



## Legislation Text

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**File #:** Ord 20-36, **Version:** 1

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Approving an emergency ordinance pursuant to City Charter 6.06 temporarily suspending T2 Zoning for City-owned property at 296 Seventh Street West, the site of former fire station 51 and now known as “Freedom House,” to allow temporary reuse as a facility to provide services to the City’s unsheltered population due to the COVID-19 pandemic.

*Statement of legislative intent and findings of the City Council.*

WHEREAS, the Council of the City of Saint Paul hereby finds that the Covid 19 emergency, as declared under Governor Walz’s Executive Order 20-10 dated March 13, 2020 and Mayor Carter’s Emergency Declaration dated March 15, 2020, continues; and

WHEREAS, the Council finds, with the approaching winter weather season, that the City’s unsheltered population will lack reasonable access to facilities in which basic services can be provided and in which the unsheltered can find safety from winter weather conditions when some overnight shelters are not accessible or available; and

WHEREAS, the Council finds, upon the advice of the Director of the department of safety and inspections, the Director of the department of planning and economic development and the Fire Chief, that former Fire Station 51, now known as “Freedom House,” is an underutilized City-owned facility which can be reasonably reconfigured to provide the unsheltered with basic services and safety from winter weather conditions; and

WHEREAS, the Council is informed that the Directors of the departments of safety and inspections and planning and economic development, in consultation with the Ramsey County Interim Manager of Housing Stability, have identified a non-profit organization that could operate Freedom House during the day as a site where basic services and weather safety can be provided to the City’s unsheltered population; and

WHEREAS, the Council finds, upon the advice of the City’s Zoning and Planning Administrators, that current zoning regulations under Leg. Code § 65.200 lack provisions which could allow Freedom House to be used and operated as a day-use civic facility in which to provide basic services and weather safety to the unsheltered during the winter months; and

WHEREAS, the Council finds, upon the advice of the City’s Zoning and Planning Administrators, that the City’s current zoning regulations specifying uses permitted in T2 districts under Leg. Code § 66.321 are similarly lacking as a day-use service and weather shelter facility for the unsheltered is a use that neither specifically fits within nor is substantially similar to a listed permitted or conditional use in a T2 district; and

WHEREAS, the Council recognizes that Mayor Carter’s March 15, 2020 Emergency Declaration directed City departments to review ordinance and regulatory requirements that can and should be adjusted or suspended, or to enact emergency regulations to support the City’s residents during the COVID-19 pandemic; and

WHEREAS, the Council finds, upon the advice of the Zoning and Planning Administrators, that the processes

necessary to rezone Freedom House to a zone classification that would permit a day-use service and weather shelter facility for the unsheltered, or to amend the current T2 zoning regulations to permit a day-use service and weather shelter facility for the unsheltered, cannot be accomplished in a timely fashion before the onset of winter weather conditions; and

WHEREAS, the Council recognizes that the Zoning and Planning Administrators and the Directors of the departments of safety and inspections and planning and economic development have advised and recommended that the Council take steps to allow Freedom House to be operated as a day-use civic facility in which services and weather safety can be provided to the City's unsheltered population during the winter months; and

WHEREAS, the Council finds that the Covid 19 emergency may extend beyond the coming winter weather season and, under such circumstances, a day-use service facility is a reasonably foreseeable need for the provision of services for the unsheltered in the event the Covid 19 emergency continues into the warm weather season; and

WHEREAS, the Council also finds that it is reasonably foreseeable that the impact of the Covid 19 emergency on the City's unsheltered population may extend beyond the time of the emergency condition prompting Governor Walz's Executive Order and Mayor Carter's Emergency Declaration; and

WHEREAS, the Council therefore finds it reasonable and necessary to enact temporary legislation in the form of the following emergency ordinance to facilitate the establishment of a day-use service facility in the City owned Freedom house in which to provide services for the City's unsheltered population during the Covid 19 pandemic emergency and, potentially if deemed necessary, for a period of time beyond the end of the Covid 19 pandemic emergency, in order to protect the health, welfare, and safety of the City's unsheltered population; Now, therefore

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1.

*Declaration of an existing emergency.* For the reasons set forth in the foregoing *Statement of legislative intent, purpose and findings of the City Council*, which are incorporated into this Emergency Ordinance by reference, and as required by City Charter § 6.06, the Council of the City of Saint Paul hereby declares that an emergency, created by the Covid 19 pandemic, exists for the City's unsheltered population which has grown due to the COVID 10 Pandemic and who lack access to facilities in which services and weather safety can be provided during the day and that City officials have identified a city owned facility in which services and weather safety for the unsheltered can be provided but are presently prevented from doing so due to current zoning regulations and the zoning classification applicable to the facility.

Section 2.

*T2 zoning for 296 West Seventh Street suspended temporarily.* For the purpose of establishing a daytime service and weather shelter facility for the unsheltered at 296 West Seventh Street (hereinafter, "Freedom House") and for that exclusive purpose only, the T2 zoning classification for Freedom House, as depicted on the Zoning Map of Saint Paul under Leg. Code § 60.303, is hereby suspended the effect of which shall continue as provided under Section 3 of this Emergency Ordinance.

Section 3.

*City officials authorized to arrange for the use of Freedom House as a temporary day-use service facility and*

*winter weather sheltering facility for the unsheltered.* The appropriate city officials are hereby authorized and directed to take steps necessary to enter into a real estate lease or license agreement which will facilitate the timely operation of Freedom House as a day-use civic facility in which daytime services and weather safety can be provided to the City's unsheltered population during the current Covid 19 pandemic and beyond if deemed necessary, upon such terms that are deemed prudent or as necessary by law; provided, in no event shall the effective term of such lease or license be greater than eighteen months from the date the agreement is executed. The execution date of the real estate agreement shall take place within thirty days of the effective date of this Emergency Ordinance.

Section 4.

*Overnight Shelter, limited use permitted, no additional authorization required, certain zoning regulations and licensing fees waived.* As provided under this section, if in the opinion of the Director of the department of emergency management there is an identified shortage of beds in the City's overnight shelters for women, their children or children in their care and custody, Freedom House may be used during the Covid 19 pandemic emergency as an overnight shelter for women, their children or children in their care and custody. Under such circumstances, use of Freedom House as an overnight shelter is exempt from the separation requirements for overnight shelters under Leg. Code § 65.157 and, as a civic facility, is exempt from paying any City license fee imposed upon overnight shelters under Leg. Code § 310.09(b). The operator of Freedom House shall otherwise obtain and abide by all licenses required to operate an overnight shelter. For the purpose of this section, the term emergency shelter shall have the meaning defined under Leg. Code § 65.157.

Section 5.

*Responsibility.* The Director of the department of safety and inspections shall be responsible for ensuring that the operation and programming provided at Freedom House, pursuant to the real estate lease or license authorized under section 3 of this Emergency Ordinance, is consistent with the terms of such lease or license. The Director shall keep the Mayor and the City Council apprised of the operations and programming provided at Freedom House on a regular basis or as requested by the Mayor or the City Council.

Section 5

*Effective date.* This emergency ordinance shall take immediate effect after its passage, approval and publication as provided in Saint Paul City Charter § 6.11.