Saint Paul Planning Commission & Heritage Preservation Commission
MASTER MEETING CALENDAR

WEEK OF MAY 29-JUNE 2, 2017

Mon (29) MEMORIAL DAY HOLIDAY – OFFICE CLOSED

Tues (30) (Joint Meeting)
4:00-5:30 p.m. Comprehensive Planning Committee and Neighborhood Planning Committee
(Merritt Clapp-Smith, 651/266-6547)
13th Floor – CHA
25 Fourth Street West

River Balcony Master Plan – Discuss public testimony, forward to Planning Commission for approval and recommendation to the Mayor and City Council for adoption. (Lucy Thompson, 651/266-6578)

Weds (31) 

Thurs (1) 

Fri (2) 8:30-11:00 a.m. Planning Commission Meeting
(Donna Drummond, 651/266-6556)
Room 40 City Hall
Conference Center
15 Kellogg Blvd.

PUBLIC HEARING: Short Term Rental Study & Zoning Amendments – Item from the Neighborhood Planning Committee. (Kady Dadlez, 651/266-6619)

Zoning SITE PLAN REVIEW – List of current applications. (Tia Anderson, 651/266-9086)

NEW BUSINESS

#17-033-549 Jordan Frank-Shannon – Expansion of nonconforming use permit for camper van rental with existing auto repair, and setback variance for additional parking spaces. 2599 7th Street West, NE corner at Wheeler. (Kady Dadlez, 651/266-6619)
Comprehensive Planning
Committee ..................... River Balcony Master Plan – Approve resolution recommending to the Mayor and City Council for adoption. (Lucy Thompson, 651/266-6578)

Ford Site Zoning and Public Realm Plan – Staff presentation on plan in advance of public hearing for June 30, 2017. (Merritt Clapp-Smith, 651/266-6547, and Jonathan Sage-Martinson, 651/266-6628)
The Planning Commission draft minutes from the Public Hearings on May 19, 2017 are not available at this time. They should be ready soon.

Sonja Butler
Date: April 14, 2017

To: Planning Commission

From: Neighborhood Planning Committee

Re: Short Term Rental Zoning Study and Proposed Zoning Code Amendments

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**Background**

**What are short term rentals?**

One facet of the sharing economy is the online, short term rental of houses, apartments, and condominiums. Continued growth of the sharing economy enabled by technology has led to an increase in websites (host platforms like Airbnb and Expedia) which efficiently enable individuals (hosts) to offer space and for renters to find space. In addition, listings for big events like the Ryder Cup which was recently held in the Twin Cities can be posted on sites like Craig’s list months or a year in advance and picked up by a real estate agent that will broker the deal between the owner and renter.

The definition of a short term rental varies by municipality since each chooses to regulate differently. Generally speaking, a short term rental is a dwelling unit, bedroom, or couch rented for a period of less than 30 consecutive days, with or without the owner present. Some jurisdictions use other terms, including vacation rental, timeshare, and tourist rooming house.

**Short term rentals in Saint Paul**

Short term rentals are occurring in Saint Paul. While there is no official count, there are more than 250 online listings in the City, see attached map. During the recent Ryder Cup event, Airbnb alone reported more than 3,400 guests in the Twin Cities metropolitan area. Ramsey County was home to more than 500 of these.

Under current regulations, short term rentals are not permitted in the City’s Zoning Code and there is no licensing requirement. Consequently, existing short term rentals are illegal. Saint Paul is a place of economic vitality and wants to respond to changes in the economy so that innovations are not stifled. The City does not want to pretend that short term rentals are not occurring in the City; it wants to make what is already happening legal and in the process address concerns about health and safety as well as a level playing field.

**City Council Adopts Resolution to Study Short Term Rentals**

Recognizing the potential impact of short term rentals on neighborhoods, the Saint Paul City Council adopted a resolution asking the Departments of Safety and Inspections (DSI) and Planning and Economic
Development (PED) to study Airbnb and similar companies and how their operations align with current city ordinances, and to evaluate whether current codes ensure that visitors, landlords, Airbnb neighbors, and private property are safe and protected. The resolution also states that departments shall ensure that the appropriate taxes are being collected from these sorts of properties and uses.

Short Term Rental Study and City Council Directive
In July 2016 a Short Term Rental Study prepared by DSI and PED was presented to the Saint Paul City Council. The study looked at existing conditions in Saint Paul, current regulations, current tax collection, potential impacts of short term rentals, and short term rental regulations locally and nationwide. The study also made recommendations and suggested next steps, which the City Council approved. The City Council’s recommendations include: 1) develop a zoning code amendment to permit short term rentals and develop standards related to owner occupied and non-owner occupied units; 2) develop an ordinance amendment to fully regulate non-owner occupied units for life safety concerns through the Fire Certificate of Occupancy program; 3) develop a mechanism to ensure tax collection is occurring, possibly via host platforms; 4) develop an ordinance amendment to license host platforms, with specific requirements relating to reporting and compliance; 5) utilize complaints about short term rentals to inform recommendations for future regulations; and 6) educate City staff (police, fire, and inspectors) about the presence of short term rentals in neighborhoods and the potential for complaints.

Potential Impacts of Short Term Rentals
The City of New Orleans issued an exhaustive study on short term rentals in January 2016. This study provides excellent background on the benefits associated with and negative impacts of, short term rentals. These are important for Saint Paul to be aware of as it considers whether and how to regulate short term rentals. The City of New Orleans Short Term Rental Study addresses the issues raised in the Saint Paul City Council’s resolution requesting this study. The New Orleans study discusses at length the benefits and negative effects associated with short term rentals, as summarized below.

The benefits associated with short term rentals:
- Short term rentals are part of the rapidly growing sharing economy
- They provide additional income for hosts and individuals that support short term rentals
- Short term rentals support the tourism economy and provide a significant financial benefit to the region
- There is potential for the City to earn additional income through taxes and fees
- Short term rentals help reduce blight, activate neighborhoods, and support local businesses
- The negative impacts on neighborhood quality of life and affordable housing are over stated as most operators are good managers

The negative impacts associated with short term rentals:
- Short term rentals are a commercial encroachment in residential neighborhoods
- Short term rentals reduce neighborhood quality of life due to late night activity, noise, crime, litter, property damage, fire danger, loitering, and reduced on-street parking
- Short term rentals result in a reduction in long-term residents which changes the character of neighborhoods, especially in neighborhoods with the highest concentration of short term rentals
- Short term rentals reduce the number of affordable housing units in a city
- Short term rentals have an unfair competitive advantage from hotels, bed and breakfasts, and legal short term rentals because they are not licensed, do not pay taxes, are not held to the same safety requirements, and have lower capital and operating costs
Short Term Rental Regulations in Minnesota Cities and Beyond

The City of Prior Lake adopted an ordinance in mid-2015, precipitated by complaints from neighbors. The City engaged known short term rental hosts during discussions. They helped shape the regulations and permit process. Those hosts have since received permits from the City. The City is aware of other hosts that have not applied for permits. The City is following up with them. The adopted regulations link the number of parking spaces available to the number of bedrooms that can be rented. The number of guests is governed by the size of the structure and the lot. The ordinance requires there to be an owner or local agent who lives and works within 30 miles of the rental unit and the City’s laws related to short term rentals must be disclosed to the guests and posted in the unit. The agent must be available 24 hours a day during the rental period to respond immediately to complaints and the agent’s phone number must be provided to the City. The agent must maintain and make available upon request to City staff or law enforcement a list of all current occupants. Disorderly conduct is prohibited on all premises and the ordinance defines and gives examples of disorderly conduct.

