



MEMORANDUM

SUBJECT: 1-4 Unit Housing Zoning Study Phase 2 – Analysis Part 1

TO: Comprehensive and Neighborhood Planning Committee

FROM: Emma Brown, Michael Wade, Josh Williams, Luis Pereira

DATE: January 20, 2022

SUMMARY

This is the second part of a comprehensive memo that examines select Zoning Code provisions as part of Phase 2 of the 1-4 Unit Housing Study to support a greater range of housing options in the City of Saint Paul. It includes part 1 of the analysis section and proposed zoning code text amendments related to: the consolidation of the current R1-RT2 zoning districts into new H1-H3 districts; changes to the RL district; related use, district, and standards updates; and updates to cluster development, accessory dwelling unit (ADU), and accessory building standards. The third and final part of the memo, to be released in early February, will include part 2 of the analysis section and proposed text amendments related to the remaining topics and staff recommendation.

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6. Analysis

A. Consolidation of R1-RT2 districts into new H1-H3 districts; Changes to RL district

The proposed changes in this section would simplify the seven RL-RT2 residential districts by consolidating them into four districts: maintaining the current RL one-family large lot district; rezoning current R1, R2, and R3 one-family districts into a new H1 district; rezoning R4 one-family, RT1 two-family, and RT2 townhouse districts into a new H2 district; and rezoning the current R1-RT2 parcels within 1/8 of a mile of either Neighborhood Node intersections or fixed rail and bus rapid transit corridors to a new H3 district. The current R1-R3 zoning districts are characterized by larger lot sizes, fewer lots with alley access, and lower-density (mostly single-family) development. Of the existing lots that are sized 3,000 square feet (sq. ft.) and greater which contain one to four dwellings, 99% of R1 lots, 86% of R2 lots, and 48% of R3 lots are 7,000 sq. ft. and greater. Less than three percent of the lots in each district contain a duplex, triplex, or fourplex, and 14%-55% of the lots in each district are located on an alley. In comparison, the current R4-RT2 zoning districts are characterized by relatively smaller lots and slightly higher densities. Of the existing lots that are sized 3,000 square feet (sq. ft.) and greater which contain one to four dwellings, 78% of R4 lots, 71% of RT1 lots, and 47% of RT2 lots are between 4,000 and 6,999 sq. ft. In comparison to the R1-R3 lots, R4-RT2 lots are more likely to be located on an alley and contain a duplex, triplex, or fourplex. The characteristics these districts exhibit resulted in the proposal to consolidate R1-R3 into H1 and R4-RT2 into H2, with slightly greater intensity of development allowed in H2.

To increase housing choice and allow for greater opportunities for neighborhood-scale housing, RL is proposed to also permit duplexes (up to a maximum of two units on a lot); H1 is proposed to permit one-family, two-family, and multi-family dwellings (up to a maximum of three units on a lot and four units on a corner lot); H2 is proposed to permit one-family, two-family, and multi-family dwellings (up to a maximum of four units on a lot); and H3 is proposed to permit one-family, two-family, and multi-family dwellings (up to a maximum of six units on a lot). This also supports Comprehensive Plan policies LU-34 (“Provide for medium-density housing...”) and H-48 (Expand permitted housing types in Urban Neighborhoods...to include duplexes, triplexes, townhomes, and

small-scale multi-family..."). Corner lots were identified through technical professional consultation and community engagement as an important opportunity for slightly higher density. Comprehensive Plan policies LU-1, LU-30, and LU-33 support transit-supportive density and focused growth and a range of housing choices at Neighborhood Nodes. To allow these housing types to fit within city lots and maintain a neighborhood scale, RL and H1-H3 lots would be subject to updated dimensional standards regulating lot area minimum per unit, lot width minimum, building height maximums, and yard setback minimums, and a new, maximum number of principal units per lot.

1. Residential District Intent Statement Updates

Sec. 66.211. Intent, RL ~~one-family~~ large lot residential district.

The RL ~~one-family~~ large lot residential district is the lowest density residential district. It provides for a semirural environment of predominantly low-density, ~~one-family dwellings~~ residential uses along with civic and institutional uses, public services and utilities that serve the residents in the district. The district is designed to protect, maintain and enhance wooded areas, wildlife and plant resources, fragile bluff areas, topography and large expanses of natural vegetative cover; to ~~reduce~~ minimize erosion and excessive stormwater runoff ~~associated with higher-density development~~; and to ~~facilitate installation of~~ provide enough lot area for private wells and individual sewage treatment systems ~~for one-family detached dwellings~~.

[Analysis: This amendment updates the RL zoning district intent to reflect that it will allow up to two dwelling units per lot (it previously allowed only one single-family dwelling per lot, with a very high minimum lot area). The RL district is used only in a small portion of the Highwood area of Saint Paul, which is characterized by extensive vegetative cover, relatively low soil depth-to-bedrock, and steep slopes. The area is also not served by municipal sewer or water. The RL district is also located entirely within the Mississippi River Corridor Critical Area (MRCCA). In addition to meeting minimum lot size per unit requirements, development of an additional unit on any lot will be permitted only where it is possible to build an adequate subsurface sewage treatment system (septic system) consistent with the requirements of Minn. Rules Part 7080. In addition, any proposed development will undergo site plan review and will need to be consistent with the protections of certain types of natural features in the MRCCA under Minn. Rules Part 6106; ordinance amendments adopting these requirements in Saint Paul code are currently under consideration, with a Public Hearing scheduled before the Saint Paul Planning Commission on January 20, 2023.]

~~Sec. 66.212. Intent, R1—R4 one family residential districts.~~

~~The R1—R4 one family residential districts provide for an environment of predominantly low-density, one-family dwellings along with civic and institutional uses, public services and utilities that serve the residents in the districts. Because of their residential nature, these districts are not intended for more intensive uses such as small conference centers, private retreat centers and reception houses.~~

Sec. 66.212. Intent, H1-H2 residential districts.

The H1-H2 residential districts provide for a variety of housing options along with civic and institutional uses, public services and utilities that serve residents in the district. The districts allow for reuse and/or conversion of existing homes and infill development in existing neighborhoods, lots, and backyards, without having to demolish existing viable housing. H1 and H2 facilitate increments in residential character according to unit density.

~~Sec. 66.213. Intent, RT1 two-family residential district.~~

~~The RT1 two-family residential district provides for an environment of predominantly low density one- and two-family dwellings along with civic and institutional uses and public services and utilities that serve the residents in the district. The district recognizes the existence of older residential areas of the city where larger houses have been or can be converted from single-family to two-family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. Because of its residential nature, this district is not intended for more intensive uses such as small conference centers, private retreat centers and reception houses.~~

Sec. 66.213. Intent, H3 residential district.

The H3 residential district provides for a variety of housing options along with civic and institutional uses, public services and utilities that serve residents in the district. The district allows for reuse and/or conversion of existing homes and infill development in existing neighborhoods, lots, and backyards, without having to demolish existing viable housing. It is intended for use in Neighborhood Nodes and near transit routes along fixed rail and bus rapid transit corridors

~~Sec. 66.214. Intent, RT2 townhouse residential district.~~

~~The RT2 townhouse residential district provides for two-, three-, and four-family and townhouse structures, along with civic and institutional uses, public services and utilities that serve residents in the district. It is intended to provide for a variety of housing needs and to serve as zones of transition between one- and two-family residential districts and multiple-family residential districts and business districts. The district recognizes the existence of older residential areas of the city where larger houses have been or can be converted from single-family to two-, three-, or four-family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. The RT2 district further provides for housing that has many of the amenities of single-family dwellings arranged in a low-density, multiple-family pattern. Because of its residential nature, this district is not intended for more intensive uses such as small conference centers, private retreat centers and reception houses.~~

[Analysis: These amendments delete the existing R1-R4 one-family residential district, RT1 two-family residential district, and RT2 townhouse residential district intent statements and replace them with new H1-H2 and H3 residential district intent statements. These intent statements ensure the new districts provide for such key study objectives including a variety of housing options, reuse and conversion of existing homes, and infill development in existing neighborhoods, lots, and backyards without demolition of existing viable housing. H3, which allows slightly higher density, is intended for use around Neighborhood Nodes and near transit routes to support Comprehensive Plan policies LU-1, LU-30, and LU-33 that call for transit-supportive density, focused growth, and a range of housing choices at Neighborhood Nodes.]

2. Residential District Principal Use Table Updates

Sec. 66.221. Principal uses.

Table [66.221](#), principal uses in residential districts, lists all permitted and conditional uses in the RL—RM3 residential districts, and notes applicable development standards and conditions.

Table 66.221. Principal Uses in Residential Districts

Use	RL	R1- R4 H1	RT1 H2	RT2 H3	RM1	RM2	RM3	Definition (d) Standards (s)
Residential Uses								
Dwellings								
One-family dwelling	P	P	P	P	P	P		(d)
Two-family dwelling	<u>P</u>	<u>P</u>	P	P	P	P		(d)
Three and four family dwelling				P	P	P	P	(d)
Townhouse				P	P	P	P	(d), (s)
Multiple-family dwelling		<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	(d)
Carriage house dwelling	C	C	C	C	C	C	C	(d), (s)
Cluster development	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		(d), (s)
Housing for the elderly					P	P	P	(d)
Reuse of large structures	C	C	C	C	C	C	C	(d), (s)
Mixed Commercial-Residential Uses								
Home occupation	P	P	P	P	P	P	P	(d), (s)
Congregate Living (d)								
<u>Adult care home</u>	Will be addressed in next staff report (Analysis Part 2)							
<u>Community residential facility, licensed correctional</u>								
<u>Dormitory</u>								
<u>Emergency housing facility</u>								
Foster home								
<u>Fraternity, sorority</u>								
<u>Roominghouse</u>								
<u>Shelter for battered persons</u>								
<u>Sober house</u>								
Supportive housing facility								
Community residential facility, licensed correctional								
Emergency housing facility								
Shelter for battered persons								
Sober house								
Roominghouse								
Adult care home								
Dormitory								
Fraternity, sorority								
Civic and Institutional Uses								
Cemetery, mausoleum	C	C	C	C	C	C		(s)
College, university, seminary, etc. or similar institution of higher learning	C	C	C	C	C	C	C	(d), (s)
Community center	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Day care	P	P	P	P	P	P	P	(d), (s)
Golf course	C	C	C	C	C	C		(s)
Public library	P	P	P	P	P	P	P	

Public and private park, playground	P	P	P	P	P	P	P	
Religious institution	P	P	P	P	P	P	P	(d)
School, primary & secondary	P	P	P	P	P	P	P	
Public Services and Utilities								
Antenna, cellular telephone	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Municipal building or use	P	P	P	P	P	P	P	(d), (s)
Solar energy generation facility, community	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Utility or public service building	C	C	C	C	C	C	C	(d), (s)
Yard waste site, municipal	C	C	C	C	C	C	C	(d), (s)
Commercial Uses								
<i><u>Retail Sales and Services Office, Retail, and Service Uses</u></i>								
Farmers Market	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
<i><u>Commercial Lodging Recreation, Entertainment and Lodging</u></i>								
Bed and breakfast residence	P/C	P/C	P/C	P/C	P/C	P/C		(d), (s)
Short term rental dwelling unit	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
<i><u>Transportation</u></i>								
Railroad right-of-way	C	C	C	C	C	C	C	(s)
<i><u>Limited Production, Processing and Storage</u></i>								
Agriculture	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Accessory Uses								
Accessory use	P	P	P	P	P	P	P	(d), (s)
Dwelling unit, accessory	P	P	P	P	P	P		(d), (s)
-Accessory # <u>Retail service and office,</u> <u>accessory</u>						C	C	(s)
Support services in housing for the elderly						P	P	(d), (s)

[Analysis: The amendments to this table reflect the replacement of the existing R1-RT2 districts with the new H1-H3 districts and updates to the permitted uses in the new districts.

In these amendments, *Two-family dwelling* is a permitted use in the RL and H1 districts, *Three- and four-family dwelling* is deleted as this use is now proposed to be included in the *Multiple-family dwelling* land use, and *Townhouse* is deleted (as this is a building type that could be considered a *Two-family dwelling* or *Multiple-family dwelling* land use depending on the number of units). *Carriage house dwelling* is deleted as a distinct land use from these districts, as these buildings can be categorized more clearly and efficiently as other dwelling types. To facilitate greater use, *Cluster development* is P/C (permitted by right or requiring a conditional use permit) in districts RL-H3 as well as RM1 and RM2. More specific amendments to cluster developments are discussed in Section C of this report. Because RL and H1 are proposed to permit two-family dwellings, *bed and breakfast residence* is P/C because a conditional use permit is required for a bed and breakfast located in a two-family dwelling.

All other amendments to the uses in this table are based on the desire to conform with the terms, order, and organizational format of the Ford district use table and Chapter 65 uses.]

3. Residential District Density and Dimensional Standards Table Updates

Sec. 66.231. - Density and dimensional standards table.

