (e) Practical difficulties are caused from the strict application of the Zoning Code as outlined below:*
    - i. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Code;*
    - ii. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and*
    - iii. The variance, if granted, will not alter the essential character of the locality.*
    - iv. Economic considerations alone do not constitute practical difficulties.*
    - v. The variance is consistent with officially adopted city plans and overlays.*

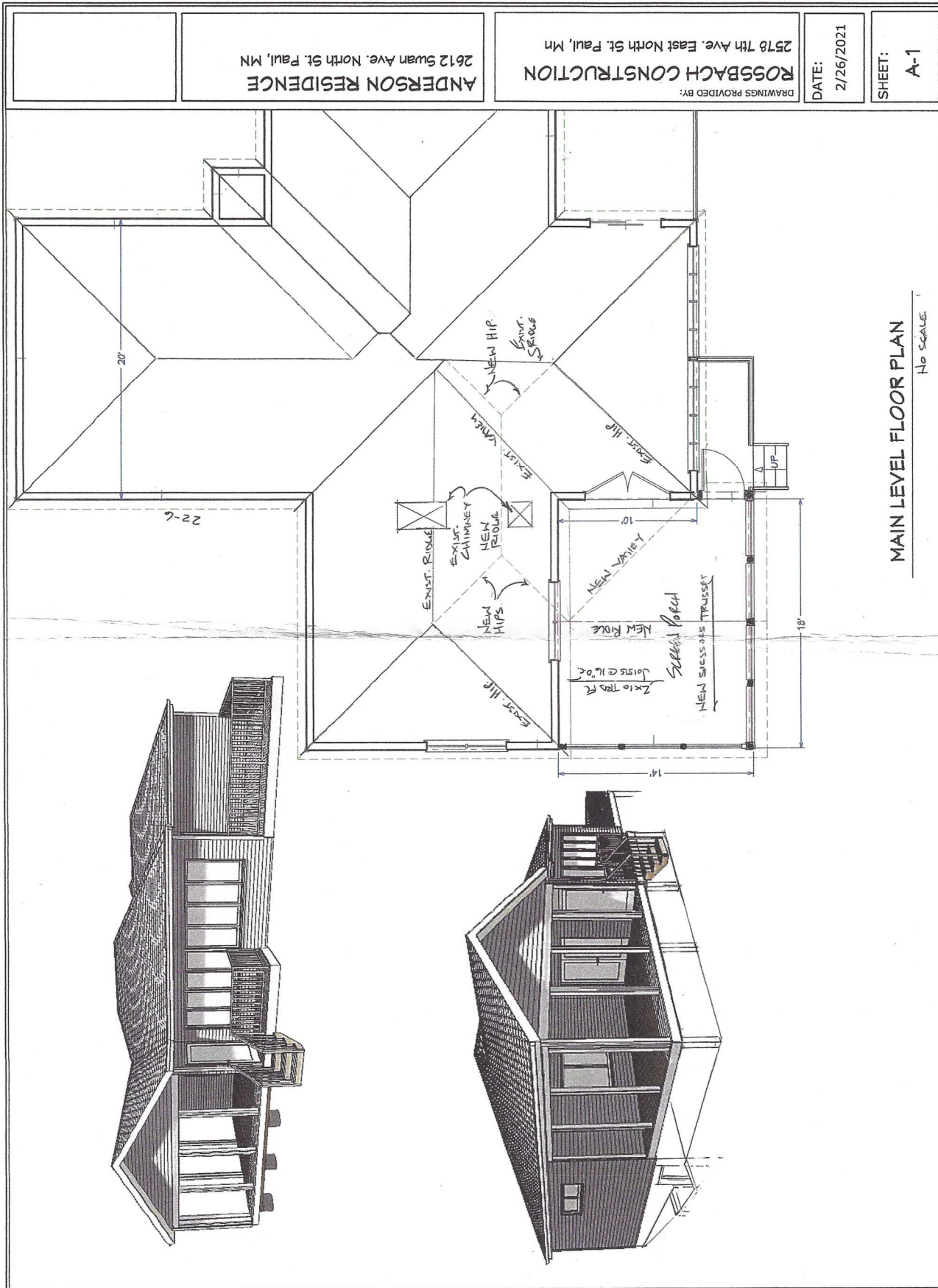
A screen porch is a reasonable use of a riparian lot. The subject property has homes that are adjacent that are setback greater than 75 feet which is not created by the landowner. Enclosing the existing deck within screens will not change the essential character of the neighborhood. Enclosing the deck is a minimal investment in maintaining the applicant's house. A screen porch is a residential use of a riparian property that is consistent with City plans.

#### **RECOMMENDED ACTION**

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

**Conditional Approval** of the requested Variance to allow for the enclosure of an existing deck converting it into a screen porch, subject to the following condition of approval:

