

**City of South St. Paul
Dakota County, Minnesota**

Ordinance No. 13XX

**AN ORDINANCE AMENDMENT UPDATING THE ZONING CODE'S PARKING AND
LOADING REGULATIONS FOR NONRESIDENTIAL USES**

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

SECTION 1. AMENDMENT. South St. Paul City Code Section 118-127, 118-352, 118-353, 118-354, and 118-355 are hereby amended as follows:

Sec. 118-127. – MMM, Mixed Markets & Makers District.

(e) Design and Development Standards.

(10) Parking

g. Parking Minimums, ~~Nonresidential Uses. See Section 118-352. Commercial / Mixed Use. There shall be no set minimum parking requirements for most nonresidential uses in the MMM districts. The following parking supply requirements are in effect:~~

~~a. Auto sales/service and auto repair, which are car-oriented uses that require extensive car parking, must continue to adhere to the minimum parking requirements listed in Section 118-354.~~

~~b. With conditional uses and planned unit developments, spaces shall be provided in the amounts and locations as per approved site development and use plans and conditions, as may be determined by City Council. The City Council will consider factors such as industry guidelines, travel demand management strategies implemented by the applicant, parking need studies provided by the applicant, availability of transit and pedestrian connections, availability of on-street and shared parking, and any dedicated bicycle parking that is provided at or near the proposed use.~~

~~c. New construction of a principal building that has more than 7,500 square feet of gross floor area shall require a parking and circulation plan for review by the City Council as part of a formal site plan review if the project does not adhere to the minimum parking requirements listed in Section 118-354. The City Council may approve, reject, or approve with modifications any parking and circulation plan. The City~~

~~Council may establish a minimum parking requirement for these projects and will consider factors such as industry guidelines, travel demand management strategies implemented by the applicant, parking need studies provided by the applicant, availability of transit and pedestrian connections, availability of on-street and shared parking, and any dedicated bicycle parking that is provided at or near the proposed use.~~

~~d. The reuse of an existing principal building that has more than 15,000 square feet of gross floor area shall require a parking and circulation plan for review by the City Council as part of a formal site plan review if: (1) the project involves a change of use, (2) the new use requires more parking under Section 118-354 than the former use, and (3) the new use will not adhere to the minimum parking requirements listed in Section 118-354. The City Council may approve, reject, or approve with modifications any parking and circulation plan. The City Council may establish a minimum parking requirement for these projects and will consider factors such as industry guidelines, travel demand management strategies implemented by applicant, parking need studies provided by applicant, availability of transit and pedestrian connections, availability of on-street and shared parking, and any dedicated bicycle parking that is provided at or near the proposed use.~~

Sec. 118-352. General provisions.

(b) *Benches in places of public assembly.* In stadiums, sport arenas, churches, and other places of public assembly in which patrons or spectators occupy seats, benches, pews, or other similar seating facilities, each bench 24 inches of the seating facility shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this section.

~~(e) *Joint parking facilities.* Off-street parking facilities for a combination of mixed buildings, structures, or uses may be provided collectively in any nonresidential zoning district in which separate parking facilities for each separate building, structure, or use would be required, provided that the total number of spaces provided shall equal the sum of the separate requirements of each use during any peak-hour parking period, and a copy of the joint parking agreement is approved by the city engineer and placed on file with the city along with a certificate of occupancy for all land area involved.~~

(e) *Parking and Circulation Plans.*

(1) *Purpose.* South St. Paul is an urban small town with on-street parking, walkable neighborhoods, a well-developed sidewalk system, bicycling infrastructure, and reliable transit service. The City acknowledges that traditional minimum parking requirements often do not account for other transportation modes or for constantly evolving consumer trends and may result in oversized off-street parking lots and land that is not being put to its

highest and best use. The City desires to allow flexibility from minimum parking requirements and off-street loading requirements while still ensuring that large commercial and institutional land uses provide adequate facilities to meet the needs of visitors and avoid over-burdening nearby public streets.

(2) Eligibility.