Table 66.231. Residential District Dimensional Standards

<i>Zoning District</i>	<i>Lot Size Minimum (per unit)</i>		<i>Building Height Maximum</i>		<i>Yard Setbacks Minimum (feet)</i>		
	<i>Area (sq. feet)</i>	<i>Width (feet)</i>	<i>Stories</i>	<i>Feet</i>	<i>Front</i>	<i>Side</i>	<i>Rear</i>
<i>RL one-family large lot</i>	<i>21,780 (b)</i>	<i>80</i>	<i>3</i>	<i>30</i>	<i>30 (f)</i>	<i>10</i>	<i>25</i>
<i>R1 one-family</i>	<i>9,600 (c)</i>	<i>80</i>	<i>3</i>	<i>30 (l)</i>	<i>30 (f)</i>	<i>10</i>	<i>25</i>
<i>R2 one-family</i>	<i>7,200</i>	<i>60</i>	<i>3</i>	<i>30 (l)</i>	<i>25 (f)</i>	<i>8 (g)</i>	<i>25</i>
<i>R3 one-family</i>	<i>6,000</i>	<i>50</i>	<i>3</i>	<i>30 (l)</i>	<i>25 (f)</i>	<i>6 (g)</i>	<i>25</i>
<i>R4 one-family</i>	<i>5,000</i>	<i>40</i>	<i>3</i>	<i>30 (l)</i>	<i>25 (f)</i>	<i>4 (g)</i>	<i>25</i>
<i>RT1 two-family (a)</i>	<i>3,000 (d)</i>	<i>25</i>	<i>3</i>	<i>40</i>	<i>25 (f)</i>	<i>9</i>	<i>25</i>
<i>RT2 townhouse (a)</i>	<i>2,000 (d)</i>	<i>20</i>	<i>3</i>	<i>40</i>	<i>25 (f)</i>	<i>9 (h)</i>	<i>25</i>

<i>Zoning District</i>	<i>Lot Area Minimum (per principal unit)</i>	<i>Lot Width Minimum</i>	<i>Maximum Number of Principal Units Per Lot</i>	<i>Building Height Maximum</i>	<i>Yard Setbacks Minimum (feet)</i>		
	<i>(sq. feet)</i>	<i>(feet)</i>		<i>(feet)</i>	<i>Front</i>	<i>Side</i>	<i>Rear</i>
<i>RL large lot</i>	<i>9,000 (a)</i>	<i>60</i>	<i>2</i>	<i>30</i>	<i>30 (d)</i>	<i>10 (f)</i>	<i>10</i>
<i>H1 residential</i>	<i>2,000 (a)</i>	<i>30</i>	<i>3 / 4 on corners (b)</i>	<i>30 (c)</i>	<i>10 (d)</i>	<i>5 (f)</i>	<i>10</i>
<i>H2 residential</i>	<i>1,500 (a)</i>	<i>25</i>	<i>4 (b)</i>	<i>35 (c)</i>	<i>10 (d)</i>	<i>5 (f)</i>	<i>10</i>
<i>H3 residential</i>	<i>1,000 (a)</i>	<i>25</i>	<i>6</i>	<i>40</i>	<i>10 (d)</i>	<i>5 (f)</i>	<i>10</i>

[Analysis: The proposed new Residential District Dimensional Standards table reflects the objectives of the study to increase housing choice, allow for greater opportunities for neighborhood-scale housing throughout the city, and to permit duplex unit types once again by right in almost all residential districts. Additionally, the new table also supports Comprehensive Plan policies including Policy LU-7 ("Use land use and zoning flexibility to respond to social, economic, technological, market and environmental changes, conditions and opportunities"), Policy LU-34 ("Provide for medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods"), Policy H-46 ("Support the development of new housing, particularly in areas identified as Mixed Use, Urban Neighborhoods, and/or in areas with the highest existing or planned transit service, to meet market demand for living in walkable, transit-accessible, urban neighborhoods") and Policy H-48 ("Expand permitted housing types in Urban Neighborhoods (as defined in the Land Use Chapter) to include duplexes, triplexes, town homes, small-scale multifamily and accessory dwelling units to allow for neighborhood-scale density increases, broadened housing choices and intergenerational living").

Lot Area Minimum (per unit): Using a lot area minimum per unit standard makes it simple to calculate the number of units that would be permitted on a lot based on its size; the larger the lot, the more units permitted, up to the maximum number of units per lot. The use of a range of lot area minimums per unit standards that are reduced as the zoning district gets less restrictive is a common zoning code arrangement. The consultant team's analysis demonstrated that the current lot area minimum per unit standards do not allow a variety of housing types and are some of the most limiting code standards to one- to four-unit development. The consultant team's conceptual housing types with two or more units developed on typical 4,520 square feet (sq. ft.) and 6,250 sq. ft. lots ranged from 904 to 3,125 sq. ft. per

unit, with most housing types being in the 1,130 to 2,083 sq. ft. per unit range. Staff analysis of existing RL-RT2 lots sized 3,000 sq. ft. and greater which contain one to four dwellings revealed that 61% of duplexes, 54% of triplexes, and 61% of fourplexes are on lots that are 4,000 to 6,999 sq. ft. in size. This existing built form data for 2-4plexes demonstrates a clear precedent for densities that exceed existing zoning district lot area per unit minimums. Thirty-eight percent (38%) of duplex lots are 3,000 to 4,999 sq. ft. in size, which translates to 1,500-2,499 sq. ft. per unit. Using these analysis results and borrowing the 2,000 sq. ft. per unit minimum from the current RT2 standard, a system of 2,000 sq. ft. per unit for H1, 1,500 sq. ft. per unit for H2, and 1,000 sq. ft. per unit for H3 is proposed. The proposed H1 district would allow a duplex on 4,000 sq. ft. lot, triplex on a 6,000 sq. ft. lot, and fourplex on an 8,000 sq. ft. corner lot. The proposed H2 district would allow a duplex on a 3,000 sq. ft. lot, a triplex on a 4,500 sq. ft. lot, and a fourplex on a 6,000 sq. ft. lot. The proposed H3 district would allow a duplex on a 2,000 sq. ft. lot, a triplex on a 3,000 sq. ft. lot, a fourplex on a 4,000 sq. ft. lot, fiveplex on a 5,000 sq. ft. lot, and sixplex on a 6,000 sq. ft. lot. H3 is intended for areas near to fixed transit and Neighborhood Nodes, which the Comprehensive Plan calls for higher density (including Policy LU-30, which calls for density increases *"toward the center of the node..."*).

For the RL district, the current 21,780 sq. ft. (one-half acre) lot size per unit standard is proposed to be reduced to 9,000 sq. ft. per unit. 9,000 sq. ft. is generally large enough for a private well and an individual sewage treatment system and the level of density permitted (up to two principal units) is low enough to be able to meet the district's intent of protecting, maintaining, and enhancing wooded areas, wildlife and plan resources, fragile bluff areas, topography and large expanses of vegetative cover, minimize erosion and excessive stormwater runoff. The RL district is designated in only one location in Saint Paul, in the Highwood area in the extreme southeastern part of the city. This is within the Mississippi River Corridor Critical Area (MRCCA). Any new developments will require formal site plan review and approval and will be subject to applicable MRCCA state rules regarding impacts to Primary Conservation Areas as defined in the rules. The City is in the process of the formal adoption of a new MRCCA ordinance consistent with the rules.

Lot Width Minimum: Maintaining a minimum lot width standard ensures that lots remain adequately sized in order to physically fit buildings and necessary utilities, while accommodating space for other standards like setbacks. There is currently a lot width minimum per unit standard, which requires lots to be wider to permit more dwelling units. A lot width minimum standard that is not per unit provides more flexibility and permits more housing units on uniquely shaped lots or lots that are narrower and deeper than currently. The proposed 30' lot width minimum for H1 and the 25' lot width minimum for H2-H3 provide enough width for two 5' side setbacks and a 15'-20'-wide building. A 30'-wide lot in H1 with a standard depth of 150' would have a lot area of 4,500 sq. ft. and permit a duplex based on the proposed lot area per unit standards, while a 25' x 150', 3,750 sq. ft. lot would permit a duplex in H2 and a triplex in H3.

For the RL district, the proposed 60' lot width minimum provides a standard 150' deep lot with generally enough space for a private well and an individual sewage treatment system. Prior to development approvals, the adequacy of the site to accommodate an individual/subsurface sewage treatment system will need to be verified. Extensive guidance is provided in applicable state rules, and consistency with state rules will be determined by Department of Safety and Inspections staff prior to approvals. Even with reduced minimum lot size, the level of density permitted is low enough to be able to meet the district's intent of protecting, maintaining, and enhancing wooded areas, wildlife and plan resources, fragile bluff areas, topography and large expanses of vegetative cover, minimize erosion and excessive stormwater runoff.

Maximum Number of Units Per Lot: Paired with the lot area minimum per unit standard, a maximum number of units per lot standard ensures that development stays within the “neighborhood-scale” or lower end of the “missing middle” scale of up to four units, or six units, in some cases, that already exist in many of Saint Paul’s neighborhoods and fit in well with existing housing. Engagement and technical consultation confirmed the potential for corner lots to have slightly higher density, which is exhibited for H1 that is proposed to permit a maximum of four units on corner lots compared to three on other lots. H2, a less restrictive district than H1, is proposed for a maximum of four units, and H3, the least restrictive district near fixed transit and Neighborhood Nodes is proposed for a maximum of six units. Table note (b), which allows for additional units above and beyond these density levels in exchange for providing certain unit types, is described below.

The RL district is proposed to allow a maximum of two units that would be able to be managed with a private well and individual sewage treatment system. As noted under discussion of district intent and minimum lot size, the RL district is intended to protect and maintain environmentally-sensitive areas, and is subject to additional development restrictions and standards applicable in the MRCCA. Allowing a second unit on an existing lot or a new unit on a smaller lot is consistent with the intent of the district, provide site plan review and consistency with applicable state rules.

Building Height Maximum: Maintaining a building height maximum standard ensures that development stays within the scale of existing buildings in city neighborhoods. Community engagement confirmed that building height is an important element to consider in design. The three-story height limit is deleted from existing districts in the design of these new districts to increase design flexibility, but a proposed maximum height of 30’ for RL and H1, 35’ for H2, and 40’ for H3 maintains and carries forward the current 30-40’ height limits that exist in the code. Table note (c), which allows for up to 5’ in additional height, is described below.

Yard Setbacks Minimum: The consultant team’s spot testing analysis demonstrated that the current setback standards are some of the most limiting zoning code standards for one- to four-unit development. The proposed reduced setbacks take inspiration from the T2 zoning district, which was determined by the consultants to allow a greater variety of housing types, additional units, and better site plan arrangements. The proposed 5’ side setbacks and 10’ rear setbacks for H1-H3 allow for more building and site plan flexibility, while still allowing light, air, and movement around a property. The proposed 10’ front setbacks conserve lot area and allow for a more usable backyard space and convenient pedestrian access to homes located near a public sidewalk, and the table note (d) that describes the process for determining the front setback for new buildings based on adjoining front yards (below) ensures that setback standards would not result in a newly built home standing out from the other homes on its block enough to disrupt the defined street edge. Many blocks in Saint Paul were built up before front setback standards were in place, so the current setback requirements do not exactly match the placement of the homes on these blocks.

The RL district’s proposed 30’ front setback provides potential space for the private well and individual sewage treatment system, as well as allowing for maintaining natural landscapes on all sides of a structure. The reduced setbacks proposed for other districts are not needed in RL for either purposes of defining the street edge or ensuring more convenient pedestrian access.]]

Table 66.231. Residential District Dimensional Standards (Cont.)

Zoning District	Floor Area Ratio Width (FAR)	Building Height Maximum	Yard Setbacks Minimum (feet)		
	Maximum (e)	(feet)	Front	Side	Rear
RM1 multiple-family	0.6 FAR with surface parking 1.0 FAR with structured parking	40 (ig)	25 (fe)	9 (hf), (mj)	25
RM2 multiple-family	1.5 FAR with surface parking 2.25 FAR with structured parking	50 (jh) (mk)	25 (fe)	9 (hf), (ki)	9 (ki)
RM3 multiple-family	1.5 FAR with surface parking 3.5 FAR with structured parking	no maximum	25 (fe)	9 (hf), (ki)	9 (ki)

Notes to table 66.231, residential district dimensional standards:

- ~~(a) — R4 one-family district dimensional standards shall apply when one-family dwellings are erected in RT1-RT2 residential districts. RT1 two-family district dimensional standards shall apply when two-family dwellings are erected in the RT2 residential district.~~
- ~~(b) — A larger lot may be required depending on how much square footage is actually needed to properly site and install an individual sewage treatment system.~~
- ~~(c) — Where over half of the lot has slopes of twelve (12) percent or greater, the minimum lot size shall be fifteen thousand (15,000) square feet. When determining lot size, the slope shall be that in existence prior to any grading or filling. Alterations shall not be allowed that will lower the slope from twelve (12) percent or greater to less than twelve (12) percent prior to the creation of new lots.~~

[Analysis: These amendments delete notes that are no longer needed. Note (a) is deleted as a result of the new proposed new H1-H3 districts that maintain consistent dimensional standards for all dwelling types within each district. Note (b) is deleted as developments that propose an individual sewage treatment system will automatically go through review processes that ensure consistency with applicable state and local requirements. Department of Safety and Inspections staff advised that the zoning code is not the proper place to provide specific provisions for these systems. Note (c) is deleted because requirements and standards for residential development on steep slopes already exist in Section 63.111.]

Notes to table 66.231, residential district dimensional standards: (cont.)

- ~~(da) If townhouses a two-family or multiple-family dwelling are is developed on parcels where only the land immediately beneath each dwelling unit constitutes an individually described lot and all other land required for yards, other open space, parking, and other necessary land as required by this code constitutes "common" properties, jointly owned by the owners of the described lots beneath each dwelling unit, the minimum size lot per unit shall be is applied to the entire parcel.~~

[Analysis: This amendment replaces the reference to *townhouse* (which is not a defined land use in Chapter 65) with *two-family* or *multiple-family dwelling* (which are defined land uses in Chapter 65) as a townhouse could be considered a two-family dwelling or a multiple-family dwelling depending on the number of units.]

Notes to table 66.231, residential district dimensional standards: (cont.)

