



## STAFF MEMO

<b>Prepared by:</b> Community Development	<b>Meeting Date:</b> 01/20/26	<input type="checkbox"/> Consent Agenda Item <input checked="" type="checkbox"/> Regular Agenda Item	<b>Agenda Item</b> <b>7</b>
<b>Reviewed by:</b>	<b>Item:</b> Ordinance Amendment - 502.04 and 502.50		

### **ACTION REQUESTED**

Motion on Ordinance amendment resolution 2026-001

Motion on Summary publication resolution 2026-010 (to publish changes to Code)

### **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Planning Commission discussed the topic over several months, reviewed draft language, and recommended a final ordinance amendment. A public hearing was held at the January 12 meeting, where one resident spoke about maintaining downtown aesthetics and ensuring uses like a Tattoo shop do not negatively impact the aesthetics.

**PREVIOUS COUNCIL ACTION** None

### **REFERENCE AND BACKGROUND**

Since October, the Planning Commission has discussed whether and where tattoo and body art businesses should be allowed in the City.

The discussion began after staff received an inquiry from a business interested in locating downtown. Upon reviewing the zoning ordinance, staff found that tattoo and body art establishments were not listed as a permitted or conditional use in the B-1 or B-2 zoning districts. The closest listed use was “beauty salon”; however, the ordinance does not define this term, and staff determined that a tattoo or body art establishment is not similar enough to be classified as a beauty salon.

Based on this uncertainty, staff recommended that the topic be taken to the Planning Commission who would provide a zoning interpretation. The City Attorney also reviewed the issue and agreed that an interpretation by the Planning Commission was appropriate.

At the October Planning Commission meeting, staff recommended updating the zoning ordinance to:

- Clearly define “beauty salon”
- Clearly define “tattoo/body art establishment”
- Specify which zoning districts tattoo and body art uses would be allowed

After reviewing draft language and discussing appropriate locations over the next few months, the Planning Commission recommended amending the ordinance to:

- Add a definition for “beauty salon”
- Add a definition for “tattoo/body art establishment”
- Allow tattoo and body art establishments in the B-1 zoning district and, by extension, the B-2 zoning district

If approved, the ordinance amendment would allow tattoo and body art establishments in both the downtown (B-1) and Highway 75 commercial (B-2) districts.

**BUDGET IMPACT:** N/A

**SUPPORTING DATA/ATTACHMENTS:**

Ordinance Resolution 2026-001

Summary Publication Resolution 2026-010

**ORDINANCE 2026-001**

**AN ORDINANCE AMENDING ORDINANCE 502.04 and 502.50**

New language is underlined and in red font. Language to be eliminated is shown as strikethrough.

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**The City Council for the City of St. Joseph, HEREBY ORDAINS that City Code Section 502.04 is hereby amended to add the following definitions:**

**Beauty Salons – a business where people receive professional cosmetic treatments like hairdressing, and manicures**

**Tattoo/Body Art – a licensed business that provides permanent tattoos and makeup to clients using needles and ink**

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**The City Council for the City of St. Joseph, HEREBY ORDAINS that City Code Section 502.50 is hereby amended as follows:**

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Section 502.50: B-1 CENTRAL BUSINESS DISTRICT

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Subd. 1: Intent. The Central Business District has been established to encourage the continuation of a viable downtown by promoting uses dependent of high volumes of pedestrian traffic; to provide for regulation of the high intensity commercial uses located within the original core of the City; and, to encourage parks/greenspace in the downtown. The Central Business District provides space for concentrated general business and commercial activities at locations where they are easily accessible to residential areas and, at the same time, minimizing negative impacts to residential neighborhoods.

Subd. 2: Permitted Uses. The following uses shall be permitted within the Central Business District:

- a) Antique stores.
- b) Appliance stores.
- c) Apparel shops.
- d) Artisan shops.
- e) Bakery goods, sales and baking of goods on premises.
- f) Barber and beauty salons, **Tattoo/Body Art**
- g) Bicycle sales and repairs.
- h) Book stores.