1. The principal structure shall not be located closer than 57 feet from the OHWL.



SHEET:  
A-1

DATE:  
2/26/2021

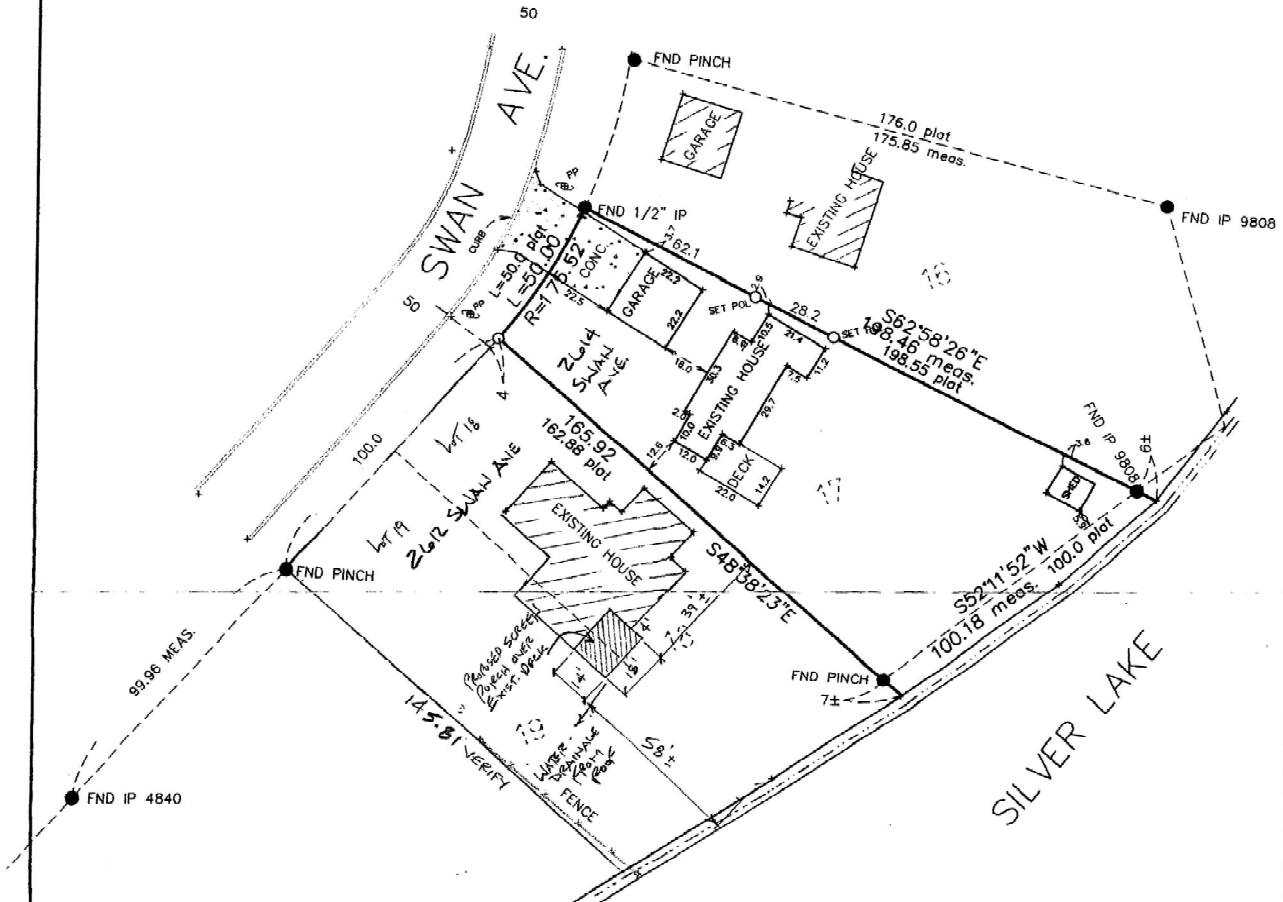
ROSSBACH CONSTRUCTION  
DRAWINGS PROVIDED BY:  
2578 7th Ave. East North St. Paul, Mn

ANDERSON RESIDENCE  
2612 Swan Ave. North St. Paul, MN

# CERTIFICATE OF SURVEY

For: ~~Bill Sick~~ PAUL ANDERSON

2012 ~~2011~~ EAST SWAN AVENUE  
NORTH ST. PAUL, MN  
55109



18 & 19

Lot ~~18~~ Block ~~4~~, Price's Silver Lake Addition, Ramsey County, Minnesota

Scale 1" = 40'

○ Denotes Iron Mon

Bearing Datum: Assumed

Job No. 014001s

Drwg By BAO

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota

E. G. RUD & SONS, INC

Date 7-01 Registration No. 11203

**E. G. RUD & SONS, INC**

LAND SURVEYORS

9180 LEXINGTON AVE. NO.

CIRCLE PINES, MINNESOTA

55014-3625 TEL. 786-5556

## MEMORANDUM

Date: 4/25/2021  
To: Planning Commissioners  
From: Lisa Ritchie, Planning Commission Administrative  
CC: Scott Duddeck, City Manager  
Re: Zoning Interim Use Home Occupation Permit

## BACKGROUND

The Interim Use Permit (IUP) for a Level 2 Home Occupation allows for a business or enterprise conducted in a dwelling or accessory dwelling and incidental to the principle residential use whether conducted for profit or not for profit. The City regulates home occupations to ensure the character of our residential areas is maintained. Mr. Bradley is a plumbing contractor who states his business is mainly based in and out of his plumbing truck. His proposal is to continue parking his truck in his driveway.

Insert a screening shot of his parcel from Ramsey City GIS

Figure 1: Location Map

## GENERAL STAFF REVIEW

### Consistency with the City Plans

- *§154.010(D)19.(d) Level 2 Home Occupations*  
*Level 2 home occupations are those which have potential neighborhood impacts. A level 2 home occupation requires approval of the City Council. An interim use permit shall be obtained by any person operating a level 2 home occupation. Level 2 home occupations may include, but are not strictly limited to:*
  - i. Family day care;*
  - ii. Contractors;*
  - iii. Small engine repair;*
  - iv. Equipment repair;*
  - v. Building trades; and*
  - vi. Heating, plumbing, or air-conditioning services.*
  - vii. In cases where it is unclear whether a home occupation should be classified as level 1 or level 2, the Zoning Administrator shall make such a determination subject to City Council confirmation if requested by the operator of the home occupation.*

The applicant operates a plumbing services business and is request an IUP to parking his plumbing truck within his driveway.

- *§154.010(D)19.(e) General Provisions*

- (e) General provisions. All home occupations shall be subject to the following standards:*
- i. A home occupation required to have a state license shall show proof of this license to the city each year and shall maintain said license at all times while the home occupation is occurring.*
  - ii. A home occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.*
  - iii. A non-illuminated nameplate a maximum of two square feet in area may be placed on the front façade of the principal structure. Otherwise, there shall be no signage, display, or advertisement visible from the exterior of the lot related to the home occupation.*
  - iv. Home occupations shall not create a parking and loading demand in excess of that which can be accommodated in an existing driveway. Such occupation does not generate more than two vehicles at one time.*
  - v. No interior or exterior alterations shall be permitted and no construction features shall be permitted which are not customarily found in a dwelling.*
  - vi. No home occupation shall produce light, glare, noise, odor, dust or vibration discernable beyond the property line that will in any way have an objectionable effect upon adjacent or nearby property.*
  - vii. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.*
  - viii. There shall be no exterior storage of equipment or materials used in the home occupation, except that functioning, personal automobiles that are used by the owner of the home occupation may be parked on the site.*
  - ix. Licensed tattoo establishments are not allowed as a home occupation.*

The applicant performs his work at the location of the customer's residence or business. The business operations conducted at the applicant's home is limited to bookkeeping, invoicing, and scheduling which are all activities incidental and secondary to the residential use. The parking of the truck use for the business will be located within the applicant's driveway.

### Interim Use Permit Review

- §154.004(G) Interim Use Permit.

