

City of South St. Paul
Dakota County, Minnesota

Ordinance No. 1352

**AN ORDINANCE AMENDING SOUTH ST. PAUL CITY CODE SECTION 118-125
REGARDING BODY ART ESTABLISHMENTS, CHURCHES, MEDICAL USES (FOR
ANIMALS), SCHOOLS, AND DRIVE -THROUGH FACILITIES.**

The City Council of the City of South St. Paul does ordain:

SECTION 1. AMENDMENT. South St. Paul City Code Section 118-125 is hereby amended as follows:

Sec. 118-125. - CGMU, Concord Gateway mixed-use district.

- (a) *Purpose.* The purpose of the Concord Gateway mixed-use (CGMU) district is to provide an area for compact, mixed-use development made mutually compatible through a combination of careful planning, urban design and coordinated public and private investment. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. The placement of building edges and the treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian-friendly environment envisioned for the CGMU. The standards in this section are intended to implement and effectuate the principles and relationships established in the city's Concord Gateway Framework Plan, a copy of which is on file in the office of the city clerk, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. The CGMU is divided into two subdistricts, CGMU-1 and CGMU-2, as depicted on the official zoning map.
- (b) *Permitted uses.* Within either the CGMU-1 or CGMU-2 subdistricts, no structure or land may be used except for one or more of the following uses, provided such use is less than 10,000 square feet in gross floor area:
- (1) Accessory store, apparel.
 - (2) Altering, pressing and repair of wearing apparel.
 - (3) Appliance store.
 - (4) Art gallery.
 - (5) Bakery.
 - (6) Banks and other financial institutions without drive-through facilities.
 - (7) Barbershop.
 - (8) Beauty shop.
 - (9) Body art establishment (pursuant to licensing requirements)**
 - (910) Bookstore.**
 - (4011) Cafe, cafeteria, restaurant, or delicatessen, without drive-through facilities.**
 - (4112) Camera store.**
 - (4213) Candy, nut or confectionery store.**
 - (13) Church.**

- (14) Club or lodge, private.
- (15) Copy service or printing service.
- (16) Department store.
- (17) Flower shop.
- (18) Furniture store.
- (19) Gift, novelty, or souvenir store.
- (20) Grocery store.
- (21) Hardware store.
- (22) Hotel or motel.
- (23) Instrument store, musical.
- (24) Laundromat or dry cleaning.
- (25) Library.
- (26) Locksmith.
- (27) Luggage store.
- (28) Machines, business sales and service.
- (29) Magazine stand or newsstand.
- (30) Massage therapy (licensed pursuant to article XII of chapter 18 of the City Code).
- (31) Meat market for retail sale to the public.
- (32) Medical or dental office or clinic (for humans only).
- (33) Museum.
- (34) Musical instrument and musical recordings store.
- (35) Notions store.
- (36) Office.
- (37) Optician.
- (38) Painting, wallpaper and decorating store for retail sales and service.
- (39) Pet store.
- (40) Repair and servicing of items the sale of which is permitted in this district.
- (41) Residential multifamily dwelling units, if within a structure containing at least four units.
- ~~(42) School, public or private.~~
- ~~(4342)~~ Shoe store.
- ~~(4443)~~ A small wireless facility, as defined in section 54-402, that is located in the right-of-way, as long as all provisions of sections 54-400—54-429 have been met.
- ~~(4544)~~ Sporting goods store.
- ~~(4645)~~ Stationery store.
- ~~(4746)~~ Tanning salon.
- ~~(4847)~~ Tobacco store.
- ~~(4948)~~ Toy store.

- (5049) Variety store.
- (5450) Video sales and rental.
- (c) *Accessory uses.* Within the CGMU-1 or CGMU-2 subdistricts, the following uses shall be permitted accessory uses:
- (1) Off-street parking of automobiles for patrons or employees of a permitted use.
 - (2) Off-street loading areas as regulated herein.
 - (3) Signs, fences, and decorative landscape features as regulated herein.
 - (4) Customary uses incidental to the principal use as determined by the city council.
- (d) *Conditional uses, CGMU-1.* Within the CGMU-1 subdistricts, no structure or land may be used for any of the following uses except by conditional use permit:
- (1) On-sale and off-sale liquor establishments as regulated by this Code.
 - (2) Amusement or entertainment, as defined and regulated by this Code.
 - (3) Church
 - ~~(3) Drive-through facilities for a permitted use, if provisions for vehicle stacking, vehicle maneuvering, outdoor speaker devices, appearance and lighting of outdoor menu boards, and other related matters can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.~~
 - (4) Medical uses (for animals)
 - (45) Residential dwelling units within the same building as nonresidential uses, if provisions for parking, security, noise, odors, and other related issues affecting the residential units can be shown to be handled adequately and in keeping with the best interests of the residents.
 - (56) Theaters.
 - (7) Schools, public or private.
 - (68) Parking ramps or parking garages.
 - (79) Buildings in excess of 50 feet in height, if such buildings will not block significant views from existing uses or views to significant features within the CGMU district, and if such buildings can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.
 - (810) Any permitted use or any other conditional use, if 10,000 square feet or more in gross floor area, if such use can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.
 - (911) Other uses determined by the city council to be similar in purpose and character to other permitted or conditional uses in this district.
- (e) *Conditional uses, CGMU-2.* Within the CGMU-2 subdistricts, no structure or land may be used for the following uses, except by conditional use permit:
- (1) Any conditional use allowed in the CGMU-1 subdistrict.
 - (2) Automobile and truck service uses.
 - (3) Equipment and vehicle rental.
 - (4) Gasoline service stations, auto repair, sales, and storage.
 - (5) Automobile car wash.
 - (6) Screened outdoor storage.

(7) Drive-through facilities for a permitted use, if provisions for vehicle stacking, vehicle maneuvering, outdoor speaker devices, appearance and lighting of outdoor menu boards, and other related matters can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.

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 proposed ordinance would amend the Concord Gateway Mixed Use zoning district regulations to add “body art establishments” as a Permitted Use, allow veterinary services as a Conditional Use, require Conditional Use Permits for churches and schools, and prohibit drive-through businesses in the CGMU-1 subdistrict while continuing to allow them with a Conditional Use Permit in the CGMU-2 subdistrict.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: March 2, 2020

Published: March 9, 2020

Christy Wilcox, City Clerk