

# Petition requirements for Nonconforming Use Permits

*Should the City relax petition requirements for nonconforming use permits?*

Public comments as of October 17, 2012, 12:11 PM

All Participants around Saint Paul Wards

Comments sorted chronologically



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# Petition requirements for Nonconforming Use Permits

*Should the City relax petition requirements for nonconforming use permits?*

## Introduction

Currently, if a property owner wants a public hearing before the planning commission to ask to establish legal nonconforming status or to expand or reestablish a nonconforming use, they must first submit a petition signed by the owners of 2/3 of the properties within 100 ft. Please share your input on a proposal to reduce this requirement to the owners of a majority of parcels within 100 ft. or 20, whichever is less.

## BACKGROUND

The Saint Paul Planning Commission is proposing a number of amendments to the Zoning Code regarding nonconforming lots, uses, and structures. Most of these amendments are needed to bring Saint Paul's zoning regulations into compliance with state statutes. The Commission considered all the testimony received at its April 20, 2012, public hearing on the draft amendments and has recommended reducing the petition requirement to the owners of a majority of parcels within 100 ft., with a cap of 20. The cap reflects a concern that the total number of required signatures can become unduly high for large parcels and if there are a large number of condominium units within 100 feet. For example, since each condo unit is a separate parcel, a 200-unit condominium building within a 100 ft. area would add 134 signatures to the number of consents needed to meet the current two-thirds requirement.

For more information, [click here](#) to read the report sent to the Planning Commission from the Neighborhood Planning Committee.

The entire set of amendments, including drafting notes that provide the reason for each amendment is also available for review.

## PROCESS

The City Council will hold a public hearing on the entire set of amendments on October 17, 2012, at 5:30 p.m. in City Council Chambers, 300 City Hall Courthouse, 15 W. Kellogg Blvd., Saint Paul, MN 55102. The full notice of hearing, including a summary of all the amendments, is available for your information.

The deadline for making online comments is noon on October 17, 2012. Those wishing to formally

testify at the hearing may appear in person before the City Council or submit written testimony as described in the hearing notice. The comments received from this posting will also be provided to the Council.

#### Contact information

If you have questions or comments on this posting, please contact Patricia James at [patricia.james@ci.stpaul.mn.us](mailto:patricia.james@ci.stpaul.mn.us).

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As of October 17, 2012, 12:11 PM, this forum had:

Attendees:	71
Participants around Saint Paul Wards:	5
Minutes of Public Comment:	15

## Petition requirements for Nonconforming Use Permits

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### All Participants around Saint Paul Wards

Bryan Kennedy inside Ward 4

October 6, 2012, 11:38 AM

I support this change. I think zoning rules are important. However, some of these signature requirements limit the city from becoming the dense, vibrant, urban area that I'd like to live in. Change can be good for neighborhoods and therefore I'm all for this update to the code.

1 Supporter

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jon schumacher inside Ward 4

October 6, 2012, 10:50 AM

While I understand the challenge of getting 2/3 of a 200 unit condo on a petition, I worry about the impact of this change in a neighborhood of single family or small multiple family dwellings. 2/3 approval indicates most of the neighbors agree and is therefore less divisive. A simple majority could split the community down the middle and lead to longer term conflict or unhappiness. Is there no way to apply this variance only to the situations you describe in your overview, narrow it down to apply only to TN3 zones for example?

1 Supporter

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Judyth Bigelow outside Saint Paul

September 24, 2012, 7:21 PM

In my opinion it is usually a mistake to move in the direction of relaxing non-conforming use permit requirements because it can lead to deterioration of a neighborhood/community, negates the original intentions of the community, is usually done to accommodate an individual rather than show concern for the community as a whole. I am a former Pres of District 16 Planning Council, former head of D 16 Zoning Committee, former co-chair of Grand Ave. Zoning Committee, etc.

1 Supporter

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Michael Casey inside Ward 4

September 24, 2012, 11:38 AM

The CAP is too low just for the case provided in the statement about the condominium units. CAP should be 40 which is NOT too much to ask of a property owner. For example if a nightclub were proposed in an adjoining building in lowertown which may end up altering the peace and quiet of the area.

1 Supporter

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