- a. Any nonresidential permitted use in the C-1, CGMU, MMM, GB, I-1, and I zoning districts and any nonresidential institutional use in an R-district shall be eligible to submit a parking and circulation plan to the City Council if they are seeking a modified minimum parking requirement that is different from the requirements stated in Section 118-354 and they do not qualify for an exemption under Section 118-352(i).
- b. A modification to an off-street loading requirement may be allowed in any zoning district via a parking and circulation plan review by the City Council.

(3) Process. The Applicant shall submit their parking and circulation plan for review by the Planning Commission and City Council as part of a Site Plan submittal. The review shall follow the process outlined in Section 118-47.

(4) Review Criteria. The City Council may approve, reject, or approve with modifications any parking and circulation plan. The City Council may require the full amount of parking spaces required under Section 118-354 or the City Council may, at their discretion, establish a modified parking requirement for these projects. They will consider factors such as industry guidelines, travel demand management strategies implemented by the applicant, parking need studies provided by the applicant, availability of transit and pedestrian connections, availability of on-street and shared parking, and any dedicated bicycle parking that is provided at or near the proposed use. In approving deviations from the Code's off-street loading requirements, the City Council will consider the nature of the proposed use, the characteristics of the property and site plan, the characteristics of adjacent streets and alleys, and information provided by the City Engineer.

(5) Compliance. No building permit or certificate of occupancy may be granted prior to the approval of a parking and circulation plan if a use does not meet its default minimum parking requirements or loading requirements under the City Code. The Applicant shall be required to comply with any conditions that are placed upon the parking and circulation plan approval.

- (i) *Minimum space requirements.* The number of off-street parking spaces required for various land uses as specified herein shall be considered **as the default absolute** minimum requirements. ~~Additional off-street parking spaces may be required by the city council for any land use which, as determined by the city council, may for any reason generate more parking demand than called for by the minimum parking standards contained herein. Factors such as anticipated business volume, number of employees, number of visitors, hours and nature of business operation, and other such factors affecting potential parking needs may be considered.~~

(1) A greater or lesser total number of off-street parking spaces may be required by the City Council for conditional uses and planned unit developments. Additionally, a modified

parking requirement may be granted to eligible nonresidential permitted uses that have submitted a parking and circulation plan for review.

(2) In evaluating a request for a modified parking requirement, the City Council will consider factors such as anticipated business volume, number of employees, number of visitors, hours and nature of business operation, industry guidelines, travel demand management strategies implemented by the applicant, parking need studies provided by the applicant, availability of transit and pedestrian connections, availability of on-street and shared parking, and any dedicated bicycle parking that is provided at or near the proposed use.

(3) For nonresidential uses in the CGMU, C-1, MMM, and GB districts:

b. New construction.

1. New construction of a principal building with 7,500 square feet or less of gross floor area which contains only permitted uses shall not have a set parking requirement. This shall also apply to commercial use spaces in commercial-residential mixed-use buildings so long as the total size of the commercial space in the building does not exceed 7,500 square feet of gross floor area.

2. New construction of a principal building that has more than 7,500 square feet of gross floor area must meet the minimum parking requirements listed in Section 118-354 or shall provide a parking and circulation plan for review by the City Council as part of the site plan review. This requirement shall also apply to commercial use spaces in commercial-residential mixed-use buildings when the total size of the commercial space exceeds 7,500 square feet of gross floor area. The City Council may approve, reject, or approve with modifications any parking and circulation plan. The City Council may establish a minimum parking requirement following the process and criteria outlined in Section 118-352(e).

c. Reuse of existing buildings.

1. The reuse of an existing principal building by one or more permitted uses shall not have a set parking requirement if the building contains 15,000 square feet or less of gross floor area. This shall also apply to commercial use spaces in commercial-residential mixed-use buildings so long as the total size of the commercial space in the building does not exceed 15,000 square feet of gross floor area.

