

ORDINANCE 22-01

CITY OF ST. ANTHONY
HENNEPIN AND RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ST. ANTHONY CITY CODE,
BY AMENDING DELETING THE C, COMMERCIAL
ZONING DISTRICT AND REPLACING IT IN ITS ENTIRETY

THE CITY COUNCIL OF THE CITY OF ST. ANTHONY HEREBY ORDAINS:

Section 1. Section 152.120, C-Commercial District, is hereby deleted in its entirety.

Section 2. Section 152.120, C-Commercial District is hereby amended to read as follows:

§ 152.120 PURPOSE. The C District is intended to provide areas for retail sales and services located and regulated so as to minimize adverse effects on neighboring residential districts and congestion of public streets. The uses and standards in the “C”, Commercial District shall serve as the basis for commercial standards in “PUD”, Planned Unit Development District areas where commercial uses are designated by the District or the Comprehensive Plan.

§ 152.121 PERMITTED USES. Within a C District, only the following uses are permitted:

- (1) Retail stores in which a least 51% of the floor area is devoted to stocking and displaying goods for sale to the general public end users, and where customers may see, purchase, and receive items for such sales. Retail stores may incorporate electronic ordering or other means of providing goods to the end users. Storage of goods or other accessory uses are limited to 49% or less of the facility.
- (2) Retail service facilities in which customers receive personal services on site, such as salons, spas, personal fitness and exercise, or similar facilities.
- (3) Trade services and retail sales, rental, or repair facilities, such as plumbers, electricians, auto parts, home improvement, hardware, and similar facilities, in which no more than 10% of the floor area is devoted to repair, fabrication, or other accessory activity.
- (4) Professional offices and services, in which customers receive professional advice and/or documents and conduct professional transactions, whether on-site or via other correspondence media, such as legal, tax, financial institutions, real estate, insurance, and similar services, and which facility may be dominated by office space.

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- (5) Commercial offices providing space for primarily administrative business functions and related activities.
- (6) Hospitality uses, including eating and drinking establishments, hotels/motels, entertainment venues, indoor commercial recreation, and similar uses. Such uses that are on parcels where any portion is less than 250 feet from property zoned R-1 or R-2, and/or which include any drive-through ordering and pick-up lane, shall require a Conditional Use Permit in accordance with the requirements in this Chapter. Permitted restaurant uses may include drive-up pick-up parking space locations for pre-ordered goods.
- (7) Medical, dental, veterinary, and related clinics, in which customers receive such services in person, and which consist of offices, exam rooms, laboratory and similar services, and related activities.
- (8) Government administrative services, including postal facilities, municipal services, community centers, and similar uses dominated by offices, direct citizen activities or services, and retail transactions.

§ 152.122 PERMITTED CONDITIONAL USES. The following uses are permitted allowed in the C District only by conditional use permit issued by the City Council.

- (A) Sexually-oriented businesses which comply with the requirements of Chapter 110;
- (B) A use permitted under § 152.121 except for the fact that it has a drive-through facility;
- (C) Assembly, club or lodge, in which such facilities provide space for specific purposes, and which is characterized by groups of common interest attending scheduled common activities.
- (D) Auto or other motor vehicle sales and repair which includes no storage of autos vehicles for parts, subject to and including, but not limited to, the following additional conditions:
 - 1. Outdoor storage of vehicles awaiting repair or customer pick-up shall constitute no more than 30% of the property in question.
 - 2. Outdoor storage of vehicles is located no closer to the street than the rear line of the principal building.
 - 3. Outdoor storage of vehicles awaiting repair is fully screened by a completely opaque fence of 8 feet in height, with landscaping outside the screening fence.
 - 4. No outside storage of other parts, tires, or materials.

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5. Refuse and recycling containers shall be stored indoors, or within the screened enclosure with the vehicles being serviced.
6. No such use shall be allowed on property abutting and parcel(s) zoned R, Residential, or PUD when used for residential uses.

(E) Motor Vehicle Sales, separate (or as a component of) repair and parts sales, provided that:

1. The facility has a separate indoor space devoted to sales office.
2. The vehicles for sale are fully operational, and not in need of repair for such operation, and licensed, or capable of being immediately licensed, for their intended use.
3. Vehicles for sale may be displayed in the front yard of the property in a location meeting all other requirements of the City's commercial parking lot dimensions, pavement and curb materials, and setback requirements.
4. Vehicles for sale may not occupy parking spaces required for compliance with the parking standards for employees or customers of the business(es) on the property.

(F) Bus stations of the Metropolitan Transit Operations

(G) Car washes; subject to and including, but not limited to, the following conditions:

1. Any such facility is designed to adhere to all noise-related requirements of the City and State.
2. Headlight glare is fully screened from view of adjoining residential property.
3. The facility is designed to be fully closed whenever any mechanical activity is in operation, including both entry and exit doors.
4. Vacuum mechanical equipment is housed within the primary structure, or if in individual equipment outside, is designed so as to avoid noise detection at the boundary of any adjoining residential property.

(H) Gasoline Motor fuel station as a principal use of property; Electric Vehicle (EV) Charging stations and/or other alternative fuel dispensary may be a component of a principal use Motor Fuel station under this section. Accessory EV charging stations (but not other alternative fuels) consisting of no more than 2 such EV stations shall be exempt from the requirement for CUP, and shall be allowed as a permitted accessory uses.