2. Standards. The City Council may grant an Interim Use Permit if the use at the proposed location is compliant with the following:

- i.) The use is consistent with the general purposes and intent of the Comprehensive Plan; The 2040 Comprehensive Plan guides the subject property as Low Density Residential which allow for Level 2 Home Occupations through the issuance of a IUP.
- ii.) The use will not adversely affect the health, safety, or general welfare of the City; The plumbing business will not adversely affect the health, safety, or general welfare.
- iii.) The use is compatible with present and future land uses in the surrounding area and reasonably related to the overall needs of the City;

The surrounding area is guided Low Density Residential and zoned R-1 Single Family Residential. Home occupations are compatible with a single family residential neighborhood.

iv.) The use or appearance of the use is compatible with adjacent properties;  
The plumbing business is compatible with adjacent properties.

v.) The use can be adequately supported by public urban services including the water supply, transportation system and capacity, police and fire protection, utilities, and sanitary waste and stormwater disposal systems;  
The plumbing business will not adversely affect public urban services.

vi.) The use will not create an excessive burden on existing parks, schools, and other public facilities which serve or are proposed to serve the area;  
The plumbing business will not place any burden on existing parks, schools, and other public services.

vii.) The use will be sufficiently compatible or separated by distance or screening from adjacent residentially zoned land;  
The driveway where the plumbing truck will be parked is sufficiently compatible and separated by distance from the adjacent residentially zoned land.

viii.) The use is in harmony with the general purposes and intent of this Chapter and the zoning district in which the applicant intends to locate the proposed use;  
The plumbing truck will be in harmony with the general purposes and intent of this Chapter and the zoning district in which the applicant intends to locate the proposed use.

ix.) The use will not create an intrusion of excessive noise, glare, or general unsightliness;  
The plumbing truck itself will not create an intrusion of excessive noise, glare or general unsightliness.

x.) Will not impose, by agreement, additional costs on the public;  
The plumbing business will not impose, by agreement, additional costs on the public.

xi.) Will terminate upon a tangible date or event specified in the resolution approving said Interim Use Permit; and applicant must comply with code compliance.

xii.) If applicable, the proposed use is consistent with officially adopted City plans and overlays.  
Add text.

### Parking

- *154.010(J)(9)(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.*

- *154.010(J)(9)(e)(v) Parking. Vehicles parked in a driveway or other area are not allowed to extend or encroach upon the alley or street right-of-way or public sidewalk.*

Is the truck under six tons? Can the truck parking within the drive and not encroach into the right-of-way?

## **RECOMMENDED ACTION**

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

**Approval** of the requested zoning interim use home occupation permit.

Note: Mr. Bradley stated that he is a Plumbing Contractor. Business is mainly based in and out of plumbing truck. Proposal is to continue parking truck in driveway as has been done for the past 37 years.

**Conditional Approval** None.

## MEMORANDUM

Date: 4/29/2021  
To: Planning Commissioners  
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. On April 1, 2021, the Planning Commission will conduct a public hearing to review the Zoning Ordinance text amendments and continued the review of the text amendments to the May 6, 2021 Planning Commission meeting.

## GENERAL STAFF REVIEW

Based on public testimony at the April 1 public hearing and comments from the Planning Commissioners, the following changes have been made to the text amendment:

**SECTION 1** §72.04(B)(2) This section does not apply to vehicles being actively loaded or unloaded, ~~vans~~.

**SECTION 2** §154.003 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.

**SECTION 8** §154.010(D)(2)(e) The minimum size of the detached accessory dwelling unit shall be 300 square feet with a maximum size of area ~~must not exceed~~ 900 square feet.

**SECTION 17** §154.010(J)(3)

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

(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 18** §154.010(J)(9)(a) Vehicles may be parked in residential districts per the following table:

|                                                              |
|--------------------------------------------------------------|
| <b><u>Permitted Location</u></b>                             |
| <del>At least 10 feet from the back of curb or roadway</del> |

|                               |                                                                                                                    |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b><u>Type of Vehicle</u></b> | <b><u>Time Limit</u></b>                                                                                           |
| Recreational Vehicle          | Front yard: <del>no longer than a 72-hour period, or while being actively loaded or unloaded</del> <u>No Limit</u> |

**SECTION 18** §154.010(J)(9)(e)-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.

**SECTION 19** Appendix (A), Table 3

|                   | R-1 | R-2 | R-3 | MU-1     | MU-2     | MU-3     | Supplemental Regulations |
|-------------------|-----|-----|-----|----------|----------|----------|--------------------------|
| Community Gardens | I   | I   | I   | <u>I</u> | <u>I</u> | <u>I</u> | -                        |
| Yards Sales       | P   | P   | P   | <u>P</u> | <u>P</u> | <u>P</u> | -                        |

**RECOMMENDED ACTION**

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

**Recommend 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 1. 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 1. 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~~his 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.

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

~~(d) (e) Encourage the p~~Preservation and enhancement 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 forcreating 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)~~

43. 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.

(a**c**) Consistency with Comprehensive Plan. The proposed PUD shall be consistent with the Comprehensive Plan.

(a**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.

(a**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~~city~~ 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.
- (ef) ~~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.
- (fh) 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.
- (gi) 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.
- (hj) 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.
- (ik) 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) 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) 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) Building height. Height limitations shall be the same as imposed in the ~~respective~~ underlying zoning districts.

(m) 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) 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.~~

54. 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.

65. PUD processes.

(a) Pre-application meeting. Applicants of thea proposed PUD shall are encouraged to 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.

76. PUD data requirements.

(a) ~~Pre-application e~~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.

#### 87. 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.~~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:

| <u>Lot Type</u>                | <u>Lot Area (sf)</u>  | <u>Lot Width (ft)</u> |
|--------------------------------|-----------------------|-----------------------|
| <u>Dwelling, Single-Family</u> | <u>5,967</u>          | <u>60</u>             |
| <u>Dwelling, Two Family</u>    | <u>11,934</u>         | <u>120</u>            |
| <u>Dwelling, Townhouse</u>     | <u>5,967 per Unit</u> | <u>60 per Unit</u>    |

Natural environment lake:

| <u>Lot Type</u>                | <u>Lot Area (sf)</u>  | <u>Lot Width (ft)</u> |
|--------------------------------|-----------------------|-----------------------|
| <u>Dwelling, Single-Family</u> | <u>5,967</u>          | <u>60</u>             |
| <u>Dwelling, Two Family</u>    | <u>11,934</u>         | <u>120</u>            |
| <u>Dwelling, Townhouse</u>     | <u>5,967 per Unit</u> | <u>60 per Unit</u>    |

**SECTION 6.** 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 7.** 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 8.** 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.~~

~~(jg) 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.~~

~~(kh) 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 9.** 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 10.** 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.~~

~~(ed)~~ 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.

