



## Legislation Details (With Text)

**File #:** Ord 17-54      **Version:** 3

**Type:** Ordinance      **Status:** Passed

**In control:** City Council

**Final action:** 10/25/2017

**Title:** Approving an interim ordinance pursuant to Minn. Stat. § 462.355, Subd.4 pending the completion of the West Marshall Study Area, specifically between Wilder and Wheeler.

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. Plambeck email, 2. Union Park resolution Sept 2017, 3. Comment rec'd by Council, 4. Comment rec'd by Council 2

Date	Ver.	Action By	Action	Result
10/27/2017	3	Mayor's Office	Signed	
10/25/2017	3	City Council	Adopted As Amended	Pass
10/18/2017	2	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
10/11/2017	2	City Council	Laid Over to Third Reading/Public Hearing	
10/4/2017	1	City Council	Laid Over to Second Reading	

Approving an interim ordinance pursuant to Minn. Stat. § 462.355, Subd.4 pending the completion of the West Marshall Study Area, specifically between Wilder and Wheeler.

### THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

#### Section 1

**Legislative Intent Statement:** The Council of the City of Saint Paul finds that the area of Marshall Avenue between Mississippi River Boulevard on the West and ~~Snelling~~ Hamline Avenue on the East is presently experiencing increasing redevelopment interest. While redevelopment interest is welcome, redevelopment that is not consistent with the goals and requirements of the City's Comprehensive Plan would not be in the best interests of the City generally and this area of Marshall Avenue specifically.

The Council further finds that the potential for incompatible or inconsistent redevelopment activity along this stretch of Marshall raises substantial questions relating to the ability of the City's present official controls to assure compliance with the City's Comprehensive Plans.

In light of these increasing redevelopment interests, the Council requested the planning commission to undertake a zoning study of current land use and land use classifications of that area of Marshall described above which the Council described as the "West Marshall Study Area" or "WMSA."

The Council further finds that the planning commission's WMSA zoning study may lead to the adoption of amendments to the City's comprehensive municipal plan and to its official zoning controls within the WMSA

and light of the pending WMSA study, and for the purpose of identifying an overall vision for this pivotal area and the immediate need to preserve the status quo with respect to land use in order to protect the general health, welfare and safety of the public pending the conclusion of the said study, the Council desires to temporarily prohibit development on any parcel of land or part thereof within a certain portion of the WMSA between Wilder and Wheeler until such time as the WMSA study has been completed and the Council has taken action on the recommendations contained therein.

Section 2.

Moratorium Imposed: Pursuant to Minn. Stat. § 462.355, Subd.(4)(a), on any parcel of land or part thereof within the WMSA between Wilder and Wheeler, the issuance or approval of zoning and building permits, plat approvals or lot splits, is prohibited unless exempted in Section 3, until the expiration of twelve months following the effective date of this interim regulation which shall be calculated based upon the effective of the Council's Resolution requesting the WMSA study, or until such earlier time as the Council of the City of Saint Paul has taken action on the recommendations contained in the study.

Section 3.

Exemptions: The following redevelopment activities shall be exempt from this interim ordinance: any proposal to provide residential dwellings, either single family or multi-family, that has been duly submitted to the City in proper form and with payment of any required fees, provided; that the forms and payments were submitted to the department of safety and inspections no later than the close of business on the date of the public hearing for this interim ordinance as required under Minn. Stat. § 462.355, Subd.4(c)(2). Applications for permits to construct, reconstruct, alter or repair an existing residential dwelling, or accessory structures, within the WMSA between Wilder and Wheeler, which will not result in an increase in the number of dwelling units, are also exempted from the regulatory effect of this resolution. Applications for permits to construct, reconstruct, alter or repair existing institutional or commercial uses are also exempted from the regulatory effect of this resolution.

Section 4.

Effective Date: This interim ordinance shall be effective thirty (30) days after its passage, approval and publication and supersedes the interim protections established under the Council's bridge resolution in this matter.