- ~~(b) — A total of two additional dwelling units are permitted and an additional five (5) percent lot coverage is permitted on the zoning lot through any combination of the following methods:~~
- ~~(1) One additional dwelling unit is permitted for each principal dwelling unit on the zoning lot that is affordable to households at eighty (80) percent of the area median income for at least fifteen (15) years and has the same floor area as another principal dwelling unit on the zoning lot. Units required to be affordable must be occupied by income-qualifying residents. Prior to receiving a certificate of occupancy for the new building (or building expansion), demonstration of the commitment to affordable housing in accordance with~~

this footnote must be provided as: a deed restriction or other contractual agreement with the city, or a city housing and redevelopment authority financing agreement or other similar financing agreement. Prior to occupancy of the units, documentation of residents' income qualifications is required.

(2) One additional dwelling unit is permitted for each principal dwelling unit on the zoning lot containing three (3) or more bedrooms.

[Analysis: This new note, which applies to the proposed H1 and H2 districts, meets the study objective of encouraging the development of workforce and family-sized housing by allowing 5% additional permitted building lot coverage and an additional one or two units on the lot when there is a corresponding unit or units affordable at 80% of the area median income (AMI) or there is a corresponding unit or units containing three or more bedrooms on the lot. For example, a 4,000 square foot lot in H1 would permit two units by right and be subject to a 40% building lot coverage limit. A total of four units would be permitted on the lot (two permitted by right + two additional units) if two principal dwelling units are either affordable at 80% of AMI or contain three or more bedrooms. In this scenario, a 45% building lot coverage would apply (40% H1 lot coverage + 5% additional lot coverage). A 6,000 square foot lot in H2 would permit four units by right and be subject to a 45% building lot coverage limit. A total of six units would be permitted on the lot (four permitted by right + two additional units) if two principal dwelling units are either affordable at 80% of AMI or contain three or more bedrooms. In this scenario, a 50% building lot coverage would apply (45% H2 lot coverage + 5% additional lot coverage).

According to American Community Survey 2017-2021 5-Year Estimates, 45% of occupied dwelling units in Saint Paul contain three or more bedrooms. However, this number is drastically different when split up by tenure. While 70% of owner-occupied units contain three or more bedrooms, only 20% of renter-occupied dwelling units contain three or more bedrooms. Households like the 23% of Saint Paul households with four or more people, in need of at least three bedrooms to accommodate their families, have few rental options. Providing a zoning density bonus like permitting additional units and allowing increased lot coverage as proposed is a way to incentivize the development of family-sized housing units. [Note, in addition to the lower percentage of dwelling units occupied by renters that are larger with 3+ bedrooms, Saint Paul renters have a median income of \$38,000, 71% of Saint Paul renters are cost-burdened, and most of each of Saint Paul's populations of color rent their homes. (HR&A Advisors)].¹

City Council Resolution 18-1204 calls creating and preserving housing affordable at all income levels and the desire for housing that is affordable was evident from the community engagement. Looking at rental and ownership housing development in Saint Paul between 2011 and 2020, most units, 60%, are market-rate, while 20% are affordable at 60% of AMI, 11% are affordable at 80% of AMI, 4% are affordable at 30% of AMI, 3% are affordable at 50% of AMI, and 1% are affordable at 115% of AMI. Providing a zoning density bonus for providing housing affordable to a certain AMI level is not new to the city's zoning code and is exemplified by other cities. Saint Paul's code currently allows for a density bonus in the RM1-RM3 districts, in the form of a Floor Area Ratio (FAR) increase of 0.5 if at least 10% of the new dwelling units are affordable at 60% of the area median income (AMI) for at least 15 years, and an increase of an additional 0.5 (total of 1.0) if at least 20% are affordable at 60% of the area median income for at least 15 years. The City of Portland zoning code allows up to six units on any lot in a residential zone if at least half of the units are affordable at 60% of the area median family income and the development meets certain other standards.

¹ Draft St. Paul Existing Conditions Analysis, Sept. 2022, Antidisplacement & Community Wealth Building Study, HR&A Advisors, unpublished.

The conceptual housing types developed by the consultant team demonstrate how difficult it is to develop units affordable at a household income level less than 100% of the area median income (AMI) while meeting a market-rate return and without subsidy. Per this study's consultant analysis, a double duplex on a 6,250-sq. ft. lot with 2bed/1bath rental units and a market-rate return of 11% provides rents affordable at 80% of AMI. A fourplex scenario with 2bed/1bath rental units and a sixplex scenario with a combination of 3bed/1bath and 2bed/1bath units meeting the 11% market-rate return result in rents affordable to 96% AMI and 94% AMI, respectively. A 3bed/1bath fourplex rental scenario and sixplex rental scenario with an 11% return results in rents affordable to 129% of AMI and 126% of AMI, respectively. On the for-sale side, a fourplex with 3bed/1bath units and a sixplex with 3bed/1bath units meeting a 15% for-sale market-rate return results in units affordable to 118% of AMI and 115% of AMI, respectively. A fourplex scenario with 3bed/1bath for-sale units and a sixplex scenario with 3bed/1bath for-sale units with affordability at 80% of AMI results in a funding gap per unit of \$91,709 and \$82,079, respectively, which is an 11% decrease per unit when comparing the sixplex to the fourplex. Looking at both rental and for-sale scenarios, the sixplex units are affordable to a lower percentage of AMI than the fourplex units. Zoning that allows additional units on a lot by right or through targeted density bonuses, whether market-sized or family-sized, can result in increased affordability, despite high construction costs. While meeting a market-rate return of 11% for the rental units and 15% for the for-sale units mostly results in units affordable between 94% and 126% of AMI, providing units at 80% of AMI is possible. At this lower density range of one-to-six-unit housing development, it is unlikely that any zoning bonus could be expected to produce units affordable to very modest income levels (e.g. 50-60% area median income) without significant public subsidy.]]

Notes to table 66.231, residential district dimensional standards: (cont).

(c) In H1, a maximum height of thirty-five (35) feet may be permitted if set back from the setback lines a distance equal to the additional height. In H2, a maximum height of forty (40) feet may be permitted if set back from the setback lines a distance equal to the additional height.

[Analysis: This new note permits an additional 5' in height beyond the building height maximum for H1 and H2 provided that it is set back from the setback lines a distance equal to additional height. This system of allowing additional height when stepped back from setback lines is also used in T districts and the zoning code that was in effect from 1922 to 1975 which had a height limit of 40 feet plus 1 additional foot for each foot the building or portion of it was set back from all lot lines. These standards increase flexibility in building design, while still maintaining neighborhood-scale heights of 35-40'.]

Notes to table 66.231, residential district dimensional standards: (cont).

(fd) Where at least fifty (50) percent of the front footage of any block is built up with principal residential buildings and the front yard setbacks of existing buildings with front yards that adjoin the front yard of the lot are all greater or all less than the district standard setback requirement, the minimum front yard setback for new buildings shall be the same as the adjoining front yard setback that is closest to the district standard setback requirement, except where only one existing front yard adjoins the front yard of the lot the minimum front yard setback for new buildings shall be the midpoint between the district standard setback requirement and the adjoining front yard setback. The property owner is responsible for reporting the relevant adjacent existing front setback to the zoning administrator on a registered land survey.

Front setback for new buildings.

In H1-H3 residential districts, where the front yard setbacks of existing front yards that adjoin the new front yard are all fifteen (15) feet or greater, the minimum front yard setback for new buildings is fifteen (15) feet.

The H1-H3 residential district required front yard setback will apply when one-family, two-family, and multiple-family dwellings with up to six (6) units are erected in RM1-RM3 multiple-family districts.

In RL and RM1-RM3 residential districts:

- Where two existing front yards with front yard setbacks less than the district standard adjoin the new front yard, the minimum front yard setback for new buildings is the greater of the adjoining front yard setbacks.
- Where only one existing front yard adjoins the new front yard, the minimum front yard setback for new buildings is the midpoint between the existing front yard setback and the district standard.

The property owner is responsible for reporting the relevant adjoining front setbacks to the zoning administrator on a certificate of survey.

[Analysis: These amendments increase building flexibility for new one- to four-unit buildings by simply applying the reduced proposed minimum front yard setback to low-density residential districts, while expanding application of that reduced minimum setback to low-density buildings built in higher-density districts.

Until the Phase 1 zoning code amendments were adopted in 2022, in order to ensure that a new home on an RL-RT2-zoned lot would be located such that it fit in to the pattern of homes on the block, the front yard setback of every existing home on the block was averaged, and the new home would be subject to that averaged front yard setback. This calculation was meant to ensure that a neighborhood's block face was not jarringly interrupted by a new home constructed much farther back on a lot as required by one-family zoning districts' high minimum front setback requirements. In 2022, to remove unnecessary work for City inspectors and to simplify the calculation for housing developers, this note was updated to consider only the front yard setbacks of existing homes immediately adjacent to the new home.

These present amendments remove this calculation for new homes built in H1-H3 entirely, simply applying the district standard minimum front yard setback (proposed to be ten feet) to new buildings, except in cases where the homes on either side of the new home are set back fifteen feet or more, raising the minimum setback for the new home from ten to fifteen feet. Additionally, the H1-H3 district minimum front yard setback is applied to one- to four-unit dwellings that are built in RM1-RM3 multiple-family districts, a reduction from twenty-five feet to ten feet. In the RL large lot residential district and in the RM multiple-family residential district, which tend to contain large existing front yards, the calculation of minimum front yard setback is designed to be sensitive to the existing block face while nudging new development toward the district standard.

In addition to increasing building flexibility for new low-density residential buildings, this amendment reduces staff and developer time devoted to calculating new front yard setback minimums and increases the consistency and coherence of the zoning code.】

Notes to table 66.231, residential district dimensional standards: (cont.)

- (e) Floor area ratio (FAR) ~~shall be~~ is prorated upon the percentage of parking that is provided as structured parking. The FAR maximum may be increased by 0.5 if at least ten (10) percent of new dwelling units are affordable at sixty (60) percent of the area median income for at least fifteen (15) years. The FAR maximum may be increased by an additional 0.5 (total of 1.0 increase) if at least twenty (20) percent of new dwelling units are affordable at sixty (60) percent of the area median income for at least fifteen (15) years. Units required to be affordable ~~shall must~~ be occupied by income-qualifying ~~low-income~~ residents. Prior to receiving a certificate of occupancy for the new building (or building expansion), demonstration of the commitment to affordable housing in accordance with this footnote must be provided as: a deed restriction or other contractual agreement with the city, or a city housing and redevelopment authority financing agreement or

other similar financing agreement, ~~and documentation of low-income residents' qualifications. Prior occupancy of the units, documentation of residents' income qualifications is required.~~

[Analysis: This amendment improves clarity that documentation of the residents' income qualifications is required prior to occupancy of the unit and matches the language in the new note (b).]

Notes to table 66.231, residential district dimensional standards: (cont.)

- ~~(g) For permitted and conditional principal uses allowed in these residential districts other than residential uses, the side yard setback shall be a minimum of nine (9) feet.~~
- ~~(hf)~~ Side yards are required only for dwelling units on the ends of townhouse structures. The side yard setback requirement from interior lot lines may be reduced or waived when an easement or common wall agreement, certified by the city building official for conformance with the state building code, is recorded on the deeds of the adjoining parcels. ~~For one-family dwellings in RM1 and RM2 districts, the minimum side yard setback shall be four (4) feet. For two-family and multifamily dwellings in RM1 and RM2 districts on lots of sixty (60) feet width or narrower, the minimum side yard setback is reduced to six (6) feet for buildings of thirty-five (35) feet height or less.~~
- ~~In H1-H3 districts, the minimum side yard setback for permitted and conditional principal uses other than residential uses is nine (9) feet.~~
- ~~In RM1 and RM2 districts, the minimum side yard setback for a one-family dwelling is four (4) feet, and for two-family and multiple-family dwellings of thirty-five (35) feet in height or less on lots of sixty (60) feet width or narrower is six (6) feet.~~

[Analysis: These amendments combine both notes into one note related to side setbacks and lists the zoning districts that the standard applies to on a separate line for increased clarity.]

Notes to table 66.231, residential district dimensional standards: (cont.)

- ~~(ig)~~ On lots more than sixty (60) feet wide and on corner lots, a maximum height of forty-five (45) feet may be permitted with a conditional use permit.
- ~~(jh)~~ If at least half of provided parking is structured parking, a maximum building height of seventy-five (75) feet may be permitted with a conditional use permit. A shadow study may be required for a conditional use permit application to help determine the impact of the additional height.
- ~~(ki)~~ For portions of a building over fifty (50) feet in height, the minimum side and rear yard setbacks shall be twenty-five (25) feet or nine (9) feet plus one-half the building height over fifty (50) feet, whichever is less.
- ~~(l)~~ ~~For principal residential structures in planning districts 14 and 15, new construction including additions shall have the following maximum building heights at required side setback lines: Twenty-eight (28) feet in R1, twenty-six (26) feet in R2, twenty-four (24) feet in R3 and R4. One (1) foot shall be added to the maximum building height per each one (1) foot the portion of the building is set back from the nearest required side setback line, to the maximum height allowed in the district. Building height for flat roofs shall be measured to the highest point of the parapet, if present. Properties with local heritage preservation site or district designation are excluded from the requirements of this note.~~
- ~~(mj)~~ For property along Grand Avenue between Fairview Avenue and Cretin Avenue, between lines defined by the parallel alleys immediately north and south of Grand Avenue, building height shall be limited to four (4) stories and forty (40) feet.

