

## Ordinance No. \_\_\_\_-23

### Ordinance regarding miscellaneous zoning amendments

The City of St. Louis Park does ordain:

**Whereas**, the city, from time-to-time, updates and clarifies provisions of the zoning ordinance, and

**Whereas**, the planning commission conducted a public hearing on February 15, 2023 on the ordinance, and

**Whereas**, the City Council has considered the advice and recommendation of the planning commission (case no. 22-29-ZA), and

**Now, therefore be it resolved** that the following amendments shall be made to Chapter 36 of the City Code pertaining to zoning:

**Section 1.** Land use definitions. Chapter 36-73(b) of the St. Louis Park City Code is hereby amended to add the following underlined text:

- (4) Uncovered porches, stoops, patios or decks which do not extend above the height of the ground floor level of the principal building and are a minimum of two feet from any interior side or rear lot line and 15 feet from any front lot line and do not encroach on any side yard abutting a street. Ground level patios and decks on non-residential properties may extend up to the property line provided it is part of a non-residential use, adjacent to a right-of-way or a non-residential property, and does not encroach into an easement without prior approval.

**Section 2.** Fence regulations. Chapter 36-74(e) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

- (2) A fence or wall may be up to eight feet in height if placed in any side or rear yard in an R district which abuts property in the C, O, MX, PUD, BP or I districts, or abuts a railroad right-of-way, school, ~~church~~ religious institution, or other public building.

**Section 3.** Temporary uses. Chapter 36-82(b) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

- (3) *Temporary structures.*
  - a. Temporary structures shall not be permitted for more ~~that 14 days~~ than 180 days per calendar year, except that temporary structures used for the storage of vehicles, equipment, or other household items shall not be permitted for more than 14 days per

calendar year on any parcel that is zoned residential and used or subdivided for residential. with the exception of temporary structures allowed under "agricultural commodities."

**Section 4.** Land use by zoning district. Section 36-115 of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

**(e) Land uses permitted as accessory uses.** Land uses listed as "permitted as an accessory use" are permitted subject to all of the requirements applicable to uses permitted by right, plus any additional requirements applicable to that particular land use contained in divisions 3 through 6-10 of this article. Accessory uses other than required off-street parking may not occupy more than 25 percent of the total floor area of any development unless further restricted in the district regulations.

**Section 5.** Land use definitions. Chapter 36-142(d) of the St. Louis Park City Code is hereby amended to add the following underlined text:

- (18) *In-vehicle sales or service* means sales or service to persons in vehicles. It may include drive-in, drive-up and drive-through facilities, but does not include motor fuel stations, curbside pick-up or automated teller machines (ATMs). Characteristics include high traffic volumes during the typical peak hour traffic period.

**Section 6.** Residential restrictions and performance standards. Section 36-162(d)(1) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

- h. Swimming pools, whirlpools, saunas, sport courts, and swing set/climbing structures are permitted in the backyard and side yards only and shall meet the following requirements:
1. They are a minimum of five feet from the rear lot line.
  2. They meet the same side yards as required for the principal building.
  3. A six-foot privacy fence shall be required to screen the portion of the swimming pool, whirlpool, or sport court located within 25 feet of the rear lot line.
  4. Mechanical equipment shall meet the same setback required for the pool, whirlpool, or sauna unless it is contained within an accessory building.

**Section 7.** Residential restrictions and performance standards. Section 36-162(f)(3)a of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

- (3) The following provisions shall apply to the parking and storage of vehicles on residential parcels in the R-1, R-2 and R-3 districts:
- a. No more than ~~three-four~~ vehicles can be parked or stored outside an enclosed building on a lot that contains a single-family residence. For a duplex, each dwelling may have up to four vehicles ~~six vehicles can be parked or stored outside. This regulation shall not apply during snow emergencies. If there are more than three persons residing at a single family dwelling, inclusive of an accessory dwelling unit or a boarder, who have valid state driver's~~

~~licenses showing the residence addresses on the lot, then the total number of vehicles allowed to be parked outside is increased to a number equal to the number of licensed drivers residing at the property not to exceed five vehicles. The provisions of this subsection shall not apply during snow emergencies.~~

**Section 8.** Residential restrictions and performance standards. Section 36-162(f)(3)k of the St. Louis Park City Code is hereby amended to delete the struck-out language and renumber the list in code accordingly:

~~k. The total area in the front yard of a single family lot improved for parking and driveway purposes shall not exceed 30 percent of a front yard area. Additionally, the average width of a driveway shall not be more than 22 feet. This provision will not prohibit an average driveway width of up to 22 feet for all single family lots.~~

**Section 9.** Residential restrictions and performance standards. Section 36-162(f) of the St. Louis Park City Code is hereby amended to add the following underlined text and image:

(9) Driveway and parking areas. The following provisions shall apply to driveway and parking areas for single and two-family dwellings:

a. Permit required. A driveway permit shall be issued prior to the installation, replacement, or expansion of any driveway or parking area.

b. Width.