(fe) 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 11.** 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 12.** 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 13.** 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, + 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 14.** 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 15.** 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 16.** 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 17.** 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 18.** 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:

| <u>Type of Vehicle</u>           | <u>Permitted Location</u>                                      | <u>Number</u>          | <u>Time Limit</u> |
|----------------------------------|----------------------------------------------------------------|------------------------|-------------------|
| <u>Passenger Automobile</u>      | <u>Garage, driveway, side yard, or rear yard surfaced area</u> | <u>No limit</u>        | <u>No limit</u>   |
| <u>Type 1 Commercial Vehicle</u> | <u>Garage, driveway, side yard, or rear yard surfaced area</u> | <u>Two (2) per lot</u> | <u>No limit</u>   |

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

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

Table 3. ~~Residential~~ Use Districts

| -                                                       | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | <b>Supplemental Regulations</b> |
|---------------------------------------------------------|------------|------------|------------|---------------------------------|
| Mortuary, Funeral Home                                  | -          | -          | P          | -                               |
| Seasonal Business                                       | I          | I          | I          | -                               |
| <b>Commercial Recreation, Entertainment and Lodging</b> | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | Supplemental Regulations        |
| Outdoor Recreation                                      | €          | €          | €          | X                               |
| Golf Course                                             | €          | €          | €          | X                               |
| <b>Residential – Family Living</b>                      | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | Supplemental Regulations        |
| Manufactured Housing (Home Parks)                       | €          | €          | €          | -                               |
| Modular Building                                        | P          | P          | P          | -                               |
| Multiple Family Dwelling                                | -          | -          | €          | X                               |
| Planned Unit Development                                | P          | P          | P          | -                               |
| Single Family Dwelling                                  | P          | P          | -          | -                               |

|                                                                                              |            |            |            |                          |
|----------------------------------------------------------------------------------------------|------------|------------|------------|--------------------------|
| Special Infill Housing                                                                       | €          | €          | €          | X                        |
| Townhouse Dwelling                                                                           | -          | P          | P          | X                        |
| Two Family Dwelling                                                                          | -          | P          | P          | -                        |
| <b>Residential – Group Living</b>                                                            | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | Supplemental Regulations |
| Assisted Living and/or Memory Care Facility                                                  | -          | -          | €          | X                        |
| Lodging House                                                                                | -          | -          | P          | -                        |
| Senior Housing                                                                               | -          | -          | €          | X                        |
| Senior Housing with Services                                                                 | -          | -          | €          | X                        |
| State Licensed Residential Facility (serving six or fewer persons)                           | P          | P          | P          | X                        |
| State Licensed Residential Facility (serving from 7 – 16 persons)                            | -          | -          | P          | -                        |
| <b>Civic and Institutional</b>                                                               | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | Supplemental Regulations |
| Cemetery                                                                                     | €          | €          | €          | -                        |
| Day Care Center, Day Nursery                                                                 | €          | €          | €          | X                        |
| Institutions                                                                                 | €          | €          | €          | X                        |
| Municipal Administrative Building, Fire Station or other Public Safety or Service Facilities | P          | P          | P          | X                        |
| Schools, Public and Private                                                                  | €          | €          | €          | X                        |
| Public Park or Playground and Open Space                                                     | P          | P          | P          | -                        |

| <b>Utility Uses</b>                                                                                 | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | <b>Supplemental Regulations</b> |
|-----------------------------------------------------------------------------------------------------|------------|------------|------------|---------------------------------|
| 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 |            |            |            |                                 |
| <b>Agricultural Uses</b>                                                                            | <b>R-1</b> | <b>R-2</b> | <b>R-3</b> | <b>Supplemental Regulations</b> |
| Community Garden                                                                                    | I          | I          | I          | -                               |

| <b><u>P: Permitted</u></b><br><b><u>C: Conditional Use</u></b><br><b><u>I: Interim Use</u></b><br><b><u>X: See Section 154.010 (D) for requirements</u></b> | <b><u>R-1</u></b> | <b><u>R-2</u></b> | <b><u>R-3</u></b> | <b><u>MU-1</u></b> | <b><u>MU-2</u></b> | <b><u>MU-3</u></b> | <b><u>Supplemental Regulations</u></b>                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-------------------|--------------------|--------------------|--------------------|------------------------------------------------------------------------------------------------|
| <b><u>RESIDENTIAL</u></b>                                                                                                                                   | -                 | -                 | -                 | -                  | -                  | -                  | -                                                                                              |
| <b><u>Household Living</u></b>                                                                                                                              | -                 | -                 | -                 | -                  | -                  | -                  | -                                                                                              |
| <u>Single Family Dwelling</u>                                                                                                                               | <u>P</u>          | <u>P</u>          | <u>P</u>          | -                  | -                  | -                  | -                                                                                              |
| <u>Two Family Dwelling</u>                                                                                                                                  | <u>P</u>          | <u>P</u>          | <u>P</u>          | -                  | -                  | -                  | <u>X</u>                                                                                       |
| <u>Multiple Family Dwelling</u>                                                                                                                             | -                 | -                 | <u>P</u>          | -                  | -                  | <u>P</u>           | <u>X</u>                                                                                       |
| <u>Townhouse Dwelling</u>                                                                                                                                   | -                 | <u>P</u>          | <u>P</u>          | <u>P*</u>          | <u>P</u>           | <u>P</u>           | <u>X (*Subject to the restrictions within Sec. 154.008(B) Downtown Overlay District (D-1))</u> |
| <u>Live/Work Unit</u>                                                                                                                                       | -                 | -                 | -                 | <u>C</u>           | <u>C</u>           | <u>C</u>           | -                                                                                              |
| <u>Manufactured Housing (Home Parks)</u>                                                                                                                    | <u>C</u>          | <u>C</u>          | <u>C</u>          | -                  | -                  | -                  | -                                                                                              |
| <u>Modular Building</u>                                                                                                                                     | <u>P</u>          | <u>P</u>          | <u>P</u>          | -                  | -                  | -                  | -                                                                                              |