[Analysis: These amendments renumber the table notes and delete note (l) with specific building heights at side setbacks lines in planning districts 14 and 15. This note was added in 2015 as part of the Ward 3 and City-wide Residential Zoning Code amendments to maintain the character of established neighborhoods. An objective of this study is to allow greater opportunities for neighborhood-scale housing in every neighborhood of the city, including districts 14 and 15, and the current note limits design

flexibility. The proposed maximum building heights of 30' for H1, 35' for H2, and 40' for H3, with 5' additional height permitted for H1 and H2 if it is set back from the setback lines a distance equal to additional height provides design flexibility, while maintaining neighborhood-scale heights.】

4. Lot Coverage Standard Updates

Sec. 66.232. Maximum lot coverage.

~~In R1—R4 residential districts, principal buildings shall not cover more than thirty-five (35) percent of any zoning lot. For R1—R4 residential districts in planning districts 14 and 15, excluding property with local heritage preservation site or district designation, the total lot coverage of all buildings, including accessory buildings, shall not exceed forty (40) percent. The total lot coverage of all buildings, including principal and accessory buildings, must not exceed forty (40) percent of any zoning lot in RL or H1, forty-five (45) percent in H2, and fifty (50) percent in H3, except for cluster developments under the provisions in section 65.130.~~

[Analysis: This amendment simplifies how lot coverage is regulated by establishing a maximum total lot coverage for all buildings in RL and H1-H3. The proposed 40% in RL and H1, 45% in H2, and 50% in H3 takes inspiration from the current 40% maximum lot coverage for all buildings in planning districts 14 and 15. The calculation for determining total lot coverage for all buildings is simpler than determining total lot coverage for principal buildings, and separately, for accessory buildings using rear yard lot coverage limitations in Section 63.501 (f) (2) (amendments proposed, discussed in Section D of this report). The consultant team's conceptual housing types with two or more units have total building lot coverages ranging from 35.7% to 52.6% for the 40'-wide lot designs and 25.3% to 48% for the 50'-wide lot designs. With RL and H1 containing larger lot sizes and being the most restrictive, a 40% lot coverage is proposed; for H2, 45% lot coverage is proposed; and for H3, 50% lot coverage is proposed.】

B. Related use, district, and standards updates

As a result of the new H1-H3 districts, their permitted uses, and changes to the RL district, the proposed amendments in this section make updates to other code sections related to use definitions, other zoning districts' use tables, and other related updates.

1. Use Definition Updates

Sec. 65.111. Dwelling, one-family.

A building designed exclusively for and occupied exclusively by one (1) household in one (1) dwelling unit.

Condition in H3 residential district:

The maximum floor area of a new one-family dwelling is twenty-five hundred (2,500) square feet.

[Analysis: This amendment adds a maximum floor area of 2,500 sq. ft. for new one-family dwellings in the H3 district. H3 is used in Neighborhood Nodes and near transit routes along fixed rail and bus rapid transit corridors and is proposed to allow up to 6 units. This floor area limit is intended to discourage development of large one-family homes in the H3 district, in turn encouraging development of greater density housing near Neighborhood Nodes and transit routes, consistent with Comprehensive Plan policies LU-1 ("Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.") and LU-30 ("Policy LU-30 Focus growth at Neighborhood Nodes using the following principles: Increase density toward the center of the node and transition in scale to surrounding land uses."). The proposed maximum is greater than the average new Minnesota single-family detached home size of approximately 2,000 square feet.

Other cities have zoning code provisions placed on one-family dwellings. The City of Minneapolis uses maximum floor area ratio (FAR) to limit the total floor area of dwellings. For certain built form overlay districts, the maximum FAR for single-family dwellings, 0.5, is smaller than the maximum FARs for duplexes, 0.6, and triplexes, 0.7, which on a 5,000 square foot lot would limit the single-family dwellings to a 2,500 square foot floor area, duplexes to a 3,000 square foot floor area, and triplexes to a 3,500 square foot floor area. The Minneapolis code also has maximum lot areas for 1-3-unit dwellings of 7,500 or 9,000 square feet, depending on the district. Similarly, the City of Portland has a lower maximum FAR for one-unit dwellings compared to multi-unit dwellings and requires a minimum of two dwelling units on sites that of a certain size, depending on the district. For the R2.5 district, two dwelling units are required on lots 5,000 square feet or larger.]

Sec. 65.112. Dwelling, two-family.

A building designed exclusively for ~~or~~ and occupied exclusively by no more than two (2) households living independently of each other in two (2) separate dwelling units.

[Analysis: This amendment corrects a mistake and updates the language to match the one-family dwelling definition.]

Sec. 65.113. Dwelling, multiple-family.

A building, or portion thereof, designed exclusively for occupancy by three (3) or more households living independently of each other in individual dwelling units.

~~Development standards in the RT2 townhouse residential district:~~

~~No more than six (6) dwelling units shall be attached to form a townhouse structure, and other types of multiple-family dwellings shall contain no more than four (4) dwelling units.~~

[Analysis: This amendment deletes specific development standards for townhouses. Townhouses are considered a multiple-family dwelling or a two-family dwelling, depending on the number of units. As shown in the density and dimensional standards table, the proposed new H1-H3 districts permit a maximum number of units without differentiating between the dwelling type within which the units can be contained.]

Sec. 65.222. Day care.

- (a) In RL—~~R4H2~~ residential districts, a child care center shall be located in a nonresidential structure currently or formerly occupied by a church, community center, school or similar facility. In industrial districts, a child care center shall be accessory to a principal use permitted in the district.

Sec. 65.641. Bed and breakfast residence.

- (a) In residential districts, a conditional use permit is required for bed and breakfast residences with two (2) or more guest rooms, and for any bed and breakfast residence located in a two-family dwelling. In RL—~~R4H2~~ residential districts, a bed and breakfast residence may contain no more than one (1) guest room.

Sec. 65.645. Short term rental dwelling unit.

- (a) In RL—~~RT1H2~~ districts, there shall be no more than one (1) short term rental dwelling unit on a zoning lot unless a duplex, triplex or fourplex is owner occupied and the owner is in residence during the rental period. In other districts, one (1) or up to fifty (50) percent of dwelling units on a zoning lot, to a maximum of four (4), may be short term rental dwelling units, except that an owner occupied duplex may have two (2) units, an owner-occupied triplex may have three (3) units, and an owner occupied fourplex may have four (4) units, provided in all these cases the owner is in residence during the stay and except that more than four (4) short term rental dwelling units

may be permitted when a conditional use permit is obtained by the building owner for a specific number of short term rental dwelling units.

[Analysis: These amendments replace references to R4 and RT1 with the new zoning districts H2.]

Additional amendments to the Congregate Living definitions will be addressed in the next staff report (Analysis Part 2).

2. T, B, and I District Use Table Updates

Sec. 66.321. Principal uses.

Table 66.321. Principal Uses in Traditional Neighborhood Districts

Use	T1	T2	T3	T4	Definition (d) Standards (s)
Residential Uses					
<i>Dwellings</i>					
One-family dwelling	P	P	P		(d), (s)
Two-family dwelling	P	P	P		(d)
Townhouse	P	P	P	P	(d)
Multiple-family dwelling	P	P	P	P	(d)
Carriage house dwelling	C	C	P		(d)
Housing for the elderly	P	P	P	P	(d)
<i>Mixed Commercial—Residential Uses</i>					
Home occupation	P	P	P	P	(d), (s)
Live-work unit	P	P	P	P	(d), (s)
Mixed residential and commercial use	P	P	P	P	
<i>Congregate Living</i>					
<u>Adult care home</u>	<u>P/C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Community residential facility, licensed correctional</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>(d), (s)</u>
<u>Dormitory</u>	<u>P/C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Emergency housing facility</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
Foster home	P	P	P	P	(d)
<u>Fraternity, sorority</u>	<u>P/C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Roominghouse</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>(d), (s)</u>
Supportive housing facility	P/C	P	P	P	(d), (s)
Community residential facility, licensed correctional	C	C	C	C	(d), (s)
Emergency housing facility	P/C	P/C	P/C	P/C	(d), (s)
Shelter for battered persons	P/C	P/C	P/C	P/C	(d), (s)
Sober house	P/C	P/C	P/C	P/C	(d), (s)
<u>Supportive housing facility</u>	<u>P/C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
Roominghouse	C	C	C	C	(d), (s)
Adult care home	P/C	P	P	P	(d), (s)
Dormitory	P/C	P	P	P	(d), (s)
Fraternity, sorority	P/C	P	P	P	(d), (s)
Civic and Institutional Uses					

Club, fraternal organization, lodge hall noncommercial		P	P	P	(d)
College, university, seminary, etc. or similar institution of higher learning	P	P	P	P	(d), (s)
Community center	P	P	P	P	(d), (s)
Day care	P	P	P	P	(d), (s)
Homeless services facility	P/C	P/C	P/C	P/C	(d), (s)
Museum	P/C	P	P	P	(s)
Public library	P	P	P	P	
Public and private park, playground	P	P	P	P	
Religious institution	P	P	P	P	(d)
School, primary & secondary	P	P	P	P	
Trade school, arts school, dance school, etc.	P	P	P	P	
Public Services and Utilities					
Antenna, cellular telephone	P/C	P/C	P/C	P/C	(d), (s)
Municipal building or use	P	P	P	P	(s)
Solar energy generation facility, community	P/C	P/C	P/C	P/C	(d), (s)
Utility or public service building	C	C	C	C	(d), (s)
Commercial Uses					
<i>Offices, Retail, and Service Uses</i>					
Administrative office	P	P	P	P	
—Artist, photographer studio, etc.	P	P	P	P	(d)
—Insurance office, real estate office, sales office General office, studio	P	P	P	P	(d)
—Professional office	P	P	P	P	(d)
<i>Medical Facilities</i>					
—Clinic, medical or dental	P	P	P	P	(d)
—Hospital		C	C	C	(d)
—Medical laboratory	P	P	P	P	
—Veterinary clinic		P	P	P	(d), (s)
<i>Retail Sales and Services</i>					
General retail		P/C	P/C	P/C	(d), (s)
<u>Service business, general</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
<u>Service business with showroom or workshop</u>		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
—Bank, credit union	P	P	P	P	
<u>Animal boarding</u>			<u>P</u>		<u>(d), (s)</u>
<u>Animal day care</u>			<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Artist's studio</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
Business sales and services		P	P		(d)
Drive-through sales and services, <u>primary principal</u> and accessory		C			(s)
Dry cleaning, commercial laundry		P	P	P	(s)
Farmers market	P/C	P/C	P/C	P/C	(d), (s)
—Food and related goods sales		P/C	P/C	P/C	(d), (s)
—Food shelf	P	P	P	P	(d)
Garden center, outdoor		P	P	P	(d), (s)
—Laundromat, self-service		P	P	P	
—Liquor store		P/C	P/C	P/C	(s)
—Massage center	P	P	P	P	(d)

<u>Hospital</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>(d)</u>
Mortuary, funeral home		P	P	P	
Outdoor uses, commercial		P/C	P/C	P/C	(d), (s)
Post office	P	P	P	P	
Service business	P	P	P	P	(d)
Service business with showroom or workshop		P/C	P/C	P/C	(d), (s)
Small appliance repair		P	P	P	
Tattoo shop		P	P	P	
Tobacco products shop		P/C	P	P	(d), (s)
<u>Veterinary clinic</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<i>Food and Beverages</i>					
Bar		P/C	P/C	P/C	(d), (s)
Brew on premises store		P	P	P	(d), (s)
Catering		P	P	P	
Coffee shop, tea house	P/C	P/C	P/C	P/C	(d), (s)
Restaurant		P/C	P/C	P/C	(d), (s)
Restaurant, carry out, deli		P/C	P/C	P/C	(d), (s)
Restaurant, fast food		P/C	P/C	P/C	(d), (s)
Restaurant, outdoor		P	P	P	(s)
<i>Commercial Recreation, Entertainment and Lodging</i>					
Bed and breakfast residence	P	P	P	P	(d)
Hotel		P	P	P	(d)
<u>Short term rental dwelling unit</u>	P/C	P/C	P/C	P/C	<u>(d), (s)</u>
Health/sports club		P	P	P	(d)
Indoor recreation		C	C	C	(d), (s)
Outdoor sports/entertainment				P	(d) , (s)
Reception hall/rental hall		C	C	C	
Short term rental dwelling unit	P/C	P/C	P/C	P/C	(d), (s)
Theater, assembly hall		P/C	P/C	P/C	(s)
<i>Automobile Services</i>					
Auto body shop				C	(d), (s)
Auto convenience market		C	C		(d), (s)
Auto service station		C	C		(d), (s)
<i>Parking Facilities</i>					
Parking facility, commercial		C	C	C	(d), (s)
<i>Transportation</i>					
Bus or railroad passenger station			C	C	
Railroad right-of-way	C	C	C	C	(s)
<i>Limited Production and Processing</i>					
Agriculture	P/C	P/C	P/C	P/C	(d), (s)
Brewery, craft		P/C	P/C	P/C	(d), (s)
Distillery, craft		P/C	P/C	P/C	(d), (s)
Limited production and processing		P/C	P/C	P/C	(d), (s)
Mail order house		P	P	P	
Printing and publishing		P/C	P/C	P/C	(s)
Winery, craft		P/C	P/C	P/C	(d), (s)
Accessory Uses					

Accessory use	P	P	P	P	(d), (s)
Dwelling unit, accessory	P	P	P		(d), (s)

[Analysis: These amendments update the table to conform with the terms, order, and organizational format of the Residential district use table and Chapter 65 uses.]

Sec. 66.421. Principal uses.

