

12-9-81

1 Chapter One: Title and Purpose

2 CAAPB 101 Title. "These rules shall be known and may be cited
3 as the "Capitol Area Zoning and Design Rules."

4 CAAPB 102 Purposes. These rules are adopted by the Capitol Area
5 Architectural and Planning Board to further the statutory
6 purposes of the board as stated in Minn. Stat. S 15.50.

7 A. To preserve and enhance the dignity, beauty, and
8 architectural integrity of the capitol, the buildings
9 immediately adjacent to it, the capitol grounds, and the capitol
10 area;

11 B. To protect, enhance, and increase the open spaces within
12 the capitol area when deemed necessary and desirable for the
13 improvement of the public enjoyment thereof;

14 C. To develop proper approaches to the capitol area for
15 pedestrian movement, the highway system, and mass transit system
16 so that the area achieves its maximum importance and
17 accessibility; and

18 D. To establish a flexible framework for growth of the
19 capitol buildings which will be in keeping with the spirit of
20 the original design.

21 Chapter Two: Definitions

22 [In rules 202-204, 213, 215, 231-239, 242-244, 246-251, the only

1 changes are: to CAAPB, to board, and to rules.]

2 CAAPB 200 For the purposes of these rules, the terms defined
3 below shall have the meanings ascribed to them.

4 CAAPB 201 Accessory use: A use which is incidental to,
5 customarily found in connection with, and (except in the case of
6 off-street parking spaces and loading) located on the same
7 zoning lot as, the principal use to which it is related.

8 Generally, an accessory use occupies less square footage than
9 the principal use.

10 Accessory uses include, but are not limited to, the following:

11 [CAAPC 201 a.-c. Reletter as CAAPB 201 A.-C.]

12 D. Storage within a fully enclosed building of merchandise
13 normally carried in stock in connection with a business or
14 industrial use, unless such storage is excluded in the
15 applicable district regulations.

16 [CAAPC 201 e. is repealed.]

17 [CAAPC 201 f. Reletter as CAAPB 201 E.]

18 [CAAPC 205 is repealed.]

19 [CAAPC 206 Renumber as CAAPB 205.]

20 CAAPB 206 Board. The Capitol Area Architectural and Planning
21 Board, as created by Minn. Stat. S 15.50, subd. 1.

22 [CAAPC 208 Renumber as CAAPB 207.]

23 [CAAPC 209 Renumber as CAAPB 208.]

24 CAAPB 209 Capitol area. As defined in Minn. Stat. S 15.50, the
25 capitol area consists of that area of the city of St. Paul
26 within the following boundaries:

27 "Beginning at the point of intersection of the centerline of
28 the Arch-Pennsylvania freeway and the centerline of Marion
29 Street, thence southerly along the centerline of Marion Street
30 to the north line of the right-of-way of Interstate Highway 94,

1 thence easterly along the said north line to the centerline of
2 Cedar Avenue, thence southeasterly along the centerline of Cedar
3 Avenue to the centerline of Tenth Street, thence northeasterly
4 along the centerline of Tenth Street to the centerline of
5 Minnesota Street, thence northwesterly along the centerline of
6 Minnesota Street to the centerline of Eleventh Street, thence
7 northeasterly along the centerline of Eleventh Street to the
8 centerline of Jackson Street, thence northwesterly along the
9 centerline of Jackson Street to the centerline of the
10 Arch-Pennsylvania freeway extended, thence westerly along the
11 centerline of the Arch-Pennsylvania freeway extended and Marion
12 Street to the point of origin...."

--

13 CAAPB 210 Clinic. An establishment where human patients who are
14 not lodged overnight are admitted for examination and/or
15 treatment by a group of physicians, dentists, or similar
16 professionals.

17 [CAAPC 211 is repealed.]

18 CAAPB 211 Club or lodge. Building or premises used for
19 associations of an educational, fraternal or social character,
20 not operated or maintained for profit. This term shall not
21 include churches, synagogues, or other houses of worship.

22 CAAPB 212 Comprehensive plan. The plan adopted by the Capitol
23 Area Architectural and Planning Board pursuant to Minn. Stat. S
24 15.50, subd. 2 including any unit or part of that plan and any
25 amendment to that plan or parts thereof.

26 CAAPB 214 Curb level. The mean level of a curb adjoining a
27 zoning lot. On corner lots, curb level is the average of the
28 mean levels of the adjoining curbs on the intersecting streets..
29 Where no curb level has been established, the Department of
30 Public Works of the city of St. Paul shall establish such curb
31 level, or its equivalent.

32 [CAAPC 216 is repealed.]

1 CAAPB 216 Dwelling unit. A building or portion thereof,
2 designed for occupancy by one family for residential purposes
3 and having cooking facilities.

4 [CAAPC 218-223 Renumber as CAAPB 217-222.]

5 CAAPB 223 Family. One or more persons living as a single
6 housekeeping unit in a dwelling.

7 [CAAPC 225-229 Renumber as CAAPB 224-228.]

8 CAAPB 229 Home occupation. An occupation or business carried on
9 in a dwelling by the resident thereof, not involving retail or
10 manufacturing business, and employing no persons other than
11 members of the immediate family residing on the premises, except
12 one (1) ancillary employee; including but not limited to the
13 businesses and occupations of doctors, ministers, architects,
14 lawyers, dentists, authors, artists, musicians, and other
15 similar occupations.

16 CAAPB 230 Housing for the elderly. A multiple-family structure
17 controlled by either a public body, institutional body, or a
18 nonprofit corporation, eighty (80) percent of whose occupants
19 shall be sixty-five (65) years of age or over.

20 [CAAPC 240 and 240 a.-c. Reletter as CAAPB 240 and 240 A.-C.]

21 CAAPB 241 Lot of record. A parcel of land, the dimensions of
22 which are shown on a document or map on file with the county
23 register of deeds or in common use by state or municipal or
24 county officials, and which actually exists as so shown.

25 CAAPB 245 Nonconforming building or sign. A building or portion
26 thereof or a sign lawfully existing at the effective date of
27 these rules, or amendments thereto, and that does not conform to
28 the provisions of these rules pertaining to the district in
29 which it is located.

30 CAAPB 252 Principal building. A building in which is conducted
31 the principal use of the zoning lot upon which it is situated.

1 CAAPB 253 Principal use. The main use to which the premises are
2 devoted and the principal purpose for which the premise exists.

3 CAAPB 254 Restaurant. A business establishment whose principal
4 business is the selling of unpackaged food to the customer in a
5 ready-to-consume state, in individual servings, or in
6 nondisposable containers, and where the customer consumes these
7 foods while seated at tables or counters located within a
8 building.

9 CAAPB 255 Restaurant, drive-in. A business establishment whose
10 principal business is the selling of food, frozen desserts, or
11 beverages to the customer in a ready-to-consume state, in
12 individual servings, and where the customer consumes these
13 foods, frozen desserts, or beverages in an automobile parked on
14 the premises.

15 CAAPB 256 Restaurant, fast food. A business establishment whose
16 principal business is the selling of pre-prepared, quick-order,
17 and packaged foods in a ready-to-consume state, packaged in
18 non-returnable, disposable containers or wrappings, and where
19 the customer may consume these foods while seated at tables or
20 counters located within a building.

21 CAAPB 257 Room. For the purposes of determining lot area,
22 requirements, and density in a multiple-family residential
23 district, a living room, dining room, and bedroom equal to at
24 least eighty (80) square feet in area. A room shall not include
25 the area in kitchen, sanitary facilities, utility provisions,
26 corridors, hallways, and storage. Plans presented showing 1, 2,
27 or 3-bedroom units and including a "den," "library," or other
28 extra room shall count such extra room as a bedroom for the
29 purposes of computing density.

30 [CAAPC 253 Renumber as CAAPB 258.]

31 CAAPB 259 Sign. The use of words, numerals, figures, devices,
32 designs, or trademarks which purpose is to show or advertise a

1 person, firm, profession, business, service, product, message,
2 or provide information, warnings, or directions, including the
3 following kinds of signs:

4 A. Accessory sign: A sign which pertains to the principal
5 use of the premises.

6 B. Advertising sign: A nonaccessory sign related to an
7 activity, service, or business not carried out on the premises
8 upon which the sign is placed.

9 C. Billboard: An advertising sign over sixteen (16) square
10 feet in area.

11 [CAAPC 254 c. Reletter and Renumber as CAAPB 259 D.]

12 [CAAPC 254 d. (1) and (2) Reletter and Renumber as CAAPB 259 E.
13 1. and 2.]

14 [CAAPC 254 e.-h. Reletter and Renumber as CAAPB 259 F.-I.]

15 J. Identification and name ~~place~~ ^{plate} : A business sign
16 stating the name of a person, firm, institution, or name or
17 description of a certain permitted use.

18 K. Marquee: A permanent roofed structure attached to and
19 supported by the building and projecting over public
20 right-of-way.

21 L. Nonaccessory sign: A sign which does not pertain to the
22 principal use of the premises.

23 M. Political sign: A temporary sign which displays
24 information pertaining to an ~~unseeing~~ ^{upcoming} governmental
25 district, city, county, state or national election.

26 [CAAPC 254 k.-o. Reletter and Renumber 259 N.-R.]

27 S. Temporary sign: A sign other than a political sign
28 intended to be displayed for a short time for special events.

29 [CAAPC 254 q.-r. Reletter and renumber as 259 T.-U.]

30 [CAAPC 255-259 Renumber as CAAPB 261-265.]

31 CAAPB 266 Underground structure: Any completed building
32 designed to be built partially or wholly below grade. A

1 completed structure which was not intended to serve as a
2 substructure or foundation of a building.

3 [CAAPC 260-261 Renumber as CAAPB 267-268; CAAPC 261 a.-c.
4 Renumber as 268 A.-C.]

5 CAAPB 269-299 are reserved for future use.

6 Chapter Three: Zoning Districts

7 CAAPB 301 Districts established. The following zoning districts
8 for the capitol area are hereby established:

- 9 A. Governmental district (G-1).
- 10 B. Governmental district (G-2).
- 11 C. Medium-density, multiple-family residential district
12 (RM-2).
- 13 D. Community business district (B-2).
- 14 E. Office-service district (OS-1).
- 15 F. Planned unit development district (PD).
- 16 G. Mixed use district (MX).

17 CAAPB 302 Zoning map. The Capitol area is hereby divided into
18 zoning districts as shown on the official zoning map entitled
19 "Zoning Districts for the Capitol Area." Such map and any
20 amendments with all explanatory matter therein, are hereby made
21 a part of these rules.

22 CAAPB 303 Boundaries. Where uncertainty exists with respect to
23 the boundaries of any of the districts established in these
24 rules as shown on the official Capitol Area Zoning District Map,
25 the following shall govern:

26 [CAAPC 303 a.-c. Reletter to CAAPB 303 A.-C.]

27 D. Where unzoned property may exist, or where, due to the
28 scale, lack of detail, or illegibility of the zoning map, there
29 is any uncertainty, contradiction, or conflict as to the
30 intended location of any district boundaries shown thereon, the
31 exact location of district boundary lines shall be determined by
32 the board upon the written application of a property owner or
33 upon its own motion.

Chapter Four: Use Regulations

[Change all internal references in Chapter Four from CAAPC to

CAAPB.]

CAAPB 401 Uses permitted.