2. The reuse of an existing principal building with more than 15,000 square feet of gross floor area shall require a parking and circulation plan for review by the City Council as part of a formal site plan review if: (1) the project involves a change of use, (2) the new use requires more parking under Section 118-354 than the former use, and (3) the new use will not adhere to the minimum parking requirements listed in Section 118-354. This requirement shall also apply to commercial use spaces in commercial-residential mixed-use buildings when the total size of the commercial space exceeds 15,000

square feet of gross floor area. The City Council may approve, reject, or approve with modifications any parking and circulation plan. The City Council may establish a minimum parking requirement following the process and criteria outlined in Section 118-352(e).

d. With conditional uses and planned unit developments, spaces shall be provided in the amounts and locations as per approved site development and use plans and conditions, as may be determined by City Council. The City Council will consider factors such as anticipated business volume, number of employees, number of visitors, hours and nature of business operation, industry guidelines, travel demand management strategies implemented by the applicant, parking need studies provided by the applicant, availability of transit and pedestrian connections, availability of on-street and shared parking, and any dedicated bicycle parking that is provided at or near the proposed use.

1. A restaurant, café, or similar use which only requires a conditional use permit for on-sale liquor shall continue to be treated as a restaurant use when determining parking requirements. It will still benefit from the provisions listed above which remove set parking requirements for permitted uses of a certain size.

2. A retail store which only requires a conditional use permit for off-sale liquor shall continue to be treated as a retail store when determining parking requirements. It will still benefit from the provisions listed above which remove set parking requirements for permitted uses of a certain size.

3. Auto sales/service and auto repair, which are car-oriented uses that require extensive car parking, shall adhere to the minimum parking requirements listed in Section 118-354 unless otherwise approved as part of a planned unit development.

(4) Parking requirements for residential uses in the MMM district are regulated by Section 118-127-MMM, Mixed Markets and Makers District.

(r) Accessible Parking Spaces and Passenger Loading Zones. Parking spaces and passenger loading zones for persons with disabilities shall be designed in accordance with the provisions of the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA).

Sec. 118-353. Design and maintenance of off-street parking areas.

(b) *Calculating space.* When calculating the number of off-street parking spaces required results in a fraction that is one half or more, such fraction shall require a full space. No street or alley right-of-way shall be used in calculating space for required off-street parking.

(k) *Determination of areas. Site Plan Review for Parking Lots.* The construction of a new or expanded parking lot shall require a Site Plan review which shall be processed in accordance with Section 118-47. When planning a parking lot, the parking space per vehicle shall not be less than 350 square feet of parking and maneuvering area or an area equal to

~~the width of the parking space multiplied by the length of the parking space plus 12 feet. In most cases, however, the city engineer may require that a plan be submitted showing parking stalls and access drives as anticipated to be constructed even in the very early stages of planning a development with accessory parking lots.~~

- (o) *Shopping centers and large retail outlets.* Shopping centers or individual retail outlets with over ~~30,000~~ 50,000 square feet of floor area shall provide parking on the basis of ~~5½~~ three spaces per 1,000 square feet of gross leasable or useable floor area, as the case may be.
- (q) *Location.* All required off-street parking shall be located on the same lot as the principal building served unless otherwise approved by the Zoning Administrator in accordance with this Ordinance or approved by the City Council as part of a parking and circulation plan that is reviewed following the procedures outlined in Section 118-352(e). ~~by the city engineer.~~ No driveway or off-street parking area shall be located closer than two feet from an adjacent lot zoned or used for residential purposes.

Sec. 118-354. Off-street parking spaces required.

Under Section 118-352, some land uses in certain zoning districts do not have a set parking requirement and certain other land uses may secure a modified parking requirement with the approval of the City Council. Unless a land use is granted a modified parking requirement under Section 118-352, the default ~~0~~ off-street parking spaces required by various land uses generating the need for parking shall be as follows:

