



Legislation Text

File #: RES PH 17-342, **Version:** 1

Approving an interim use permit authorizing the temporary suspension of occupancy and parking regulations for the period January 25 through February 6, 2018 to coincide with the anticipated demand for short term rentals associated with Super Bowl LII.

WHEREAS, the City, pursuant to Minn. Stat. § 462.357, recently enacted various amendments to its Zoning Code, effective as of December 2, 2017, which define, permit and regulate so called “short term rentals” in those zoning districts throughout the City permitting residential uses as a principal use; and

WHEREAS, the Mayor and the Council of the City of Saint Paul anticipate that there may be increased demand for housing associated with visitors attending Super Bowl LII and various events associated with Super Bowl LII between January 25 through February 6, 2018; and

WHEREAS, the City desires to accommodate the expected increase in the demand for housing associated with Super Bowl LII through the suspension of certain zoning regulations for short term rentals while maintaining essential “life safety” regulations; and

WHEREAS, Minn. Stat. § 462.3597 permits the governing body of a municipality to allow an interim property use by permit provided that the governing body, following a duly noticed public hearing, finds that the interim use meets each of the following requirements:

- (1) The use conforms to the zoning regulations;
- (2) The date or event that will terminate the use can be identified with certainty;
- (3) Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- (4) The user agrees to any conditions that the governing body deems appropriate for permission of the use.

WHEREAS, on December 13, 2017, a public hearing was duly conducted before the City Council at which all interested parties were given an opportunity to be heard and the Council, having considered all the facts and the report and recommendation of staff dated November 16, 2017 regarding the said application, duly moved to approve and permit the proposed interim use based upon the following findings:

(1) *The use conforms to the zoning regulations.* This requirement is met. Short Term Rentals are allowed in all the City’s zoning districts permitting residential uses as principal uses.

(2) *The date or event that will terminate the use can be identified with certainty.* This requirement is met. Super Bowl LII will take place on February 4, 2018. The start date for waiving those short term rental regulations specified under this interim use permit is January 25, 2018. The end date is February 6, 2018.

(3) *Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.* This finding is met. It is anticipated that the demand for short term rentals, which generally are advertised through various social media outlets, will increase significantly for Super Bowl LII and that meeting the demand for short term rental housing opportunities may be a challenge. City staff has determined that the statutory interim use permit process is an appropriate means to address the need for temporary housing for visitors to the City during Super Bowl LII while protecting the health, welfare, and safety

of the public through the building and fire codes.

(4) *The user agrees to any conditions that the governing body deems appropriate for permission of the use.* This requirement can be met. So long as STR providers abide by the building and fire codes applicable to their rental units, abide by the zoning regulations for short term rentals not temporarily suspended under this interim use permit, and obtain from the City prior to January 25, 2018 the required short term rental license, this requirement can be met.

NOW, THEREFORE, BE IT RESOLVED, based upon the report of staff and the findings herein, the application by the City of Saint Paul for an interim use permit to temporarily suspend the enforcement of certain provisions of the zoning code as set forth below is hereby approved, subject to the condition as specified below:

A. THE FOLLOWING ZONING REGULATIONS PERTAINING TO SHORT TERM RENTAL USES ARE TEMPORARILY SUSPENDED DURING THE PERIOD JANUARY 25, 2018 - FEBRUARY 6, 2018:

1. Leg. Code § 65.645(a): Maximum rental unit cap of 50% up to a maximum of 4-housing units is temporarily suspended as is the conditional use permit requirement for renting more than 4-units units.
2. Leg. Code § 65.645(d): Total occupancy based upon Leg. Code § 60.207's definition of "family." Total occupancy must abide by the applicable occupancy regulations of Leg. Code Chap. 34.
3. Leg. Code § 63.207: All applicable minimum off-street parking regulations.

B. IT IS A SPECIFIC CONDITION OF THIS INTERIM USE PERMIT THAT THE PRECEDING ZONING REGULATIONS SHALL BE DEEMED WAIVED ONLY FOR THOSE SHORT TERM RENTAL OPERATORS WHO HAVE OBTAINED FROM THE CITY A SHORT TERM RENTAL LICENSE PRIOR TO JANUARY 25, 2018.

AND, BE IT, FINALLY RESOLVED, that the City Clerk shall immediately provide a copy of this resolution to the Zoning Administrator, the Planning Administrator and the respective Directors of the departments of safety and inspections, planning and economic development, and the police and fire department chiefs.