The City of Duluth recently adopted an ordinance that provides two options. Those wishing to operate a vacation rental can do so via an interim use permit and those wishing to rent out part of their home can do so with a home share permit. The interim use permit regulates the length of stay, number of occupants, number of rooms, off-street parking. A $650 fee applies. It also requires the permit holder to designate a managing agent who resides within 25 miles of the city to respond 24 hours a day to complaints and the contact information of the managing agent must be provided to all property owners within 100 feet of the property boundary. The permit holder must also post their permit number on all print, poster and web advertisements and also apply for and be granted state and local sales tax numbers. Prior to rental the building must be inspected and a permit issued by the Fire Prevention office. The home share permit regulates the length of stay, number of occupants, and owner occupancy. A $100 fee applies annually. Like the interim use permit, the home share permit holder must also post their permit number on all print, poster, and web advertisements and also apply for and be granted state and local sales tax numbers. Prior to rental the building must be inspected and a permit issued by the Fire Prevention office.

The City of Eagan changed its definition of dwelling unit in November 2015 to prohibit short term rentals of less than 30 days where an owner is not present. An owner can rent out a room in an occupied unit for less than 30 days as long as the owner is present and the guest has full access to the home during the stay. This use is not regulated. Registered accessory dwelling units can be rented for 30 days or more.

The City of Burnsville prohibits short term or vacation rental in residential zoning districts. It recently adopted an ordinance restricting short term or vacation rental in its business licensing section of the City Code (the City Attorney felt that licensing was a more appropriate part of the code to regulate the use than the Zoning Ordinance). Issues identified by the city council are: 1) vacation rentals bring strangers into a neighborhood; 2) people come and go at all times of the day and night; 3) since customers are not residents, they have no interest in maintaining the neighborhood; 4) noise; 5) trash; and 5) transient nature of the operation.

The City of Minneapolis is in the process of developing regulations for short term rentals.
The **City of New Orleans Short Term Rental Study** from January 2016 includes an assessment of regulations adopted by cities around the United States. While New Orleans is a major tourist destination and has far more short term rental units than Saint Paul, the information gathered in its study from other cities around the country has value and relevance to the conversation in Saint Paul about whether and how to regulate short term rentals. Important findings in the report are noted below.

The **City of New Orleans Short Term Rental Study**’s assessment of regulations in other cities identified the components of a short term rental ordinance and discusses each at length. The main takeaway is that each city regulates differently depending upon the issue it is trying to address, but many cities tend to include most of these items in their regulations. The study also notes that the success experienced by the cities surveyed varied and that the best regulations were adapted over time as issues arose.

- **Definitions** (most are called short term rentals though some use vacation rental, timeshare, or tourist rooming house)
- **Categories** (full dwelling unit rental, single-room rental, or shared-room rental)
- **Size limitations** (number of rooms that can be rented)
- **Concentration** (limits on number of units within a geographic area)
- **Time limitations** (generally less than 30 days, the number of times a unit can be rented per year)
- **Owner occupancy** (whether owner or tenant occupancy is required and for how many days per year the owner must occupy the unit)
- **Use Standards and Guidelines** (no changes to allow a separate entrance, parking, agent contact information, posting of city ordinances, accessible agent to respond quickly to complaints, limiting number of visitors guests may have)
- **Fees** (generally between $100 and $150)
- **Notice** (information posted alerting surrounding properties of the use as a short term rental)
- **Taxes** (collection and payment of taxes either by hosting platform or host)
- **Fines and enforcement** (fees should be high enough to deter violations and ordinance should allow for revocation of permit or license for repeated violations)
- **Building code and inspections** (most require at a minimum fire and carbon monoxide detectors, some require inspections, many require permits, licenses, or registrations)

The **City of New Orleans Short Term Rental Study** found that short term rentals are residential uses with commercial type impacts. Generally, short term rentals where the owner or tenant is present are associated with fewer impacts than those where no owner or tenant is present and consequently, tended to be regulated with few restrictions. Short term rentals where the owner or tenant is not present tended to be regulated more strictly because the impacts of their use tended to be more commercial in nature. The City emphasized the importance of having a structure in place to regulate short term rentals to be able to minimize the negative impacts on surrounding properties and facilitate enforcement on problem operators.

**Workgroup Considers and Reviews Proposed Short Term Rental Regulations**

A workgroup was convened to consider proposed amendments to allow short term rentals. Workgroup participants included host platform representatives from Airbnb and Expedia, owner occupied hosts, non-owner occupied hosts, residents, bed and breakfast hosts, hospitality industry and Visit Saint Paul representatives, a Planning Commission member, and Office of Financial Services staff. The workgroup met on December 7, 2016 and February 7, 2017 to review, discuss, and advise on the proposed amendments.
Listening Session Held on Proposed Short Term Rental Regulations
A listening session was held on January 19, 2017. It was an open dialogue with the community to learn about the pros and cons of short-term rentals in Saint Paul neighborhoods and any looming concerns with how the City proposes to regulate the new use. The listening session summary is attached.

How Saint Paul Proposes to Regulate Short Term Rentals
While the City Council believes there is a need to regulate short term rental uses, these uses currently operate throughout the City with relatively few complaints or calls to police. The City plans to regulate short term rentals through licensing, fire certificate of occupancy inspection, and zoning. Regulations are proposed to address life safety and habitability. Experience from other cities suggests that non-owner occupied short term rentals may be more likely to result in negative impacts on the surrounding area than owner occupied rentals. Therefore, to some extent the City intends to regulate short term rentals where the owner is present differently from ones where the owner is not present. Providing a level playing field for bed and breakfast residences and hotels is another factor when considering how to regulate short term rentals. The impact of short term rentals on the availability of affordable housing is something that is of great concern in some cities but not something Saint Paul believes is a cause for concern at this time.

1. Licensing
The City intends to license host platforms that offer booking services such as Airbnb and Expedia as well as individual hosts. Under this model, the platform would be responsible for providing requested data to the City and removing host listings when the platform has been notified the listings are not in compliance with city regulations. Individual short term rental units must: 1) be allowed by zoning; 2) maintain a lodging log; 3) have a current fire certificate of occupancy if a non-owner occupied unit; 4) provide proof of Lodging and Sales tax payment; 5) provide proof of appropriate property insurance; and 6) be licensed by the City.

If a unit is not in compliance with all applicable laws, the platform, upon being notified that the unit is not compliant, would have the responsibility to remove the host unit from its platform. If the host platform fails to comply, adverse action against the platform license could be taken. In addition, the non-compliant individual host could also receive a citation. DSI is in the process of developing licensing requirements for City Council consideration. A modest fee for a license renewed annually would apply.

2. Fire Certificate of Occupancy
Short term rentals are residential uses with commercial type impacts. Generally, short term rentals where the owner or resident occupant is present are associated with fewer impacts than those where no owner or resident occupant is present and consequently may be regulated with few restrictions. Short term rentals where the owner or tenant is not present may be regulated more strictly because the impacts of their use may be more commercial in nature. It is important to have a structure in place to regulate short term rentals to be able to minimize the negative impacts on surrounding properties and facilitate enforcement on problem operators.

Complaints about short term rentals would be handled by DSI in the same manner that property complaints are handled currently. Existing hosts participating in the workgroup sessions emphasized the importance they place on establishing and maintaining a five star rating on host platform websites to generate repeat and future business; they do all they can to be good hosts and good neighbors. For reference, the definition of owner occupied is:
Fire Certificate of Occupancy Sec. 40.03
Owner occupied. Dwellings which are the principal residence of the owner of record of the building and in which the owner resides. "Owner," for the purposes of this definition, means a natural person and does not include a corporation, partnership, or other entity.