- (4) Churches, theaters, auditoriums, ~~funeral homes,~~ reception or meeting halls, and other places of assembly: One space for each three seats or for each ~~five~~ six feet of pew length based upon maximum design capacity
- (5) Offices: One space for each ~~300~~ 400 square feet of gross floor space.
- (6) Hotel/motel: ~~One space per dwelling unit plus one space per employee, plus one space for each three persons who may be accommodated in a bar, restaurant, meeting room, swimming pool, convention facility, or similar place of public assembly based upon maximum design capacity~~ 1 space per guest room, plus one space per employee during the busiest shift. Bar, restaurant, reception hall, and convention center uses that are part of a motel or hotel operation are subject to the parking requirements for those uses but each required parking stall provided for a guest room shall also count towards the satisfaction of the parking requirement of each other use that is part of the hotel operation.
- (11) Drive-in food establishment: One space for ~~each 15 square feet of gross floor space every three seats provided inside the building~~ plus additional parking and stacking space as may be required by the city council.
- (14) Retail sales and service establishments: One space for each ~~150~~ 400 square feet of gross floor area.
- (15) Medical and dental clinic: ~~Six spaces for each doctor and four spaces for each dentist~~ At least one space for each 400 square feet of gross floor area.

- (18) Furniture store, wholesale use, automobile and truck sales, repair shops (~~except vehicle repair shops~~): One space for each ~~400~~ 500 square feet of gross floor space plus one space for each two employees.
- (20) Uses not specifically noted: Where a use is not specifically listed herein, the required minimum off-street parking spaces shall be as determined by the ~~city engineer~~ Zoning Administrator using this section as a guide.
- (22) Automobile repair, bus terminal, taxi terminal, boat and marine sales and repair, bottling company, shop for a trade employing six or less people, garden supply store, building material sales within a building: ~~Eight~~ Six spaces plus one additional space for each 800 square feet of floor area over 1,000 square feet.
- (25) Community centers, libraries, clubs and lodges, art galleries: ~~Ten spaces plus one for each 150 square feet in excess of 2,000 square feet of floor area in the building. One space per 400 square feet of floor area in the building.~~
- (26) Animal hospitals and professional service offices: One space for each 400 square feet of gross floor area. ~~employee plus three spaces for each doctor or professional person providing a service to the public.~~
- (27) Business service establishment: One parking space for each 400 square feet of gross floor area. One parking space for each employee plus one space for each 200 square feet of floor area.
- (28) Financial institutions: Banks and other financial institutions shall have at least ~~six~~ four stacking spaces per drive-in window and one off-street parking space for each ~~100 square feet of customer floor area~~ 400 square feet of gross floor area.
- ~~(31) Automobile and truck sales: One space for each 400 square feet of gross floor space plus one space for each two employees.~~
- ~~(3231)~~ Child day care facility and adult day care facility: One space per employee on maximum shift.

Sec. 118-355. Off-street loading and unloading areas.

~~The regulations and requirements set forth in this subchapter shall apply to required and non-required loading and unloading facilities in all districts: Off-street space shall be provided for the loading and unloading of persons, goods, or material according to the following requirements:~~

- (1) *Location.* All required loading berths shall be off-street and shall be located on the same lot as the building or use to be served unless otherwise approved by the City Council as part of a parking and circulation plan that is reviewed following the procedures outlined in Section 118-352(e). ~~and shall be located on the same lot as the building or use to be served.~~ A loading berth shall be located at least 25 feet from the intersection of two street rights-of-way and at least 50 feet from a residential district or use, unless located within a building. Loading berths shall not occupy the required front yards.