- i) Boutiques.
- j) Business/professional offices.
- k) Coffee shops.
- l) Delicatessen, fruit, vegetable and meat stores.
- m) Farmers market. Notification and the submittal of a plan to the Planning Commission is required.
- n) Financial institutions, including insurance companies.
- o) Florist.
- p) Government buildings.
- q) Grocery and drug stores, not more than 10,000 square feet in size.
- r) Hardware stores, not more than 10,000 square feet in size.
- s) Hobby shops and gift stores.
- t) Interior design services, including floor and wall covering stores.
- u) Jewelry sales and service.
- v) Laundry and dry-cleaning services.
- w) Library.
- x) Medical, optical and dental clinics.
- y) Microbreweries and bars.
- z) Musical instrument stores.
- aa) Parks and Open Spaces.
- bb) Pet shops, excluding kennel services.
- cc) Photograph sales and repair.
- dd) Record and video stores.

- ee) Restaurants, coffee shops, excluding drive-in service.
- ff) Sporting goods stores.
- gg) Postal facilities
- hh) Short-term rental subject to City Ordinance 505.13 and provided the short-term rental use is accessory to the permitted principal commercial use.
- ii) Other use determined by the Planning Commission to be of the same character as contained in this Subdivision.

Subd. 3: Conditional Uses. The following uses shall require a Conditional Use Permit as provided for in this Ordinance.

- a) Bed and Breakfast.
- b) Convenience stores, excluding fueling facilities.
- c) State licensed day care and nursery school facilities provided that:
  1. Adequate off-street parking and loading is provided, and;
  2. The facility meets all State licensing requirements pursuant to Minnesota Statutes 245A.02 and 45A.11.
- d) Mixed use of a Permitted Use and a multiple residential dwelling units; but only if at least 50% of the interior square footage (exclusive of the basement or cellar) is used full time for a Permitted Use, and said permitted and residential uses are not conflicting. The area consisting of multiple residential dwelling units must meet the standards of this Ordinance; and said residential uses occupy only the upper and/or rear portions of structures. Off-street parking requirements shall be separately determined for the commercial and residential uses in accordance with Section 502.10.
- e) Hotels, Motels, Lodge. Short-term rental if the short-term rental is the principal and sole use of the property.
- f) Other uses determined by the Planning Commission to be of the same character as contained in this Subdivision.

Subd. 4: Permitted Accessory Uses. The following uses shall be permitted as an Accessory Use in the Central Business District.

- a) Commercial or business building for a use accessory to the principal use, not to exceed 50 percent of the size of principal building.

- b) Signs as regulated in this Ordinance.
- c) Temporary buildings for construction purposes for a period not to exceed construction.
- d) Off-street loading and parking areas.

Subd. 5: Building Location/Setback Requirements. Buildings shall be set close to the street with parking behind or on the side of the building, except that the setback is twenty (20) feet from a residential district.

Subd. 6: Height Requirements. Any portion of a structure shall not exceed 3 stories or 40 feet in height. Berming the building does not allow a building to be constructed higher than 40 feet. Elevation for the building shall be determined by the average grade of the land.

Subd. 7: Building Materials. Building facades shall be designed to avoid a monolithic design and feature divisions in materials, textures and separate entrance treatments. The exterior surface of all buildings and structures must be constructed of one of, or a combination of, the following building materials.

- a) Brick or face brick including textured, burnished and colored block;
- b) Specially designed precast concrete units if the surfaces have been integrally treated with an applied decorative material or texture (excluding raw concrete block painted or unpainted or ceramic faced);
- c) Wood;
- d) Natural or cut stone;
- e) Glass or any combination thereof;
- f) Stucco;
- g) Pre-finished architectural metal panels when utilized for accent and/or architectural components of buildings such as the entry or entry appendage, a required enclosure or screen or architectural roofing as an intended designed accent (not to exceed 15% of the exposed wall area on any two visible sides of the building).
- h) Any other materials approved by the City Council after a review and recommendation by the Planning Commission, including but not limited to durable decorative synthetic material or concrete composite material found to be comparable or superior which mimic the appearance of other approved materials.
- i) Roof Materials. All roofs which are exposed to a view or are an integral part of a

Building's aesthetics will be constructed only of commercial grade asphalt shingles, wood shingles, standing seam metal, slate, tile or copper. The City Council may consider green roof options that reduce stormwater runoff and improve water quality.