|                                                                                                                                                             |                   |                   |                   |                    |                    |                    |                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-------------------|--------------------|--------------------|--------------------|----------------------------------------|
| <u>Cottage Development</u>                                                                                                                                  | -                 | <u>P</u>          | <u>P</u>          | -                  | -                  | -                  | <u>X</u>                               |
| <u>Special Infill Housing</u>                                                                                                                               | <u>C</u>          | <u>C</u>          | <u>C</u>          | -                  | -                  | -                  | <u>X</u>                               |
| -                                                                                                                                                           | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <b><u>Group Living</u></b>                                                                                                                                  | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Lodging House</u>                                                                                                                                        | -                 | -                 | <u>P</u>          | -                  | <u>C</u>           | <u>C</u>           | -                                      |
| <u>Assisted Living and/or Memory Care Facility</u>                                                                                                          | -                 | -                 | <u>C</u>          | -                  | -                  | <u>C</u>           | <u>X</u>                               |
| <u>Residential Unit over Nonresidential Use</u>                                                                                                             | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Senior Housing</u>                                                                                                                                       | -                 | -                 | <u>C</u>          | <u>C</u>           | -                  | <u>C</u>           | <u>X</u>                               |
| <u>Senior Housing with Services</u>                                                                                                                         | -                 | -                 | <u>C</u>          | <u>C</u>           | -                  | <u>C</u>           | <u>X</u>                               |
| <u>State Licensed Residential Facility (serving six or fewer persons)</u>                                                                                   | <u>P</u>          | <u>P</u>          | <u>P</u>          | <u>C</u>           | <u>C</u>           | <u>C</u>           | <u>X</u>                               |
| <u>State Licensed Residential Facility (serving from 7- 16 persons)</u>                                                                                     | -                 | -                 | <u>P</u>          | <u>C</u>           | <u>C</u>           | <u>C</u>           | -                                      |
| <b><u>P: Permitted</u></b><br><b><u>C: Conditional Use</u></b><br><b><u>I: Interim Use</u></b><br><b><u>X: See Section 154.010 (D) for requirements</u></b> | <b><u>R-1</u></b> | <b><u>R-2</u></b> | <b><u>R-3</u></b> | <b><u>MU-1</u></b> | <b><u>MU-2</u></b> | <b><u>MU-3</u></b> | <b><u>Supplemental Regulations</u></b> |
| <b><u>CIVIC &amp; INSTITUTIONAL</u></b>                                                                                                                     | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Cemetery</u>                                                                                                                                             | <u>C</u>          | <u>C</u>          | <u>C</u>          | -                  | -                  | -                  | -                                      |
| <u>Day Care Facility and Day Nursery</u>                                                                                                                    | <u>C</u>          | <u>C</u>          | <u>C</u>          | <u>C</u>           | <u>C</u>           | <u>C</u>           | <u>X</u>                               |
| <u>Institutions</u>                                                                                                                                         | <u>C</u>          | <u>C</u>          | <u>C</u>          | <u>C</u>           | <u>C</u>           | <u>C</u>           | <u>X</u>                               |
| <u>Municipal Administrative Building, Fire Station or other Public Safety or Service Facilities</u>                                                         | <u>P</u>          | <u>P</u>          | <u>P</u>          | <u>P</u>           | -                  | <u>P</u>           | <u>X</u>                               |
| <u>School, Elementary or Secondary</u>                                                                                                                      | <u>C</u>          | <u>C</u>          | <u>C</u>          | <u>C</u>           | <u>C</u>           | <u>C</u>           | <u>X</u>                               |
| <u>Public Park or Playground and Open Space</u>                                                                                                             | <u>P</u>          | <u>P</u>          | <u>P</u>          | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Community Garden</u>                                                                                                                                     | <u>I</u>          | <u>I</u>          | <u>I</u>          | <u>I</u>           | <u>I</u>           | <u>I</u>           | -                                      |
| <b><u>MEDICAL</u></b>                                                                                                                                       | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |

|                                                                                                                                                                                                           |                   |                   |                   |                    |                    |                    |                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-------------------|--------------------|--------------------|--------------------|----------------------------------------|
| <u>Clinic</u>                                                                                                                                                                                             | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Hospital</u>                                                                                                                                                                                           | -                 | -                 | -                 | -                  | -                  | <u>P</u>           | <u>X</u>                               |
| <u>Animal or Veterinary Hospital or Clinic</u>                                                                                                                                                            | -                 | -                 | -                 | -                  | -                  | <u>P</u>           | -                                      |
| <u>Medical Cannabis Facility</u>                                                                                                                                                                          | -                 | -                 | -                 | -                  | -                  | <u>C</u>           | -                                      |
| <b><u>UTILITY</u></b>                                                                                                                                                                                     | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>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</u> | <u>C</u>          | <u>C</u>          | <u>C</u>          | <u>P</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <b><u>P: PermittedC: Conditional UseI: Interim UseX: See Section 154.010 (D) for requirements</u></b>                                                                                                     | <b><u>R-1</u></b> | <b><u>R-2</u></b> | <b><u>R-3</u></b> | <b><u>MU-1</u></b> | <b><u>MU-2</u></b> | <b><u>MU-3</u></b> | <b><u>Supplemental Regulations</u></b> |
| <b><u>COMMERCIAL</u></b>                                                                                                                                                                                  | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <b><u>Lodging</u></b>                                                                                                                                                                                     | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Bed and Breakfast Establishment</u>                                                                                                                                                                    | -                 | -                 | -                 | -                  | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <u>Hotel or Motel</u>                                                                                                                                                                                     | -                 | -                 | -                 | -                  | <u>C</u>           | <u>P</u>           | -                                      |
| <b><u>Indoor Entertainment, Recreation, Food, and Beverage</u></b>                                                                                                                                        | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Adult Uses</u>                                                                                                                                                                                         | -                 | -                 | -                 | -                  | -                  | <u>C</u>           | <u>X</u>                               |
| <u>Brewery, Micro-Brewery, Micro-Distillery, Micro-Winery, or Tap Room</u>                                                                                                                                | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Catering</u>                                                                                                                                                                                           | -                 | -                 | -                 | <u>C</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Club or Lodge</u>                                                                                                                                                                                      | -                 | -                 | -                 | <u>P</u>           | <u>C</u>           | <u>C</u>           | <u>X</u>                               |
| <u>Coffee Shop or Tea House</u>                                                                                                                                                                           | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Cultural Center</u>                                                                                                                                                                                    | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Indoor Recreation</u>                                                                                                                                                                                  | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <u>Restaurant</u>                                                                                                                                                                                         | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |

|                                                                                                                                                             |                   |                   |                   |                    |                    |                    |                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-------------------|--------------------|--------------------|--------------------|----------------------------------------|
| <u>Service or Workplace</u>                                                                                                                                 | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Animal Boarding Facility</u>                                                                                                                             | -                 | -                 | -                 | -                  | -                  | <u>C</u>           | <u>X</u>                               |
| <u>Animal Grooming</u>                                                                                                                                      | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <u>Artisan Studio / Makerspace</u>                                                                                                                          | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Bank, Financial Institutions</u>                                                                                                                         | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <u>Business Sales or Services</u>                                                                                                                           | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Personal Services</u>                                                                                                                                    | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Educational Services</u>                                                                                                                                 | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Contractor's Business with Showroom or Workshop</u>                                                                                                      | -                 | -                 | -                 | -                  | -                  | <u>P</u>           | -                                      |
| <u>Drive-In or Self-Service Business</u>                                                                                                                    | -                 | -                 | -                 | <u>C</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <u>Lab, Research</u>                                                                                                                                        | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Funeral Home</u>                                                                                                                                         | -                 | -                 | -                 | <u>C</u>           | <u>C</u>           | <u>C</u>           | -                                      |
| <u>Office</u>                                                                                                                                               | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <b><u>P: Permitted</u></b><br><b><u>C: Conditional Use</u></b><br><b><u>I: Interim Use</u></b><br><b><u>X: See Section 154.010 (D) for requirements</u></b> | <b><u>R-1</u></b> | <b><u>R-2</u></b> | <b><u>R-3</u></b> | <b><u>MU-1</u></b> | <b><u>MU-2</u></b> | <b><u>MU-3</u></b> | <b><u>Supplemental Regulations</u></b> |
| <u>Retail</u>                                                                                                                                               | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Farmer's Market</u>                                                                                                                                      | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Garden Material Sales</u>                                                                                                                                | -                 | -                 | -                 | <u>C</u>           | <u>C</u>           | <u>P</u>           | <u>X</u>                               |
| <u>Grocery</u>                                                                                                                                              | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Liquor Store</u>                                                                                                                                         | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | -                                      |
| <u>Retail Sales</u>                                                                                                                                         | -                 | -                 | -                 | <u>P</u>           | <u>P</u>           | <u>P</u>           | <u>X</u>                               |
| <b><u>Outdoor Recreation</u></b>                                                                                                                            | -                 | -                 | -                 | -                  | -                  | -                  | -                                      |
| <u>Outdoor Recreation</u>                                                                                                                                   | <u>C</u>          | <u>C</u>          | <u>C</u>          | -                  | -                  | -                  | <u>X</u>                               |
| <u>Golf Course</u>                                                                                                                                          | <u>C</u>          | <u>C</u>          | <u>C</u>          | -                  | -                  | -                  | <u>X</u>                               |

|                                                                                                                                                                              |            |            |            |             |             |             |                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|------------|-------------|-------------|-------------|----------------------------------------|
| <b><u>Automobile, Parking, Transportation</u></b>                                                                                                                            | -          | -          | -          | -           | -           | -           | -                                      |
| <u>Automobile Service or Repair</u>                                                                                                                                          | -          | -          | -          | -           | -           | <u>C</u>    | <u>X</u>                               |
| <u>Car Wash</u>                                                                                                                                                              | -          | -          | -          | -           | -           | <u>C</u>    | <u>X</u>                               |
| <u>Automobile Sales and Rental</u>                                                                                                                                           | -          | -          | -          | -           | -           | <u>C</u>    | <u>X</u>                               |
| <u>Automobile Service Station/Convenience Store</u>                                                                                                                          | -          | -          | -          | <u>C</u>    | <u>C</u>    | <u>C</u>    | <u>X</u>                               |
| <u>Transit Station</u>                                                                                                                                                       | -          | -          | -          | <u>P</u>    | <u>P</u>    | <u>P</u>    | -                                      |
| <u>Parking Facility</u>                                                                                                                                                      | -          | -          | -          | <u>P</u>    | <u>P</u>    | <u>P</u>    | -                                      |
| <b><u>P: Permitted</u></b><br><b><u>C: Conditional Use</u></b><br><b><u>I: Interim</u></b><br><b><u>Use</u></b><br><b><u>X: See Section 154.010 (D) for requirements</u></b> | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>MU-1</u> | <u>MU-2</u> | <u>MU-3</u> | <b><u>Supplemental Regulations</u></b> |
| <b><u>LIMITED PRODUCTION, PROCESSING, STORAGE</u></b>                                                                                                                        | -          | -          | -          | -           | -           | -           | -                                      |
| <u>Limited Production and Processing</u>                                                                                                                                     | -          | -          | -          | <u>P</u>    | <u>P</u>    | <u>P</u>    | <u>X</u>                               |
| <u>Self-Service Storage Facility</u>                                                                                                                                         | -          | -          | -          | -           | -           | <u>C</u>    | -                                      |
| <u>Warehousing</u>                                                                                                                                                           | -          | -          | -          | -           | -           | <u>P</u>    | <u>X</u>                               |
| <u>Wholesale Establishment</u>                                                                                                                                               | -          | -          | -          | <u>P</u>    | <u>P</u>    | <u>P</u>    | -                                      |
| <b><u>OTHER USES</u></b>                                                                                                                                                     | -          | -          | -          | -           | -           | -           | -                                      |
| <u>Uses determined by the Community Development Department to be of similar scale, impact and character.</u>                                                                 | -          | -          | -          | <u>P</u>    | <u>P</u>    | <u>P</u>    | -                                      |
| <u>Planned Unit Development</u>                                                                                                                                              | <u>P</u>   | <u>P</u>   | <u>P</u>   | <u>P</u>    | <u>P</u>    | <u>P</u>    | <b><u>See Sec. 154.008.C.</u></b>      |
| <b><u>P: Permitted</u></b><br><b><u>C: Conditional Use</u></b><br><b><u>I: Interim Use</u></b><br><b><u>X: See Section 154.010 (D) for requirements</u></b>                  | <u>R-1</u> | <u>R-2</u> | <u>R-3</u> | <u>MU-1</u> | <u>MU-2</u> | <u>MU-3</u> | <b><u>Supplemental Regulations</u></b> |
| <b><u>ACCESSORY USES &amp; STRUCTURES</u></b>                                                                                                                                | -          | -          | -          | -           | -           | -           | -                                      |
| <u>Accessory Buildings and Structures</u>                                                                                                                                    | <u>P</u>   | <u>P</u>   | <u>P</u>   | -           | -           | <u>P</u>    | <u>X</u>                               |
| <u>Accessory Dwelling Unit</u>                                                                                                                                               | <u>C</u>   | <u>C</u>   | <u>C</u>   | -           | -           | -           | <u>X</u>                               |