A. Except as otherwise provided by these rules, no building or tract of land shall be devoted to any use other than a principal use or a conditional use permitted in the zoning district in which such building or tract of land is located.

A principal use shall be permitted upon the finding by the board that the proposed use is:

[Reletter (a) and (b) to 1. and 2.]

[Reletter (c) and (i) as B. and 1.]

2. Will not adversely affect the beauty, dignity and architectural integrity of the capitol area; and

3. Will be established pursuant to the conditions and requirements for such uses enumerated in these rules and such additional conditions and requirements as the board may impose to insure compliance with sub paragraphs 1. and 2. above.

[CAAPC 402 a.-g. Relletter as CAAPB 402 A.-G.]

H. Accessory buildings, structures, and uses. Outside storage is prohibited.

[CAAPC 403 Relletter as CAAPB 403]

A- Retail and service establishments, exhibition space, museums, historical and cultural centers, tourist information facilities, and other uses reasonably necessary and convenient for the satisfactory and efficient operation of the facilities of state government and to provide adequate public access thereto.

CAAPB 404 Governmental district (G-2); principal uses.

Permanent open spaces which preserve and enhance the capitol area shall be permitted in the governmental district (G-2).

Such uses shall include, but not be limited to, lawns, gardens,

1 landscaped areas, and plazas.

2 CAAPB 405 Governmental district (G-2); conditional uses.

3 Underground structures containing uses, as regulated in G-1
4 zone, shall be permitted provided that the following criteria
5 are met:

6 A. Location and type of landscaping will preserve and
7 enhance the capitol area.

8 B. Safeguards for erosion control are provided; these shall
9 include, but not be limited to, landscaping and seeding of
10 topsoil.

11 C. Reasonable documentation satisfactory to the board
12 that soil conditions will not cause damage to adjacent property
13 shall be provided.

14 D. Only above ground uses which are essential to the
15 operation of underground structures shall be permitted; these
16 may include ventilation shafts. Said above ground accessory
17 uses shall in no way detract from the capitol area.

18 E. At least seventy-five percent (75%) of surface areas
19 shall be devoted to G-2 uses.

20 F. Vistas of the capitol shall remain intact.

21 [CAAPC 404 a.-h. Renumber as CAAPB 406 A.-H.]

22 I. Churches, chapels, synagogues, temples, and other similar
23 houses of worship.

24 [CAAPC 405 Renumber as CAAPB 407; Reletter a., (i), (ii); b.;
25 c., (i), (ii); d., (i)-(vi); e., (i)-(iii); f.-i.; j.,
26 (i)-(iii); and k. as A., 1., 2.; B.; C., 1., 2., D., 1.-6.; E.,
27 1.-3.; F.-I.; J., 1-3.; and K.]

28 L. Amateur radio station towers, subject to the following
29 conditions:

30 1. Radio towers for licensed amateur radio stations which
31 exceed the allowable height of structures in residentially zoned
32 districts shall not exceed seventy-five (75) feet above
33 established grade.

34 2. Said towers shall be located only in the rear yard

1 portion of the lot and shall be provided setbacks from side lot
2 line equal to at least the greater of the two side yards
3 required in these rules.

4 CAAPB 408 Community business district (B-1); principal uses.
5 Only those uses which primarily serve the individual shopping
6 and service needs of residents and employees within the capitol
7 area and persons residing in nearby residential areas and which
8 provide limited facilities for automobile access and parking
9 shall be permitted as principal uses in a community business
10 district. Such principal uses include but are not limited to,
11 the following:

12 [a.-e., g. Reletter as A.-E., G.]

13 F. Restaurants and lounges, except drive-ins and fast-food
14 restaurants.

15 CAAPB 409 Community business district (B-2); conditional uses.
16 The following conditional uses shall be permitted pursuant to
17 the provisions of CAAPB 401 and subject to the conditions
18 hereinafter imposed for each use:

19 [Reletter a.-i.; k., (i)-(iii); l.; and m. as A.-I.; K., l.-3.;
20 L.; and M.]

21 J. Bars, drive-ins, fast-food restaurants, and similar
22 establishments.

23 N. Motels, hotels, or other similar establishments, subject
24 to the following conditions.

25 [Reletter (i) and (ii) as 1. and 2.]

26 O. Any combination of permitted and conditional uses for
27 community business district when such uses are combined in a
28 single structure or in connected or closely related structures
29 and are located near a parking lot or lots specifically intended
30 to provide parking for the customers and patrons of said uses.

31 P. All principal uses permitted in the office-service
32 district (OS-1), excluding G-1 uses, when located on the second
33 floor or above.

1 [Reletter p. as Q.]

2 [CAAPC 408 a.-e. Renumber as CAAPB 410 A.-E.]

3 F. All principal uses permitted in the governmental district
4 (G-1), as governed by CAAPB 403 402.

5 [CAAPC 409 a.-b., Renumber as CAAPB 411, A.-B.]

6 C. Those uses permitted as conditional uses in the
7 governmental district (G-1), CAAPB 403, subject to the
8 conditions therein imposed for each use and pursuant to the
9 provisions of CAAPB 401.

10 CAAPB 412 Planned unit development district (PD); intent,
11 establishment and principal uses. Upon application made to the
12 board, a planned unit development district may be established by
13 the board upon final approval of a plan of development in the
14 manner provided in these rules. Such planned unit development
15 district may include all or part of one or more zoning districts
16 and shall be the zoning district for the lot or lots included in
17 the plan. Only those uses specified in the plan of development
18 as finally approved by the board shall be permitted in the
19 planned unit development district. The PD planned development
20 district is intended to permit the private and/or public
21 development or redevelopment of areas throughout the capitol
22 area which shall be substantially in accord with the goals and
23 objectives of the comprehensive plan. The use patterns of the
24 areas involved shall provide a desirable environment and shall
25 be harmonious to the general surrounding uses permitting
26 flexibility in overall development while insuring adequate
27 safeguards and standards for public health, safety, convenience,
28 and general welfare.

29 [CAAPC 411 Renumber as CAAPB 413.]

30 [CAAPC 412 a.-e. Renumber of CAAPB 414 A.-E.]

31 [CAAPC 413-414 Renumber as CAAPB 415-416]

32 CAAPB 417 Mixed use district (MX); principal uses. Only those

1 uses which are permitted as principal uses in the
 2 medium-density, multiple-family residential district (RM-2), the
 3 community business district (B-2), and the office-service
 4 district (OS-1) shall be permitted as principal uses in a mixed
 5 use district.

6 CAAPB 418 Mixed use district (MX); conditional uses. Only those
 7 uses which are permitted as conditional uses in the
 8 medium-density, multiple-family residential district (RM-2), the
 9 community business district (B-2), and the office-service
 10 district (OS-1) shall be permitted as conditional uses in the
 11 mixed use district pursuant to the provisions of CAAPB 401 and
 12 subject to the conditions therein imposed as a conditional use
 13 in the RM-2, B-2 and OS-1 districts.

14 Chapter Five: Area, Height, Bulk, and Setback Regulations

15 [In rules 501 and 502 notes to schedule of regulations chart,
 16 notes A and B, the only changes made are: CAAPC to CAAPB,
 17 commission to board, and regulations to rules.]

18 CAAPB 502 Requirements. The floor area ratio, lot coverage,
 19 height, yard setback, and size of lot in each zoning district
 20 shall be as set forth on the following chart.

21 [Note C following CAAPC 502 is repealed.]

22 Note C.

23 In B-2 business district, required maximum floor areas may be
 24 increased to encourage certain building features which produce
 25 public benefits as follows:

			Additional Sq. Ft. of Floor Area Allowed	Maximum Bonus (Percent of Basic Allow- able Gross) Floor Area
31	Unit of			
32	Feature	OS-1	B-1 Local	
33	Building	Office	Business	
34	Feature	Bonus is Based	District	
35				
36	(i) Arcade	Each square	7 sq.	4 sq. ft.
37		foot of	ft.	20%
38		arcade area		

1	(ii) Plaza	Each square	7 sq.	5 sq. ft.	15%
2		foot of	ft.		
3		plaza area			

4 Note D.

5 The board shall require that all buildings in a planned
6 development district substantially conform to the rules for
7 adjacent districts.

8 CAAPB 503 Height districts. In order to preserve the state
9 capitol building as the dominant structure in the capitol area,
10 no building shall be constructed to a height greater than the
11 maximum height permitted in the height district, as shown on the
12 attached map. Said maximum heights are as follows:

13 A. Height district #1: No building shall be constructed to
14 a height greater than 944.0 feet above sea level. This
15 elevation corresponds to the height of the capitol building
16 exclusive of the dome; generally, this would allow a building
17 height of four to six stories in the capitol area.

18 B. Height district #2: No building shall be constructed to
19 a height greater than 966.0 feet above sea level. Boundaries
20 are described in map designated "Height Districts of the Capitol
21 Area".

22 Chapter Six: Parking Regulations

23 [In rules 603, 604, and 606 the only changes are: CAAPC to
24 CAAPB, commission to board, and regulations to rules.]

25 CAAPB 601 Parking spaces required. There shall be provided in
26 all zoning districts, at the time of erection or enlargement of
27 any principal building or structure, automobile off-street
28 parking space with adequate access to all spaces. The number of
29 off-street parking spaces, in conjunction with all land or
30 building uses, shall be provided as hereinafter prescribed.

31 CAAPB 602 Location of off-street parking spaces. Off-street
32 parking for other than residential use shall be either on the
33 same lot or within the same district and within three hundred
34 (300) feet of the building it is intended to serve, measured

1 from the nearest point of the building to the nearest point of
2 the off-street parking lot.

3 Off-street parking for residential use shall not be within
4 the required front yard setback.

5 CAAPB 605 Joint off-street parking facilities. Two or more
6 buildings or uses may jointly provide the required off-street
7 parking, in which case the required number of parking spaces
8 shall not be less than the sum of the requirements for the
9 several individual uses computed separately; provided, however,
10 that where the operating hours of the buildings or uses
11 providing such joint parking facilities do not overlap, the
12 board may, upon written application, reduce the number of
13 parking spaces otherwise required. Whenever such hours of use
14 change and do overlap, however, the number of required parking
15 spaces shall revert to not less than the sum of the requirements
16 for the several individual uses computed separately.

17 CAAPB 607 Handicapped access. Wherever access to the
18 handicapped is required by Chapter 55 of the Minnesota State
19 Building Code, at least one (1) space per fifty (50) spaces, or
20 fraction thereof, shall be provided for the use of the
21 handicapped. Each space reserved for the exclusive use of the
22 handicapped shall be designated by an international wheelchair
23 symbol.

24 CAAPB 608 Mixed uses. In cases of mixed uses, the total
25 requirements for off-street parking shall be the sum of the
26 requirements of the various uses computed separately and
27 off-street parking for one use shall not be considered as
28 providing the required off-street parking for any other use,
29 except as provided in CAAPB 605.

30 CAAPB 609 Minimum number of required off-street parking spaces.
31 The minimum number of off-street parking spaces by type of use
32 shall be determined in accordance with the following schedule.
33 When units or measurements determining the number of required
34 parking spaces result in the requirement of a fractional space,

1 any fraction up to and including one-half shall be disregarded,
2 and fractions over one-half shall require one parking space.