1. The maximum width for the driveway apron shall not exceed 22 feet.

2. The maximum cumulative width for driveways, parking areas, and turnarounds shall not exceed 36 feet for single family, and 44 feet for two-family dwellings.

3. Horseshoe driveways are permitted when additional driveway accesses are allowed. The secondary driveway width shall be deducted from the maximum driveway width allowed and shall not exceed 12 feet in width.

c. Setbacks.

1. No side setbacks are required for driveways, parking areas, and turnarounds.

2. The start of the transition to a driveway or parking area that is wider than the driveway apron may start immediately after the driveway apron and cannot exceed 45 degrees.

3. Turnarounds must be located on private property.

d. Driveway access.

1. One access to a street and/or alley is allowed for single-family dwellings on lots less than 80 feet wide.

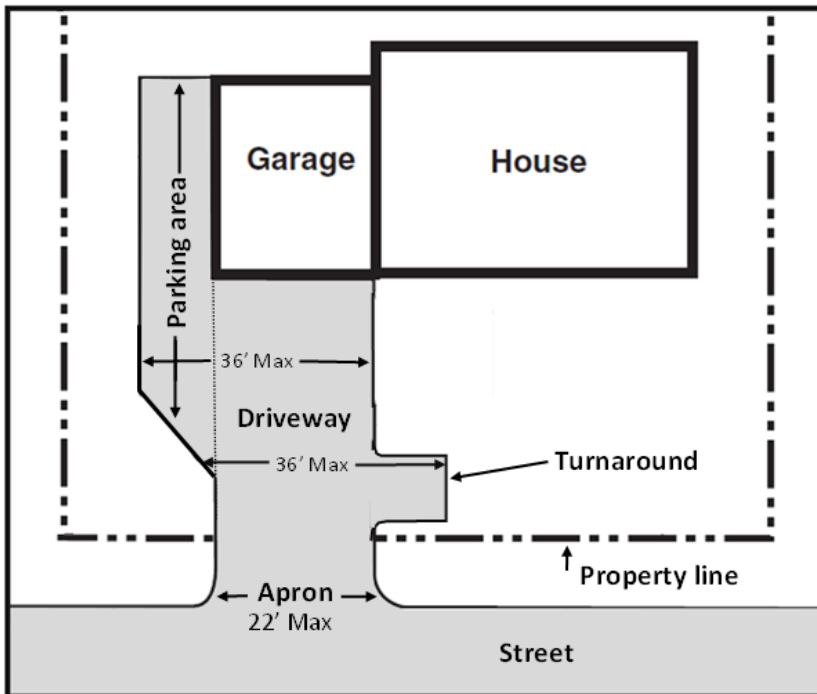
2. Two accesses to a street and/or alley is allowed for two-family dwellings, or single-family dwellings on lots greater than or equal to 80 feet wide.

3. Two street accesses are allowed for corner lots with the condition that one access is allowed per street frontage for lots less than 80 feet in width.

e. Miscellaneous.

1. The maximum slope on the driveway shall not exceed 10%.

2. The surface of the driveway shall be paved with asphalt, concrete, or pavers. Permeable pavers and ribbon driveways may be used on private property if vegetation is maintained between the ribbons of the driveway and the open areas of the permeable pavers.



**Section 10.** C-1 neighborhood commercial district. Section 36-193(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

(7) *Food service.* The condition for food service is that the maximum floor area shall be 7,500 square feet and shall not exceed intensity classification 4 for all other measures.~~The conditions are as follows:~~

- ~~a. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial roadway, or shall be otherwise located so that access can be provided without generating significant traffic on local, residential streets.~~
- ~~b. No building may be located within 25 feet of any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.~~

**Section 11.** C-2 general commercial district. Section 36-194(b) of the St. Louis Park City Code is hereby amended to add the following underlined text:

(17) Food service.

**Section 12.** C-2 general commercial district. Section 36-194(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language:

~~(11) Food service. The conditions are as follows:~~

- ~~a. Building shall be located a minimum of 25 feet from any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.~~

**Section 13.** Electric vehicle supply equipment. Section 36-361 of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

**(e) Electric vehicle supply equipment.** The intent of this section is to facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, and establish minimum requirements for such infrastructure to serve both short and long-term parking needs.

(2) Number of Required Electric Vehicle Charging Stations.