|                                                                                |                       |                       |                       |          |          |          |          |
|--------------------------------------------------------------------------------|-----------------------|-----------------------|-----------------------|----------|----------|----------|----------|
| <u>Dependency Living Arrangement</u>                                           | <u>P</u>              | <u>P</u>              | <u>P</u>              | -        | -        | -        | -        |
| <u>Portable Storage Units</u>                                                  | <u>P</u>              | <u>P</u>              | <u>P</u>              | -        | -        | -        | <u>X</u> |
| <u>Temporary Buildings for storage of construction materials and equipment</u> | <u>P</u>              | <u>P</u>              | <u>P</u>              | -        | -        | -        | <u>X</u> |
| <u>Geothermal Energy Systems</u>                                               | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | -        |
| <u>Solar Energy Systems</u>                                                    | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Wind Energy Systems</u>                                                     | <u>C</u>              | <u>C</u>              | <u>C</u>              | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Wind Energy Systems (excess height)</u>                                     | -                     | -                     | -                     | <u>C</u> | <u>C</u> | <u>C</u> | <u>X</u> |
| <u>Temporary Outdoor Events</u>                                                | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Temporary Outdoor Events (greater than 45 days)</u>                         | -                     | -                     | -                     | <u>C</u> | <u>C</u> | <u>C</u> | <u>X</u> |
| <u>Composting</u>                                                              | <u>P</u>              | <u>P</u>              | <u>P</u>              | -        | -        | -        | -        |
| <u>Yard Sales</u>                                                              | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Day Care Facility (serving 12 or fewer persons)</u>                         | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | -        |
| <u>Day Care Facility (serving from 13 through 16 persons)</u>                  | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | -        |
| <u>Group Family Day Care serving 14 or fewer children</u>                      | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | -        |
| <u>Home Occupation</u>                                                         | <u>P/</u><br><u>I</u> | <u>P/</u><br><u>I</u> | <u>P/</u><br><u>I</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Rain Garden</u>                                                             | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Surface Parking</u>                                                         | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | -        |
| <u>Outdoor Storage</u>                                                         | -                     | -                     | -                     | <u>C</u> | <u>C</u> | <u>C</u> | <u>X</u> |
| <u>Bulk Storage (liquid)</u>                                                   | -                     | -                     | -                     | -        | -        | <u>P</u> | <u>X</u> |
| <u>Communication Structures</u>                                                | <u>P</u>              | <u>P</u>              | <u>P</u>              | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Outdoor Seating</u>                                                         | -                     | -                     | -                     | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |
| <u>Outdoor Display</u>                                                         | -                     | -                     | -                     | <u>P</u> | <u>P</u> | <u>P</u> | <u>X</u> |

|                                                |          |          |          |   |   |          |          |
|------------------------------------------------|----------|----------|----------|---|---|----------|----------|
| <u>Sport Court</u>                             | <u>P</u> | <u>P</u> | <u>P</u> | - | - | <u>P</u> | -        |
| <u>Residential Swimming Pools and Hot Tubs</u> | <u>P</u> | <u>P</u> | <u>P</u> | - | - | <u>P</u> | <u>X</u> |

| District                                           | Minimum Lot Area*                                                                                                                                                                                                                                                                                                          | Minimum* Lot Width | Setbacks   |           |                                                                                                         |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|-----------|---------------------------------------------------------------------------------------------------------|
|                                                    |                                                                                                                                                                                                                                                                                                                            |                    | Front Yard | Rear Yard | Side Yard                                                                                               |
| <b>R-1</b><br>Single Family Residential District   | <del>7,920</del> <b>6,250 sq. ft. per dwelling unit</b><br>Institutions: 10,000 sq. ft.<br>Manufactured Houses (Home Parks): 5,000 sq. ft. per dwelling unit                                                                                                                                                               | <del>560</del> ft. | 25 ft.     | 25 ft.    | Internal Lot: 6 ft.<br>Corner Lot: 15 ft.<br>Senior Housing: Internal Lot: 15 ft.<br>Corner Lot: 15 ft. |
| <b>R-2</b><br>Mixed Residential District           | <del>5,967</del> <b>3,630 sq. ft. per dwelling unit</b><br>Institutions: 10,000 sq. ft.<br>Manufactured Houses (Home Parks): <del>5,000</del> <b>3,630</b> sq. ft. per dwelling unit                                                                                                                                       |                    |            |           |                                                                                                         |
| <b>R-3</b><br>Multiple Family Residential District | <b>1,980 sq. ft. per dwelling unit</b><br>Required total lot area shall not be less than the minimum lot area per dwelling unit multiplied by the number of units.<br>Senior Housing: 1,800 sq. ft. per dwelling unit<br>Institutions: 10,000 sq. ft.<br>Manufactured Houses (Home Parks): 5,000 sq. ft. per dwelling unit | 80 ft.             |            |           | Internal Lot: 15 ft.<br>Corner Lot: 15 ft.                                                              |

**SECTION 20.** Appendix (A), Table 4 of the North St. Paul City Code is hereby repealed and replaced as follows:

TABLE 4: RESIDENTIAL DISTRICT LOT REQUIREMENTS

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

**SECTION 21.** 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 <u>per unit</u>                                                                                                                        | Limit of Surfacing in Front Yard |
| <b>R-1</b><br><br>Single Family Residential District | <b>Two (2) stories or 35 ft. in height</b> , 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. | 40%          | Low (3.0 - 5.5 <u>7.0</u> units/acre)     | Single Family:<br><br>One Story:<br>900 sq. ft.<br><br>Two Story:<br>1,200 sq. ft.<br><br><u>Two Family:</u><br><u>900 sq. ft.</u>                                 | 40%                              |
| <b>R-2</b><br><br>Mixed Residential District         | Senior Housing: Three (3) stories or 35 ft. in height.<br><br>Accessory Building: 15 ft. except for Accessory Dwelling Unit, then 20 ft.                                                                                                                                                                      | 50%          | Medium (5.6 - 7.3 <u>12.0</u> units/acre) | Single Family:<br><br>One Story:<br>900 sq. ft.<br><br>Two Story:<br>1,200 sq. ft.<br><br>Two Family:<br>900 sq. ft.<br><br><u>Townhome:</u><br><u>900 sq. ft.</u> |                                  |

|                                                     |                                                                                                                                                                                                                                                                                                                                                                            |            |                            |                                                                                                                                                                                                                                                                                                     |  |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>R-3</b><br><br>Multiple<br>Family<br>Residential | <b>Three (3) stories or 35 ft.</b> 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. | <u>50%</u> | High (7.4 - 22 units/acre) | Multiple<br>Family:<br><br>Efficiency<br>Unit: 400 sq.<br>ft.<br><br>One Bedroom:<br>550 sq. ft.<br><br>Two Bedroom:<br>700 sq. ft.<br><br>Three<br>Bedroom: 850<br>sq. ft.<br><br>Four<br>Bedroom:<br>1000 sq. ft.<br><br>Two Family:<br>900 sq. ft.<br><br><u>Townhome:</u><br><u>900 sq. ft.</u> |  |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**SECTION 22.** 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) |              |              |              |                                 |
|----------------------------------------------------------------------|--------------|--------------|--------------|---------------------------------|
| -                                                                    | -            | -            | -            | <b>Supplemental Regulations</b> |
| <b>Offices</b>                                                       | <b>MU-1</b>  | <b>MU-2</b>  | <b>MU-3</b>  |                                 |
| <del>Artist, Photographer Studio, etc.</del>                         | <del>P</del> | <del>P</del> | <del>P</del> | -                               |
| <del>Insurance Office, Real Estate Office, Sales Office</del>        | <del>P</del> | <del>P</del> | <del>P</del> | -                               |
| Office                                                               | P            | P            | P            | X                               |
| -                                                                    | -            | -            | -            |                                 |

