

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 20-01

**AN ORDINANCE AMENDING THE WEST ST. PAUL ZONING ORDINANCE
BY ESTABLISHING THE SMITH/DODD NEIGHBORHOOD OVERLAY DISTRICT**

The City of West Saint Paul does ordain:

SECTION 1. ENACTMENT. West St. Paul Zoning Code Section 153.315 relating to the establishment of the Smith/Dodd Neighborhood Overlay District is hereby ENACTED as follows:

153.315 SMITH/DODD NEIGHBORHOOD OVERLAY DISTRICT

(A) General Provisions:

- (1) *Establishment of the overlay district; intent.* There is hereby established within the city a special zoning district which shall be known as the Smith/Dodd Neighborhood Overlay District. This district is established to implement the Smith/Dodd Small Area Plan, maintain a unique character, to promote mixed-use development, and to protect public health, safety and welfare within the designated district.
- (2) *Relationship to other applicable regulations.* Property located within the overlay district shall be subject to the provisions of the primary zoning district and the new overlay district, as well as any site plan approval process. Because overlay district regulations may be more or less restrictive than the primary zoning district, where provisions of the overlay district conflict with the primary zoning district or with the site plan approval process, the provisions of the overlay district shall govern.
- (3) *Established boundaries.* The overlay district designation shall be shown on the zoning map in addition to the underlying zoning district designation.

(B) Smith/Dodd Neighborhood Overlay District.

- (1) *Purpose.* The Smith/Dodd Neighborhood Overlay District is designed to facilitate implementation of recommendations in the Smith/Dodd Small Area Plan. Redevelopment in the district shall be designed to allow for flexibility beyond the existing B2 District while requiring a pedestrian scale, reestablishing the automobile use focused to the rear of the buildings, and allow for a reduction in requirements for off-street parking.
- (2) *Permitted Uses.* Within the Smith/Dodd Neighborhood Overlay District, no structure or land shall be used except for one or more of the following uses, or

uses deemed similar by the City Council: Any permitted use regulated in the B2 District except Sections 153.315(B)(3)-(5) below, which are permitted uses in the B2 District, but shall be conditional uses in the Smith/Dodd Neighborhood Overlay District.

(3) *Conditional Uses.* Within the Smith/Dodd Neighborhood Overlay District, no structure or land shall be used for one or more of the following uses except by conditional use permit:

- a. Any conditional use regulated in the B2 District;
- b. A licensed child care facility;
- c. Pipe and tobacco;
- d. Appliance store;
- e. Small appliance repair.

(4) *Permitted Accessory Uses.* Within the Smith/Dodd Neighborhood Overlay District, the following uses shall be permitted accessory uses:

- a. Any permitted accessory use regulated in the B2 District;
- b. Tanning salon.

(5) *Prohibited Uses.* Within the Smith/Dodd Neighborhood Overlay District, the following uses shall be prohibited:

- a. Private garages;
- b. Radio and television towers;
- c. State licensed adult day care facility;
- d. Drive-through lanes;
- e. Funeral homes or mortuaries;
- f. Car washes;
- g. Motor fuel stations;
- h. Minor vehicle repair;
- i. Laundromats of self-service type;
- j. Municipal buildings.

(6) *Drive aisle, building, parking and curbing standards.* The following regulations shall pertain to the Smith/Dodd Neighborhood Overlay District.

- a. Off-street parking, building and drive aisle setback standards are as follows:

<i>Smith/Dodd overlay</i>	<i>Building</i>	<i>Parking</i>
Front yard	*10 feet	Not permitted
Rear yard	20 feet minimum	10 feet minimum
Side yard	0 feet	0 feet
Side adjacent to “R”	10 feet minimum	10 feet
Side adjacent to street	*10 feet	*10 feet minimum
*Building anchors on the corner shall be orientated to the corner and both public streets.		

- b. Parking and vehicular access shall be minimized so they do not dominate the street frontage.
 - 1. Off-street parking may be located to the rear of the principal building or within the rear yard of the parcel.
 - 2. Off-street parking may be located in the interior side yard provided that the parking and entrance drive does not occupy more than the required width for a single drive aisle and one row of parking and may not exceed 30 percent of the total lot frontage.
- c. Access for off-street parking shall be limited to the rear alley if applicable.
- d. If off-street parking areas are visible from the public right-of-way, additional landscaping shall be required to provide screening from the right-of-way.

(7) *Landscape, lighting and sign standards.*

- a. The front setback area shall be utilized as an extension of the public sidewalk, including outdoor seating, and/or landscaping; courtyards are encouraged.
- b. A pedestrian connection is required from the public sidewalk to a front building entry.
- c. A bike rack is encouraged near the front entry of all buildings.
- d. At least 50 percent of all landscaped areas should be planted with species native to the state.
- e. Wherever possible, new landscaped areas shall be connected to existing or neighboring planted areas for landscape connectivity.
- f. To the greatest extent possible, existing healthy native trees and vegetation shall be retained.
- g. One shingle sign shall be allowed in lieu of freestanding signage on any street frontage limited to one sign per occupancy with a public entrance provided the following conditions are met:
 - 1. The maximum size shall be limited to 6 square feet per sign face.
 - 2. The sign shall provide a minimum ground clearance of 10 feet.

3. The sign shall not extend more than 4 feet from the building façade and may not extend beyond any property line.
4. The sign shall not extend vertically beyond the highest façade on which it is mounted.
5. The sign shall not be illuminated.
6. The sign shall meet all other requirements of the building code and zoning code.

(8) *Construction Design Requirements*

- a. Front building facades shall be designed at a pedestrian scale.
- b. The bottom 25 feet of buildings shall be comprised of elements including, but not limited to doors, windows (bay windows preferred), texture, projections, awnings, canopies, ornament, arcades, bay windows, trellises, and cornices.
- c. Windows and doors should comprise at least 50 percent of the length of the building that faces a street, parking lot or open space. Glass on windows and doors shall be clear or slightly tinted, and allow views into and out of the interior.
- d. The block faces shall typically not exceed 400 feet or the length of the standard block in the area.
- e. New structures and structures which expand the gross square footage of the structure by more than 10 percent shall be required to place all utility service lines underground.

(9) *Off-street parking requirements*

- a. If properties that are utilized for commercial uses comply with Sections 153.315(A)-(B), then off-street parking minimums as outlined in Section 153.348 shall not be required.
- b. Properties utilized for residential use shall comply with off-street parking requirements outlined in Section 153.348.
- c. Shared parking with adjacent properties is encouraged.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance establishes an overlay district for the Smith/Dodd Neighborhood located in the northwestern area of West St. Paul. The Smith/Dodd Neighborhood overlay district is designed to facilitate implementation of recommendations in the Smith/Dodd Small Area Plan while maintaining B2, Neighborhood underlying zoning district. Redevelopment in the district shall be designed to allow for flexibility beyond the existing B2 District while requiring a pedestrian scale, reestablishing the automobile use focused to the rear of the buildings, and allow for a reduction in requirements for off-street parking.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this 13th day of January 2020.

Attest:

David J. Napier, Mayor

Shirley R Buecksler, City Clerk