

ZONING FAQ

1. What is zoning?

Zoning is a set of laws regulating how property is used and the size and location of buildings on a lot. It includes both written regulations and maps showing the different zoning classifications in the city. In Minnesota, state law allows cities to have zoning ordinances and sets parameters for the local regulations. Saint Paul's zoning code is online at <http://www.stpaul.gov/code>. Look under Title VIII along the left side of the screen. The [zoning map](#) is also online. On the menu at the right side of the screen, select "Boundaries" and then "Zoning." This map allows you to zoom to a particular area in the city.

2. Who do I talk to about the zoning rules for a particular property?

Start with the zoning staff in the Department of Safety and Inspections. If they cannot answer your question, they will refer you to other city staff. The general zoning information number is 651-266-9008. You can also submit a question online at the [question or comment page](#).

3. What kind of business can I have in my home?

A "home occupation" is permitted out of a dwelling. Please see [Home Occupation Regulations](#).

4. What if my project does not meet the required setbacks, lot coverage, height, etc.?

You can apply for the zoning code variance from the Board of Zoning Appeals. For more information, see [Zoning Variance](#)

5. Who in the City makes zoning decisions?

The authority to make zoning decisions is divided among the Zoning Administrator, the Board of Zoning Appeals, the Planning Commission, and the City Council.

- The Zoning Administrator is the city staff person in the Department of Safety and Inspections responsible for interpreting and enforcing the zoning code. Zoning administration staff coordinates the [site plan review process](#), among other responsibilities.
- The [Board of Zoning Appeals \(BZA\)](#) has nine members (including one alternate) who are appointed by the Mayor and confirmed by the City Council. They make decisions on zoning variances and review appeals of Zoning Administrator decisions.
- The [Planning Commission](#) is a group of 21 members appointed by the Mayor and confirmed by the City Council to advise them on planning issues. They make zoning decisions on conditional use permits, nonconforming use permits, and (less frequently) determinations of similar use. The [Zoning Committee](#), a 7-member committee of the full commission, holds public hearings on these cases and then makes recommendations for the full commission's action.
- The [City Council](#)'s main role in zoning is to review and adopt zoning text and map amendments and to hear appeals of BZA and Planning Commission decisions. Requests to change the zoning of individual properties have public hearings before

the Zoning Committee of the Planning Commission and the City Council. The City Council makes the final decision. The City Council also approves plats.

6. Where do I apply for a zoning permit?

Site plan and variance applications are made at the Zoning Counter in the [Department of Safety and Inspections](#), 375 Jackson Street, Suite 220. (There is a small free parking lot off of E. 6th Street.)

Conditional Use Permit, Nonconforming Use Permit, Rezoning, and Subdivision applications are made at the Zoning Counter in the [Department of Planning and Economic Development](#), 25 W. 4th Street, Suite 1400.

There are fees for zoning permits. The fee schedule is online at [Sec. 61.302](#).

7. What is a public hearing?

A public hearing is a formal proceeding that occurs during meetings of the BZA, the Zoning Committee, and the City Council. It provides an opportunity for individuals impacted by a zoning issue to provide testimony to the decision-making body. The hearing needs to meet specific requirements in order to be legal. These requirements include proper notice mailed to nearby property owners and following clear rules of procedure in conducting the hearing. People who wish to testify need to give their name and address and sign in for the record. Written testimony (letters and e-mails) can be sent prior to the hearing. They also need to include the name and address of the sender and are made part of the public record.

8. How does a public hearing work?

A typical public hearing follows this order:

- Announcement of the case
- Staff presentation regarding the case, including a recommendation
- Testimony regarding the case. Those in support usually speak first; followed by those in opposition. Anyone may speak provided they give their name and address for the record, including signing in just before or right after completing their testimony. Testimony must relate to the proposal, should be limited to a reasonable period of time and not be repetitious.
- After hearing all the testimony, the public hearing will be formally closed and the board, committee, or council will consider the matter. One of the members will make a motion, which needs a second. The motion is discussed and voted on. Sometimes the decision is postponed and the case is laid over to a future date.
- After the decision is made, the applicant receives a written copy of the decision by mail.

9. What can I do if I disagree with the decision?

Decisions of the BZA and the Planning Commission are final unless they are appealed to the City Council within 10 days; a filing fee is required. The person filing the appeal needs to specify an error of fact or procedure made by the board or commission as

grounds for the appeal. Appeals of City Council decisions are made by filing suit in district court.

10. How do I find out the results of a hearing I was sent a notice for?

Results of all meetings are available on the City's web page.

- Board of Zoning Appeals decisions are posted online at [BZA Agendas & Results](#)
- Planning Commission decisions are posted online at [Planning Commission Action Minutes](#). ([Zoning Committee results](#) can also be found online.)
- City Council [proceedings](#) are online as well.

11. I have applied for a zoning permit. When can I expect an answer?

Zoning decisions are typically made within 60 days; although extensions are allowed under certain circumstances.