Short term rentals are, to some extent, regulated by the fire certificate of occupancy inspection program. The existing fire certificate of occupancy inspection program is sufficient to address life safety and habitability issues of short term rentals. The City currently requires a fire certificate of occupancy for all buildings with three or more units and for all non-owner occupied one and two family dwelling units. Therefore, all short term rental units in non-owner occupied units would fall under the existing fire certificate of occupancy inspection program. Short term rentals in owner occupied or resident occupied units would not require a fire certificate of occupancy. Note that the owner of an owner occupied short term dwelling unit does not need to be present during the rental period, except for duplexes with two short term rental units.

Residential fire certificate of occupancy inspections are done every one to six years depending upon the number and severity of violations found in the most previous full fire certificate of occupancy inspection. Commercial inspections are done based upon the occupancy type ranging from once a year to once every three years. No changes to the fire certification of occupancy program are proposed.

Staff considered requiring individual hosts, as part of the permit process, to designate an individual to act as an agent for the unit and be available to respond to issues 24 hours a day seven days a week, as some cities require. Rather than requiring an agent, Saint Paul opts to obtain contact information for a responsible party in addition to the host as part of the license process but not require the responsible party to be available 24/7.

3. Zoning
The City does not have an ordinance regulating short term rentals and short term rental is not listed as a use permitted in the Zoning Code. Consequently, existing short term rentals are illegal. The proposed zoning amendment makes short term rentals legal and establishes standards and conditions for the use. While there are short term rentals in Saint Paul, they do not generate a lot of complaints or calls for police. Consequently, the proposed amendment seeks to permit the use with a minimum amount of regulation.

Staff considered treating frequently rented units differently from those that are rented only occasionally, including putting a limit on the number of days per month or year that a unit could be rented. However, since host platforms do not share this information for privacy reasons, it is difficult for the City to determine how often a unit is rented. Consequently, this type of regulation creates the need for a much larger regulatory framework than what is proposed, something that is much more involved and costly. Hosts participating in the workgroup were not supportive of a regulation on the number or frequency of rentals.

Staff also considered a provision to require a conditional use permit for non-owner occupied short term rental dwelling units. However, this provision would require a much larger regulatory framework than envisioned under the proposed amendments.
Proposed Amendment – Short Term Rental Dwelling Unit Discussion

The short term rental dwelling unit amendment creates Zoning Code Sec. 65.645 and provides a definition for the use. An off-street parking requirement is also established for the use. Standards and conditions establish a minimum length of stay, prohibit exterior signage in residential districts, and prohibit commercial or social events.

Standards and conditions also limit the number of short term rental dwelling units on a zoning lot to one in one- and two-family residential districts, except that two short term rental dwelling units may be permitted in an owner occupied duplex provided the duplex owner is in residence during the rental period. In other zoning districts one or up to half of dwelling units on a lot, to a maximum of four, may be used for short term rental. More than four short term rental dwelling units may be allowed for buildings with more than ten units when a conditional use permit is obtained by the building owner. The intent is to limit the number of short term rental units in a building to no more than 50 percent to prevent quasi hotels.

Finally, the amendment limits the occupancy of a short term rental dwelling unit to the Zoning Code definition of family, unless a conditional use permit is obtained. This is consistent with the current Zoning Code occupancy limit for a dwelling unit citywide and treats short term rental dwelling units similarly to bed and breakfast residences with one guest room. For reference, the definition of family is:

Zoning Code Section 60.207 – F

Family. One or two persons or parents, with their direct lineal descendants and adopted or legally cared for children (and including the domestic employees thereof) together with not more than two persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping unit. Every additional group of four or fewer persons living in such housekeeping unit shall be considered a separate family for the purpose of this code.

The occupancy of a short term rental dwelling unit that exceeds the definition of a family for large one- and two-family dwellings on large lots would require a conditional use permit from the Planning Commission. Criteria for determining total occupancy in these situations would include the dwelling size, lot size, provision of off-street parking, and fire certificate of occupancy inspection. The reason to require a conditional use permit to allow occupancy to exceed the definition of family is that this is a more commercially intensive use and may be more susceptible to reducing neighborhood quality of life due to late night activity, noise, crime, litter, property damage, fire danger, loitering, and reduced on-street parking.

Why Use the Definition of Family to Determine Occupancy?

The proposed method for determining occupancy of a short term rental dwelling unit is the definition of family. While the definition of family can be confusing, especially for those not accustomed to using and interpreting it regularly, it is the standard method for determining dwelling unit occupancy that the city has used for many years. Determining occupancy of a dwelling unit based on the definition of family applies to many types of housing in the city regardless of the size of the dwelling unit (from one bedroom apartments and condos to starter homes and mansions). It also applies regardless of the length of stay of occupants in a dwelling unit. Thus, it applies equally to long term residents as well as visitors in Saint Paul for a short stay. Through the license process for short term rentals DSI staff will have the opportunity to explain the definition, how to interpret it, and answer questions.

When it comes to determining occupancy of short term rental dwelling units it’s logical to treat long and short term rental dwelling units consistently and apply the same method to both. The intent in either case is to limit occupancy to no more than four unrelated adults --- this includes the host if
present during the stay. More than four adults are allowed if they meet the definition of family. For example the following would meet definition of family: two grandparents, their two adult children and spouses (spouses representing the other two adults not so related), and four grandchildren. Also, recall that the proposed amendment allows occupancy of short term rental units to exceed the definition of family (more than four unrelated individuals) for large one and two-family dwellings on large lots with a conditional use permit.

While the appeal of a regulation that simply states the total occupancy of a short term rental dwelling unit is clear, its application can be troublesome. For example, one method would be to determine occupancy based on the number of bedrooms in a dwelling unit, say two people per bedroom. However, this would allow the occupancy of a four bedroom house under short term rental regulations to have eight unrelated individuals. This is two times the number of unrelated individuals allowed in a long term residence. The City does not want to allow short term rental uses to be more intense than long term rental uses. The intent of the amendment is to discourage a party house type atmosphere. Generally speaking short term rental uses are more commercial and transient in nature than long term rental uses and should be regulated with more or the same restrictions as long term residences. It does not seem to make sense to allow twice as many people in a short term unit than would be allowed in a long term unit.

Also, under current regulations bed and breakfast residences with two or more guest rooms require a conditional use permit. While the number of guests per guest room is not stated, it is generally assumed to be up to two guests per room.

Finally, to determine occupancy for each licensed short term rental dwelling unit based on the fire and building codes would require a much more extensive regulatory framework than envisioned under the current proposal. Recall that the proposed amendment seeks to regulate short term rental uses with a minimum amount of regulation since they have generated few complaints to date.

The occupancy of a short term rental that exceeds the definition of a family for large one- and two-family dwellings on large lots would require a conditional use permit from the Planning Commission. Neighborhood notification would be required and a public hearing would be held. The Planning Commission may impose such reasonable conditions and limitations in granting an approval as are determined to be necessary to fulfill the spirit and purpose of the zoning code and to protect adjacent properties. The process takes to seven weeks and there is an $840.00 application fee.

Per Sec. 61.501 of the Zoning Code, in granting a conditional use permit the Planning Commission must find that:

(a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.
(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.
(c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.
(d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
(e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
Questions about what constitutes a family have been raised. The following chart describes various scenarios and provides guidance for determining occupancy. The definition of family is repeated as well for easy reference.

Family. One (1) or two (2) persons or parents, with their direct lineal descendants and adopted or legally cared for children (and including the domestic employees thereof) together with not more than two (2) persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping unit. Every additional group of four (4) or fewer persons living in such housekeeping unit shall be considered a separate family for the purpose of this code.

Determining occupancy of a short term rental dwelling unit (without a conditional use permit):

**Host Lives Off Site**

4 or fewer unrelated individuals  
4 adults, 2 of which can include their adult or minor kids

**Host Lives On Site**

1 adult with no kids  
3 adults, 2 of which can include their adult or minor kids

1 adult with their adult or minor kids  
3 adults, 1 of which can include their adult or minor kids

2 adults with no kids  
2 adults, of which both can include their adult or minor kids

2 adults, 1 of which has their adult or minor kids  
2 adults, 1 of which can include their adult or minor kids

2 adults, both of which have their adult or minor kids  
2 adults, no kids

3 adults with no adult or minor kids  
1 adult, including their adult or minor kids

3 adults, 1 of which has their adult or minor kids  
1 adult, including their adult or minor kids

3 adults, 2 of which have their adult and minor kids  
1 adult, with no kids

“Kids” as used above refers to individuals, whether adults or minors, who are lineal descendants and adopted or legally cared for children of the adult (and any domestic employees, like a nanny).

**Proposed Amendment - Bed and Breakfast Residence**

In addition to the proposed short term rental dwelling unit ordinance, an amendment to the bed and breakfast ordinance Zoning Code Sec. 65.641 is proposed to make the language regarding use of dining and other facilities of a bed and breakfast residence consistent with the language for short term rental dwelling units, which prohibits commercial and social events.

**Recommendation for Planning Commission Action**

The Neighborhood Planning Committee recommends that the following proposed amendments to Zoning Code §§ 65.641, 65.645, 66.221, 66.321, 66.421, 66.521, and 63.207 be released for public review and a public hearing set for June 2, 2017.
NOTE: Existing language to be deleted is shown by strikeout. New language to be added is shown by underlining. [Drafting notes are in brackets.] P refers to permitted uses and C refers to conditional uses.

Sec. 65.641. Bed and breakfast residence.

A dwelling unit, located within a one- or two-family dwelling, in which guest rooms are rented on a nightly basis for periods of less than a week and where at least one meal is offered in connection with the provision of sleeping accommodations only.

 Standards and conditions in residential and BC community business (converted) districts:

a. In residential districts, a conditional use permit is required for bed and breakfast residences with two or more guest rooms, and for any bed and breakfast residence located in a two-family dwelling. In RL—R4 residential districts, a bed and breakfast residence may contain no more than one guest room.

b. The bed and breakfast residence may be established in a one-family detached dwelling or a two-family dwelling, located within a single main building.

c. The guest rooms shall be contained within the principal structure.

d. There shall be no more than one person employed by the bed and breakfast residence who is not a resident of the dwelling.

e. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests. Use of a bed and breakfast residence for any commercial or social event is prohibited.

f. No additional exterior entrances shall be added to the structure solely for the purpose of serving guest rooms.

g. The zoning lot shall meet the minimum lot size for the one-family dwelling or two-family dwelling in the district in which it is located, and shall have a minimum size according to the following combination of dwelling units and guest rooms:

<table>
<thead>
<tr>
<th>Dwelling Units</th>
<th>Guest Rooms</th>
<th>Minimum Lot Size</th>
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<tbody>
<tr>
<td>1</td>
<td>2</td>
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<tr>
<td>1</td>
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<td>7,000</td>
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<td>2</td>
<td>7,000</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>8,000</td>
</tr>
</tbody>
</table>

h. One-family dwellings may contain no more than four guest rooms. Two-family dwellings may contain no more than three guest rooms.

i. No bed and breakfast residence containing two through four guest rooms shall be located closer than 1,000 feet to an existing bed and breakfast residence containing two through four guest rooms, measured in a straight line from the zoning lot of an existing bed and breakfast residence.
Sec. 65.645. Short term rental dwelling unit Reserved.

A dwelling unit, or a portion of a dwelling unit, rented for a period of less than thirty (30) days.

Standards and conditions:

(a) In RL – RT1 districts, there shall be no more than one (1) short term rental dwelling unit on a zoning lot unless a duplex is owner occupied and the owner is in residence during the rental period. In other districts, one (1) or up to 50 percent of dwelling units on a zoning lot, to a maximum of four (4), may be short term rental dwelling units, 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.

(b) No more than one (1) rental of a short term rental dwelling unit shall be permitted per day. Use of a short term rental dwelling unit for any commercial or social events is prohibited.

(c) No exterior identification sign of any kind shall be permitted in residential districts.

(d) Total occupancy of a short term rental dwelling unit shall not exceed the definition of family in Section 60.207 allowed in a single housekeeping unit except that occupancy in excess of the definition of family may be permitted with a conditional use permit, on a case by case basis, for large one- and two-family dwellings on large lots.

Table 66.221 Principal Uses in Residential Districts

<table>
<thead>
<tr>
<th>Use</th>
<th>RL</th>
<th>R1-R4</th>
<th>RT1</th>
<th>RT2</th>
<th>RM1</th>
<th>RM2</th>
<th>RM3</th>
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<td>Bed and breakfast residence</td>
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<td>P</td>
<td>P/C</td>
<td>P/C</td>
<td>P/C</td>
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<td>P/C</td>
<td>(d), (s)</td>
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<td>Short term rental dwelling unit</td>
<td>P/C</td>
<td>P/C</td>
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<td>(d), (s)</td>
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Table 66.321 Principal Uses in Traditional Neighborhood Districts

<table>
<thead>
<tr>
<th>Use</th>
<th>T1</th>
<th>T2</th>
<th>T3</th>
<th>T4</th>
<th>Definition (d) Standards (s)</th>
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<tr>
<td>Commercial Uses</td>
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<td>Commercial Recreation, Entertainment and Lodging</td>
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<tr>
<td>Reception hall/rental hall</td>
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<tr>
<td>Short term rental dwelling unit</td>
<td>P/C</td>
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Table 66.421 Principal Uses in Business Districts

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<th>OS</th>
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<th>BC</th>
<th>B2</th>
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<th>Definition (d) Standards (s)</th>
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<td>Reception hall/rental hall</td>
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<td>Short term rental dwelling unit</td>
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<tr>
<td>Steam room/bathhouse facility</td>
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Table 66.521 Principal Uses in Industrial Districts

<table>
<thead>
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<th>Use</th>
<th>IT</th>
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<th>I2</th>
<th>I3</th>
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<td>Commercial Recreation, Entertainment</td>
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<td>Reception hall/rental hall</td>
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<td>Short term rental dwelling unit</td>
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<td>Steam room/bathhouse facility</td>
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Table 63.207 Minimum Required Off-Street Parking By Use

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Number of Parking Spaces</th>
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<tbody>
<tr>
<td>Lodging</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast residence</td>
<td>1 spaces per dwelling unit and 0.5 spaces per guest room</td>
</tr>
<tr>
<td>Short term rental dwelling unit</td>
<td>1 space per dwelling unit and 0.5 spaces per every 2 adult guests</td>
</tr>
</tbody>
</table>
To: Dan Nizolek

From: Jerome Benner II

Re: Listening Session for Short-Term Rentals (Airbnb’s and VRBO’s)

Purpose:

The purpose of this listening session was to create an open dialogue with the community to learn about the benefits of short-term rentals in their respective neighborhoods and any looming concerns with how the City proposes to regulate the use. Councilmember Prince attended the meeting on behalf of her constituents. The following information are comments collected from the meeting held on January 19, 2017:

**Benefits of short-term rentals?**

- Building new relationships within the community
- Alternative lodging options for those who do not want to stay in a traditional hotel
- More personal feel, Better for families that are traveling together
- Generates income opportunities for the host(s)
- Builds City’s image and generates money for the local economy
- Company for those that are lonely and enjoy having additional guests stay with them
- More eyes on the neighborhood
- Less wear and tear on the homes because guests are staying for shorter periods of them than long-term renters
- Helps with hotel overflow