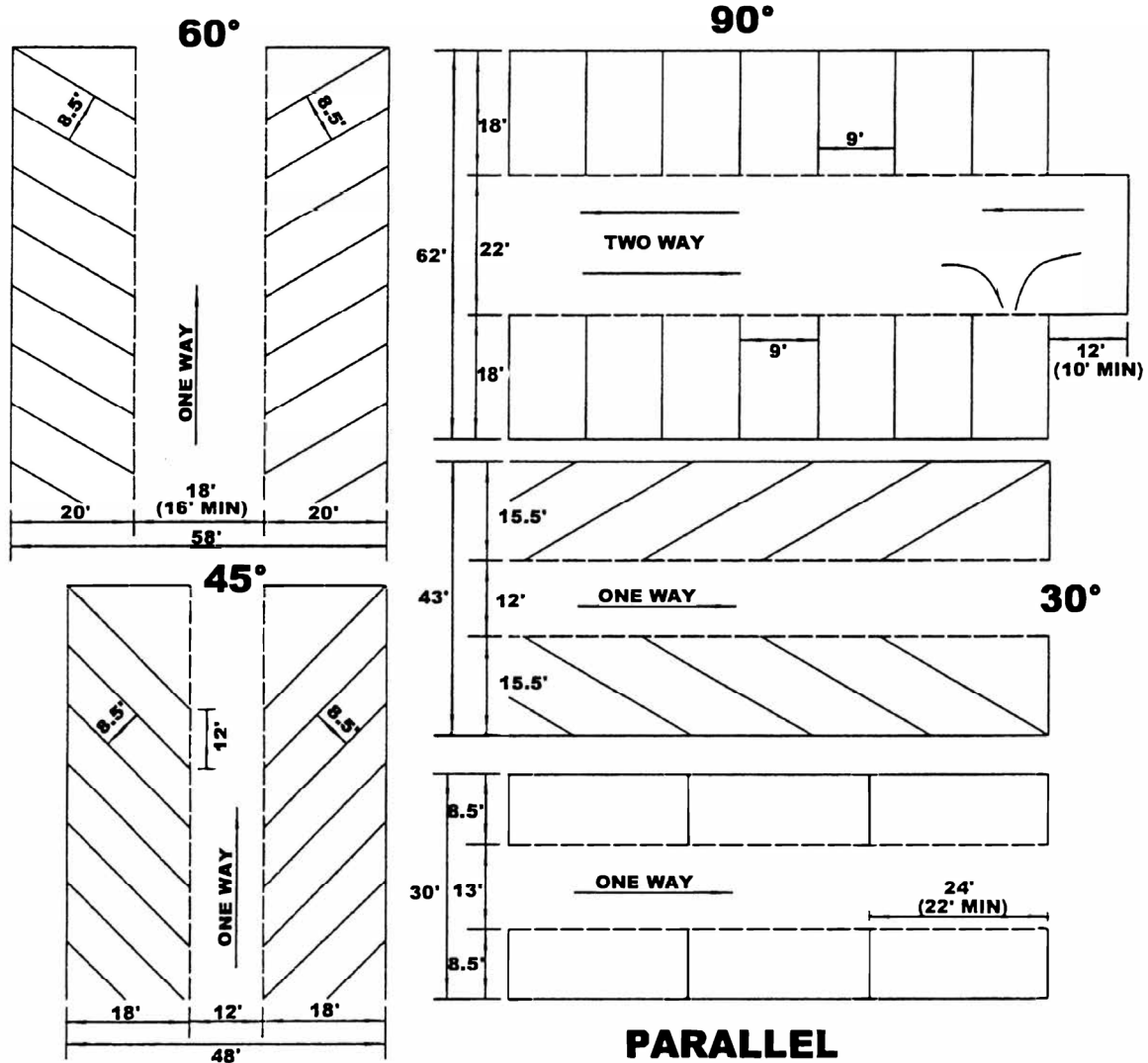
- (2) *Size.* In residential districts, each required berth provided shall be at least ten feet by 20 feet unless otherwise approved or required during a site plan review, by the city engineer. For nonresidential uses or where large trucks may load or unload, each required berth shall not be less than 12 feet in width, 50 feet in length, and 14 feet in height unless otherwise approved or required during a site plan review, by the city engineer.
- (3) *Access.* Each required loading berth shall be located with appropriate and safe vehicular access to a street or alley and in a manner that will least interfere with traffic and pedestrian movements.
- (4) *Prohibited use.* Any space allocated as a required loading berth or maneuvering area so as to comply with the terms of this section shall not be used for the storage of goods, trash, snow, inoperable vehicles nor be included as a part of the space requirements necessary to meet off-street parking area standards.
- (5) *Alterations.* ~~Any structure erected or~~ When the footprint of an existing structure is substantially altered ~~for a to accommodate a new~~ use that requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, the structure shall provide off-street loading space as required for a new structure unless this is deemed impractical by the City.
- (6) *Schools.* No public or private school campus shall load or unload buses from public streets but shall provide off-street loading and unloading facilities unless otherwise approved by the City Council as part of a parking and circulation plan that is reviewed following the procedures listed in Section 118-352(e). School campuses existing on February 7, 2021 which already load or unload buses from public streets are exempt from this requirement.
- ~~(9) Loading or unloading in street prohibited. Except for one dwelling, two dwelling, three dwelling, and four dwelling unit buildings, no loading or unloading of goods, merchandise, or materials shall be permitted from any public street or alley except as may be approved by the city engineer. In areas where loading or unloading requires double parking, said loading and unloading shall be only as may be permitted by the city engineer and the police department.~~
- (10 9) *Number of loading berths required for new structures.*
 - a. Business and office establishments ~~containing less than 10,000 square feet of gross floor area~~ may load or unload from a public street or alley if it can be demonstrated to the satisfaction of the Zoning Administrator and City Engineer that this can be done in a safe and functional manner, if approved by the city engineer. Business and office buildings containing more than 10,000 square feet of gross floor area ~~shall be provided~~ may be required to provide off-street loading facilities ~~of a type, size, and location as may be required as part of a site plan review, by the city engineer~~ based on the specific nature of the building and use.
 - b. Health institutions and medical buildings shall have one berth for buildings containing 18,000 to 100,000 square feet of gross floor area plus one additional berth for each additional 100,000 square feet of gross floor area or fraction thereof unless