- a. All new, ~~or reconstructed, or expanded~~ parking structures or lots with 14 or fewer parking spaces shall be allowed, but not required, to install EVSE.
- b. All new, ~~or reconstructed, or expanded~~ parking structures or lots with at least 15 but no more than 49 spaces, ~~or expanded parking structures or lots that result in a parking lot with 15 to 49 parking spaces,~~ shall install EVSE as required below.
  1. Multiple-family residential. At least 10% of the surface parking spaces shall be land uses shall have 10% of required residential parking served by EVCSs with at least 5% as Level 2 stations. At least one handicapped accessible parking space shall have access to an EVCS.
  2. Non-residential land uses. At least two level 2 stations shall be provided, with parking spaces available for use by the general public shall have two Level 2 stations. At least one handicapped accessible parking space shall have access to an EVCS.
- c. All new, ~~or reconstructed, or expanded~~ parking structures or lots with at least 50 parking spaces, ~~or expanded parking structures or lots that result in a parking lot with 50 or more parking spaces,~~ shall install EVSE as required below.
  1. Multiple-family residential. At least 10% of the surface parking spaces shall be land uses shall have 10% of required residential parking as served by Level 2 stations. At least one handicapped accessible parking space shall have access to an EVCS.
  2. Non-residential land uses. At least with parking spaces available for use by the general public shall have at least 5% of required the surface parking spaces shall be served by as Level 2 stations, with at least one station adjacent to an accessible parking space. In non-residential zoned districts, DC charging stations may be installed to satisfy the EVCS requirements described above on a one-for-one basis.

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- e. In addition to the number of required EVCSs, the following accommodations shall be required for the anticipated future growth in market demand for electric vehicles:

1. Multiple-Family Residential Land Uses: all new, expanded and reconstructed parking ~~lots areas~~ shall provide the electrical capacity necessary to accommodate the future hardwire installation of Level 2 EVCSs for a minimum of 50% of ~~the surface required~~ parking spaces.
2. Non-Residential Land Uses: all new, expanded and reconstructed parking ~~lots areas~~ shall provide the electrical capacity necessary to accommodate the future hardwire installation of Level 2 or DC EVCSs for a minimum of 50% of ~~the surface required~~ parking spaces.

**Section 14.** Architectural design. Chapter 36-366(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

- (2) *New construction m*~~Minimum class I materials.~~ At least 60 percent of each building face visible from off the site must be of class I materials except as permitted by subsection (d)(4)c. of this section. Not more than 10 percent of each building face visible from off the site may be of class III materials. Portions of buildings not visible from off the site may be constructed of greater percentages of class II or class III materials if the structure otherwise conforms to all city ordinances. The mixture of building materials must be compatible and integrated.
- (3) *New construction b*~~Buildings in I-G and I-P districts.~~
  - a. *Not on major streets and not near residential.* For buildings in the I-G and I-P districts which are not located on a principal arterial, minor arterial, major collector, or adjacent to or across from any residentially zoned property, class I materials may be reduced to a minimum of 25 percent provided that the remaining materials are functionally and durably equal to a class I material as certified by the architect or manufacturer.
  - b. *On major streets or near residential.* For building walls in the I-G and I-P districts facing on a principal arterial, minor arterial or major collector, or adjacent to or across from any residentially-zoned property, class I materials may be reduced to a minimum of 25 percent provided that the remaining materials are functionally and durably equal to a class I material as certified by the architect or manufacturer and that the architectural design and site plan are superior quality as determined by the zoning administrator. The architecture and site plan shall meet the following minimum criteria to be considered superior quality:
    1. The exposed height of the building wall shall not exceed 15 feet.
    2. The number of required plant units shall be increased by 20 percent or the size of 20 percent of the overstory trees installed shall be increased to 3 1/2 caliper inches.
    3. A minimum of ten percent of the building facade must be windows or glass spandrels.
- (4) *Existing buildings.* Existing buildings may paint or stain their exterior utilizing product specifically formulated for its intended use. All painted or stained surfaces shall be maintained so it is free of chipping and peeling.
- (5) *Temporary materials.* On non-residential properties, covered patios with a permanent solid roof may enclose the wall openings with transparent non-glass materials for up to six months per calendar year provided the permanent exterior wall materials are not covered.

**Section 15.** Land use descriptions and characteristics. Chapter 36-142(d) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text:

- (20) *Marijuana dispensary* means a ~~dispensary~~ location where patients or consumers can access cannabis in a legal and safe manner. The use may include Users get assistance from experts (bud tenders) who find an optimal dosage and recommend the delivery method to achieve optimal results when using medical cannabis.

**Section 16.** M-X Mixed use district. Chapter 36-264 – Table 263(b) of the St. Louis Park City Code is hereby amended to delete the struck-out text:

Offices	PE	P
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**Section 17.** This ordinance shall take effect 15 days after publication.

First reading	March 6, 2023
Second reading	March 20, 2023
Date of publication	March 30, 2023
Date ordinance takes effect	April 14, 2023

Reviewed for administration:

Adopted by the City Council \_\_\_\_\_, 2023

\_\_\_\_\_  
Kim Keller, city manager

\_\_\_\_\_  
Jake Spano, mayor

Attest:

Approved as to form and execution:

\_\_\_\_\_  
Melissa Kennedy, city clerk

\_\_\_\_\_  
Soren Mattick, city attorney