**Issues or concerns with short-term rentals?**

- Safety issues – people have died at Airbnb’s (Airbnb now supplies Co2 and smoke detectors)
- No notice to residents. Many felt they do not have a say in what goes on in their neighborhoods
- Fear of not knowing who is staying next door (stranger danger!)
- Creating economic/commercial uses in predominately residentially zoning areas
- Hosts discriminating against guests
- Despite being a good host, residents are concerned bad guest will still be an issue
- Traffic congestion on local street systems
- Clarity in ordinance
- Unsavory entrepreneur host platforms

**Ways to ensure short-term rentals are a beneficial part of neighborhoods?**

- De-regulate traditional bed and breakfast uses to make it easier for business owners
- Require Inspections of all short-term rentals
- Platform to allow residents to submit complaints regarding the improper use of a short-term rental
- Education hosts and potential guests about short-term rentals prior to their stay
- Database to collect ID from residents
- Separation requirement to help mitigate impact on neighborhoods
- State-Sponsored listing site
- Host pays inspection fees
- Create off-street parking requirements for hosts
- Require a Conditional Use Permit for all short-term rentals
Number of Short Term Dwelling Units Permitted

Single family home
1 short term rental dwelling unit permitted

Duplex
Non-owner occupied
1 short term rental dwelling unit permitted
Owner occupied – and owner present
2 short term rental dwelling units permitted

Three unit building (triplex)
1 short term rental dwelling unit permitted

Four unit building
2 short term rental dwelling units permitted

Six unit building
3 short term rental dwelling units permitted
Eight unit building
4 short term rental dwelling units permitted

Larger apartment/condo building*
4 short term rental dwelling units permitted

*The number of short term rental dwelling units may exceed 4 if a building owner obtains a conditional use permit for a larger number of units.

The occupancy of any short term rental dwelling unit is limited by the zoning code definition of family. This occupancy can be exceeded with a conditional use permit, on a case by case basis, for large one and two-family dwellings on large lots.

**Family** - One or two persons or parents, with their direct lineal descendants and adopted or legally cared for children (and including the domestic employees thereof) together with not more than two persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping unit. Every additional group of four or fewer persons living in such housekeeping unit shall be considered a separate family for the purpose of this code.
DATE: May 23, 2017

TO: Comprehensive Planning Committee

FROM: Lucy Thompson, Principal City Planner

SUBJECT: Saint Paul River Balcony Master Plan Public Testimony and Recommendation to Planning Commission

BACKGROUND
Reconnecting to the Mississippi River has been a City of Saint Paul and community priority since completion of the Saint Paul on the Mississippi Development Framework in 1997. Like so many American river cities, Saint Paul turned its back on the Mississippi River for decades. But, in the last 20 years, the City and its partners have worked tirelessly to embrace the river and recognize it as a natural, historic, cultural, recreational and ecological amenity.

The Great River Passage Master Plan, adopted by the City Council in April 2013 as an addendum to the Saint Paul Comprehensive Plan, calls for the creation of a River Balcony along the downtown river bluff (green/yellow line on the image below). The River Balcony was one of the most widely-supported ideas to come out of the Great River Passage Master Plan.
The design rendering in the *Great River Passage Master Plan* shows an active, vibrant public ledge overlooking the river:

![Design Rendering](image)

**THE SAINT PAUL RIVER BALCONY MASTER PLAN**

Given the broad community support for the River Balcony, as well as its potential to be a catalyst for private investment along the downtown river bluff, City staff worked with the Minnesota Design Center, Landscape Research, BKV Architects, Saint Paul Design Center and adjacent property owners to prepare the *River Balcony Master Plan* as an amendment to the *Great River Passage Master Plan*.

The Master Plan lays out the following vision for the River Balcony:

*The River Balcony is envisioned as a publicly-accessible pathway connecting public spaces and bluff-side redevelopment sites from the Science Museum to Union Depot. It will be designed to accommodate walking, outdoor seating, gathering and related public activities; and to be a catalyst for economic development.*

A set of core goals establishes the role of the River Balcony in not only activating the public realm along the river bluff, but also in catalyzing high-quality private development on key sites along Kellogg Boulevard. The River Balcony will:

1. reconnect downtown to the river visually and physically;
2. provide a public linear path along the downtown river bluff with occasional vertical connections to the river’s edge;
3. activate private development on the Ramsey County West/Adult Detention Center, Ramsey County East and Custom House sites; and
4. connect public spaces and private development sites along the river’s edge in downtown.

The *River Balcony Master Plan* contains design guidelines based on the following general design principles:

1. The River Balcony is a public space, accessible to all, at all times of the day and during all seasons.
2. The main purpose of the River Balcony is to provide visual and physical connections between downtown and the Mississippi River.
3. The River Balcony is an integral part of a larger public realm network comprising the Capital City Bikeway, City and regional parks and trails, streets, plazas and skyways.
4. The River Balcony is both a horizontal (linear) and vertical (from upper bluff to river’s edge) system of movement.
5. The River Balcony will be a fundamental feature of new development on private property along the bluff, including Custom House and the Ramsey County riverfront properties.
6. The River Balcony will be designed to add value to adjacent private development.
7. The River Balcony will be built with high-quality, durable materials.
8. The River Balcony will be designed as a coherent series of public spaces, with overall continuity of design, but allowing for site- or district-specific expressions of place.
9. The River Balcony will be designed to be a “light touch” on the bluff landscape.
10. The River Balcony will incorporate natural features as much as possible, recognizing that some areas will be more predominantly hard-surfaced.

The Master Plan also contains sections on land use history and cultural resources; project precedents from around the country and world that inspired our vision; and design guidelines for 1) the River Balcony as a whole; 2) each component of the River Balcony; and 3) adjacent private development sites.

The guidelines for the River Balcony as a whole address:
- Identity
- Connected pedestrian amenities
- Balcony structure
- Materials
- Landscaping
- District (utility) systems
- Furnishings
- Retaining walls
- Paving
- Railings
- Wayfinding signage
- Lighting
- Vertical circulation towers
- Historic resources
- Public art

The guidelines by component address four conditions along the 1.5-mile route:
- Balcony on-grade at sidewalks and plazas
- Balcony on-grade at street crosswalks (Wabasha and Robert streets)
- Free-standing balcony
- Balcony connections to the river

The guidelines for adjacent private development sites address how the following elements on privately-owned sites interface with and activate the River Balcony:
- Site development
- Building form and façade
- Landscaping
- Historic preservation
- Sustainability and district systems
- Furnishings
PUBLICATION
The Planning Commission released the River Balcony Master Plan on April 7, 2017 and held a public hearing on May 19, 2017. Ten people spoke at the hearing, with many of them submitting written comments as well. Written comments were received from three additional parties. The Saint Paul Parks and Recreation Commission adopted a resolution in support on April 13, 2017.

In general, public testimony was very positive and recommended adoption of the River Balcony Master Plan. Statements in support included the following points:

Science Museum of Minnesota:
- The River Balcony is an important opportunity to capitalize on Saint Paul's key asset, the Mississippi River, and to bring together all the assets along Kellogg Boulevard into an engaging experience that is greater than the sum of its parts.
- The River Balcony is Saint Paul's "signature element" that will raise its prominence beyond its borders.
- The Science Museum of Minnesota is deeply committed to realizing the River Balcony, and is already working to activate its portion of the route.

National Park Service (NPS):
- The River Balcony has the potential to achieve many of the recreation and visitor access goals in the NPS Comprehensive Management Plan.
- The Balcony will enhance views of downtown from across and on the Mississippi River, provide essential physical and visual connections to the river, and greatly enhance the visitor experience and use of the river.

