



## Legislation Details (With Text)

**File #:** Ord 11-5      **Version:** 1

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

**In control:** City Council

**Final action:** 2/9/2011

**Title:** An interim ordinance preserving the status quo of land uses in the District 9 Planning Area.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/16/2011	1	Mayor's Office	Signed	
2/9/2011	1	City Council	Adopted	Pass
2/2/2011	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
1/19/2011	1	City Council	Laid Over to Third Reading/Public Hearing	
1/12/2011	1	City Council	Laid Over to Second Reading	

An interim ordinance preserving the status quo of land uses in the District 9 Planning Area.

An interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 4, to preserve the status quo within a specified area of the District 9 Planning District pending the completion and report of a zoning study and possible action on that study, including amending the City's official controls regarding zoning classifications for certain parcels of land, in order to facilitate the job and economic development strategies contained in the District 9 Plan addendum to the Comprehensive Plan.

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

Section 1.

**Statement of Legislative Intent and Findings of the City Council:** The Council of the City of Saint Paul, in Council File No. 10-1165, has requested the planning commission to undertake a zoning study to assess whether the present B3 zoning classification for certain parcels of land which are located within Planning District 9, and are more fully described herein under section 3, would further the Districts recently adopted Area Plans Job and Economic Development Strategies which call for preserving businesses and jobs in the District while at the same time complementing the Districts Housing Objectives. The purpose of this interim ordinance is to fulfill the requirements of City Charter § 6.05.

The Council, in Council File No. 10-1165, requested the planning commission to undertake the said study because a long standing B3 land-use in the District 9 Planning District was recently vacated and the Council finds that the B3 parcel, which is significant as a gateway parcel, is abutted by lands which are presently zoned B5 Central Business Service and TN2 Traditional Neighborhood. The Council finds that it is necessary to study whether the present B3 classification of this gateway parcel and other parcels adjacent to it best further the District 9 Area Plans Job and Economic Development and Housing Objective strategies.

For these reasons as well as all the findings set forth in C.F. No. 10-1165, which shall be incorporated herein by reference and hereby adopted by the Council as its statement of legislative intent and findings in support of this interim ordinance, the Council finds that there exists an immediate need to preserve the status quo of land uses within an area of the District 9 Planning District as specified below in section 3 in order to protect the health, welfare, and safety of the public, until such time as the aforementioned planning commission study has been completed and the Council has taken action on any recommendations contained therein by amending, if necessary, the official controls of the City.

Section 2.

**Interim Moratorium Imposed During Pendency of Zoning Study.** Based upon the findings set forth herein and in C.F. No. 10-1165 as incorporated into this interim ordinance, together with the necessity to maintain the status-quo of land-uses in the study area described in section 3 below while the planning commissions zoning study is underway, the Council, pursuant to Minn. Stat. § 462.355, Subd. (4) and City Charter § 6. 05, enacts this interim ordinance to maintain the status quo of land uses in the study area by immediately and temporarily prohibiting the issuance of any zoning or building permits or approvals which would permit development which would or could be inconsistent with the District 9 Area Plans Job and Economic Development Strategies and Housing Objectives until such time as the planning commissions zoning study has been completed and the City Council has taken action on the recommendations contained therein.

Section 3.

**Interim Ordinance Zoning Study Area Defined; Exceptions Designated.** For the purpose of this interim zoning ordinance, the area of study shall be that area in the District 9 Planning District commencing on the north at the intersection of the middle lines of Grand Avenue and Smith Avenue; then easterly along the middle line of Grand Avenue to its intersection with the middle line of Leech Street; then southerly along the middle line of Leech Street to its intersection with the middle line of Goodrich Avenue; then westerly along the middle line of Goodrich Avenue to its intersection with the middle line of West 7th Street; then northeasterly along the middle line of West 7th Street to its intersection with the middle line of Smith Avenue; then northerly along the middle line of Smith Avenue returning to its intersection with the middle line of Grand Avenue; provided, however, that any parcels with in the area defined above which are presently designated with a RT1, RT2, RM1, and/or RM2 zoning classification, are hereby exempted from the planning commissions study as well as the zoning and building permit approval restrictions enacted by this interim ordinance.

Section 4.

**Effective Date of Interim Ordinance.** Pursuant to City Charter § 6.11, this ordinance shall take effect and be in force thirty (30) days from and after is passage, approval and publication. For the purpose of calculating the period in which the regulatory provisions of this interim ordinance are in effect pursuant to Minn. Stat. § 462.355, Subd. 4, the effective period of this interim ordinance shall be as of the effective date of the resolution adopted in Council File No. 10-1165.

Section 5.

**Notice to City Departments and Agencies.** The clerk shall immediately deliver a copy of this interim ordinance to the planning administrator, the zoning administrator, the building official, the planning commission and the board of zoning appeals.