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Definition (d) Standards (s)
Residential Uses								
<i>Dwellings</i>								
One-family dwelling			P					(d)
Two-family dwelling			P					(d)
Townhouse			P					(d)
Multiple-family dwelling	P		P			P	P	(d)
Carriage house dwelling			C					(d), (s)
Housing for the elderly	P		P			P	P	(d)
<i>Mixed Commercial-Residential Uses</i>								
Home occupation	P	P	P	P	P	P	P	(d), (s)
Live-work unit			P					(d), (s)
Mixed residential and commercial use	P	P	P	P	P	P	P	(d), (s)
<i>Congregate Living</i>								
<u>Adult care home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Community residential facility, licensed correctional</u>			<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>(d), (s)</u>
<u>Dormitory</u>			<u>P/C</u>			<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Emergency housing facility</u>	<u>P</u>	<u>P</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
Foster home	P	P	P	P	P	P	P	(d), (s)
<u>Fraternity, sorority</u>			<u>P/C</u>					<u>(d), (s)</u>
Supportive housing facility	P	P	P	P	P	P	P	(d), (s)
Community residential facility, licensed correctional			C	C	C	C	C	(d), (s)
Emergency housing facility	P	P	P/C	P/C	P/C	P/C	P/C	(d), (s)
Overnight shelter						C	C	(d), (s)
<u>Roominghouse</u>			<u>C</u>			<u>P</u>	<u>P</u>	<u>(d), (s)</u>
Shelter for battered persons	P/C	P/C	P/C	P/C	P	P	P	(d), (s)
Sober house	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Roominghouse			C			P	P	(d), (s)
<u>Supportive housing facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
Adult care home	P	P	P	P	P	P	P	(d), (s)
Dormitory			P/C			P	P	(d), (s)
Fraternity, sorority			P/C					(d), (s)
Civic and Institutional Uses								

Club, fraternal organization, lodge hall <u>noncommercial</u>				P	P	P	P	(d)
College, university, seminary, etc. <u>or similar institution of higher learning</u>	P	P	P	P	P	P	P	(d), (s)
Community center	P	P	P	P	P	P	P	(d), (s)
Day care	P	P	P	P	P	P	P	(d), (s)
Homeless services facility		P/C	P/C	P/C	P	P	P	(d), (s)
Museum						P	P	
Public library	P	P	P	P	P	P	P	
Public and private park, playground	P	P	P	P	P	P	P	
Religious institution	P	P	P	P	P	P	P	(d)
School, primary & secondary	P	P	P	P	P	P	P	
Trade school, arts school, dance school, etc.	P	P	P	P	P	P	P	
Public Services and Utilities								
Antenna, cellular telephone	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Electric transformer or gas regulator substation		C	C	C	P	P	P	(s)
Municipal building or use	P	P	P	P	P	P	P	(s)
Public utility heating or cooling plant						P		
Solar energy generation facility, community	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Utility or public service building	C	P	P	P	P	P	P	(d), (s)
Commercial Uses								
<u>Offices, Retail, and Service Uses</u>								
—Administrative office	P	P	P	P	P	P	P	
—Artist, photographer studio, etc.	P	P	P	P	P	P	P	(d)
—Insurance office, real estate office, sales office <u>General office, studio</u>	P	P	P	P	P	P	P	
—Professional office	P	P	P	P	P	P	P	(d)
<u>Medical Facilities</u>								
—Clinic, medical or dental	P	P	P	P	P	P	P	(d)
—Hospital					P	P	P	(d)
—Medical laboratory	P	P	P	P	P	P	P	
—Veterinary clinic				P	P	P	P	(d), (s)
<u>Retail Sales and Services</u>								
General retail		P	P	P	P	P	P	(d)
<u>Service business, general</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
<u>Service business with showroom or workshop</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
Alternative financial establishment					C	P	P	(d), (s)
—Bank, credit union	P	P	P	P	P	P	P	
<u>Animal day care</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<u>Artist's studio</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
Business sales and services					P	P	P	(d)
Drive-through sales and services, primary and accessory	C	C		C	P	P	P	(s)
Dry cleaning, commercial laundry		P	P	P	P	P	P	(s)
Farmers market	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
—Food and related goods sales		P	P	P	P	P	P	(d)
—Food shelf	P	P	P	P	P	P	P	(d)

Garden center, outdoor			C	C	P			(d), (s)
Greenhouse					C			(d), (s)
<u>Hospital</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
Laundromat, self-service		P	P	P	P	P	P	
Liquor store		P	P	P	P	P	P	
Massage center	P	P	P	P	P	P	P	
Mortuary, funeral home					P	P	P	
Outdoor uses, commercial				P/C	P/C	P/C	P/C	(d), (s)
Outdoor uses, commercial sales of consumer fireworks					C			(d), (s)
Package delivery service					P	P	P	(d)
Pawn shop					C	P	P	(d), (s)
Post office		P	P	P	P	P	P	
Service business	P	P	P	P	P	P	P	(d)
Service business with showroom or workshop			P	P	P	P	P	(d)
Small appliance repair				P	P	P	P	
Small engine repair, automotive bench work					P	P	P	
Tattoo shop			P	P	P	P	P	
Tobacco products shop			P/C	P	P	P	P	(d), (s)
<u>Veterinary clinic</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d), (s)</u>
<i>Food and Beverages</i>								
Bar				P/C	P	P	P	(d), (s)
Brew on premises store				P	P	P	P	(d), (s)
Catering				P	P	P	P	
Coffee kiosk				P	P	P	P	(d), (s)
Coffee shop, tea house		P/C		P	P	P	P	(d), (s)
Restaurant				P	P	P	P	(d), <u>(s)</u>
Restaurant, carry-out, deli		P		P	P	P	P	(d)
Restaurant, fast-food				P/C	P/C	P	P	(d), (s)
Restaurant, outdoor				P	P	P	P	(s)
<i>Commercial Recreation, Entertainment and Lodging</i>								
Bed and breakfast residence		P	P	P	P			(d), (s)
Bingo hall, auction hall				C	P	P	P	
Health/sports club				P	P	P	P	(d)
Hotel, motel					P	P	P	(d)
<u>Motel</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
<u>Short term rental dwelling unit</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>(d), (s)</u>
<u>Health/sports club</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>(d)</u>
Indoor recreation				C	P	P	P	(d), (s)
Outdoor sports/entertainment							P	
Reception hall/rental hall				P	P	P	P	
Short term rental dwelling unit	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Steam room/bathhouse facility			P	P	P	P	P	(d)
Theater, assembly hall, concert hall				P	P	P	P	
<i>Adult Entertainment</i>								
Adult use					C	C	C	(d), (s)
<i>Automobile Services</i>								

Auto convenience market				C	C		P	(d), (s)
Auto service station				C	C		P	(d), (s)
Auto specialty store				C	C		P	(d), (s)
Auto repair station					C		P	(d), (s)
Auto sales, indoor					P	P	P	
Auto sales and rental, outdoor					C			(d), (s)
Car wash, <u>detailing</u>					C			(s)
Parking Facilities								
Parking facility, commercial						P	P	(d), <u>(s)</u>
Transportation								
Bus or railroad passenger station					P	P	P	
Helistop					C	C	C	(d), (s)
Railroad right-of-way	C	C	C	C	C	P	P	(s)
Limited Production, Processing and Storage								
Agriculture	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Brewery, craft				P/C	P/C	P/C	P/C	(d), (s)
Distillery, craft				P/C	P	P	P	(d), (s)
Finishing shop					P		P	(d), (s)
Limited production and processing					P		P	(d), (s)
Mail order house			P	P	P	P	P	
Plastic products							P	(d)
Printing and publishing				P/C	P	P	P	(s)
Recycling collection center					P			(d), (s)
Recycling drop-off station			P	P	P	P	P	(d), (s)
Storage facility, rental						P	P	(s)
Toiletries and cosmetic manufacturing							P	
Warehousing and storage							P	(s)
Wholesale establishment					P	P	P	(d), (s)
Winery, craft				P/C	P/C	P/C	P/C	(d), (s)
Accessory Uses								
Accessory use	P	P	P	P	P	P	P	(d), (s)
<u>Dwelling unit, accessory</u>			<u>P</u>					<u>(d), (s)</u>

[Analysis: These amendments update the table to conform with the terms, order, and organizational format of the Residential district use table and Chapter 65 uses. Because *Carriage house dwelling* is deleted from the BC district, *Accessory dwelling unit* is added as a permitted use in BC.]

Sec. 66.521. Principal uses.

Table 66.521. Principal Uses in Industrial Districts

Use	IT	I1	I2	I3	Definition (d) Standards (s)
Residential Uses					
<i>Mixed Commercial-Residential Uses</i>					
Home occupation	P	P	P		(d), (s)
Mixed residential and commercial use	P	P	P/C		(s)
<i>Congregate Living</i>					

<u>Adult care home</u>	<u>P</u>	<u>P</u>	<u>C</u>		<u>(d), (s)</u>
Supportive housing facility	P	P	C		(d), (s)
Community residential facility, licensed correctional		C	C		(d), (s)
Correctional facility		C	P		
Emergency housing facility	P	P/C	C		(d), (s)
Overnight shelter		C	C		(d), (s)
<u>Roominghouse</u>	<u>P</u>	<u>P</u>	<u>C</u>		<u>(d), (s)</u>
Shelter for battered persons	P	P	P		(d), (s)
Sober house	P/C	P/C	P/C		(d), (s)
Roominghouse	P	P	C		(d), (s)
<u>Supportive housing facility</u>	<u>P</u>	<u>P</u>	<u>C</u>		<u>(d), (s)</u>
Adult care home	P	P	C		(d), (s)
Civic and Institutional Uses					
Club, fraternal organization, lodge hall <u>noncommercial</u>	P	P	C		(d)
College, university, seminary, etc. <u>or similar institution of higher learning</u>	P	P	C		(d), (s)
Community center	P	P	C		(d), (s)
Child care center <u>Day care</u>	P	P	C		(d), (s)
Homeless services facility	P	P			(d), (s)
Museum	P	P	C		
Public library	P	P	C		
Public and private park, playground	P	P	P		
Religious institution	P	P	C		(d)
School, primary & secondary	P	P	C		
Trade school, arts school, dance school, etc.	P	P	C		
Public Services and Utilities					
Antenna, cellular telephone	P	P	P	P	(d), (s)
Antenna, public utility microwave	C	C	P	P	(d), (s)
Antenna, radio and television transmitting	C	C	P	P	(d), (s)
Antenna, satellite dish	C	C	P	P	(d), (s)
Electric transformer or gas regulator substation	P	P	P	P	
Municipal building or use	P	P	P		
Municipal incinerator			P	P	
Power plant			P	P	
Public utility heating or cooling plant		P	P	P	
Public works yard or maintenance facility		P	P	P	
Sewage treatment plant			P	P	
Solar energy generation facility, community	P/C	P/C	P/C	P/C	(d), (s)
Utility or public service building or yard	P	P	P	P	(d)
Water supply plant	P	P	P	P	
Yard waste site, commercial and municipal		C	C	P	(d), (s)
<u>Yard waste site, municipal</u>		<u>C</u>	<u>C</u>	<u>P</u>	<u>(d), (s)</u>
Commercial Uses					
<u>Offices, Retail, and Service Uses</u>					
Administrative office	P	P	P		

— Artist, photographer studio, etc.	P	P	P		(d)
Insurance office, real estate office, sales office	P	P	P		(d)
<u>General office, studio</u>					
— Professional office	P	P	P		(d)
<i>Medical Facilities</i>					
— Clinic, medical or dental	P	P	P		(d)
— Hospital	P	P	P		(d)
— Medical laboratory	P	P	P		
— Veterinary clinic	P	P	P		(d), (s)
<i>Retail Sales and Services</i>					
General retail	P	P	P		(d)
<u>Service business, general</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>(d)</u>
<u>Service business with showroom or workshop</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>(d), (s)</u>
Alternative financial establishment		C	P		(d), (s)
— Bank, credit union	P	P	P		
<u>Animal boarding</u>		<u>P</u>	<u>P</u>		<u>(d), (s)</u>
<u>Animal day care</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>(d), (s)</u>
<u>Artist's studio</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>(d)</u>
Business sales and services	P	P	P		(d)
Drive-through sales and services, primary principal and accessory	P	P	P		(s)
Dry cleaning, commercial laundry	P	P	P		
Farmers market	P/C	P/C	P/C		(d), (s)
— Food and related goods sales	P	P	P		(d)
— Food shelf	P	P	P		(d)
Garden center, outdoor	P	P	P		(d), (s)
Greenhouse	P	P	P		(d), (s)
Gun shop, shooting gallery		C	P	P	(d), (s)
— Laundromat, self-service	P	P	P		
— Liquor store	P	P	P		
— Massage center	P	P	P		(d)
<u>Hospital</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>(d)</u>
Mortuary, funeral home		P	C		
Outdoor uses, commercial	P/C	P/C	P		(d), (s)
Outdoor uses, commercial sales of consumer fireworks		C	C		(d), (s)
Package delivery service	P	P	P		(d)
Pawn shop		C	P		(d), (s)
— Post office	P	P	P		
— Service business	P	P	P		(d)
— Service business with showroom or workshop	P	P	P		(d)
— Small appliance repair	P	P	P		
— Small engine repair, automotive bench work	P	P	P		
Tattoo shop	P	P	P		
Tobacco products shop	P	P	P		(d), (s)
<u>Veterinary clinic</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>(d), (s)</u>
<i>Food and Beverages</i>					