| <b>Medical Facilities</b>                            | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> | <b>Supplemental Regulations</b> |
|------------------------------------------------------|-------------|-------------|-------------|---------------------------------|
| 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        |
| <b>Retail Sales and Services</b>                     | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                                 |
| Animal: Boarding Facility, Kennel, Shelter, Day Care | -           | -           | C           | X                               |
| -                                                    | -           | -           | -           | Supplemental Regulations        |
| <b>Offices</b>                                       | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                                 |
| 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                                     | €           | €           | 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                                  | €           | €           | €           | -                               |
| Package Delivery Service                                | -           | -           | P           | -                               |
| Payday Loan Business                                    | -           | -           | €           | -                               |
| 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                                        | -           | -           | -           | -                               |
| <b>Food and Beverages</b>                               | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> | <b>Supplemental Regulations</b> |
| 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           | -                               |
|                                                         |             |             |             |                                 |
| -                                                       | -           | -           | -           | <b>Supplemental Regulations</b> |
| <b>Offices</b>                                          | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                                 |

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

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

| <b>Residential—Group Living</b>                                    | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> | <b>Supplemental Regulations</b> |
|--------------------------------------------------------------------|-------------|-------------|-------------|---------------------------------|
| Assisted Living and/or Memory Care Facility                        | -           | -           | €           | X                               |
| Lodging House                                                      | -           | €           | €           | X                               |
| Senior Housing                                                     | €           | -           | €           | X                               |
| Senior Housing with Services                                       | €           | -           | €           | X                               |
| State Licensed Residential Facility (serving six or fewer persons) | -           | -           | -           | -                               |
|                                                                    | €           | €           | €           | X                               |
| State Licensed Residential Facility (serving from 7-16 persons)    | -           | -           | -           | -                               |
|                                                                    | €           | €           | €           |                                 |
| -                                                                  | -           | -           | -           | Supplemental Regulations        |
| <b>Civic and Institutional</b>                                     | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                                 |
| Day Care Center, Day Nursery                                       | €           | €           | €           | X                               |
| Institutions                                                       | €           | €           | €           | 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        |
| <b>Offices</b>                                                     | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                                 |
| Public Park or Playground and Open Space                           | -           | -           | P           | -                               |
| -                                                                  | -           | -           | -           | Supplemental Regulations        |
| <b>Utility Uses</b>                                                | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                                 |

|                                                                                                                                                                                                    |             |             |             |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|-------------|--------------------------|
| 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 |
| <b>Agricultural Uses</b>                                                                                                                                                                           | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                          |
| Community Garden                                                                                                                                                                                   | I           | I           | I           | -                        |
| -                                                                                                                                                                                                  | -           | -           | -           | Supplemental Regulations |
| <b>Accessory Uses and Structures</b>                                                                                                                                                               | <b>MU-1</b> | <b>MU-2</b> | <b>MU-3</b> |                          |
| 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                        |

|                                     |   |   |   |   |
|-------------------------------------|---|---|---|---|
| <del>Bulk Storage (liquid)</del>    | - | - | P | X |
| <del>Communication Structures</del> | P | P | P | X |
| <del>Outdoor Seating</del>          | P | P | P | X |
| <del>Outdoor Display</del>          | P | P | P | X |

**SECTION 23.** Appendix (A), Table 7 of the North St. Paul City Code is hereby repealed and replaced as follows:

| <b>District</b>                                    | <b>Minimum Lot Size</b> | <b>Lot Width</b> | <b><u>Minimum Lot Area Per Dwelling Unit</u></b> | <b>Front Yard Setback</b> | <b>Side Yard Setback</b>                                 | <b>Rear Yard Setback</b> | <b>Maximum Height</b>                                                                                                                                                  |
|----------------------------------------------------|-------------------------|------------------|--------------------------------------------------|---------------------------|----------------------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MU-1</b><br><br>Downtown Mixed-Use District     | <u>10</u> sq. ft.       | 20 ft.           | <u>1,980 sf.</u>                                 | 0 ft.                     | 0 ft.<br><br>When abutting a Residential District 20 ft. | 0 ft.                    | Three (3) stories or 35 ft.<br><br>New mixed-use buildings with residential units above nonresidential, office or service uses may be up to four (4) stories or 50 ft. |
| <b>MU-2</b><br><br>Transitional Mixed-Use District | 15,000 sq. ft.          | 65 ft.           | <u>1,980 sf.</u>                                 | 30 ft.                    | Interior Lot: 15 ft.<br><br>Corner Lot: 30 ft.           | 30 ft.                   | Three (3) stories or 35 ft.                                                                                                                                            |
| <b>MU-3</b><br><br>Corridor Mixed-Use District     | 35,000 sq. ft.          | 120 ft.          | <u>1,089 sf.</u>                                 | 25 ft.                    | 0 ft.                                                    | 0 ft.                    | Five (5) stories or 55 ft.                                                                                                                                             |

**SECTION 24.** 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                                      |                                             |
| <b>PARKING-RELATED DEFINITIONS</b><br>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.<br>Gross leasable area (GLA): The portion of GFA that is available for leasing to a tenant.<br>Net floor area (NFA): Total floor area, excluding exterior building walls.<br>Net rental area (NRA): The portion of NFA that is rentable to a tenant. Also called net leasable area.<br>ksf = 1,000 square feet<br>The total number of parking spaces = the total square footage, divided by ksf, <del>multiplied</del> <u>multiplied</u> by the parking value |                                                                        |                                             |
| Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                        |                                             |
| <u>Cottage Development</u><br><u>Residential-Family Living</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Single Family Dwelling Unit</u><br><u>Multifamily Dwelling Unit</u> | <u>1.25 per dwelling unit</u>               |
| Accessory Dwelling Unit<br>Accessory Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Accessory Dwelling Unit (ADU)                                          | 1 space <u>maximum</u><br>per dwelling unit |

**SECTION 25.** 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: \_\_\_\_\_

DRAFT