3 Number of Minimum Parking

4 Use Spaces Per Unit of Measure

5 A. Governmental One (1) for every three hundred
6 (300) square feet of usable
7 floor area.

8 B. Residential ~~one-family~~ Two ~~(2)~~ for each dwelling unit.

9 Residential, one-family Two (2) for each dwelling unit.

10 -----
Two-family and townhouse Two (2) for each dwelling unit.

11 Multiple family One (1) for each dwelling unit.

12 Housing for the elderly One (1) for each four (4) units.

13 Should units revert to general
14 occupancy, then one (1) per
15 unit shall be provided.

16 Boarding house One (1) per each dwelling unit
17 plus one (1) for each two (2)
18 roomers.

19 C. Institutional ~~auditoriums~~ One ~~(1)~~ for each three ~~(3)~~ seats
20 plus one ~~(1)~~ for each two ~~(2)~~
21 employees.

22 Auditoriums One (1) for each three (3) seats
23 -----
24 plus one (1) for each two (2)

employees.

25 Churches or temples One (1) for each three (3)
26 seats or six (6) feet of pews
27 in the main unit of worship.

28 Hospitals One and one-half (1 1/2) for
29 each one (1) bed.

30 Homes for the aged and One (1) for each two (2) beds.

31 convalescent homes

32 Elementary and junior high One (1) for each one (1)

33 schools teacher, employee or

34 administrator, in addition to
35 the requirements of the

36 auditorium.

1 Senior high schools One (1) for each one (1)
2 teacher, employee, or
3 administrator, and one (1)
4 for each ten (10) students,
5 in addition to the requirements
6 of the auditorium.

7 Private clubs or One for each three (3)
8 lodge halls persons allowed within the maxi-
9 mum occupancy load as
10 established by local, county,
11 or state fire, building, or
12 health codes.

13 Private tennis clubs, One (1) for each two (2)
14 ----- member families or
15 or other similar -----
16 uses -----
17 ----- individuals.
18 -----

19 Theaters One (1) for each five (5) seats
20 plus one (1) for each two (2)
21 employees.

22 D. Commercial auditoriums ~~One (1) for each three (3)~~
23 ~~seats plus one (1) for each~~
24 ~~two (2) employees.~~

25 Auditoriums One (1) for each three (3)
26 -----
27 seats plus one (1) for each
28 -----
29 two (2) employees.
30 -----

31 Planned commercial or One (1) for each one hundred
32 shopping area located (100) square feet of usable
33 in any "B" district floor area, plus one (1) for
34 each one (1) employee.

35 Auto wash One (1) for each one (1)
36 employee. In addition,
forty (40) reservoir
parking spaces shall be
provided.

Beauty parlor or Three (3) spaces for each
barber shop of the first two (2)
beauty or barber chairs,

1 and one and one-half
2 (1 1/2) spaces for each
3 additional chair.

4 Bowling alleys Five (5) for each one (1)
5 bowling lane.

6 Dance halls, pool or One (1) for each three (3)
7 billiard parlors, roller persons allowed within the
8 or ice skating rinks, maximum occupancy load as
9 exhibition halls, and established by local, county
10 assembly halls without or state fire, building, or
11 fixed seats health codes

12 Establishments for the One (1) for each one hundred
13 sale and consumption (100) square feet of usable
14 on the premises of floor space.
15 beverages, food, or
16 refreshments

17 Furniture and appliance, One (1) for each eight hundred
18 household equipment, (800) square feet of usable
19 repair shops, showroom of floor area. (For the floor
20 a plumber, decorator, area used in processing, space
21 electrician, or similar shall be provided for each
22 trade, shoe repair and one (1) person employed
23 other similar uses therein.)

24 Automobile service Two (2) for each lubrication
25 center stall, rack, or pit, and one
26 (1) for each gasoline pump.

27 Laundromats and coin- One (1) for each two (2)
28 operated dry cleaners machines.

29 Mortuary establishment One (1) for each fifty (50)
30 square feet of assembly room
31 usable floor space, parlors,
32 and slumber rooms.

33 Motel, hotel, or other One (1) for each one (1)
34 commercial lodging occupancy unit.
35 establishment

36 Motor vehicle sales and One (1) for each two hundred

1 service establishments (200) square feet of usable
2 floor space of sales room and
3 one (1) for each one (1) auto
4 service stall in the service
5 room.
6 Retail stores except One (1) for each hundred and
7 as otherwise specified fifty (150) square feet of
8 herein usable floor space.
9 Theaters One (1) for each five (5) seats
10 plus one (1) for each two (2)
11 employees.
12 E. Offices banks, savings One (1) for each one hundred
13 and loan associations, (100) square feet of usable
14 credit unions, and floor space.
15 similarly-regulated
16 financial institutions
17 Banks, savings and One (1) for each one hundred
18 -----
19 loan associations, (100) square feet of usable
20 -----
21 credit unions, and floor space.
22 -----
23 similarly-regulated
24 -----
25 financial institutions
26 -----
27 Other financial in- One (1) for each two hundred
28 stitutions such as (200) square feet of usable
29 loan companies and floor space.
30 similar establishments
31 Business offices or One (1) for each three hundred
32 professional offices ex- (300) square feet of usable
33 cept as indicated in the floor space.
34 following item
35 Professional offices of One (1) for each one hundred
doctors, dentists, or (100) square feet of usable
similar medical pro- floor area.
fessions

34 CAAPB 610 Construction of off-street parking spaces. Wherever
35 the off-street parking requirements require the building of an

1 off-street parking facility, such off-street parking lots shall
2 be laid out, constructed, and maintained in accordance with the
3 following rules:

4 A. No parking lot shall be constructed unless and until a
5 zoning permit therefore is issued by the board and a building
6 permit is obtained from the city. Applications for a zoning
7 permit shall be submitted in such form as may be determined by
8 the board and shall be accompanied by two (2) sets of plans for
9 the development and construction of the parking lot
10 demonstrating that the provisions of these rules will be
11 complied with fully.

12 B. Plans for the layout of off-street parking facilities
13 shall be in accord with the following minimum requirements:

	Maneu-			Total Width	Total Width
	vering	Parking	Parking	Of One Tier	Of Two Tiers
Parking	Lane	Space	Space	of Space	of Spaces
Pattern	Width	Width	Length	Plus Maneu-	Plus Maneu-
				vering Lane	vering Lane
0°	12 ft.	8 ft.	21 ft.	20 ft.	28 ft.
(Parallel parking)					
30° to 53°	12 ft.	8 ft.	18 ft.	30 ft.	49 ft.
		6 in.		6 in.	
54° to 74°	15 ft.	8 ft.	18 ft.	35 ft.	55 ft.
		6 in.			
75° to 90°	20 ft.	9 ft.	18 ft.	38 ft.	56 ft.

28 C. Parking areas may designate up to fifty percent (50%) of
29 their area for compact cars only; in which case, the minimum
30 layout dimensions for each compact car space then may be reduced
31 to eight feet (8') width and sixteen feet (16') length.

32 [CAAPC 608 c.-f. Reletter as CAAPB D.-G.]

33 H. The off-street parking area shall be provided with a
34 continuous and obscuring wall or visual screen as required in
35 CAAPB 902.

1 I. Wheel stops or earth berms shall be required for each
2 parking space in lots of three (3) or more car capacity.

3 J. The entire parking area, including parking spaces and
4 maneuvering lanes, required under this section shall be provided
5 with a durable, dustless surfacing in accordance with
6 specifications approved by the board. The parking area shall be
7 surfaced within one (1) year of the date the permit is issued.

8 [CAAPC 608 j.-m. Reletter as CAAPB 610 K.-N.]

9 Chapter Seven: Loading Regulations

10 [In Chapter Seven the only change is CAAPC to CAAPB.]

11 [In rules 701-703 the only change is CAAPC to CAAPB.]

12 Chapter Eight: Accessory Building Regulations

13 [In rule 801 the only changes are: CAAPC to CAAPB, commission
14 to board, and regulations to rules.]

15 CAAPB 802 Attached accessory buildings. When an accessory
16 building is attached to a principal building, it shall be
17 subject to, and must conform to, all rules applicable to the
18 principal building.

19 CAAPB 803 Yard limitations.

20 A. Accessory buildings shall not be erected in any required
21 yard, except a rear yard. All accessory buildings shall be set
22 back at least three (3) feet from all interior lot lines.

23 B. An accessory building shall occupy not more than
24 twenty-five (25) percent of a required rear yard, plus forty
25 (40) percent of any nonrequired rear yard, provided that in no
26 instance shall the area of the accessory building exceed the
27 ground floor area of the principal building.

28 C. In those instances where the rear lot line is coterminous
29 with an alley right-of-way, the accessory building shall not be
30 closer than one (1) foot to such a rear lot line. In no
31 instance shall an accessory building be located within a
32 dedicated public right-of-way.

1 CAAPB 804 Height limitations. Accessory buildings in any
 2 residential area shall not exceed one (1) story or fourteen (14)
 3 feet in height. In height district #2, accessory buildings or
 4 structures used for the parking of motor vehicles shall not
 5 exceed three (3) stories or thirty (30) feet in height.

6 Chapter Nine: Visual Screens

7 CAAPB 901 Visual screens required. For those zoning districts
 8 and uses listed below, there shall be provided and maintained on
 9 those sides of a zoning lot abutting or adjacent to a
 10 residential district an obscuring wall, fence, or other visual
 11 screen having a minimum height as required below. (For purposes
 12 of this section a wall or fence is considered a visual screen.)

Use	Requirement (height in feet)
a -A. Community business district (B-2)	4 ft. 6 in.
b -B. Office service district (OS-1)	4 ft. 6 in.
e -C. Hospital (ambulance and delivery areas)	6 ft. 0 in.
d -D. Utility building, station, and/or sub- station	6 ft. 0 in.

20 Where plant materials are used to provide a visual screen
 21 they shall meet the above height requirements when mature and
 22 shall be of sufficient density to visually separate the zoning
 23 lot from the adjacent residential district.

24 CAAPB 902 Visual screens for off-street parking. For all
 25 off-street parking areas of more than four (4) parking spaces
 26 there shall be provided and maintained a visual screen of
 27 sufficient height and density to visually separate the parking
 28 area from adjacent property. All such visual screens shall be
 29 of a minimum height of four (4) feet, six (6) inches, when
 30 constructed or, in the case of plant materials, when mature.

31 CAAPB 903 Location of visual screens.

32 A. Required visual screens shall be located on the lot line
 33 except where underground utilities interfere and except in
 34 instances where these rules require conformance with front yard
 35 setback lines in abutting residential districts, in which cases

1 the board shall establish the location of the visual screen.
 2 When a yard is required, all land between the wall and property
 3 line shall be kept free from refuse and debris and shall be
 4 landscaped with deciduous shrubs, evergreen material, and
 5 ornamental trees. The ground shall be planted and kept in
 6 lawn. All such landscaping and planting shall be maintained in
 7 a healthy, growing condition, neat and orderly in appearance.

8 B. Required visual screens may, upon approval of the board,
 9 be located on the opposite side of an alley right-of-way from a
 10 non-residential zone when mutually agreeable to affected
 11 property owners. The uniformity of the required visual screen
 12 in a given block shall be considered by the board in reviewing
 13 such request.

14 CAAPB 904 Openings. No visual screen required by these rules
 15 shall have openings for pedestrians, vehicular traffic, or other
 16 such purposes, except as provided in these rules and as may be
 17 approved by the board.