Bar	P	P	P		(d)
Brew on premises store	P	P	P		(d), (s)
Catering	P	P	P		
Coffee kiosk	P	P	P		(d), (s)
Coffee shop, tea house	P	P	P		(d)
Restaurant	P	P	P		(d)
Restaurant, carry-out deli	P	P	P		(d)
Restaurant, fast food	P/C	P	P		(d), (s)
Restaurant, outdoor	P	P	P		(s)
<i>Commercial Recreation, Entertainment and Lodging</i>					
Bingo hall, auction hall	P	P	C		
Health/sports club	P	P	P		(d)
Hotel, motel	P	P	P		(d)
<u>Motel</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Short term rental dwelling unit</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>		<u>(d), (s)</u>
Indoor recreation	P	P	P		(d), (s)
Outdoor sports/entertainment		C	P	P	
Reception hall/rental hall	P	P	C		
Short term rental dwelling unit	P/C	P/C	P/C		(d), (s)
Steam room/bathhouse facility	P	P	P		(d)
Theater, assembly hall, concert hall	P	P	C		
<i>Adult Entertainment</i>					
Adult use		C	C		(d), (s)
<i>Automobile Services</i>					
Auto body shop	C	P	P	P	(d), (s)
Auto convenience market	C	P	P		(d), (s)
Auto service station	C	P	P		(d), (s)
Auto specialty store	C	P	P		(d), (s)
Auto repair station	C	P	P		(d), (s)
Auto sales, indoor	P	P	P		
Auto sales and rental, outdoor	C	P	P		(d), (s)
Car wash, <u>detailing</u>		P	P		(s)
<i>Parking facilities</i>					
Parking facility, commercial	C	P	P	C	(d), (s)
<i>Transportation</i>					
Airport		C	C	C	(d)
Bus garage, station, lot, or turnaround		P	P	C	
Heliport		C	C	C	(d), (s)
Helistop	C	C	C	C	(d), (s)
Intermodal freight yard			C	C	(d), (s)
Motor freight terminal			C	C	(d), (s)
Railroad right-of-way, transfer and storage tracks	P	P	P	P	
Railroad station or terminal freight facility	P	P	P	C	
Railroad yard or shop	C	C	P	P	
Taxi dispatching, maintenance and storage		P	P	P	
<i>Limited Production, Processing and Storage</i>					
Agriculture	P	P	P		(d), (s)

Brewery, craft	P	P	P		(d)
Distillery, craft	P	P	P		(d)
Finishing shop	P	P	P		(d), (s)
Limited production and processing	P	P	P		(d), (s)
Mail order house	P	P	P		
Plastic products	P	P	P		(d)
Printing and publishing	P	P	P		
Recycling collection center		P	P		(d), (s)
Recycling drop-off station	P	P	P		(d), (s)
Storage facility, rental	P	P	P	P	
Toiletries and cosmetic manufacturing	P	P	P		
Warehousing and storage	P	P	P		
Wholesale establishment	P	P	P		(d)
Winery, craft	P	P	P		(d)
Industrial Uses					
Light manufacturing	P	P	P	P	(d)
General industrial			P	P	(d)
General outdoor processing			C	C	(d), (s)
Brewery, micro and regional	P	P	P		(d)
Brewery, national			P		(d)
Cement, asphalt cement, and asphalt manufacturing			C	C	(s)
Concrete, asphalt and rock crushing facility, outdoor				C	(d), (s)
Crematorium		P	P	P	
Greenhouse, industrial	P	P	P		(d)
Hazardous waste processing facility			C	C	(d), (s)
Hazardous waste recycling transfer facility			C	C	(d), (s)
Infectious waste incinerator				C	(s)
Infectious waste processing facility			C	C	(d), (s)
Lumber yard	P	P	P		
Mining			C	C	(d)
Motor vehicle salvage operation			C	C	(d), (s)
Petroleum and gasoline tank farm				P	
Recycling processing center, indoor		P	P	P	(d), (s)
Recycling processing center, outdoor			C	C	(d), (s)
Research, development and testing laboratory	P	P	P		
Solid waste compost facility			C	C	(d), (s)
Solid waste transfer station			P	P	(d)
Tire retreading		P	P	P	
Accessory Uses					
Accessory use	P	P	P	P	(d), (s)

[Analysis: These amendments update the table to conform with the terms, order, and organizational format of the Residential district use table and Chapter 65 uses. Because *Carriage house dwelling* is deleted from the BC district, *Accessory dwelling unit* is added as a permitted use in BC.]

3. Other Related Updates

Sec. 60.301. Zoning districts established.

For the purposes of this code, the city is hereby divided into the following zoning districts:

(a) Residential districts.

RL ~~one-family~~ large lot residential district

~~R1 one-family~~ H1 residential district

~~R2 one-family~~ H2 residential district

~~R3 one-family~~ H3 residential district

~~R4 one-family residential district~~

~~RT1 two-family residential district~~

~~RT2 townhouse residential district~~

[Analysis: These amendments reflect the replacement of the existing R1-RT2 districts with the new H1-H3 districts and the changes to the RL district.]

Sec. 63.101. Lots adjoining alleys.

In calculating the area of a lot that adjoins a dedicated public alley, for the purpose of applying lot area, lot coverage, and density requirements of this code, one-half the width of such alley adjoining the lot ~~shall be~~ is considered as part of such lot.

[Analysis: This amendment clarifies that for lots that adjoin a public alley, one-half the width of the alley adjoining the lot is considered as part of the lot for the purpose of applying lot coverage requirements, in addition to applying lot area and density requirements.]

Sec. 62.106. Nonconforming uses of structures, or structures and land in combination.

~~(m) In RL R4 districts, existing legal nonconforming two-family residential uses may be expanded. The expansion must meet the yard setbacks and the percentage of lot coverage requirements of the zoning district in which located or the RT1 district, whichever is greater; the height limit of the district in which located; and the requirements for off-street parking in article 63.200.~~

~~(m)~~ In any residential district, existing commercial greenhouses may be expanded, or altered. The greenhouses must meet the height, yard setbacks, and percentage of lot coverage of section 66.230, residential district density and dimensional standards, for the district in which they are located and the requirements for off-street parking, article 63.200.

~~(en)~~ Existing auto body shops located in zones other than industrial zones shall be considered, for purposes of changes in nonconforming uses, as B3 uses. Auto body shops that are legally nonconforming in T2-T4 and B3 zoning districts may expand even though they are not permitted uses in these zoning districts. Auto service stations in T2, T3 and B2 zoning districts which remove their gas tanks and pumps will be regarded as legal nonconforming auto repair stations. Auto repair stations and auto specialty stores that are legally nonconforming in T2-T4 zoning districts may expand even though they are not permitted uses in these zoning districts.

~~(po)~~ Existing gun shops that are legally nonconforming, and are not pawn shops, shall be considered, for purposes of changes in nonconforming uses, as permitted uses and may expand even though gun shops are not permitted uses in the district, provided that the amount of floor area devoted to the display and sale of firearms is not increased and that any new public entrance is not located within one thousand (1,000) radial feet of any "protected use," as defined in section 65.520(a) of this Code.

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- (ep) Existing municipal yard waste sites that are legally nonconforming in the IT transitional industrial district may expand as a conditional use under the provision of sections 61.501—61.504 and section 65.331 even though new municipal yard waste sites are not permitted in the IT transitional industrial district.

[Analysis: These amendments delete a note that refers to nonconforming two-family residential uses in RL-R4 that is no longer needed because two-family dwellings are proposed to be permitted uses in the new RL-H3 districts and update numbering of the subsequent notes.]

Sec. 157.03. Stopping or parking prohibited in certain places.

- (i) No vehicle containing scrap materials or recyclable materials in an amount that fills a space of four (4) square feet or more shall be parked or left standing on any street in an ~~R1 through R4, RT1, RT2-H1~~ through H3, RM1 through RM3, T1, T2, T3 or T4 Zoning District for more than thirty (30) minutes. It shall not be a violation of this section if the recyclable materials are fully enclosed within the structure of the vehicle. Recyclable materials shall have the definition found in Saint Paul Legislative Code Section 408.02. Scrap materials shall be defined as recyclable materials left over from product manufacturing and consumption, such as parts of vehicles, building supplies, and surplus materials.

Sec. 157.11. Parking for larger vehicles.

- (b) *Garbage, rubbish or recycling trucks.* No vehicle designed, used or maintained for the transportation of garbage or rubbish, or recyclable material as defined in St. Paul Legislative Code Chapter 408, whether licensed or unlicensed, shall be parked or left standing on any private property, street or alley in any ~~R1, R2, R3, R4, RT1, RT2-H1, H2, H3~~, RM1, RM2, RM3, T1, T2, T3, or T4 Zoning District for more than thirty (30) minutes.

Sec. 165.02. Permit required.

No agricultural vehicle may be permitted to stop, stand, or park on any street in an ~~R1 through R4, RT1, RT2-H1 through H3~~, or RM1 through RM3 zoning district, in violation of section 157.11, subd. (d)(3), without special parking permits issued by the City of Saint Paul and displayed in accordance with this chapter. Permit holders may only park pursuant to this subdivision within the street frontage of the permit holder's domicile.

[Analysis: These amendments replace references to R1-RT2 districts with the new H1-H3 districts.]

C. Cluster development standards update

The proposed amendments in this section make updates to the current cluster development definition, standards, and conditions to facilitate the use of this unique land use. The modernized regulations provide greater flexibility by allowing more housing types and additional neighborhood-scale dwellings on larger lots if adequate common open space and pedestrian connections are built within the development.

1. Cluster Development Standards Update

Sec. 65.130. Cluster development.

The arrangement of ~~two (2) or more dwelling units, either attached or detached, as part of a single development that may include more than one (1) principal residential building on a zoning lot multiple one-family dwellings, two-family dwellings, and/or multiple-family dwellings of no more than four units, sharing a common open space on a single zoning lot.~~

Standards and conditions:

- ~~(a) Applications for cluster development shall include site plans, including landscaping and elevations and other information the planning commission may request.~~
- ~~(b) No unit shall intrude on the vertical airspace of any other unit.~~

-
- (ea) Lot size. The parcel must have a minimum ~~frontage of eighty (80) feet on an improved street and meet the lot area required per unit in the zoning district~~ size of nine thousand six hundred (9,600) square feet and a ~~maximum size of a one-half (1/2) acre.~~ Individual lots within a cluster development may have less than the required lot area for the zoning district provided such reductions are compensated for by an equivalent amount of property owned in common elsewhere in the cluster development. Lot area shall not include areas designated as public or private streets.
- (eb) Zoning district standards. Buildings ~~Structures~~ must conform to the dimensional standards for minimum lot area per unit, height, ~~lot coverage~~, and setbacks for the zoning district. Required yards within a cluster development may be reduced or eliminated provided required yards are maintained along the periphery of the cluster development.
- (c) Lot coverage. In RL and H1 residential districts, total lot coverage of all buildings must not exceed fifty-five (55) percent of the zoning lot. In H2 and H3, total lot coverage of all buildings must not exceed sixty (60) percent of the zoning lot.
- (d) Accessory buildings. No more than one (1) accessory dwelling unit is permitted per one-family dwelling in the cluster development. The accessory dwelling unit must meet standards (b) – (e) in section 65.913. The accessory unit does not count towards the minimum lot size per unit standard. Accessory buildings must conform to the standards in section 63.500.
- (e) Principal buildings. Principal buildings must meet the following standards:
- (1) Each principal building must either have an entrance that abuts the common open space or must be directly connected to it by a pedestrian path.
 - (2) Principal buildings within twenty (20) feet of a street property line may have their entrances facing the street and can connect to the common open space by the sidewalk in public rights-of-way that connects to the pedestrian path.
 - (3) Principal buildings not facing the common open space or the street must have their main entrances facing a pedestrian path that is directly connected to the common open space.
 - (4) The building design standards in section 63.110.
- (f) Common open space. The cluster development must have a common open space for use by all residents. Common open spaces must meet the following standards:
- (1) The common open space must be a single, contiguous area.
 - (2) The common open space must contain a minimum of one hundred fifty (150) square feet per principal unit within the cluster development. Accessory dwelling units are not subject to this requirement.
 - (3) The common open space must be a minimum of fifteen (15) feet wide at its narrowest dimension.
 - (4) The common open space must contain landscaping, lawn area, community garden, paved courtyard area, recreational amenities, or a mix of any of these, and may also include stormwater management infrastructure. Impervious elements of the common open space must not exceed seventy-five (75) percent of the total common area. Driveways and parking areas do not count as common open space.
- (g) Pedestrian path. An accessible, hard-surfaced pedestrian path that is a minimum of four (4) feet wide must be provided that connects an entrance of each dwelling to the following:
- (1) The common open space;
 - (2) Parking areas, if applicable;
 - (3) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks; and
 - (4) A community building, if applicable.

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- (h) *Community building.* A cluster development may include one community building, for the shared use of residents, that provides space for accessory uses such as a community meeting room, exercise room, day care, laundry facilities, non-commercial community kitchen, or eating area.
 - (i) *Off-street parking.* Off-street parking facilities for the cluster development must conform to the standards in section 63.300.
 - ~~(e) *The design shall be compatible with the surrounding neighborhood.*~~
 - (f) Individual lots, buildings, street and parking areas ~~shall~~ **must** be designed and situated to minimize alteration of the natural features and topography.
 - (k) *Conditional use permit.* A minimum lot area per unit that is lower than that required by the zoning district may be permitted with a conditional use permit, subject to the following conditions:
 - (1) Applications must include site plans, including landscaping and elevations and other information the planning commission may request.
 - (2) The floor area of individual dwelling units must be limited to no more than six hundred (600) square feet.
 - (3) The development must not contain any accessory dwelling unit.

[Analysis: These amendments redesign the cluster development land use as an avenue for missing middle development on larger lots in urban neighborhoods within guidelines that ensure the additional density above what is permitted by the zoning district is supported with additional, required community amenities.