- otherwise approved by the City Council as part of a parking and circulation plan that is reviewed following the procedures outlined in Section 118-352(e).
- c. Schools, churches, and other educational and religious institutions shall have one berth for buildings containing 10,000 to 200,000 square feet of gross floor area plus one additional loading berth for each additional 200,000 square feet of gross floor area or fraction thereof unless otherwise approved by the City Council as part of a parking and circulation plan that is reviewed following the procedures outlined in Section 118-352(e).
 - d. Recreational facilities and social functions requiring substantial receiving or distribution by vehicles of supplies or materials shall have one berth for buildings ~~up~~ containing 10,000 to 100,000 square feet of gross floor area plus one additional berth for each additional 100,000 square feet of gross floor area up to 500,000 square feet of gross floor area or fraction thereof in excess of 500,000 square feet unless otherwise approved by the City Council as part of a parking and circulation plan that is reviewed following the procedures outlined in Section 118-352(e).
 - e. Apartment buildings containing more than four dwelling units may be required to provide off-street loading berths if deemed necessary during site plan review. ~~by the city engineer.~~
 - f. Industrial uses shall provide off-street loading areas as determined necessary during site plan review. ~~by the code enforcement officer.~~ Where feasible, loading docks shall be located to minimize visibility from public streets and adjoining properties.
 - ~~g. Loading berths may be required for any land use or building of a type, location, size, and number as approved by the city engineer.~~
 - ~~h. Uses existing on the effective date of the ordinance adopting this chapter are not exempt from loading requirements except as may be approved on an individual lot basis by the city council.~~
- (~~11~~10) *Surface type, materials, drainage.* The surface type, materials, and drainage of all off-street loading areas shall be as approved by the city engineer.
- (~~12~~11) *Use of certain spaces for loading or unloading prohibited.* No fire lane, parking space for the handicapped, or similar space shall be used for loading or unloading.
- (~~13~~12) *Taxi or transit bus.* Taxi or transit bus requirements shall be as approved by the city council.

SECTION 2. REPEAL AND REPLACE. Table 1 at the end of Article VII Off-Street Parking and Loading is repealed and replaced with the following revised table which fixes a typo with the labelling of parking stall dimensions:

MUNICIPAL CODE OF SOUTH ST. PAUL

TABLE 1, MINIMUM DIMENSIONS FOR THE DESIGN OF OFF STREET PARKING FACILITIES



SECTION 3. 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 removes set minimum parking requirements for small nonresidential permitted uses in some zoning districts and establishes a process for the City Council to review parking and circulation plans to adjust parking requirements for projects. It modifies the parking requirement for a number of uses and updates the Code requirements for off-street loading.

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

Approved: _____

Published: _____

Christy Wilcox, City Clerk