Ramsey County:
- The County's Riverfront Properties development will be integrated with the River Balcony, which will maximize the contribution of both projects to the vitality of downtown Saint Paul.
- Union Depot will benefit from its connection to the Balcony.

Visit Saint Paul (Convention and Visitors Bureau):
- The River Balcony will create wealth and health.
- There is a tremendous market for connecting people to bodies of water. With Saint Paul close to a large population base, the River Balcony presents great potential to bring people to the Mississippi River.
- The Duluth Canal Walk demonstrates the power of something like the River Balcony to draw people to the water and generate significant economic development.

Friends of the Mississippi River (FMR):
- Excellent features of the Master Plan include: 1) increasing and improving open space downtown; 2) improving the views of the river valley and downtown; 3) improving access between the river and downtown; and 4) improving connectivity with existing pedestrian routes and area amenities.

Exeter Group (Custom House):
- The River Balcony will be critical to leasing currently-vacant second floor space in Custom House.

Minnesota Wild and Xcel Arena/RiverCentre:
- The River Balcony will be an "iconic park."
- It will connect events at the Arena to other parts of the city and expose more people to the Mississippi River.
- The Balcony will be a great "sales item" for attracting events to Saint Paul.
- The RiverCentre ramp reconstruction project includes a placeholder to build the River Balcony along the river side of the new structure.
Friends of the Parks and Trails of Saint Paul and Ramsey County:

- The River Balcony will enhance access to the river while creating investment – both economic (creating places where people want to live, work and recreate) and personal/emotional – in it.
- The River Balcony will help people of all ages interact with the Mississippi River in new ways and become our future stewards of the river.

Other:

- The River Balcony can be a vibrant "canvas" for arts activities and programming.

There were some concerns expressed, as well as minor changes requested to the Master Plan document:

- "Bird-safe glass," "dark-sky-friendly lighting" and "pollinator-friendly native plants should be specified." (FMR)
- References should be added to encourage the River Balcony to be a model park for green, technological and Zero Waster features. (FMR)
- Alternatives to wood decking should be considered as further design and performance studies are conducted. (FMR)
- The area below the River Balcony where it connects to Lower Landing needs to be improved and cleaned up to present a positive image to those entering downtown.

STAFF RECOMMENDATION

Staff recommends that the Comprehensive Planning Committee forward the River Balcony Master Plan to the Planning Commission with the following recommendations:

1. that the Commission find the River Balcony Master Plan consistent with the Comprehensive Plan; and

2. that the Planning Commission recommend to the Mayor and City Council adoption of the River Balcony Master Plan as an amendment to the Great River Passage Master Plan with the following additions:
   - References be added to encourage the River Balcony to be a model park for green, technological and Zero Waster features.
   - Alternatives to wood decking be considered as further design and performance studies are conducted.

Attachments:
Written comments on the draft River Balcony Master Plan
RESOLUTION # 17-07
Saint Paul River Balcony Master Plan

WHEREAS, the Saint Paul Parks and Recreation Commission is an appointed body established to advise the Mayor and City Council on long-range and city-wide matters related to Parks and Recreation; and

WHEREAS, the City’s Comprehensive Plan and the Great River Passage Master Plan have identified a River Balcony as a bluff side promenade that will connect the community to and along the bluff as well as to the Mississippi River, activate the bluff edge, and stimulate economic development; and

WHEREAS, the Saint Paul River Balcony Master Plan was prepared by the City of Saint Paul Department of Planning and Economic; and

WHEREAS, the Saint Paul Parks and Recreation Commission endorsement and Saint Paul City Council adoption of the plan is a prerequisite for Metropolitan Council adoption of the Master Plan;

NOW, THEREFORE, BE IT RESOLVED, the Saint Paul Parks and Recreation Commission recommends the adoption of the Saint Paul River Balcony Master Plan as the principal planning document for the development of the signature project.

Adopted by the Saint Paul Parks and Recreation Commission on April 13, 2017:

Approved: Yeas 7
Nays 2
Absent: 2

Resolution #17-07

Attested to by:

[Signature]
Staff to the Parks and Recreation Commission
May 19, 2017

Planning Commission
City of Saint Paul
Saint Paul, Minnesota

Dear Commission Members:

On behalf of the Science Museum of Minnesota (SMM), I welcome this opportunity to convey the Museum's support for the River Balcony.

The City of Saint Paul has many existing and remarkable public and private assets along Kellogg Boulevard with many others under consideration. The River Balcony is an enormous opportunity to bring them all together into an engaging public experience that is greater than the sum of its parts. Achieving this vision is important to all of the entities along the proposed River Balcony because of the considerable opportunity to increase the visibility of all of us along the balcony but also because cities increasingly need signature elements that raise their prominence and presence of mind well beyond their borders. The River Balcony has the potential to accomplish this vital vision for Saint Paul.

SMM is committed to doing its part to help realize this vision by seeking to create engaging experiences for those who encounter and explore its segment of the River Balcony. SMM, the National Park Service and District Energy St. Paul in 2012 produced and installed exhibits on the Kellogg Plaza Overlook that interpret the Mississippi River Valley and the combined heat and power plant next door to the Museum. Most recently, SMM with the Mississippi Park Connection and Saint Paul Forestry with support from the Minnesota Pollution Control Agency installed a demonstration bare-root tree gravel bed nursery on the Museum's Kellogg Plaza. SMM now is pursuing a major grant proposal from Artplace America that if successful would enable the Museum and its partners to create an engaging urban forestry parklet on the Museum's Kellogg Plaza.

SMM looks forward to continuing to collaborate with all of the public and private partners who together will realize the River Balcony. SMM is deeply committed to helping to realize this vision, which is why it is already engaged in work to activate its portion of the River Balcony.

Sincerely,

[Signature]

Alison R. Brown
President and CEO
May 18, 2017

Lucy Thompson
Principal City Planner
1300 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102

RE: River Balcony Master Plan

Dear Ms. Thompson:

The National Park Service (NPS) is pleased to provide comments on the River Balcony Master Plan. The proposed balcony would lie completely within the boundary of the Mississippi National River and Recreation Area (NRRA). Congress established the Mississippi NRRA in 1988 to preserve, protect, and enhance the significant values of the Mississippi River Corridor in the Twin Cities metropolitan area.

Housed within the Science Museum of Minnesota, our Mississippi River Visitor Center will be a key element along the River Balcony. We look forward to participating in the development of the River Balcony Master Plan, and feel it has the potential to achieve many of the recreation and visitor access goals identified in our Comprehensive Management Plan. If done right, the balcony will enhance views of downtown St. Paul from across the river and from on the river. It will also provide essential physical and visual connections between Saint Paul and the Mississippi River and greatly enhance the visitor experience and use of this prized resource.

If you any questions regarding these comments, please contact me at john.anfinson@nps.gov or 651-293-8432.

Sincerely,

John Anfinson
Superintendent
Good morning. My name is Josh Olson and I'm the Planning Specialist for Ramsey County in the county's Community and Economic Development Department. Over the last few years the county has been actively engaged in the development of the River Balcony Master Plan, including by providing financial support for the master planning process through our Regional Railroad Authority. We applaud the efforts of city staff in the development of the River Balcony Master Plan and I am pleased to speak in favor of the plan today.

The River Balcony is of particular interest to Ramsey County at this time, as we are leading the effort to redevelop a key site—the Riverfront Properties—that will intersect with the River Balcony. From the outset of this process, it has been a stated goal to integrate the Riverfront Properties development with the River Balcony in order to maximize the contribution of both projects to the vitality of downtown St. Paul. We have recently entered into negotiations with a developer for the Riverfront Properties who shares this vision and is
excited to establish an active first floor that interacts with pedestrian activity along the River Balcony.