Until the Phase 1 zoning code amendments were adopted in 2022, zoning districts RL through RT1 permitted only one principal residential building per lot; the cluster development was provided as a method to build multiple residential buildings on a lot in these districts under the review and approval of a conditional use permit by the Planning Commission. Currently, a conditional use permit for a cluster development is subject to a Zoning Committee public hearing, and to the same dimensional standards of the underlying zoning district, meaning that a cluster development is not intended to increase unit density. In 2022, the restriction on the number of principal residential buildings per lot in RL through RT1 was eliminated from the code, although the district standards continued to result in limited permitted land uses – i.e. low-density housing.

Under the proposed amendments, lots in RL and H1-H3 residential districts are subject to per-lot maximums for the number of housing units, leaving larger lots in these zoning districts underutilized for neighborhood-scale housing. The proposed cluster development land use is intended as a method to conscientiously permit additional neighborhood-scale dwellings on larger lots, provided that a common open space and adequate pedestrian connections are built into the site. Proposed H1-H3 dimensional standards permit up to three, four, or six units per lot. The densest proposed district, H3, requires a minimum lot area of 1,000 sq. ft. per unit, which could reach a required 6,000 sq. ft. for six units; the lowest density proposed district, H1, requires 2,000 sq. ft. per unit up to a maximum of four units, which could reach a required 8,000 sq. ft. The proposed minimum lot area for a cluster development is 9,600 sq. ft., which approximates two commonly-sized lots of 4,800 sq. ft. (40 feet wide and 120 feet deep), side by side. On these lots, the district's required lot area per unit still applies within a cluster development, but more units than the district otherwise allows may be built, so long as no building contains more than four units. These amendments also increase permitted lot coverage maximums from 40% to 55% for RL and H1, 45% to 60% for H2, and 50% to 60% for H3 to increase flexibility. To provide protection against the possible displacement impacts of property acquisition within an entire block by speculative developers, to conserve larger lots for high-density housing, and to incentivize urban neighborhood lots to be

appropriately subdivided for additional ownership opportunities, a cluster development may be built on lots no larger than one-half acre, or 21,780 sq. ft.

A common courtyard or green space is required in a cluster development to encourage community-building and provide residents with close access to shared amenities for recreation and gathering. Buildings are required to directly abut the common space or to have direct pedestrian access to it, and at least 25% must be lawn or other pervious material. Driveways and parking spaces are not proposed to be considered valid common open space, as they disrupt the protected pedestrian-friendly experience this space is intended to provide. The common open space may double as stormwater management infrastructure.

To facilitate modern small home and tiny home developments, as well as achieve the implicit efficiencies and potential affordability at a neighborhood scale that these building types can provide, a cluster development may be built to a lower minimum lot area per unit than that required by the zoning district if the Planning Commission approves a conditional use permit. Under the proposed regulations, these more compact developments must consist of only dwelling units that are smaller than 600 sq. ft., may not contain accessory dwelling units, and must submit site plans and other design-related material for review and approval by the Planning Commission. This housing type could provide a much-needed housing style at prices affordable to a range of household incomes, and the market of manufactured housing includes a vast array of products, from high-cost modern building techniques and aesthetic designs to previously-used and less durable buildings. Planning Commission review and public hearing gives the City and community the chance for additional reasonable discretion and input on these small home communities.

Many of the elements proposed in this cluster development update are inspired by other cities' cluster development regulations. The City of Minneapolis zoning code allows up to three dwelling units in each structure which is much more flexible compared to other cities' codes that limit cluster developments to one-family dwellings with strict floor area and/or footprint limits. Many cities allow a community building and have a common open space requirement, either in the form of a minimum percentage of the total lot area or a designated square foot per unit, commonly 150-400 sq. ft. per unit. The City of Portland code has a 150 sq. ft. per unit common open space requirement, and the State of Oregon model code includes design standards related to principal building entrances, common open space, and pedestrian paths that ensure a development with usable open space, easily accessed by all units.】

D. ADU and accessory building standards update

The proposed amendments in this section facilitate the development of accessory dwelling units (ADUs) by allowing two ADUs for each one-family dwelling on a lot, effectively increasing the maximum allowable unit size and height of ADUs, and exempting accessory buildings containing dwelling units from the three-building and 1,200 square foot maximums for accessory buildings. Proposed amendments to the non-dwelling accessory buildings include increasing height flexibility.

1. Accessory Dwelling Unit (ADU) Standards Update

Sec. 65.913. Dwelling unit, accessory.

A ~~secondary~~ dwelling unit, ~~subordinate~~ that is secondary to a principal one-family dwelling, within or attached to ~~a~~ the one-family dwelling or in a detached accessory building on the same zoning lot.

Standards and conditions:

-
- (a) *Number of accessory units.* There ~~shall must~~ be no more than ~~one (1)~~ two (2) accessory dwelling units for each one-family dwelling on a zoning lot. If there are two accessory dwelling units for a one-family dwelling, at least one must be detached from the one-family dwelling.

[Analysis: These amendments make minor clarifying edits to the definition of accessory dwelling unit (ADU) and allow up to two ADUs for each one-family dwelling on a zoning lot. The addition of ADUs to a property are a way to incrementally add housing units that are limited in unit size and have combined occupancy with the principal dwelling unit, while being sensitive to the scale of existing one-family developments. Community engagement confirmed that ADUs are an attractive housing type, and many household types would benefit from having additional ADUs.

Other cities allow multiple ADUs on a zoning lot. The City of Seattle zoning code allows up to two attached ADUs, or one attached and one detached with a second detached ADU if green building or affordability requirements are met. The City of Portland code allows up to two ADUs with a house, attached house, or manufactured home and one detached ADU with a duplex on lots that meet a minimum lot area. The State of California requires that cities allow up to two ADUs on a single-family zoned property – one ADU and one Junior ADU (JADU), which is an ADU within the single-family residence that has a total floor area maximum of 500 square feet.

It is proposed that at least one ADU be detached from the one-family dwelling if there are two ADUs, which prohibits a one-family dwelling with two attached ADUs. From a building code perspective, a one-family dwelling with two attached ADUs is a triplex and other requirements like automatic sprinklers and fire access roads can be triggered for triplexes, which would make implementation more complex, if not infeasible, on lots of limited size. Similarly, the City of Portland code also requires that at least one ADU must be detached from the primary structure.

While some other cities permit ADUs with multi-family dwellings such as a duplex, it is proposed that ADUs continue to only be permitted with one-family dwellings. Because the proposed H1-H3 zoning districts carry reduced lot area minimums per unit and a maximum number of principal dwelling units per lot, the opportunity for duplexes, triplexes, fourplexes, multiple one-family dwellings, and combinations of these housing types increases. If ADUs were permitted with duplexes or triplexes, it would be difficult to keep track of total occupancy between the ADU and its associated principal dwelling unit. It is also likely that a one-family home could already be added on a lot with a duplex or triplex without being subjected to unit occupancy and size limitations that apply to ADUs.]

Sec. 65.913. Dwelling unit, accessory. (cont.)

- (b) Compliance with other city, local, regional, state and federal regulations. Pursuant to section 60.109 of the Zoning Code, all accessory dwelling units must comply with city, local, regional, state and federal regulations.
- (c) *Unit occupancy.* The ~~total combined~~ occupancy of the principal dwelling unit and accessory dwelling units ~~shall must~~ not exceed the number of occupants as specified in the definition of *Household* in section 60.209.
- (d) *Unit size.* The total floor area of ~~the~~ each accessory unit ~~shall must~~ not exceed eight hundred (800) square feet or 75% seventy-five (75) percent of the floor area of the principal dwelling unit, whichever is greater. ~~If the accessory unit is within the principal building, the principal building shall have a minimum floor area of one thousand (1,000) square feet. For multi-story principal buildings built prior to the enactment of this section, the maximum floor area of an accessory dwelling unit may be equal to that of the first floor, but shall be less than or equal to fifty (50) percent of the floor area of the building.~~
- (e) *Access and entrances.*

-
- (1) A walkway ~~shall~~must be provided from an abutting public street to the primary entrance of the accessory dwelling unit.
 - (2) Upper floor units within the principal structure ~~shall~~must have interior stairway access to the primary entrance of the unit. Secondary stairways required for fire safety may be located on the exterior of the side or rear of the building, but shall not be allowed on the front of the building.
 - (3) Exterior stairways ~~shall~~must be built of durable materials that match the finish of the principal structure or accessory building to which they are attached. Raw or unfinished lumber shall not be permitted.
- (f) *Ownership.* ~~The a~~Accessory dwelling units shall not be sold separately from the principal dwelling unit, and may not be a separate tax parcel.
- (g) *Height.* In RL-RM2 residential districts, the height of a detached accessory building containing accessory dwelling units must conform to section 63.501(d).

[Analysis: These amendments to the unit occupancy, access and entrances, and ownership standards improve clarity and reflect the proposal to allow two ADUs per one-family dwelling.

The current ADU total floor area limit of 75% of the size of the principal unit favors properties with larger principal units. The ADUs built on lots with a smaller principal unit would not be able to be as large as the ADUs built on a lot with a larger principal unit. The proposed total floor area of 800 sq. ft. or 75% of the principal dwelling unit, whichever is greater, is more equitable, as ADUs can be at least 800 sq. ft. in floor area regardless of the size of the principal unit. To increase flexibility and make regulations more equitable, the amendments also delete the minimum floor area required of a principal building for an internal ADU to be established within it, and the maximum floor area required of an ADU established within a multi-story principal building built prior to the enactment of this code section.

A new height note (g) improves clarity by referring code users to the section that provides height regulations for ADUs. Updated Sec. 63.501(d) is discussed below in greater detail.]

2. Accessory Buildings and Uses Standards Update

Sec. 63.501. Accessory buildings and uses.

Accessory buildings and uses, except as otherwise provided in this Code, ~~shall be~~are subject to the following regulations:

- (a) When an accessory building is structurally attached to a main building, it ~~shall be~~is subject to, and must conform to, all regulations of this code applicable to main buildings. Accessory buildings ~~shall be~~ located at least less than six (6) feet from any principal building ~~or shall be~~are considered attached for setback and lot coverage purposes.
- (b) *Setbacks.* Accessory buildings are subject to the setback standards for principal buildings, with the following exceptions.
 - (1) Accessory buildings may be erected or established in a required rear yard and must be set back a minimum of one (1) foot from any alley right-of-way. On corner lots, accessory buildings must be set back from the side street lot line a distance equal to that required of principal buildings.
 - (2) Garages must be set back from the front lot line at least as far as the principal structure (in the case of attached garages, this refers to the non-garage part of the structure).
 - (3) Accessory buildings must be set back at least three (3) feet from all interior lot lines, and overhangs must be set back at least one-third (⅓) the distance of the setback of the garage wall or one (1) foot, whichever is greater. When an accessory building is constructed in a nonrequired front yard or rear yard that adjoins a side yard or front yard, the accessory building must be set back from the interior lot line a distance equal to the minimum side yard required of principal buildings.

(4) The setback requirement from interior lot lines for accessory buildings in rear yards is waived when a maintenance easement is recorded as to the affected properties, proof of such recorded easement is provided at the time of application for a building permit and the accessory building is located at least three (3) feet from any building on an adjoining lot. The recording of the maintenance easement is interpreted to mean that the following intents and purposes of this setback requirement are met:

- a. Adequate supply of sunlight and air to adjacent property;
- b. Sufficient space for maintenance of the building from the same lot; and
- c. Prevention of damage to adjoining property by fire or runoff from roofs.

A recorded common wall agreement is permitted in lieu of a maintenance easement if the accessory building is attached to an accessory building on an adjoining lot.

~~(b)~~ Accessory buildings shall not be erected in or established in a required yard except a rear yard. The following additional standards shall apply to residential parking: Residential parking is subject to the following standards.

- (1) Access to off-street parking shall must be from an abutting improved alley when available, except where it is determined in the review of a site plan application by the zoning administrator that there are circumstances unique to the property that make this impractical, unreasonable, or harmful to the public safety, or where maintenance of alley surfaces and/or where erosion control and protection of water quality may be impaired. On corner lots, access to parking may be from the side street.
- (2) Off-street parking spaces shall must not be located within the front yard.
- ~~(3) Garages shall be set back from the front lot line at least as far as the principal structure (in the case of attached garages, this refers to the non-garage part of the structure).~~
- (43) Except in the rear yard, garage doors that face a public street shall must be no more than nine (9) feet in height and shall must not exceed sixty (60) percent of the width of the principal structure facing the same street.
- (54) Passenger vehicles may be parked on an approved driveway in front or side yards provided the driveway leads to a legal parking space.

~~(c) On corner lots, accessory buildings shall be set back from the side street lot line a distance equal to that required of principal buildings. On through lots where frontage is clearly established on the block, rear yard setbacks for accessory buildings shall be equal to the side yard required of principal buildings. Accessory buildings shall be set back a minimum of one (1) foot from any alley right-of-way.~~

~~When an accessory building is constructed in a nonrequired front yard or rear yard that adjoins a side yard or front yard, the accessory building shall be set back from the interior lot line a distance equal to the minimum side yard required of principal buildings.~~

~~On all other lots, accessory buildings shall be set back at least three (3) feet from all interior lot lines, and overhangs shall be set back at least one third (1/3) the distance of the setback of the garage wall or one (1) foot, whichever is greater.~~

~~(d) This setback requirement from all interior lot lines for accessory buildings in rear yards shall be waived when a maintenance easement is recorded as to the affected properties, when proof of such recorded easement is provided at the time of application for a building permit and when the accessory building is located at least three (3) feet from any building on an adjoining lot. The recording of the maintenance easement shall be interpreted to mean that the following intents and purposes of this setback requirement are met:~~

- ~~(1) Adequate supply of sunlight and air to adjacent property;~~
 - ~~(2) Sufficient space for maintenance of the building from the same lot; and~~
 - ~~(3) Prevention of damage to adjoining property by fire or runoff from roofs.~~
- ~~—A recorded common wall agreement is permitted in lieu of a maintenance easement if the accessory building is attached to an accessory building on an adjoining lot.~~

[Analysis: These amendments include a new standard (b) about setbacks to improve clarity. The new standard (b) specifies that accessory buildings are subject to the setback standards for principal buildings with exceptions listed, which are taken from the current standards (c), (d), and the first sentence of the current standard (b). The second sentence of the current standard (c), “On through lots where frontage is clearly established on the block, rear yard setbacks for accessory buildings shall be equal to the side yard required of principal buildings” is deleted completely because through lots have frontage on two streets, two front lot lines and front yards, and no rear lot line or rear yard. As stated in the new standard (b), the accessory building on a through lot would be subject to the setback standards for the principal buildings and meet the minimum front yard setback standards of the zoning district, which, depending on the zoning district, may be required to consider the front yard setbacks of the adjoining lots’ front yards.