Subd. 8: Other Requirements.

- a) Landscaping Plan. The landscaping, upon any building site or lot, must be carried out in accordance with a landscaping plan prepared by an experienced landscape professional which will be reviewed and approved by the City before construction on a lot. All areas of a lot not occupied by buildings, parking and loading areas, drives, walkways, or other permitted structures must be landscaped with trees, shrubs, grass and other planted ground cover approved by City Staff.
- b) Landscaping Methods and Material. Landscaping may include seeding, sodding, raised planters, architectural decorative walls or fencing, trees and shrubs, ground cover and other landscape materials including rain gardens. Plant material selection will take into consideration disease and insect resistance, hardiness to the area, the ability to provide seasonal interest and future maintenance considerations. Native species are preferred. The following species will not be allowed: Box Elder, female Ginkgo, Willow and Cottonwoods.
- c) Waste Handling Screening. All waste and recycling areas must be either stored in the principal building or stored in a four (4) sided enclosure at a minimum of five (5) feet in height constructed of brick, stone, decorative concrete material or a material comparable and compatible with the material of the principal building. Waste handling areas should be shared between lots and buildings to the extent possible to minimize their impact and must be located on the rear of sides of buildings to minimize visibility from roadways. Any changes to trash handling areas once a building is constructed must comply with this Ordinance and requires approval by the City.
- c) Where a use exists pursuant to a conditional use permit in conjunction with a permitted use, the required parking shall be computed for the permitted use and conditional use separately with adequate parking required to satisfy both uses.
- d) No outdoor storage shall be allowed.
- e) Single tenant retail buildings shall not exceed 10,000 square feet.

Subd. 9: Site Coverage. No structure or combination of structures shall occupy more than 90 percent of the lot area.

Subd. 10: Additional Requirements. Uses may be subject to additional requirements contained in this Ordinance including, but not limited to the sections governing parking, home occupation, floodplain, signs, etc.

Subd. 11: Interim Use Permit for Rental Units.

- a) Single-family residential dwelling units in areas that have been rezoned to commercial from residential shall be allowed an interim use permit as a rental unit for a limited period of time to allow for a transition in use to commercial. When a majority of the block is a commercial use, no additional interim use permits shall be granted or extended and single family rental dwellings shall transition to a permitted use in compliance with this Ordinance. The maximum density for rental units under the interim use permit shall be limited to the density which is allowed in the R-1, Single Family Residential District.
- b) The interim use as a rental unit shall be obtained through the interim use procedures set forth in this Ordinance.
- c) The maximum term for an interim use permit shall be five years but may be less as approved by the governing body.



**Resolution 2026-010**  
**SUMMARY PUBLICATION OF ORDINANCE NO. 2026-001**  
**AN ORDINANCE AMENDING ORDINANCE 502.04 and 502.50**

The following official summary of the ordinance referred to has been approved by the City Council of St. Joseph as clearly informing the public of the intent and effect of the amendments.

Ordinance amendment to City Code 502.04 and 502.50. Amendment adds definitions for “Beauty Salons” and “Tattoo/Body Art” along with allowing “Tattoo/Body Art” in the B-1 Central Business District.

A printed copy of the entire ordinance is available for inspection by any person at the office of the City Clerk any Monday through Friday between the hours of 8:00a.m. and 4:30 p.m. or on the City website at [www.cityofstjoseph.com](http://www.cityofstjoseph.com)

This document hereby is made a part of this ordinance and is attached hereto.

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Adam Scepaniak, Mayor

ATTEST:

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David Murphy, City Administrator

SEAL

PUBLISHED IN THE ST. CLOUD TIMES ON \_\_\_\_\_, 2026