Additionally, Union Depot, a county property and the easternmost property on the River Balcony, will be a key public entry point to the River Balcony and stands to benefit from its connection to the balcony. Ramsey County looks forward to an ongoing partnership with the city to integrate Union Depot seamlessly into the River Balcony.

Because the county has such a significant presence on the riverfront, we have maintained a keen interest in the River Balcony from its inception. We are pleased to witness the progress that the completion of the Master Plan represents, and are excited to continue to support the River Balcony in the years ahead.

Thank you.
May 17, 2017

Saint Paul Planning Commission  
Betsy Reveal, Chair  
15 Kellogg Blvd. West  
Saint Paul, MN 55102

RE: River Balcony Master Plan draft

Chair Reveal:

Friends of the Mississippi River (FMR) is a local non-profit community-based organization that works to protect and enhance the natural and cultural assets of the Mississippi River and its watershed in the Twin Cities. We have 1,800 active members, and more than 3,000 volunteers who care deeply about the river’s unique resources. FMR has been an active and ongoing participant in planning for the future of the Saint Paul riverfront.

We are writing today with our comments on the River Balcony Master Plan draft.

Overall, we are pleased with this plan. We are glad Saint Paul is investing in the riverfront downtown. This plan contains many excellent features including several that we outline below.

- Increasing and improving public space downtown, for example:
  - moveable furniture to accommodate a variety of groups
  - providing an option for the eastbound lanes of Kellogg Boulevard to easily transition to a pedestrian space for large events
  - emphasizing the use of native plants for landscaping
  - including a green roof on the civic building
- Improving the views of the river valley and downtown, for example:
  - ensuring protections are in place for preserving views and viewsheds
  - ensuring portions of the bluff are visible and including subtle bluff lighting that highlights the natural features of the area
- Improving access between the Mississippi River and downtown, for example:
  - building vertical connections early on in Phase 2
  - providing expansive visual access from the Balcony to the river
- Improving connectivity with existing pedestrian routes and area amenities, for example:
connections to the Sam Morgan Regional Trail, Science Museum of MN, Light Rail Transit, etc.
- Ensuring development guidelines are in place for adjacent private development sites

We also have a few suggested clarifications and changes that we’ve organized by topic.

**Bird-friendly**

This park is part of an internationally significant migratory corridor that millions of birds and other wildlife use throughout the year. Therefore, we encourage specifying bird-friendly features as priorities in the plan. The plan indicates that tempered glass will be used as a design feature for railings, stair and elevator shafts at the bridgeheads, and walls of the civic building near the Robert Street bridgehead. The tempered glass references should be updated to include bird-safe glass. Additionally, the inclusion of dark-sky friendly lighting in the plan will help prevent birds from becoming disoriented. However, page 69 also indicates that the vertical circulation towers “lighting should provide a striking nighttime image.” We would support the striking image if it could be accomplished in a bird-friendly way. We also encourage the landscaping sections of the plan to specify that “pollinator-friendly native plants” will be used.

**Technology & green energy & going green**

The plan does feature some innovative ideas like using District Energy Heat to melt snow and provide comfortable outdoor spaces. We’d like to see the plan go further so the park becomes a model park in the Twin Cities for green and technological features, especially with its proximity to downtown. We encourage further discussions to ensure this is a leading model park and we would be happy to assist in exploring these and other questions.

- Why not specify that the planned kiosks will be interactive with state-of-the-art technology powered by solar energy?
- Why not encourage the employees and students to come out to the river balcony with their electronics that can be recharged at no cost in the park with solar or wind energy?
- Why not specify that the park will be Zero Waste, like so many other surrounding park systems have already done, and list compost as an option on page 62 and 63?

**Wood decking**

We appreciate the desire to bring natural elements into the park design, but it may be wise to avoid wood decking on trails. Wood decking is a rare feature in parks today as it has largely been replaced with more durable and safe materials like composite decking or plastic lumber made from recycled materials. We’ve been involved in conversations regarding the wood planking in the Mill City portion of West River Parkway in Minneapolis. Frequent trail users complain of noise when wheeled recreational vehicles (e.g. bikes, inline skates, skateboards, etc.) go over the planks, slipperiness when wet, and safety concerns due to the natural warping of the boards (e.g. tripping, inline skates getting caught, dangerous in high heels, etc.). The Minneapolis Park Board staff have also
mentioned the high cost of constantly replacing these boards as they warp. We hope whatever material is chosen will be long lasting, safe to use year-round in all weather and safe to use on inclined portions of the project.

*Other small tweaks*
On page 39, we’d like to see “take in the scenic river valley” added to the last paragraph that lists what the River Balcony should provide. The bottom of this page also needs a period. On page 49, label Pad 10A and Pad 10B. On page 67, “orientation” is spelled incorrectly.

Thank you for your work on this visionary plan. With a few small changes, we look forward to being able to fully endorse this plan.

Sincerely,

Whitney L. Clark
Executive Director
To: City Planning Commission
c/o: Lucy Thompson, Department of Planning and Economic Development
Subject: Written Testimony for the City Planning Commission hearing on the River Balcony Project 5/19/17

Please forward these comments as a follow up to my testimony at the above hearing.

I live at 350 St Peter Street, Unit 409, St Paul 55102. I am testifying as a property owner/resident of the Lowry Building condominiums. We own one of 11 condominiums which face toward the river. We are very enthusiastic about the plans for the River Balcony, but have a few concerns relating to the River Balcony and its integration with the proposed development at the ex-county jail and West Publishing sites.

- Sight Lines – We are currently enjoying expanded sight lines to the river and Harriett Island. We would ask that the River Balcony not impede these sight lines, keeping them as close as they are today, but at least as they were before the deconstruction of the jail and West buildings.
- Sun Lines – This request pertains to the integration of the River Balcony and proposed development of the jail and West properties. We ask that no structures be taller than the previous West buildings, so that sun exposure will not be impeded, specifically at the low point of the sun elevation in December.
- Sound Sources – While we appreciate that the downtown noises are something which must be tolerated, we ask that consideration be given to the downtown residents before adding to the sources of noise. For example, the recent addition of audible street crossing signals using a loud “demented woodpecker” knocking sound is very annoying. We recognize the need for audible signals for the vision impaired, and we anticipate some may be necessary for the River Balcony. We would appreciate it if these could be more melodic and subtle...and, replace the current signals as well.

There are two other issues which should be considered in the River Balcony project development.

- The condition of the area beneath the railroad viaduct at Sibley and Warner Road – I am attaching an email (Lower landing). I sent to Lucy Thompson and others last year regarding the poor appearance and accumulation of trash at this entrance to the city, and docking point for river cruise ships. The River Balcony will access this area. Improvement of the area should be considered as part of this project.
- Integration with the Riverview Corridor Project and passenger rail access – I am attaching an email (Proposed Riverview LRT Routing) which incorporates a two level structure to accommodate the Riverview Corridor LRT and the River Balcony. This proposal is not currently one of the preferred alternatives, but the River Balcony Project should consider Riverview Corridor issues as development progresses. There is currently room for additional tracks for passenger trains at the Union Depot. Care should be taken to not impede access for additional tracks to the West.

I believe it was stated in the hearing that additional public testimony would be heard on this subject at a meeting on May 30. I would appreciate receiving notice of the time and place of the meeting.

Thank you,
Thompson, Lucy (CI-StPaul)

From: Jay & Kathryn Severance <jkseverance@gmail.com>
Sent: Wednesday, May 04, 2016 10:06 AM
To: Thompson, Lucy (CI-StPaul)
Cc: info@visitsaintpaul.com
Subject: Lower landing

Good Morning,

I saw your recent video regarding the river balcony project...very nicely done. You mentioned the possibility of Viking Cruise lines using the lower landing in upcoming years. The comment triggered a concern about the "first impression" a visitor might get as they dock at the lower landing.