18 CAAPB 905 Construction of visual screens.

19 A. The visual screens herein required shall consist either
 20 of various fence materials, earth berms, plant materials, or a
 21 combination thereof.

22 [CAAPC 904 a.-c. Reletter as CAAPB 905 B.-D.]

23 E. The species, size, location, and spacing of plant
 24 materials shall be appropriate for the purpose intended, and
 25 shall be planted within one hundred eighty (180) days from the
 26 date of issuance of a certificate of occupancy and shall
 27 thereafter be maintained to provide a visual screen to abutting
 28 properties.

- 29 1. Minimum plant sizes (at time of planting)
- 30 medium and large trees:* 2 1/2 inch caliper
- 31 small trees: 6-8 ft. overall height
- 32 shrubs: 15-18 in. overall height
- 33 * shall be balled and burlapped stock
- 34 2. Wherever plant materials are used to satisfy a visual

1 screen requirement, planting shall be sufficiently dense to
2 provide an unbroken visual barrier within a maximum of two (2)
3 growing seasons after the time of planting.

4 3. Planting areas shall be at least four (4) feet in
5 width.

6 4. The genus and species of all plant materials must be
7 identified on all plans submitted for permit approval.

8 5. The owners shall be responsible for maintaining all
9 landscaping in a healthy and growing condition and keeping it
10 free from refuse and debris. Dead plant materials shall be
11 removed within a reasonable time and replaced during the normal
12 planting seasons.

13 CAAPB 906 Variances. In consideration of a request to vary
14 visual screen requirements between non-residential and
15 residential districts, the board shall make a determination on
16 the following matters.

17 A. A determination as to whether or not the residential
18 district is considered to be an area in transition and will
19 become non-residential in the near future.

20 In such cases as it determines the residential district to be
21 a future non-residential area, the board may temporarily waive
22 visual screen requirements for an initial period not to exceed
23 twelve (12) months. Granting of subsequent waivers shall be
24 permitted, provided that the board shall make a determination as
25 hereinbefore described.

26 B. A determination as to whether or not any governmental
27 action in the area will change the physical condition so as to
28 make a visual screen unnecessary.

29 In consideration of a request to vary visual screen
30 requirements for off-street parking, the provisions of Chapter
31 Sixteen of these rules shall apply.

32 Chapter Ten: Exterior Lighting and Structural Regulations

33 [In rules 1002 and 1003 the only changes are: CAAPC to CAAPB,
34 commission to board, and regulations to rules.]

1 [CAAPC 1001 a.-e. Reletter to CAAPB 1001 A.-E.]

2 [CAAPC 1004 is repealed.]

3 CAAPB 1004 Street and landscape elements. All exterior
4 structural elements such as benches, transit shelters, vending
5 equipment, and similar elements in the public right-of-way or in
6 the G-2 zone, shall be approved by the board for both design and
7 location.

8 Chapter Eleven: Sign Regulations

9 CAAPB 1101 Intent. The purpose of this section is to regulate
10 outdoor advertising and outdoor signs of all types in the
11 capitol area. The intent is to control signs, to reduce hazards
12 and traffic accidents, to relieve pedestrian and traffic
13 congestion, to protect and provide more open space, to preserve
14 and enhance the dignity, beauty, and architectural integrity of
15 the capitol area, and to insure that all signs are suitably
16 integrated with the architectural design of any structure in the
17 capitol area on which they are mounted or to which they relate.

18 CAAPB 1102 Required conditions. No sign shall be permitted in
19 the capitol area except as provided in CAAPB 1103 and without
20 first obtaining the requisite permit for such sign. All signs
21 permitted by CAAPB 1103 shall satisfy the following conditions:

22 A. All signs shall conform to all applicable provisions of
23 the building code of the city of Saint Paul.

24 B. No sign, unless specifically permitted in a zoning
25 district and except those projecting business signs permitted in
26 business districts that do not violate Minn. Stat. S 160.27, and
27 those established by the city of Saint Paul, Ramsey County, the
28 State of Minnesota, or the United States, shall be located in,
29 project into, or overhang a public right-of-way or dedicated
30 public easement in any district.

31 C. Signs of the city of Saint Paul, county of Ramsey, state,
32 and federal governments and subdivisions and agencies thereof
33 which give orientation, direction, or traffic control
34 information shall be permitted in all zoning districts.

1 [Reletter d.-f. as D.-F.]

2 G. No sign or sign structure shall be erected or maintained
3 at any location where by reason of its position, size, shape,
4 content, color or illumination, it may interfere with the view
5 of, or be confused with, any traffic control sign, signal or
6 device, or where it may interfere with, mislead or confuse
7 traffic.

8 H. All signs which are unsafe and/or unsightly shall be
9 repaired or removed. Unsafe signs must be repaired or removed
10 within twenty-four (24) hours after notification. Unsightly
11 signs must be repaired or removed within fifteen (15) days of
12 notification. The term "unsightly" shall mean a condition in
13 which the sign has deteriorated to the point where at least
14 one-fourth (1/4) of the surface area of the name,
15 identification, description, display, illustration or other
16 symbol is no longer clearly recognizable at a distance of twenty
17 (20) feet; or where paint is peeling, chipping, or flaking from
18 the structure surface, or where the sign has developed
19 significant rust, corrosion, rotting, or other deterioration in
20 the physical appearance, or is so faded that it is not clearly
21 recognizable at a distance of twenty (20) feet; or where an
22 illuminated electrical sign is no longer in proper working order.
23 Removal, in the case of painted wall signs, shall mean a
24 complete repainting of the background on which the sign was
25 painted, or a sandblasting of the surface to reveal an exterior
26 finish compatible with surrounding surfaces, so that no part of
27 the sign is any longer visible.

28 I. No sign shall be painted directly on or affixed to any
29 tree, rock or utility pole.

30 J. Lots on which signs are located shall be kept neat,
31 orderly, and free of debris by the owner.

32 K. When specifically permitted in a zoning district, signs
33 projecting over a public right-of-way may project up to four (4)
34 feet from the property line, but in no case shall come closer
35 than two (2) feet from the curb line, or be less than ten (10)

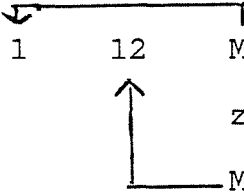
1 feet above ground level. Such signs shall not violate Minn.
2 Stat. S 160.27.

3 L. For parking lot areas, one (1) identification sign not to
4 exceed a total of fifteen (15) square feet in area is permitted
5 per parking lot entrance. An identification sign up to
6 twenty-five (25) square feet in area, however, shall be
7 permitted if such sign incorporates the following uniform
8 parking symbol: Fifty (50) percent of the total sign area of
9 the parking identification sign must bear thereon a blue
10 rectangle with a white letter "P" with the letter "P" being not
11 less than forty (40) percent of the area of the blue rectangle.
12 The remaining portion of the sign incorporating such a parking
13 symbol may be used for other pertinent information. In addition
14 to the one (1) identification sign per parking lot entrance,
15 however, one (1) directional sign not to exceed a total of four
16 (4) square feet is permitted per entrance or exit. Such
17 directional signs may be up to ten (10) square feet in area if
18 they also incorporate the above-prescribed parking symbol.
19 These parking identification and directional signs are in
20 addition to other signs permitted in each zoning district.

21 CAAPB 1103 Permitted signs. In addition to the aforementioned
22 parking identification and directional signs the following signs
23 are permitted in the districts indicated on the following chart.

Permitted	Use District				
by District					
				PD	G-1 &
	RM-2	OS-1	B-2	Planned	G-2
	Multiple	Office	Community	Develop-	Govern-
	Family	Service	Business	ment	mental
1. Permitted non- accessory signs					
a. Advertising					
sign	0	0	0	0	0
b. Billboard	0	0	0	0	0
c. Vehicle business					

1	sign	0	0	0	0	0	0
2	d. Political sign	X	X	X	X	X	0
3	2. Permitted accessory						
4	signs						
5	a. Business signs	0	1 50	1 100	1 200	1 200	0
6	b. Bulletin board	1 12	0	0	0	0	1 12
7	c. Festoon sign	0	0	0	0	0	0
8	d. Identification &						
9	name plate	1 7	1 21	1 21	1 21	1 21	1 21
10	e. Marquee	0	0	2 100	0	0	0
11	f. Real estate	2 12	2 12	2 12	2 12	2 12	0
12	g. Real estate						
13	development	2 50	2 50	0	2 50	2 50	0
14	h. Temporary	0	1 12	1 12	1 12	1 12	0
15	i. Vehicle business						
16	sign	0	0	0	0	0	0
17	3. Structure types						
18	a. Free standing	X	X	X	X	X	X
19	b. Flashing, an-						
20	imated or moving	0	0	0	0	0	0
21	c. Projecting	0	X	X	X	X	0
22	d. Roof	0	0	0	0	0	0
23	e. Wall	X	X	X	X	X	X



25 1 12 Maximum number of signs per building or per vacant
 26 zoning lot.

27 Maximum square feet area each sign per building or
 28 vacant zoning lot.

30 Note: "0" indicates that no sign of the type in the
 31 left column is permitted.

32 "X" indicates permitted structure type.

33 CAAPB 1104 Nonconforming signs. When a lawful sign exists at
 34 on the effective date of these rules or amendments thereto and
 35 which is made non-conforming by reason of these rules, such sign

1 may continue until January 1, 1986, as long as it remains
 2 otherwise safe, not unsightly (as defined in CAAPB 1102 H.), or
 3 not abandoned (as defined in CAAPB ~~1107~~ 1108), subject to the
 4 following provisions:

5 A. No sign shall be enlarged or altered in a way which
 6 increases its nonconformity.

7 B. Should such sign or sign structure be destroyed by any
 8 means to any extent of more than fifty-one (51) percent of its
 9 replacement cost, it shall not be reconstructed except in
 10 conformity with the provisions of these rules.

11 C. Should such sign or sign structure be moved for any
 12 reason for any distance whatsoever, it shall thereafter conform
 13 to the rules for the zoning district in which it is located
 14 after it is moved.

15 D. No existing sign devoted to a use not permitted by these
 16 rules in the zoning district in which it is located shall be
 17 enlarged, extended, or moved except in changing the sign to a
 18 sign permitted in the zoning district in which it is located.

19 E. When a structure loses its nonconforming status, as set
 20 forth in Chapter Thirteen of these rules, all signs devoted to
 21 the structure shall be removed and all signs painted directly on
 22 the structure shall be repainted in a neutral color or a color
 23 which will harmonize with the structure.

24 F. Signs may be repainted, reposted, or replaced when there
 25 is a change of tenancy, ownership, or management of any
 26 nonconforming use.

27 CAAPB 1105 Administration and enforcement. In the
 28 administration and enforcement of the sign rules contained in
 29 -----
 30 this chapter the board shall designate a zoning administrator
 31 -----
 32 who is hereby authorized and directed to enforce all the
 33 provisions of these sign rules.

34 -----
 35 The zoning administrator shall enforce the provisions of
 36 these sign rules and amendments thereto and shall have the power
 37 -----
 38 to certify compliance and issue sign permits, and to make
 39 -----
 40 inspections of buildings or premises necessary to carry out his

1 duties in the enforcement of these sign rules.

2 No permit shall be issued by the zoning administrator until
3 he has reviewed all plans in detail and found them to conform to
4 these rules.