To improve clarity, minor changes are made to the new standard (c) about residential parking. It is proposed that access to off-street parking must be from an abutting alley when available, regardless of whether the alley is improved or not. There are many lots throughout the city that abut unimproved alleys made of gravel or another material that is sufficient for providing access to off-street parking. By requiring that off-street parking access be from an abutting alley, there will be fewer additional street curb cuts, which disrupt the streetscape and pedestrian environment. This is also consistent with Comprehensive Plan Policy T-12, which says to “*minimize and consolidate driveway curb cuts ... for redevelopment sites that have sufficient existing access or can reasonably be accessed via side streets, alleys or shared driveways,*”. If alley access impairs maintenance of alley surfaces or erosion control and protection of water quality, the lot may be excepted from this requirement.]

Sec. 63.501. Accessory buildings and uses. (cont.)

- (ed) ~~Accessory building height on a zoning lot with residential use in RL-RM2 districts. In RL-RM2 residential districts, The height of~~ accessory buildings ~~that do not contain a dwelling unit on a zoning lot with residential use shall~~ may not exceed fifteen (15) feet ~~in height; provided, however, that accessory buildings with a in the case of a~~ flat or shed roof style ~~shall not exceed twelve (12) feet in height and eighteen (18) feet in the case of all other roof styles, and that t~~he height of an accessory building containing a dwelling unit ~~shall~~ may not exceed twenty-five (25) feet ~~or the height of the principal structure, whichever is less.~~

~~Exception: These~~ accessory building height ~~limits do shall~~ not apply to property within designated heritage preservation sites and districts, ~~where. In these cases~~ appropriate building heights for accessory structures ~~are shall be~~ determined through the design review process to ensure that heights are acceptable and in keeping with the scale and style of development on the property.

- (fe) ~~Accessory buildings o~~On zoning lots ~~containing one and two family dwellings are subject to the following standards: with up to four principal dwelling units,~~

~~(1) — There shall be is~~ a maximum of three (3) non-dwelling accessory buildings, the total of which may occupy a maximum of twelve hundred (1200) square feet of the lot.

~~(2) — Accessory buildings may occupy a maximum of thirty five (35) percent of the rear yard. Where the rear yard adjoins an alley, half the area of the adjoining alley may be included in calculating the area of the rear yard that may be occupied by accessory buildings.~~

[Analysis: These amendments improve clarity and increase building design flexibility. Heights for accessory buildings that do not contain a dwelling unit are proposed to increase from 12’ to 15’ for flat or shed roof styles and from 15’ to 18’ for all other roof styles. Discussions with the Department of Safety and Inspections revealed that increasing the height limits by a few feet would allow the flexibility to include

more storage space above where cars are parked in the garage, potentially reducing the need to build a shed or other accessory storage building as well as the need to apply for a variance.

To increase flexibility for ADUs and make regulations more equitable, the height limit of an accessory building containing a dwelling unit is proposed to change from being either the lesser of 25' or the height of the principal structure, to simply 25'. A flat 25' height limit for ADUs, regardless of the height of the principal structure, equitably maintains a neighborhood scale while allowing ADUs on lots with a shorter one-family dwelling to reach the same height as those paired with taller one-family dwellings.

To encourage the development of ADUs while maintaining limitations to non-dwelling accessory buildings like garages and sheds, accessory buildings containing dwelling units are proposed to be exempt from the three-building and 1,200 square foot maximum. Because the proposed RL and H1-H3 districts use a maximum number of principal units per lot regardless of dwelling type, these limitations for non-dwelling accessory buildings, which currently only apply to lots containing one- and two-family dwellings, are proposed to apply to zoning lots with up to four principal dwelling units. This change maintains consistent standards for lots with up to four principal dwelling units.】

E. Porches, decks, projections, and off-street parking facility standards update – *Coming soon*

F. Site Plan Review clarifications – *Coming soon*

G. Subdivision regulations update – *Coming soon*

H. Additional updates to improve clarity – *Coming soon*

7. Staff Recommendation – *Coming soon*

8. Appendices

Appendix A: Conceptual Housing Types - *Included in previous report*

Appendix B: Proposed Zoning District Maps

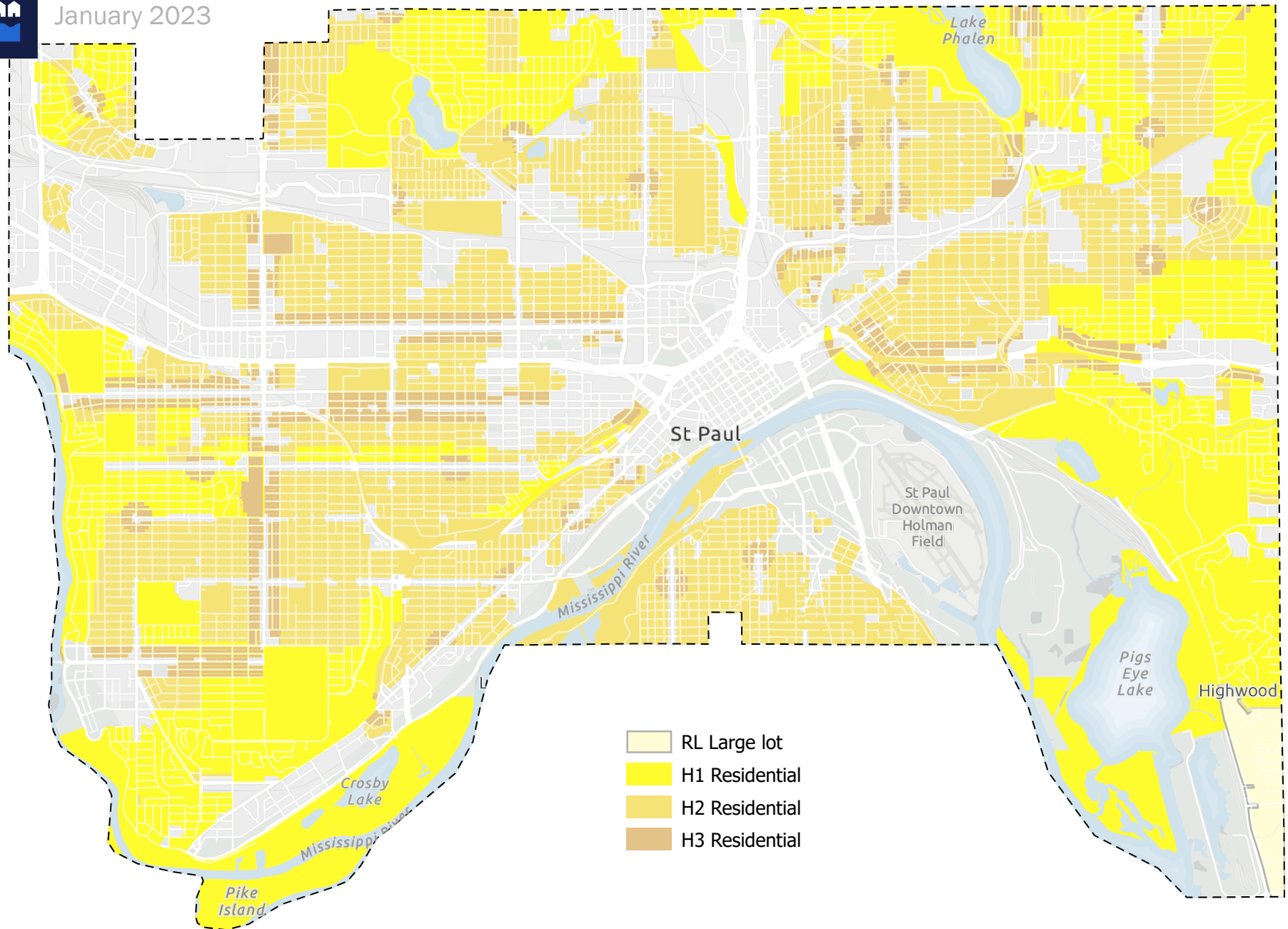
Appendix C: Proposed text amendments – *Coming soon*



Proposed Zoning Districts

1-4 Unit Housing Study

January 2023

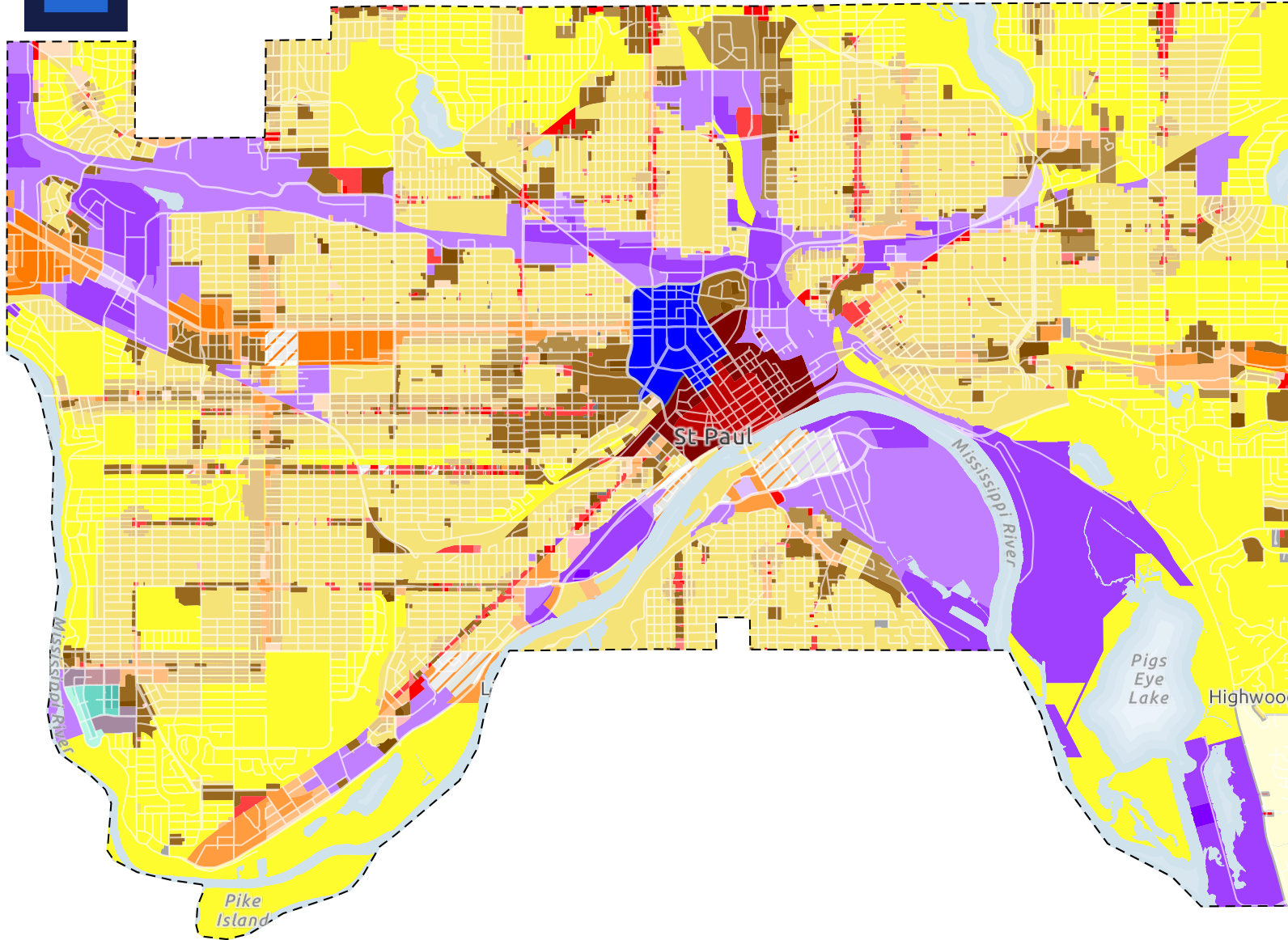




Proposed Zoning Districts - all zoning

1-4 Unit Housing Study

January 2023



- RL Large lot
- H1 Residential
- H2 Residential
- H3 Residential
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T1 Traditional Neighborhood
- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T3M T3 with Master Plan
- T4 Traditional Neighborhood
- T4M T4 with Master Plan
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IT Transitional Industrial
- ITM IT with Master Plan
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- F1 River Residential
- F2 Residential Low
- F3 Residential Mid
- F4 Residential High
- F5 Business
- F6 Gateway
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction

This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data source: St. Paul Enterprise GIS, 2023.

Date: 1/20/2023 12:19 PM Document Path: C:\Users\wadem\OneDrive - City of Saint Paul\Documents - PED-Planning and Heritage Preservation\Zoning Studies\1-4 Unit Infill Housing Zoning Study\GIS\Working Mapping\ArcGIS PRO aprx files\4 - GIS\1-4 Unit Housing Study mapping.aprx