I frequently walk along the river and through Lower Town, and have been impressed with the improved look and activity in the area. The one exception is the shabby state of the rail viaduct across Shepard Road from the Lower Landing, at the foot of Sibley St. https://www.google.com/maps/place/Shepard+Rd+%26+N+Sibley+St,+St+Paul,+MN+55102/@44.9458989,-93.0856204,3a_75y_10h,90t/data=!3m2!1e1!3m5!1sVqfL2xJ9VH!2e0!7i13312!8i65514

A coat of paint, and attention to the grassy area would make this a much more appealing entrance to the city, and first impression for arriving travelers. Better yet, a wall with murals depicting the origins of St Paul, riverboats etc would keep people out of the area under the viaduct...instead of a snow fence...while providing an attractive view from the highway or riverboats.

As you know, there are other cruise lines currently docking in St Paul. We have taken several cruises with American Cruise Lines to other destinations along the river and East and West Coasts. They have two new boats on the river based in New Orleans. This year, they will dock in St Paul on the following dates: July 23, August 6, August 27, September 10, October 1 and October 15. They debark passengers and embark new passengers for the down-river trip on those days. Generally, that entails around 200 passengers arriving who will probably head out of town unless there is some reason to stay, and another 200 embarking, who potentially need overnight accommodations.

Our experience at other debarking/embarking locations is that walking tours or bus tours are usually provided as part of the cruise. I don’t know whether this is planned for the St Paul arrivals or departures, but would be an opportunity for the city to make an impression on visitors. I would encourage the proper individuals with the city or Visitor and Convention Bureau to be in contact with American Cruise lines to see if some exposure to the city would be possible.

Thank you,
Jay Severance
350 St Peter St #409
St Paul MN 55102
May 19, 2017

Re: Comments on St. Paul River Balcony

We are writing to endorse the St. Paul River Balcony effort. For over three decades, Friends of the Parks and Trails of St. Paul and Ramsey County has been a voice to promote, protect, and enhance parks, trails, and open space in our local community. Our Executive Director was on the Great River Passage Master Plan Task Force.

We have a long-standing history of active participation in conversations regarding development and natural resource protections in the Mississippi River corridor. In fact, our organization was founded in 1985 after a group of concerned citizens banded together to point out that putting a housing development in Crosby Farm Regional Park was not the best use of that property.

We were active participants during the recent Minnesota Department of Natural Resource revision of the Mississippi River Corridor Critical Area rules. United States Senator, David Durenberger, co-sponsor with United States Representative Bruce Vento to create the Mississippi National River and Recreation Area National Park, is on our Board of Directors.

As you can see, we have been stewards of the St. Paul riverfront for quite some time and continue to be mindful of both economic development and natural resource protection. We have partnered with St. Paul and Ramsey County to do our very best to take care of what we have today while planning for future generations.

We are pleased to see that the River Balcony conceptual design both enhances access to the river while creating investment in it. Investment can take many forms. Not only does this plan promote economic investment with its vision for places where people want to live, work, and recreate, but it also creates personal, emotional investment in the river for those same reasons.

By designing and building in such a way that encourages people of all ages to interact with the Mississippi River in new ways, we are also building new relationships with the river that runs through our city. Those relationships will be the building blocks for future generations to be stewards of the river in years to come.

We applaud that vision. As stewards for over 32 years, we are happy to endorse a plan that will inspire future generations to appreciate the river as we do.

Sincerely,

Shirley Erstad, Executive Director
Ms. Thompson,

I am a huge fan and member of FMR and love good craft beer. West St. Paul definitely has room for another tap room and the amenities that will surround it. Minneapolis has taken advantage of the Mississippi’s awesome scenic dining backdrop for years. It is a fine time for St Paul to do the same. What a cool pre-activity for a Saints Game at the CHS. I wholeheartedly support the promenade and beer garden in St. Paul “Build it and they will come!”

Robin Turner
FMR member & SHEP super volunteer.
Dear Ms. Thompson:

Please cancel the entire River Balcony Project.

The money (not mentioned in the Pioneer Press Article) could be better used on other things that benefit all St. Paul residents, instead of a bunch of tourists and hoity-toity artsy-fartsy trendyoids.

How about fixing the streets? How about snow plowing the alleys? How about instituting a special cell-phone court system? (Grant the cops the authority to confiscate phones from distracted drivers – then requiring the scofflaws to go to court to reclaim them).

How about attracting some manufacturing businesses to move to St. Paul?

I hope you don't go the way of Minneapolis, where they care more about tourists than their own citizens.

Thank you.
RIVER BALCONY MASTER PLAN

WHEREAS, the City Council adopted the Great River Passage Master Plan as an addendum to the Saint Paul Comprehensive Plan in 2013; and

WHEREAS, one of the projects recommended in the Great River Passage Master Plan is the River Balcony, a 1.5-mile pedestrian pathway from the Science Museum to Union Depot along the top of the downtown bluff; and

WHEREAS, the River Balcony was envisioned to contribute to the economic vitality of downtown, and extend and reconnect community life to the Mississippi; and

WHEREAS, in 2015, in anticipation of the adaptive reuse of the U.S Post Office and Custom House, which sits on the path of the proposed River Balcony, an inter-departmental City staff team engaged the Minnesota Design Center, BKV Group and Landscape Research to prepare a master plan and Phase 1 schematic design for the River Balcony; and

WHEREAS, a Project Review Team comprising property owners along the River Balcony route, CapitolRiver Council representatives and other key stakeholders advised the consultant team and City staff throughout the process; and

WHEREAS, the City hosted roundtables, design team workshops, a public open house in September 2015 and a public meeting in April 2016 to engage the public in preparation of the Master Plan; and

WHEREAS, the Master Plan lays out a vision for the River Balcony as a publicly-accessible pathway connecting public spaces and bluff-side redevelopment sites from the Science Museum to Union Depot that will be designed to accommodate walking, outdoor seating, gathering and related public activities, and that will be a catalyst for economic development; and

WHEREAS, a set of core goals establishes the role of the River Balcony in not only activating the public realm along the river bluff but also in catalyzing high-quality private development on key sites along Kellogg Boulevard; and

moved by ______________________
seconded by ______________________
in favor ______________________
against ______________________
WHEREAS, the goals of the River Balcony are to: 1) reconnect downtown to the river visually and physically; 2) provide a public linear path along the downtown river bluff with occasional vertical connections to the river’s edge; 3) activate private development on the Ramsey County West/Adult Detention Center, Ramsey County East and Custom House sites; and 4) connect public spaces and private development sites along the river’s edge in downtown; and

WHEREAS, the Master Plan contains design guidelines for the River Balcony as a whole, individual sections of the River Balcony and adjacent private development sites; and

WHEREAS, the Planning Commission released the draft River Balcony Master Plan for public review in April 2017 and held a public hearing on May 19, 2017, notice of which was published in the St. Paul Legal Ledger and through the City’s Early Notification System; and

WHEREAS, on April 13, 2017, the Saint Paul Parks and Recreation Commission adopted Resolution #17-07 recommending adoption of the River Balcony Master Plan; and

WHEREAS, the Planning Commission reviewed all public testimony and is recommending some changes to the draft Master Plan to respond to public testimony.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds the River Balcony Master Plan consistent with the Saint Paul Comprehensive Plan; and

BE IT FURTHER RESOLVED, that the Planning Commission recommends to the Mayor and City Council adoption of the River Balcony Master Plan as an amendment to the Great River Passage Master Plan with the following changes:

2. Add references to encourage the River Balcony to be a model park for green, technological and Zero Waster features.
3. Consider alternatives to wood decking as further design and performance studies are conducted.