5 The zoning administrator shall not grant any variances with
6 respect to these rules in carrying out his or her duties as
7 zoning administrator. Variances shall be granted by the board.
8 The zoning administrator shall grant a permit upon a finding of
9 compliance with the conditions imposed by these rules.

10 CAAPB 1106 Sign permit; application. Applications for sign
11 permits shall be submitted in writing to the zoning
12 administrator. Each application shall contain the following
13 information:

14 A. The name and addresses of the display structure and
15 property;

16 B. The address at which any signs are to be erected;

17 C. The lot, block, and addition at which ~~billboards~~ signs
18 are to be erected and the street on which they are to front, and

19 D. A complete set of plans showing the necessary elevations,
20 distances, size and other details to fully and clearly represent
21 the construction and placing of the display structure.

22 CAAPB 1107 Exemptions. The following signs shall not require a
23 permit. These exemptions shall not be construed as relieving
24 the owner of the sign from the responsibility of its erection
25 and maintenance, and its compliance with the provisions of these
26 rules or any other law or ordinance regulating the same.

27 A. The changing of the display surface on a painted or
28 printed sign only. However, this exemption shall apply only to
29 onsite changes involving sign repainting and/or poster
30 replacement.

31 B. Signs six (6) square feet or less in size.

32 C. Lettering on motor vehicles when not utilized as a parked
33 or stationary outdoor display sign.

34 D. Political signs.

1 CAAPB 1108 Abandoned signs. Any sign which advertises,
 2 identifies, or pertains to an activity no longer in existence
 3 shall be removed by the owner of the property within thirty (30)
 4 days from the time the activity ceases existence. This
 5 provision does not apply to seasonal activities during the
 6 regular periods in which they are closed.

7 CAAPB 1109 Variances. The board shall have the authority to
 8 grant variances from the strict applications of these rules for
 9 unique signs or unusual conditions pertaining to sign needs for
 10 a specific building or lot pursuant to the provisions of Chapter
 11 Sixteen of these rules.

12 Chapter Twelve: Exceptions

13 [In rules 1203-1208 the only changes are: CAAPC to CAAPB,
 14 commission to board, and regulations to rules.]

15 CAAPB 1201 Application. Except as otherwise provided in CAAPB
 16 1101-~~1105~~ 1109, the rules for all zoning districts, except the
 17 governmental district, shall be subject to the following
 18 interpretations and exceptions.

19 CAAPB ~~202~~ 1202 Essential services. Essential services shall be
 20 permitted as authorized and regulated by law and rule.
 21 Essential services are exempt from the application of these
 22 rules.

23 Chapter Thirteen: Nonconformities

24 [In rule 1307 the only change is CAAPC to CAAPB]

25 [CAAPC 1301 (1)-(3) Reletter to CAAPB 1301 A.-C.]

26 [CAAPC 1302 (1) and (2) Reletter as CAAPB 1302 A. and B.]

27 [CAAPC 1303 a.-c. Reletter as CAAPB 1303 A.-C.]

28 [CAAPC 1304 Reletter as CAAPB 1304; strike "(1)" and incorporate
 29 that paragraph into 1304; Reletter a.-c. as A.-C.]

30 [CAAPC 1305 Reletter to CAAPB 1305; strike (1) and incorporate
 31 that paragraph into 1305; Reletter a.-e. as A.-E.]

1 [CAAPC 1306 (1) and (2) Reletter to CAAPB 1306 A. and B.]

2 Chapter Fourteen: Administration

3 CAAPB 1401 Duties of board. The board shall accept applications
 4 for, and issue, any certificate or permit which is required by
 5 these rules, keep and maintain all plans, files, and records
 6 pertaining thereto, and perform all other functions necessary
 7 for the orderly administration of these rules. The board may
 8 delegate any or all of these duties to any subcommittee or
 9 authorized representative. Said subcommittee or authorized
 10 representative shall be known as the board's zoning
 11 administrator.

12 CAAPB 1402 Zoning permit required. Except as otherwise provided
 13 in CAAPB ~~411-415~~ 412-416 and CAAPB 1101-~~1107~~ 1109, no land,
 14 building or structure, in any district, shall hereafter be
 15 changed to a different use, and no building, structure or any
 16 part thereof shall hereafter be erected, constructed,
 17 reconstructed, altered, enlarged, or moved until the board has
 18 issued a zoning permit, certifying that the plans and intended
 19 use, including any conditional use, of land, buildings, and
 20 structures are in conformity with all provisions of these rules.

21 CAAPB 1403 Zoning permit; application. Except as otherwise
 22 provided in CAAPB ~~411-415~~ 412-416 and CAAPB 1101-~~1107~~ 1109, all
 23 applications for zoning permits shall be submitted in writing
 24 and shall contain the following information:

- 25 A. The legal description of the property in question;
- 26 B. The fee owner of such property; and, in all cases where
 27 the applicant is not the fee owner of the property, the
 28 application shall state the nature of the applicant's interest
 29 in the property;
- 30 C. A concise description of the proposed use, including
 31 accessory and conditional uses, if any;
- 32 D. Three copies of a site plan which clearly illustrates the
 33 following:

1 [(i)-(v) Reletter as 1.-5.]

2 E. Such other information as may be reasonably necessary to
3 permit the board to determine whether the proposed use,
4 including accessory and conditional uses, satisfies the
5 requirements of these rules. This includes, but is not limited
6 to, floor plans, elevations, and landscape plans or schemes.

7 Nothing herein shall be construed to prohibit an applicant
8 from presenting such additional information, in such form as the
9 board may permit, which is relevant to the nature of the
10 proposed use and its relation to and effect upon adjacent uses
11 and the beauty, dignity, and architectural integrity of the
12 capitol area.

13 CAAPB 1404 Consideration of site plan. In reviewing the site
14 plan the board shall consider:

15 A. The location and design of driveways providing vehicular
16 ingress to and egress from the site, in relation to streets
17 giving access to the site, and in relation to pedestrian traffic.

18 B. The traffic circulation features within the site and
19 location of automobile parking areas, and may make such
20 requirements with respect to any matters as will assure:

21 1. Safety and convenience of both vehicular and
22 pedestrian traffic both within the site and in relation to
23 access streets.

24 2. Satisfactory and harmonious relations between the
25 development on the site and the existing and prospective
26 development of abutting land and adjacent neighborhoods.

27 C. The arrangement of buildings, uses and facilities of the
28 proposed development in order to assure abutting property and/or
29 its occupants will not be reasonably affected.

30 [CAAPC 1405 is repealed.]

31 CAAPB 1405 Additional site requirements. In conjunction with
32 approving the site plan, the board may require the following:

33 A. Landscaping, fences, and walls in pursuance of the
34 objectives of these rules and same shall be provided and

1 maintained as a condition of the establishment and the continued
2 maintenance of any use to which they are appurtenant;

3 B. Marginal access drives where such marginal access drives
4 are necessary for safety.

5 CAAPB 1406 Certificate of design compliance. Subject to the
6 provisions of Chapter Fifteen no building, structure, or any
7 part thereof shall hereafter be erected, constructed,
8 reconstructed, altered, enlarged, or moved until it has been
9 issued, in addition to a zoning permit issued by the board and a
10 building permit by the city of St. Paul, a certificate of design
11 compliance by the board certifying that the plans of the
12 building or structure are in conformity with all provisions of
13 the design rules as provided in CAAPB 1502-~~1610~~ 1510.

14 CAAPB 1407 Certificate of design compliance; application. In
15 addition to the requirements for a zoning permit, all
16 applications for a certificate of design compliance shall be
17 submitted in writing and shall include three copies of the
18 following:

19 A. Plans, sections, and all elevations of the proposed
20 structure drawn to scale, showing the overall dimensions of the
21 exterior faces of the structure, the proposed type and location
22 of any sign or other appurtenances such as overhangs, housing
23 for utilities, and television or radio antennas, and also
24 showing in outline form other adjacent buildings and structures,
25 and landscape features within a reasonable distance that will be
26 seen when looking at any of the elevations of the structure.

27 B. Landscape plans or schemes, including any landscaping
28 required for off-street parking.

29 C. Such other information as may be reasonably necessary to
30 permit the board to determine whether the proposed construction
31 or reconstruction satisfies the requirements of these rules.

32 CAAPB 1408 Consideration of applications. Applications in the
33 form prescribed in CAAPB 1403 and CAAPB 1407 shall be submitted
34 to the zoning administrator and shall be considered and acted

1 upon not later than seventy-five (75) days following submission
2 of the application; provided, however, that the board may in
3 order to permit additional study of a proposal, postpone
4 approval or denial of an application for an additional
5 forty-five (45) days where it finds that the proposed use may
6 significantly affect the beauty, dignity, and architectural
7 integrity of the capitol area. Applications shall be approved
8 if they meet all applicable requirements of these rules.

9 CAAPB 1409 Building permits required. No building structure, or
10 part thereof, shall hereafter be erected, constructed,
11 reconstructed, altered, enlarged, or moved until it also has
12 been issued, in addition to a zoning permit issued by the board,
13 a building permit by the city of Saint Paul, certifying that the
14 plans of the building or structure are in conformity with all
15 provisions of the city of Saint Paul building code.

16 [CAAPC 1407 (1)-(4) Reletter and renumber as CAAPB 1410 A.-D.]

17 E. The board may issue a temporary certificate of occupancy
18 for the principal building on a project before full completion
19 of fencing, landscaping, and parking, if, in its judgment, such
20 items cannot be completed at the same time as the building. In
21 all such instances, the certificate of occupancy shall be marked
22 "Temporary -- For One (1) Year Only" and shall not be
23 renewable. As soon as the fencing, parking and landscaping is
24 fully completed and inspected and approved by the board, the
25 "Temporary" certificate shall be cancelled and a permanent
26 certificate of occupancy issued. If any portion of the required
27 fencing, parking or landscaping is not fully completed within
28 one year following the date of the temporary certificate, the
29 certificate shall automatically become null and void, and the
30 use of any portion of the premises thereafter shall cease until
31 a certificate of occupancy is issued.

32 CAAPB 1411 St. Paul certificate of occupancy. No building,
33 structure, or part thereof, in any district which is hereafter
34 erected, constructed, reconstructed, altered, enlarged, or moved

1 shall be occupied or used unless it also has been issued, in
2 addition to a certificate of occupancy issued by the board, a
3 certificate of occupancy by the city of Saint Paul, certifying
4 that such building or structure is in conformity with the
5 provisions of the applicable building code.

6 CAAPB 1412 Final inspection. The holder of every zoning permit
7 for the construction, erection, alteration, repair, or moving of
8 any building, structure, or part thereof, shall notify the board
9 immediately upon the completion of the work authorized by such
10 permit, for a final inspection prior to issuance of a
11 certificate of occupancy.

12 CAAPB 1413 Permit expiration. No zoning permit or certificate
13 of design compliance permitting the erection or alteration of a
14 building shall be valid for a period longer than one (1) year,
15 unless a building ~~permit~~ permitted for such erection or
16 alteration is started and is proceeding with the terms of such a
17 its permit or certificate.
--- -----

18 CAAPB 1414 Fees. Fees for inspection and the issuance of
19 permits or certificates or copies thereof, required or issued
20 under the provisions of these rules, shall be collected by the
21 zoning administrator in advance of issuance. The amount of such
22 fees shall be established by resolution of the board and shall
23 cover the cost of notification, inspection and supervision
24 resulting from enforcement of these rules.

25 When any fees are not paid within six (6) months of
26 authorization of any permit or certificate said authorization
27 shall be null and void.

28 [Chapter Fifteen: Notice and Amendment and CAAPC 1501-1502 are
29 repealed.]

30 Chapter Fifteen: Design Rules for Visual Corridors

31 CAAPB 1501 Designation. That part of University Avenue and
32 adjacent land, Aurora Street and adjacent land, Cedar Street and
33 adjacent land, John Ireland Boulevard and adjacent land, Park

1 Avenue and adjacent land, Sherburne Avenue and adjacent land,
2 and Rice Street and adjacent land as identified on the attached
3 map entitled Visual Corridors are hereby designated as visual
4 corridors in the capitol area.

5 CAAPB 1502 Application. The rules set forth in this chapter
6 shall apply to the following activities if they are undertaken
7 within the visual corridors designated in CAAPB 1501.

8 A. The construction of a new building or structure.

9 B. The moving or reconstruction of an existing building or
10 structure.

11 C. The repair or alteration of an existing building or
12 structure if the cost of the repairs or alterations exceed
13 exceeds sixty (60) percent of the replacement value of the
14 -----
building or structure, exclusive of its foundation.

15 CAAPB 1503 Building height. Buildings other than those in the
16 G-2 zone shall be of a minimum height of two stories above
17 grade, and a maximum height of elevation 944 feet as defined in
18 CAAPB 503.

19 Land in the G-2 zone adjacent to visual corridors shall
20 remain landscaped open space. Underground construction, as
21 defined in CAAPB 405, is permitted as a conditional use provided
22 it does not interrupt views and vistas from street level.

23 CAAPB 1504 Setback. Buildings in the visual corridors shall be
24 sited close to the street; specifically facades facing the
25 corridor shall be located in a setback zone, defined by lines 6
26 feet and 15 feet from the front property line, except as noted
27 below:

28 A. Where a new building is adjacent to existing buildings,
29 these buildings shall maintain the average setback alignment of
30 existing buildings on the same block.

31 B. State buildings along Cedar Avenue Street and John
32 Ireland Boulevard shall be setback a distance no more than 40
33 feet from the front property line in order to visually expand
34 the open space corridor.

1 C. Residential buildings in the RM-2 zone shall conform to
2 the setbacks for that zone.

3 CAAPB 1505 Parking. Off-street parking will not be permitted
4 between the building and streets designated visual corridors.

5 A. Off-street parking shall be behind buildings on the
6 interior of the block.

7 B. Off-street parking shall be adequately lighted with
8 cut-off type fixtures that will not allow excessive light
9 intrusion onto adjacent property.

10 CAAPB 1506 Landscaping. Required setbacks and parking areas
11 shall be landscaped.

12 A six feet minimum planting area shall be provided between
13 parking and adjacent properties. Off-street and unenclosed
14 parking areas of more than fifty (50) spaces shall be divided by
15 planting islands.

16 Plant material shall conform to high-quality nursery
17 standards and the following minimum sizes at planting:

- 18 Shade trees -- 2 1/2" cal. BB
- 19 Small trees -- 8'-10' height
- 20 Shrubs -- 15"-18" height

21 CAAPB 1507 Access/egress. Vehicular access from streets
22 designated important visual corridors is prohibited. Access and
23 egress shall be from streets other than the designated visual
24 corridor street.

25 CAAPB 1508 Signage. In addition to the sign provisions of CAAPB
26 1103, freestanding signs are prohibited in the area designated
27 in CAAPB 1501.

28 CAAPB 1509 Mechanical and electrical equipment. All mechanical
29 and electrical equipment, such as transformers, air conditioning
30 and heating units, television and other antennae, and similar
31 exposed mechanical and electrical elements shall be completely
32 concealed from public view. Concealed from public view is
33 defined as not visible from any point within the visual corridor

1 at ground level to an elevation equal to the roof level.

2 CAAPB 1510 Additional design criteria. In order to further
3 achieve harmony of design, visual compatibility and protect and
4 enhance the dignity, beauty and architectural integrity of the
5 capitol area, the following additional requirements shall be
6 applied to construction, reconstruction, repair or alteration
7 activities subject to this chapter. In the event that any of
8 the following requirements conflicts or is inconsistent with the
9 design requirements set forth in CAAPB 1503 through 1509, those
10 contained in CAAPB 1503 through 1509 shall supersede and govern
11 in all cases.

12 A. Continuity of walls. Appurtenances of a building such as
13 building facades, fences, and landscape masses, shall visually
14 contribute to the spatial definition of the visual corridor and
15 form cohesive walls of enclosure along those streets designated
16 visual corridors to ensure visual continuity of the building
17 with those buildings, squares, and places conforming with these
18 design rules to which it is visually related.

19 B. Proportion and dimension of building's front facade. The
20 relationship of the width of building to height of the front
21 elevation shall be visually compatible to those buildings,
22 squares and places conforming with these design rules to which
23 it is visually related.

24 C. Proportion of openings within the facility. The
25 relationship of the width of the windows to height of windows in
26 a building shall be visually compatible with those buildings,
27 squares and places conforming with these design rules to which
28 the building is visually related.

29 D. Rhythm of solids to voids in front facades. The
30 relationship of solids to voids in the front facade of a
31 building shall be visually compatible with those buildings,
32 squares and places conforming with these design rules to which
33 it is visually related.

34 E. Rhythm of spacing of buildings on streets. The
35 relationship of a building to the open space between it and

1 adjoining buildings shall be visually compatible to those
2 buildings, squares and places conforming with these design rules
3 to which it is visually related.

4 F. Rhythm of entrance and/or porch projection. The
5 relationship of entrances and porch projections to sidewalks of
6 a building shall be visually compatible to those buildings,
7 squares and places conforming with these design rules to which
8 it is visually related.

9 G. Relationship of materials, texture and color. The
10 relationship of the materials, texture and color of the facade
11 of a building shall be visually compatible with the predominant
12 materials used in those buildings conforming with these design
13 rules to which it is visually related. Masonry, concrete and
14 glass materials are generally appropriate.

15 H. Roof shapes. The roof shape of a building shall be
16 visually compatible with those buildings conforming with these
17 design rules to which it is visually related.

18 I. Scale of a building. The size of a building, the
19 building mass of a building in relation to open spaces, the
20 windows, door openings, porches and balconies shall be visually
21 compatible with those buildings, squares and places conforming
22 with these design rules to which it is visually related.

23 J. The place and orientation of the front elevation of a
24 building, including the shape and composition of its
25 architectural elements shall be visually compatible with those
26 buildings, squares, and places conforming with these design
27 rules to which it is visually related.

28 K. All the elements of the landscape design of a building,
29 such as planted areas, plant materials, grading, and pedestrian
30 walks and areas, shall be visually compatible with the
31 corresponding elements of those buildings, squares and places
32 conforming with these design rules to which it is visually
33 related.

34 CAAPB 1511 Variances. The board shall have the authority to
35 grant variances from the strict application of these rules

1 pursuant to the provisions of CAAPB ~~1504~~ 1604.

2 Chapter Sixteen: Variances

3 CAAPB 1601 Purpose. The procedures and standards contained
4 herein shall govern the consideration and disposition of all
5 variance requests submitted to the board.

6 CAAPB 1602 Requests for a variance. A person desirous of
7 obtaining a variance from the application of one or more of
8 these rules shall initiate the variance process by submitting to
9 the board four copies of the following information and documents:

10 A. A statement setting forth the precise nature and extent
11 of the proposed variance and the reasons the variance is being
12 requested.

13 B. Any supporting documentation necessary to provide a
14 complete description of the proposal including, but not limited
15 to, architectural plans and drawings, topographical information
16 and project cost data.

17 C. A detailed statement addressing each of the applicable
18 variance criteria contained in this chapter and setting forth
19 the reasons as to why the variance request is in conformance
20 with these criteria.

21 CAAPB 1603 Disposition of variance requests. The board shall
22 grant or deny a variance request pursuant to the following
23 procedures and standards:

24 A. Upon receipt of a variance request, the board shall send
25 written notice thereof to all persons who have registered their
26 names with the board for the purpose of being notified of
27 rulemaking proceedings or variance requests and the board shall
28 not act upon the variance request for 30 calendar days after it
29 has issued the notice.

30 The notice shall contain a brief description of the variance
31 request, a statement that any person wishing to comment on the
32 request may do so in writing and a statement that the board will
33 not act on the variance request until interested persons have
34 been afforded at least 30 calendar days after the board's

1 issuance of the notice to submit their comments.

2 B. If, after receiving the variance request, the board
3 determines that additional information must be submitted by the
4 requesting person, it may direct the person seeking the variance
5 to:

6 1. Submit additional data regarding the variance request
7 to the board or ~~its executive secretary~~ the zoning
8 administrator, or

9 2. Appear before the board or ~~its executive secretary~~ the
10 zoning administrator to provide additional information thereon.

11 C. To facilitate full consideration of a variance request
12 the board may, in its discretion, request that the person
13 seeking the variance and other persons who have submitted
14 written comments regarding the variance appear before the board
15 and make arguments to the board. In such event, the board shall
16 provide the aforementioned persons notice of the request
17 appearance at least seven days before the board meeting at which
18 the variance request is to be considered. This procedure shall
19 not constitute a contested case as defined in Minn. Stat. S
20 15.0411, subd. 4.

21 D. If a person requesting a variance fails to follow the
22 variance procedures specified in these rules, the variance shall
23 be denied.

24 E. The CAAPB shall set forth in writing and submit to the
25 person requesting the variance and other persons who have
26 submitted written comments thereon the reasons why it has
27 granted or denied the variance request within 30 days after its
28 disposition of the request.

29 CAAPB 1604 Standards for granting and denying variance requests.

30 A. The board shall grant a variance to the application of
31 any of its rules, excepting its design standards and sign rules,
32 only if it determines that all of the following criteria have
33 been met:

34 1. Strict application of the rule to which a variance is
35 being requested would cause undue and substantial hardship to

1 the owner of the property by reason of the unusual topography or
2 other exceptional aspect of the property in question.

3 2. The granting of the variance does not confer a benefit
4 on the person requesting the variance which is not enjoyed by
5 other persons similarly situated.

6 3. The granting of the variance does not substantially
7 impair the intent and purposes of these rules.

8 4. The variance may be granted without substantial
9 detriment to another person or the public good.

10 B. The board shall grant a variance to the application of
11 its design standards if it determines that:

12 1. Strict application of the design rules would prevent
13 implementation of a design which, in terms of meeting the intent
14 of the rules, is equal to or superior to the design alternatives
15 authorized by the rules, and

16 2. The criteria set forth in CAAPB 1604 A.2., 3. and 4.
17 have been met.

18 C. The board shall grant a variance to application of its
19 sign rules if it determines that:

20 1. Unusual conditions exist with respect to a specific
21 building or lot which require the installation of a unique sign,

22 2. The granting of the variance does not result in the
23 installation of a sign in a zoning district in which such a sign
24 is not permitted by these rules, and

25 3. The criteria set forth in CAAPB 1604 A.2., 3. and 4.
26 have been met.

(This chart is the copy of the chart from the rule as proposed. It is adopted without change.)

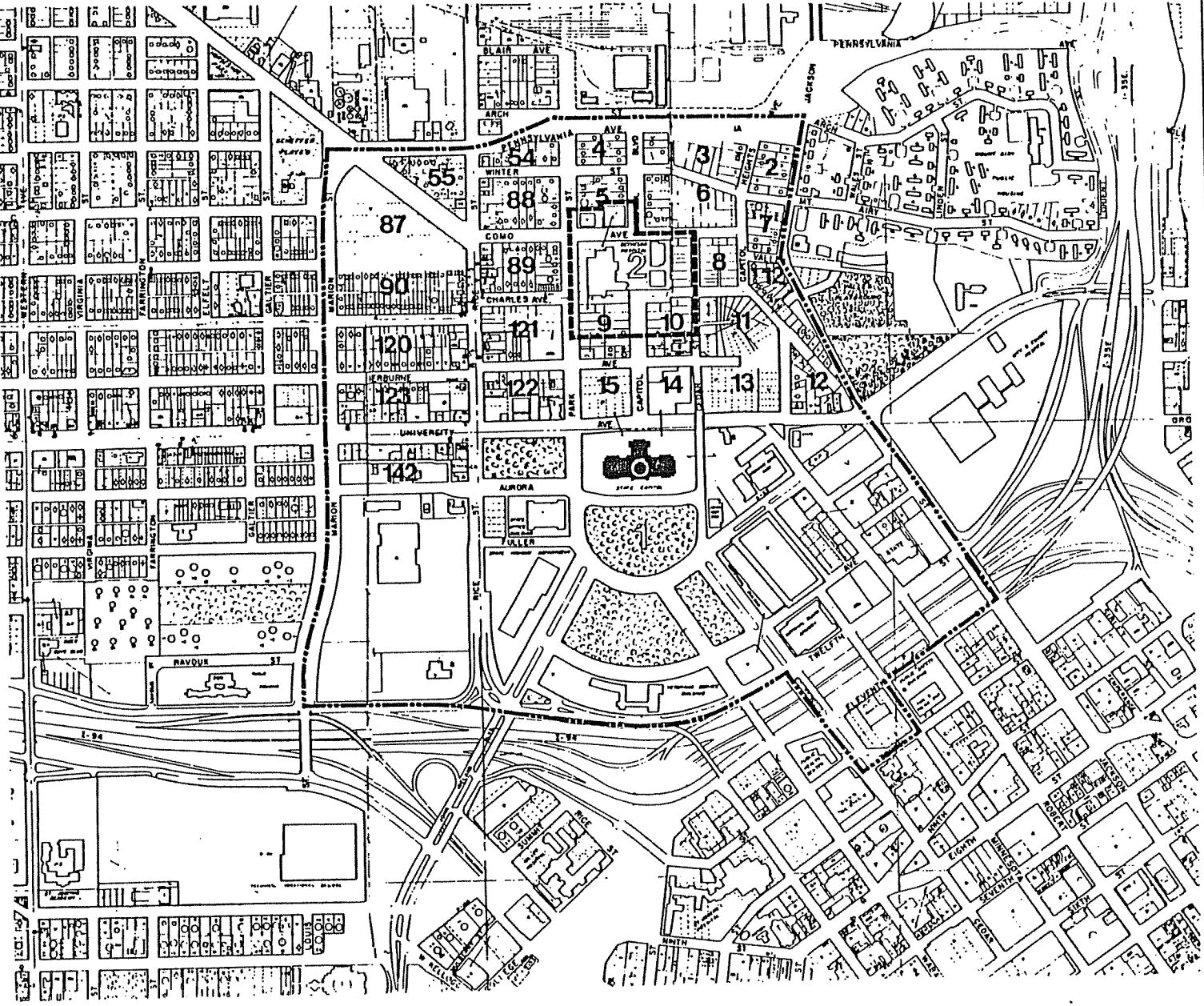
RULES

CHART A: Schedule of Regulations Limiting Height, Bulk, Density, and Area by Zoning Districts.

Zoning District	Maximum Floor Area Ratio Permitted	Maximum % of Lot Coverage Permitted (Area of all structures)	Maximum Height of Bldg. or Structure Permitted. (Maximum elevation above sea level given. Specific heights will vary with ground elevation of each site)	Minimum Yard Setback (for lot in feet)				Minimum Size Lnt Per Unit	
				SIDES				AREA	
				Front	Least One	Total of Two	Rear	(Sq. Ft.)	(Feet)
Governmental District (G-1)	6.0	None	944.0 feet	0' 5'	0'	0'	0'	None	None
Medium Density, Multiple-Family District (RM-2)									
A.--Height-District-#1 (See-Attached-Map)									
1. One-Family Detached Dwelling	None	30%	944.0 feet	25'	4'	8'	35'	5,000	40'
(See also Notes A and B)									
2. Two-Family Dwelling	None	30%	944.0 feet	25'	9'	10'	25'	3,500	30'
(See also Notes A and B)									
3. Multiple-Family Dwelling	None	30%	944.0 feet	25'	1/2 ht. or 15' whichever is greater.	30'	25'	(See Note A)	(See Note A)
(See also Notes A and B)									
B.--Height-District-#2 (See-Attached-Map)									
1.--One-Family Detached Dwelling	None	30%	944.0-feet	25'	4'	8'	35'	5,000-	40'
-(See-also-Note-B)-									
2.--Two-Family Dwelling	None	30%	944.0-feet	25'	9'	10'	35'	3,500-	30'
-(See-also-Note-B)-									
3.--Multiple--Family Dwelling	None	40%	955.0-feet (See-also-Note-C)	0'	50'	100'	50'	(See-Note-A)	(See-Note-A)
(See-also-Note-B)									
Local Community Business District (B-1)(B-2)	4.0	None	944.0 feet	0' 5'	0'	0'	0'	None	None
(See also Note 0C)									
Office-Service District (OS-1)	6.0	None	See Attached Height District Map	0' 5'	0'	0'	0'	None	None
Planned Unit Development District (PD)	(See Note ED)	(See Note ED)	(See Note ED)		(See Note ED)			(See Note ED)	(See Note ED)
Mixed Use District (MX)	2.0	None	944.0 feet	5'	0'	0'	0'	None	None

Note: Special requirements may apply in designated Visual Corridors pursuant to Chapter Fifteen of these rules.

[ADOPTED NEW MAP]



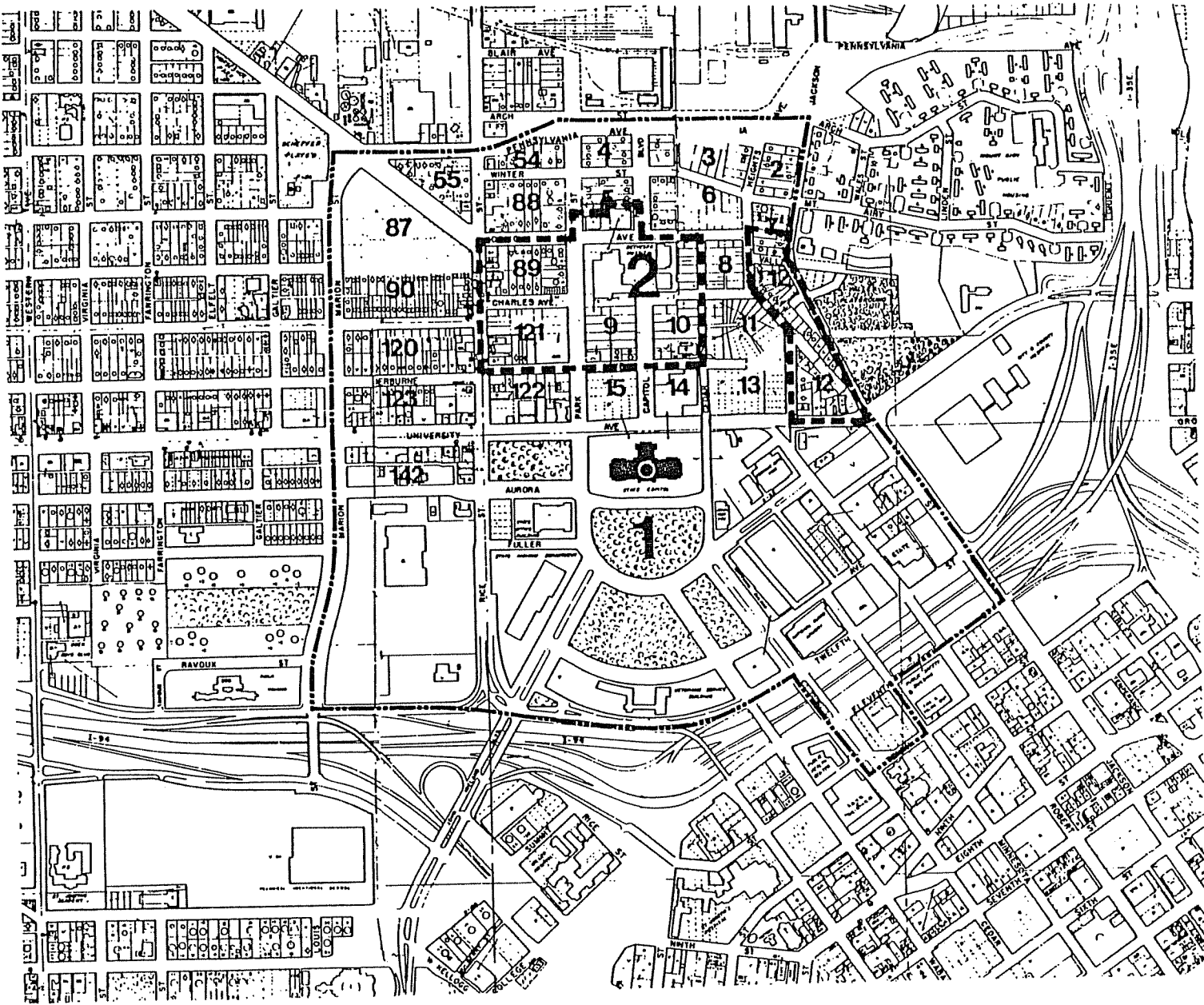
Height Districts

Height Restrictions

- 1 Elevation 944
- 2 Elevation 966

Capitol Area Architectural and Planning Board

(Repealed)




Height Districts Current

Height Restrictions

1 Elevation 944

2 Elevation 966

Capitol Area Architectural and Planning Board
12-15-80



(CITE 5 S.R. 1665)

STATE REGISTER, MONDAY, APRIL 27, 1981

PAGE 1665

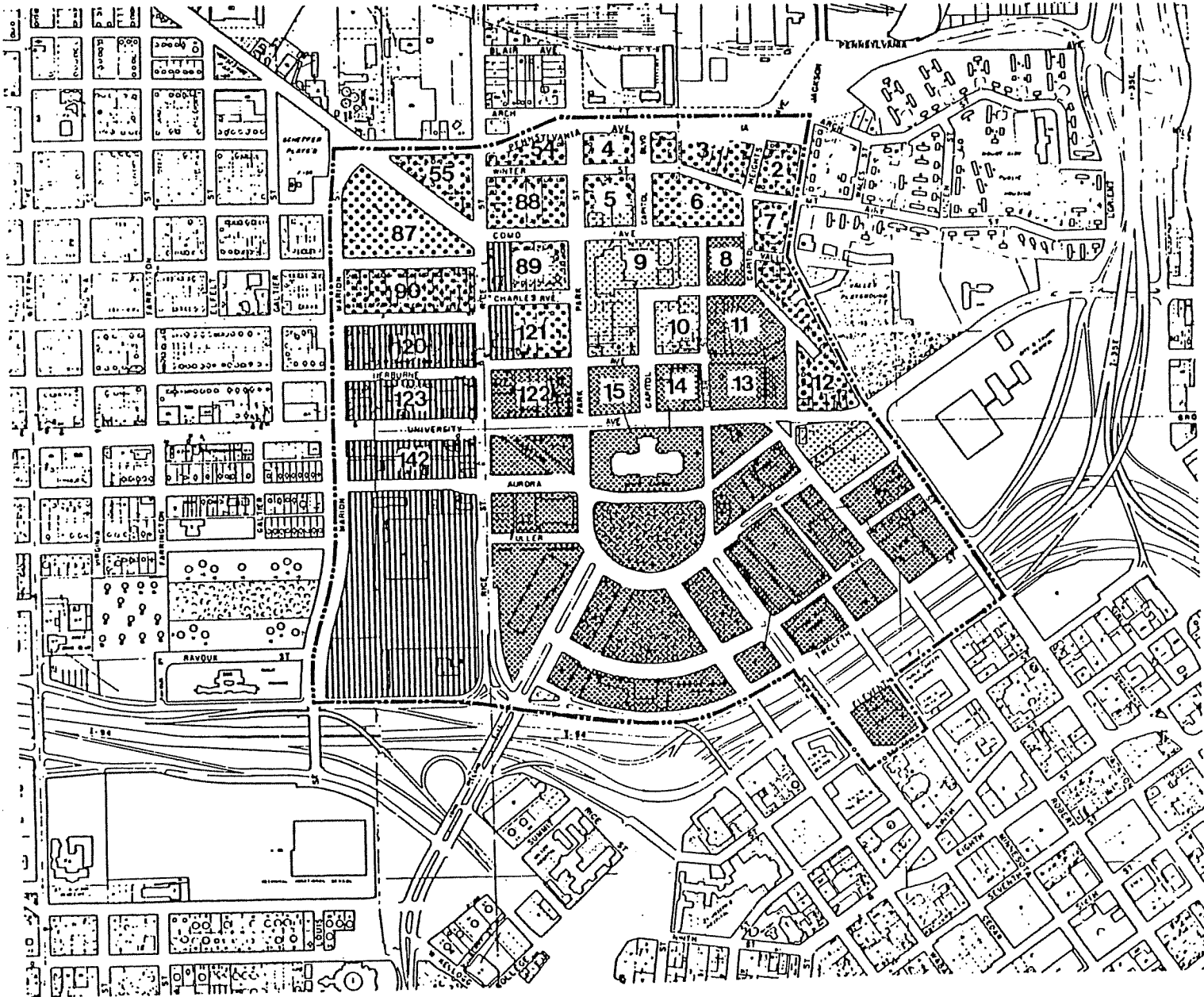
RULES

(Repealed)






(CITE S.S.R. 1681)

STATE REGISTER, MONDAY, APRIL 27, 1981


PAGE 1681



Current Zoning

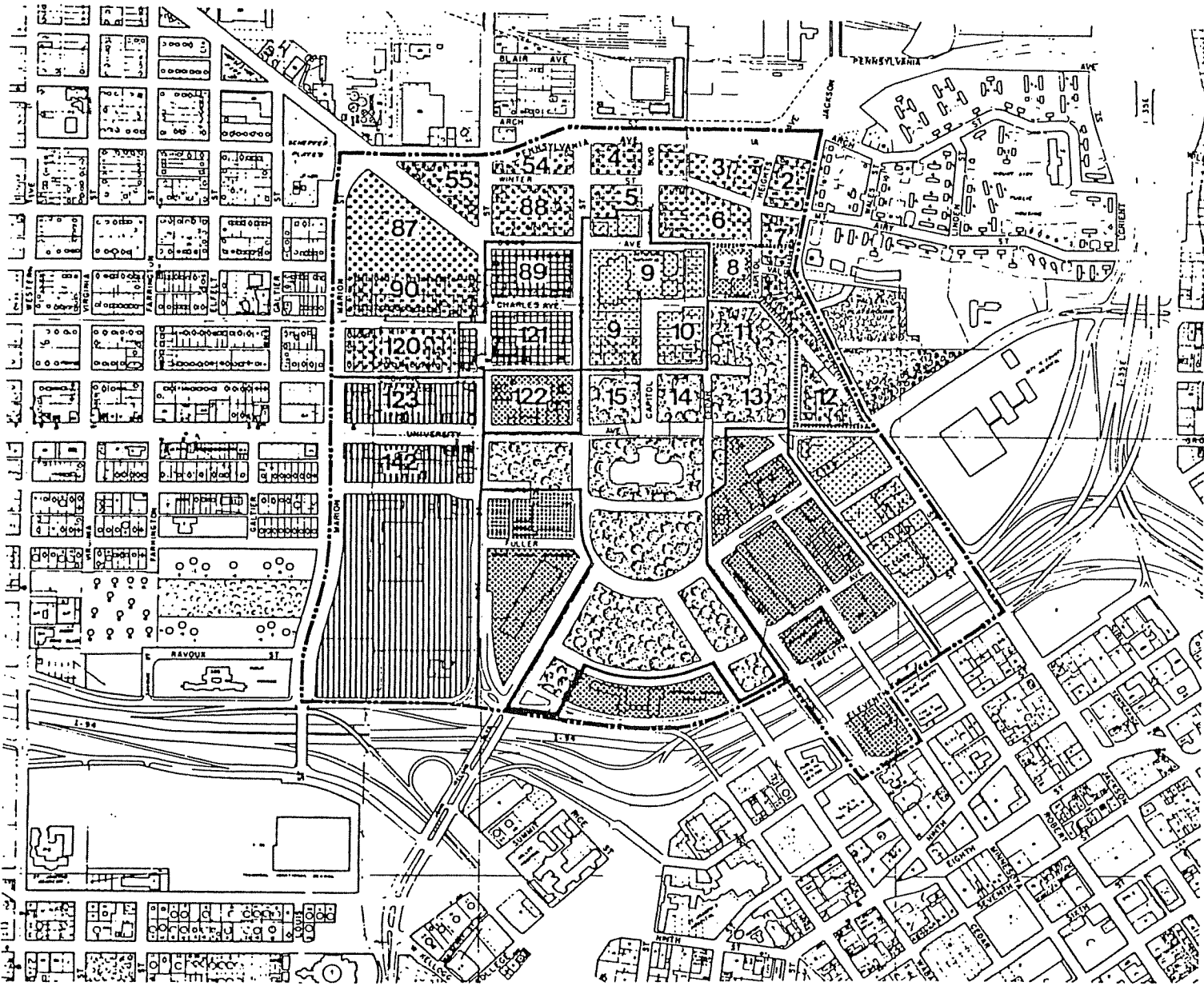
-  B1
-  OS1
-  O1
-  RM2
-  90 Block Designation

Capitol Area Architectural and Planning Board



RULES

(ADOPTED NEW MAP)

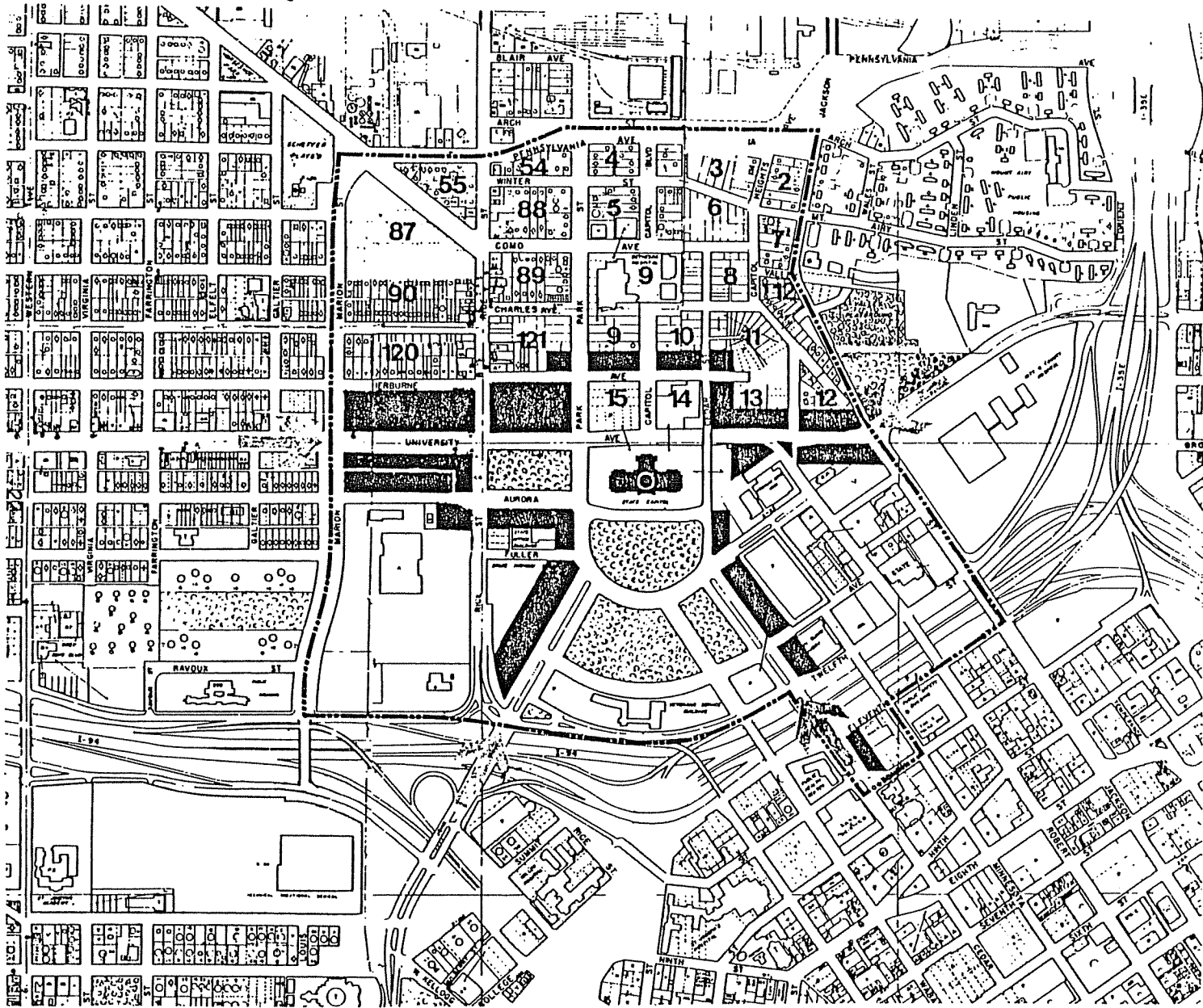


Zoning

- R-2**
- OS 1
- RM 2
- Mixed Use
- G 1
- G 2
- 15** Block Designation
- Special District


**Capitol Area
Architectural
and Planning
Board**
12-15-80

ADOPTED
[PROPOSED VISUAL CORRIDORS]



Visual Corridors

Capitol Area
Architectural
and Planning
Board
12-15-80



RULES

(CITE 5 S.R. 1683)

STATE REGISTER, MONDAY, APRIL 27, 1981

PAGE 1683