(I) Pool or billiard halls;

(J) Restaurants, cafeterias, and delicatessens located less than 250 feet from a residential structure or district; Hospitality uses, including eating and drinking establishments, hotels/motels, entertainment

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venues, indoor commercial recreation, and similar uses, where any portion of the subject property is located less than 250 feet from property zoned R-1 or R-2.

- (K) Establishments having more than 3 amusement devices as defined in § 111.025;
- (L) Hardware and building material supply store with outdoor lumber yard, where the lumber yard is screened in a manner approved by the City Council, and the hardware and building material supply store building contains at least 30,000 square feet of space;
- (M) Laboratories for medical research and testing (except research and testing which uses animals) that provide services to health care providers;
- (N) Pawnbroker businesses which comply with the requirements of §§ 111.285 through 111.302;
- (O) Secondhand dealers that comply with the requirements of §§ 111.250 through 111.273;
- (P) Adult day-care centers, licensed under M.S. Chapter 245A, as it may be amended from time to time, and Minn. Rules, sections 9555.9600 through 9555.9730.
- (Q) Brewery/Taprooms and Micro-distillery/cocktail rooms, subject to the requirements applicable to other Hospitality uses in this Section; and subject to findings that show the use will avoid conflicts between the industrial production and distribution activities and other commercial uses in the district through appropriate access, hours of operation, and other relevant factors. Any such use shall at all times be subject to maintenance of the appropriate liquor licensing and size limitations under state and local requirements.
- (R) Trade services and retail sales, rental, or repair facilities, such as plumbers, electricians, auto parts, home improvement, hardware, crafts, arts, and similar facilities, in which more than 10% (up to a maximum of 70%) of the floor area is devoted to repair, fabrication, storage, or other accessory activity.

§ 152.123 ACCESSORY USES.

Subject to the provisions of §§ 152.175 through 152.186, the following accessory uses are permitted in the C District:

- (A) Incidental repair, limited processing or storage necessary to conduct a permitted principal use if conducted within the principal structure,

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where such uses constitute no more than a total of 49% of the floor area of the structure, and for repair and/or processing, no more than 10% of the floor area of the structure.

- (B) Private garages, off-street loading and unloading docks and facilities, parking lots, and related facilities for service and customer use directly related to the principal use.
- (C) Temporary mobile structures for construction purposes only.
- (D) Accessory buildings not exceeding 1 story in height, and which are constructed to be consistent with the architecture and exterior building materials of the principal building.

§ 152.124 DIMENSIONAL REGULATIONS.

- (A) *Height.* No structure may exceed 35 feet in height or contain more than 3 stories.
- (B) *Lot area and width.* The minimum lot area is 15,000 square feet, and the minimum lot width is 100 feet, except as allowed in §152.227.
- (C) *Floor area ratio.* The floor area ratio within the C District may not exceed 1.0.5 Zoning Code 73
- (D) *Front yards.* The front yard must have a depth equal to the greater of 35 feet or a distance equal to the average of the front yard depths on the 2 adjacent lots.
- (E) *Side yards.* Interior side yards must be at least 10 feet in width, except where a common wall meeting fire code requirements is provided between 2 buildings. Side yards adjoining a street must be at least 35 feet.
- (F) *Rear yards.* The rear yard must have a depth of at least 20 feet, or at least 25 feet if there is an alley.
- (G) *Setbacks from residential districts.* There must be a setback area of not less than 20 feet from any property in a residential district within which setback area parking, storage, and/or loading facilities are excluded.
- (H) *Shopping centers.* The minimum yards set forth in this section will not apply to any lot line of a lot in a shopping center if the lot line adjoins either another lot within the shopping center or a driveway or parking area within the shopping center, and the City Council has approved a site plan for a building to be constructed on the lot with a different setback from the lot line. In those cases, the setback approved by the City Council shall apply so long as the building exists on the lot. For purposes of this division (H), a SHOPPING CENTER means any group of 4 or more retail

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or service establishments totaling a minimum floor area of 75,000 square feet, on 1 or more contiguous tracts of land in single ownership, or in multiple ownership but subject to a reciprocal easement agreement governing common access and parking

§ 152.125 GENERAL REGULATIONS. Property in the C District is also subject to the provisions of §§ 152.175 through 152.186.

Section 3. The City Clerk is hereby directed to make the changes required by this Ordinance as part of the Official St. Anthony City Code, Title XV, Zoning Ordinance, and to renumber the tables and chapters accordingly as necessary to provide the intended effect of this Ordinance. The City Clerk is further directed to make necessary corrections to any internal citations that result from said renumbering process, provided that such changes retain the purpose and intent of the Zoning Ordinance as has been adopted.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and publication. This ordinance may be published by summary publication, per a duly adopted resolution of the City Council. The ordinance in its entirety and map shall be posted on the City website after publication. Copies of the complete Ordinance and map are available online and at St. Anthony City Hall for examination upon request.

ADOPTED BY the St. Anthony City Council this 26th day of April, 2022.

Randy Stille, Mayor

ATTEST:

City Clerk

AYES:

NAYS: