



Saint Paul Planning Commission

City Hall Conference Center Room 40

15 Kellogg Boulevard West

Christopher B. Coleman,
Mayor

Steering Committee Meeting – 8:00 a.m., Room 42

Saint Paul
Planning Commission

Agenda

September 5, 2014
8:30 – 11:00 a.m.

Chair
Barbara A. Wencl
First Vice Chair
Elizabeth Reveal
Second Vice Chair
Paula Merrigan
Secretary
Daniel Ward II

- I. Approval of minutes of August 22, 2014**
- II. Chair's Announcements**
- III. Planning Director's Announcements**
- IV. Zoning Committee**

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

OLDS BUSINESS

#14-308-882 More 4 A Buck – Change of nonconforming use permit for auto repair and outdoor auto sales. 1176 Dale Street North between Maryland and Geranium.
(*Jake Reilly, 651/266-6618*)

NEW BUSINESS

#14-319-416 Premier Storage – Nonconforming use permit (reestablishment and change) for an indoor rental storage facility. 543 James Avenue NW intersection at Duke.
(*Bill Dermody, 651/266-6617*)

#14-319-307 River Road II Investments – Conditional use permit for a 69-unit assisted living/memory care facility, with density, front yard setback, and lot coverage variances. 1903 Norfolk Avenue, Area bounded by Graham, Prior Avenue S., Norfolk and Sue Street. (*Michelle Beaulieu, 651/266-6620*)

#14-316-218 Cash-N-Pawn – Expansion of a nonconforming use for a pawn shop. 490 University Avenue West, SE corner of University Avenue and Mackubin.
(*Hilary Holmes, 651/266-6612*)

#14-316-432 344 Summit Boutique Hotel – Conditional use permit for reuse of large structure for boutique hotel. 344 Summit Avenue between Western and Virginia.
(*Hilary Holmes, 651/266-6612*)

Pat Connolly
Daniel Edgerton
Gene Gelgelu
Anne DeJoy
William Lindeke
Kyle Makarios
Melanie McMahon
Gaius Nelson
Rebecca Noecker
Christopher Ochs
Trevor Oliver
Julie Padilla
Betsy Reveal
Emily Shively
Terri Thao
Wendy Underwood
Jun-Li Wang
David Wickiser

Planning Director
Donna Drummond

V. Neighborhood Planning Committee

Shepard Davern Plan and District 15 Plan Amendment – Release draft for public review and schedule a public hearing for October 17, 2014. (*Michelle Beaulieu, 651/266-6620*)

Shepard Davern Zoning Study - Release draft for public review and schedule a public hearing for October 17, 2014. (*Merritt Clapp-Smith, 651/266-6547*)

VI. Transportation Committee

Gateway Transit Corridor Locally Preferred Alternative – Recommend draft resolution to the Mayor and City Council. (*Bill Dermody, 651/266-6617*)

VII. Saint Paul Downtown Alliance - Informational Presentation by Joe Spartz, President, Saint Paul Building Owners & Managers Association.

VIII. Comprehensive Planning Committee

IX. Communications Committee

X. Task Force/Liaison Reports

XI. Old Business

XII. New Business

XIII. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF SEPTEMBER 1-5, 2014

Mon (1) LABOR DAY HOLIDAY – OFFICE CLOSED



Tues (2)

3:30-5:00 p.m. **Comprehensive Planning Committee**
(Merritt Clapp-Smith, 651/266-6547)

13th Floor – CHA
25 Fourth Street West

Discuss Metropolitan Council's Housing Policy Plan and preparation of draft City comments. (Jamie Radel, 651/266-6614)

Weds (3)

Thurs (4)

Fri (5)

8:00 a.m. **Planning Commission Steering Committee**
(Donna Drummond, 651/266-6556)

Room 42 City Hall
Conference Center
15 Kellogg Blvd.

8:30-11:00 a.m. **Planning Commission Meeting**
(Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

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Neighborhood Planning

Committee..... Shepard Davern Plan and District 15 Plan Amendment – Release draft for public review and schedule a public hearing for October 17, 2014. (*Michelle Beaulieu, 651/266-6620*)

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Transportation Committee..... Gateway Transit Corridor Locally Preferred Alternative – Recommend draft resolution to the Mayor and City Council. (*Bill Dermody, 651/266-6617*)

Informational Presentation.... Saint Paul Downtown Alliance - Informational Presentation by Joe Spartz, President, Saint Paul Building Owners & Managers Association.

**The Planning Commission
minutes from the meeting
on Friday, August 22, 2014
are not available at this
time.**



Sonja Butler



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE

Tuesday, September 9, 2014

**2nd Floor Conference Room
375 Jackson Street, Suite 218**

<u>Time</u>	<u>Project Name and Location</u>
9:00	Beacon Bluff Business Center (Lot 1, Block 1) 1065 Phalen Boulevard New 58,000 square foot office warehouse building
9:45	Westgate parking lot expansion 1055 Westgate Drive Add 90 parking spaces to existing parking lot

Applicants should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire Inspections, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

The meeting room is on the skyway level and 25' to your left as you get out of the elevator.

Parking

A few free parking spaces are available in our visitor parking lot off of 6th Street at Jackson. Parking is also available at on-street meters. The closest parking ramp is on Jackson one block south of our office between 4th and 5th Street.

If you have questions, please contact Tom Beach at 651-266-9086 or tom.beach@ci.stpaul.mn.us.

FOR THE FULL ZONING COMMITTEE AGENDA SECTION

of this packet go to the link below:

<http://stpaul.gov/index.aspx?NID=3436>

Thank you

Sonja Butler

Planning Commission Secretary/Office Assistant IV

1400 City Hall Annex

25 Fourth Street West

Saint Paul, MN 55102

651-266-6573



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: August 29, 2014
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of August 28, 2014, Zoning Committee Hearing

- 1 **PRESENTATION: Enforcement of permit conditions**
Wendy Lane, Zoning Administrator
Dan Niziolek, DSI Deputy Director and License Manager

OLD BUSINESS

2. **More 4 A Buck (14-308-882)**
Change of nonconforming use permit for auto repair and outdoor auto sales.

Address: 1176 Dale Street N
District Comment: District 6 recommended denial
Support: 0 people spoke, 0 letters
Opposition: 1 person spoke , 1 letter
Hearing: closed
Motion: Denial

<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
Approval with conditions	Denial (4 - 2 - 1) (Edgerton, Nelson) (Merrigan abstained)

NEW BUSINESS

3. **Premier Storage (14-319-416)**
Nonconforming use permit (reestablishment and change) for an indoor rental storage facility

Address: 543 James Ave
NW intersection at Duke
District Comment: District 9 recommended denial
Support: 1 person spoke, 0 letters
Opposition: 1 person spoke , 8 letters
Hearing: closed
Motion: Approval with conditions

<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
Approval with conditions	Approval with conditions (4 - 2) (Reveal, Wenc)

		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
4.	River Road II Investments (14-319-307) Conditional use permit for a 69-unit assisted living/memory care facility, with density, front yard setback, and lot coverage variances.	Approval with a condition	Approval with a condition (6 - 0)
	Address: 1925 Norfolk Ave District Comment: District 15 recommended approval Support: 0 people spoke, 1 letter Opposition: 0 people spoke , 0 letters Hearing: closed Motion: Approval with a condition		
		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
5.	Cash-N-Pawn (14-316-218) Expansion of a nonconforming use pawn shop	Approval with conditions	Laid Over (6 - 0)
	Address: 490 University Ave W SE corner of University Avenue and Mackubin District Comment: District 8 recommended denial Support: 0 people spoke, 0 letters Opposition: 0 people spoke , 1 letter Hearing: closed Motion: Lay over to September 11, 2014		
		<u>Recommendation</u>	
		<u>Staff</u>	<u>Committee</u>
6.	344 Summit Hotel (14-316-432) Conditional use permit for reuse of large structure for boutique hotel	Denial	Approval with conditions (4 - 1) (Nelson)
	Address: 344 Summit Ave between Western and Virginia District Comment: 8 recommended approval with conditions Support: 1 person spoke, 1 letter in support, 1 letter in support with conditions Opposition: 3 people spoke , 6 letters Hearing: closed Motion: Approval with conditions		



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Date: August 27, 2014

To: Chair Gaius Nelson
Members of the Zoning Committee of the Planning Commission

From: Wendy Lane
Zoning Administrator

Re: Enforcement Background

I am on your agenda for tomorrow's Zoning Committee to talk about zoning enforcement. I will be providing a short presentation along with Dan Niziolek, the new Department of Safety and Inspections (DSI) Deputy Director and License Manager. I thought it would be useful to provide some background information prior to your meeting.

Before a site plan is approved or a building permit or business license is issued, staff checks to see if there were any zoning permits approved by the planning commission, the board of zoning appeals or the city council for the proposed use and makes sure the application is in compliance with any conditions imposed.

A DSI zoning inspector follows up on the conditions of approval following these steps:

- Check the computerized address file to see if required building permits and approvals were obtained and finalized. If the work is still underway, set the recheck date out to a later time.
- If site plan approval was required, pull the approved site plan and letter of approval so that all zoning issues can be inspected at the same time.
- Inspect the property to determine if the conditions are met and if the site work meets the approved site plan.
- If the work is in progress or has not yet started, set the follow-up inspection to a later date. If the two year time line has expired and a permit has not been issued, set the computer system file to "expired".
- If a violation is observed, make a note and take photos of the violation.
- Send a written letter to the applicant and property owner explaining the violation, giving them their options to resolve the matter and a deadline to come into compliance. Enter all information into the computer system.
- Recheck after the specified deadline to see if the violation is corrected. If not, talk to the applicant or property owner to see what the problem is. If they need additional time, give them a reasonable extension depending on the circumstances. If needed, send a second, more forceful order.
- If the violation is still not corrected, look at compliance tools to determine the most effective next step. Options: Send it back to the planning commission, board of zoning appeals, or city council; initiate adverse action against the business license; pull the certificate of occupancy; abate under the nuisance ordinance; take legal action.

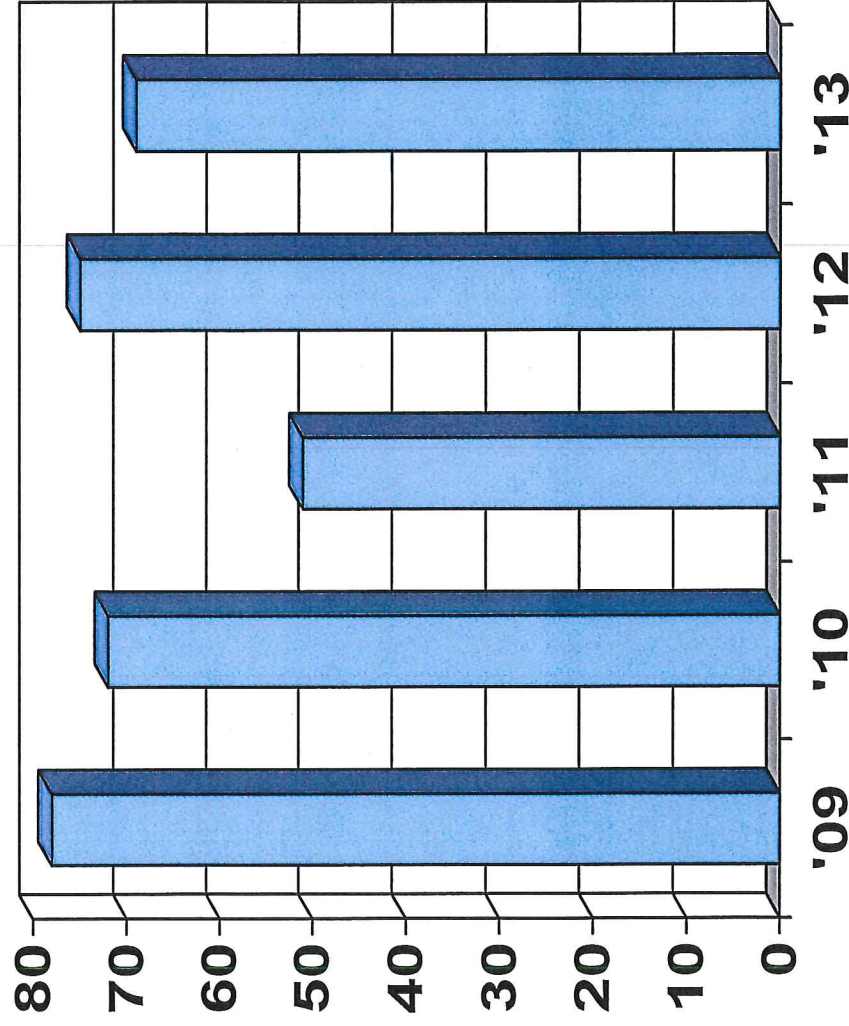
There is staff assigned to zoning in both the Planning and Economic Development Department and in DSI. The DSI zoning responsibilities are:

- Coordinate site plan reviews
- Staff the Board of Zoning Appeals
- Review new building permit applications for new and additions to single family dwellings and duplexes for compliance with zoning and design standards; review new building permit applications for cell telephone antennas, solar panels, and demolitions; review animal permit applications for chicken coops and bee hives
- Review and issue sign permits
- Review and approve or deny applications for sober houses, student dwellings, statements of clarification, nonconforming vacant buildings, urban agriculture
- Prepare letters of compliance
- Provide customer service at the front counter, by phone, by email
- Enforce violations of the zoning code

Every year I prepare summary statistics on zoning activities. Attached are a few charts that reflect zoning activities as of the end of 2013. Also attached is the organization chart for the DSI.

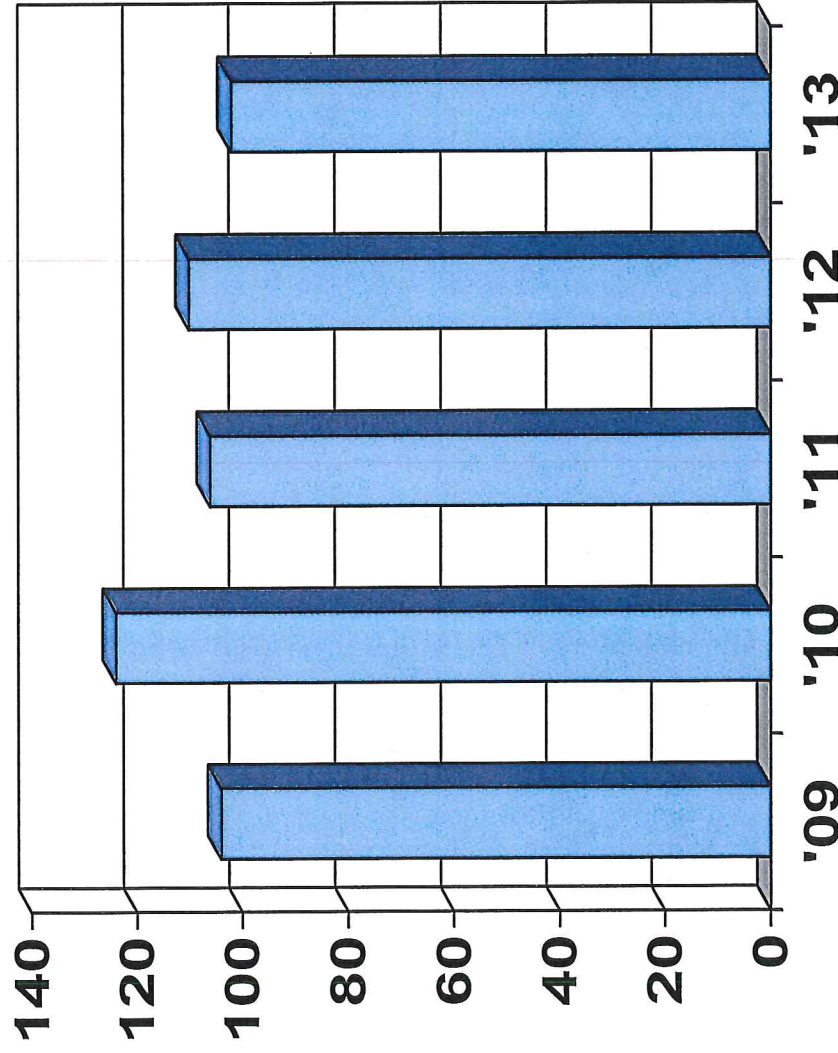
If you have any questions about any of this material I can certainly discuss it in greater detail tomorrow at your meeting.

NUMBER OF ZONING VARIANCES AND APPEALS BEFORE THE BOARD OF ZONING APPEALS



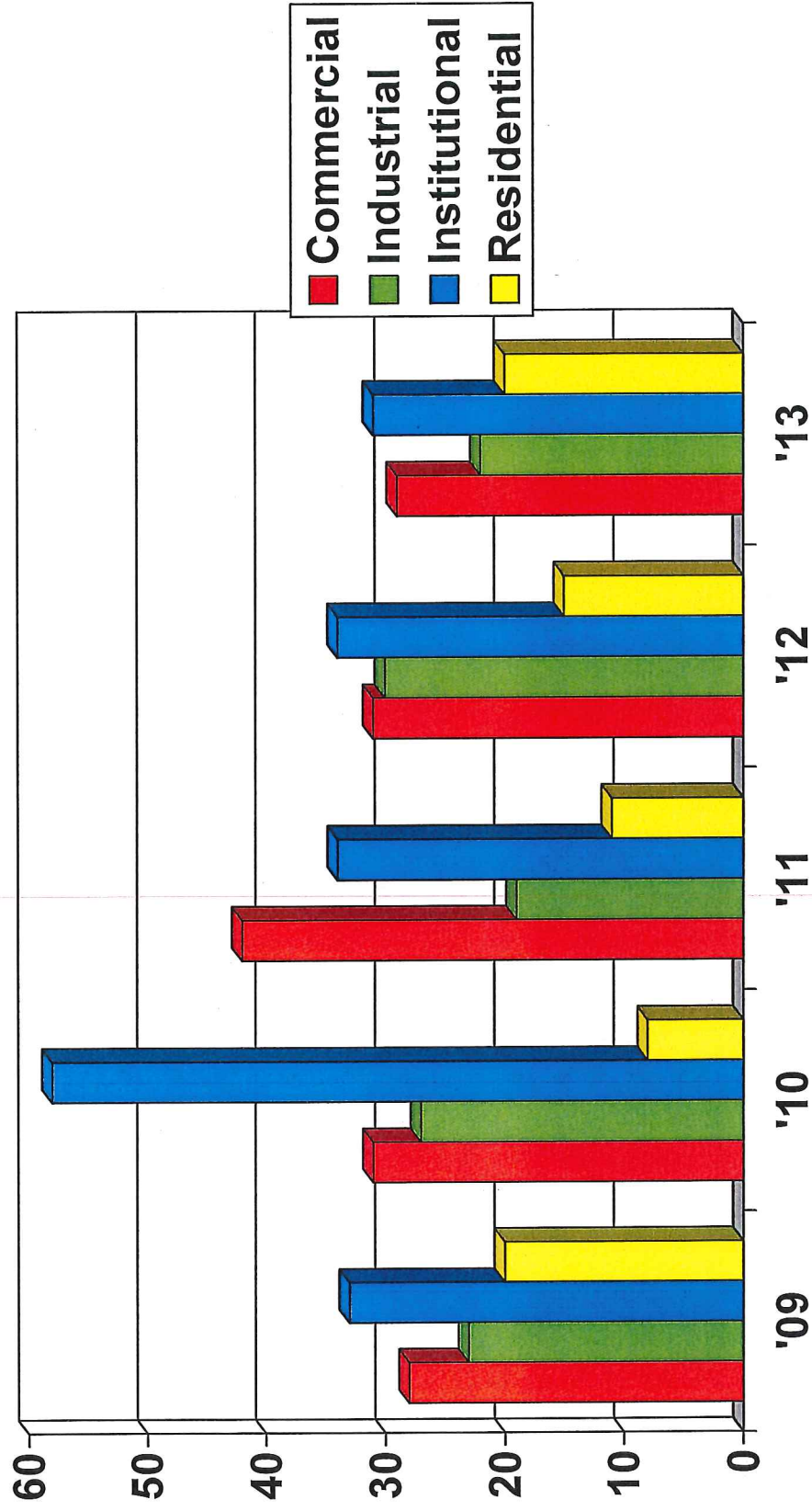
- The average number of variance and appeal cases processed over the past five years is 69. The number of cases in 2013 was 69, right on average.
- The types of The types of variance cases in 2013 were for:
 - New/additions to residential uses - 41%
 - Signs – 23%
 - Parking – 20%
 - Garages/accessory structures - 13%
 - Floor area ratio – 1%
 - Administrative review – 1%
- There were 7 appeals of BZA decisions to the City Council in 2013.

NUMBER OF SITE PLAN REVIEWS PROCESSED

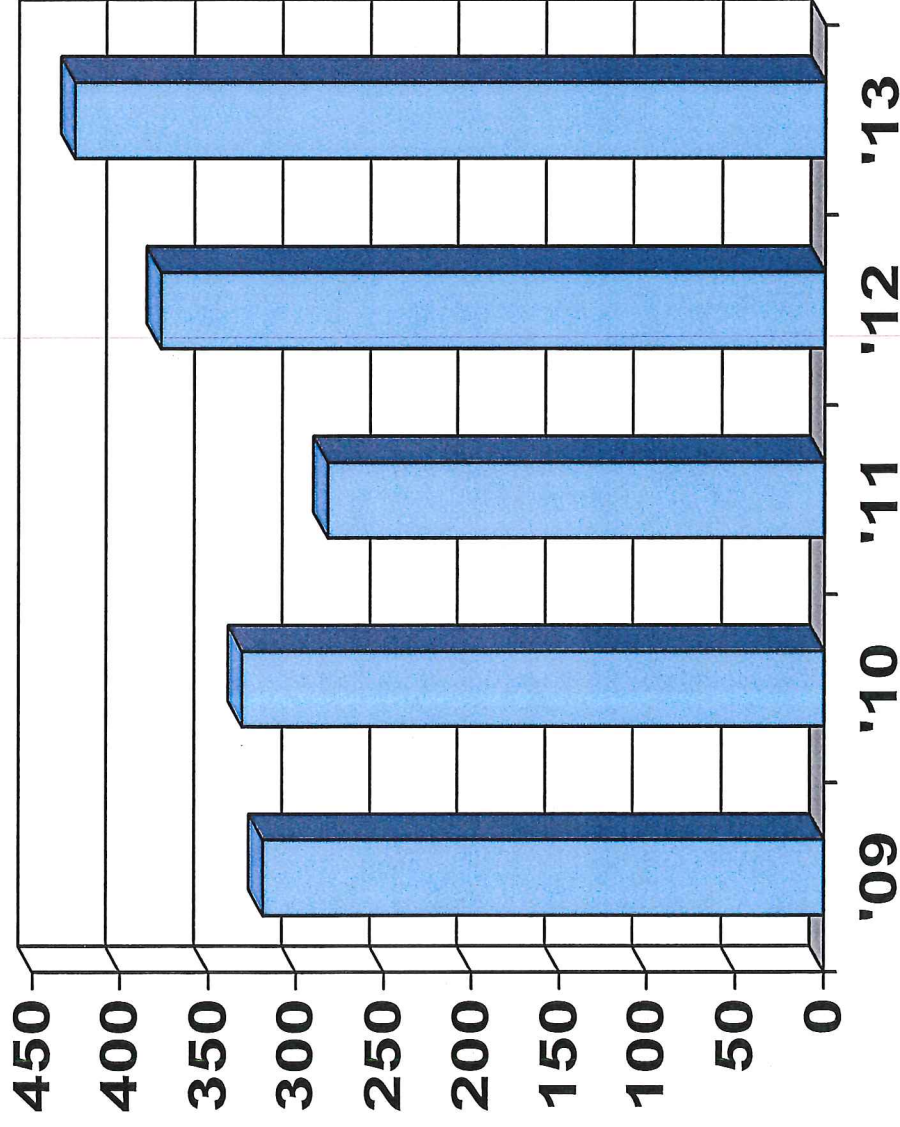


- The average number of site plan cases processed over the past five years is 109. The number of cases in 2013 was 102.
- The types of site plan review cases for 2013 were for:
 - Commercial - 28%
 - Institutional - 30%
 - Industrial - 22%
 - Residential – 20%
- Three site plan review cases were reviewed by the Planning Commission.

TYPES OF SITE PLANS PROCESSED

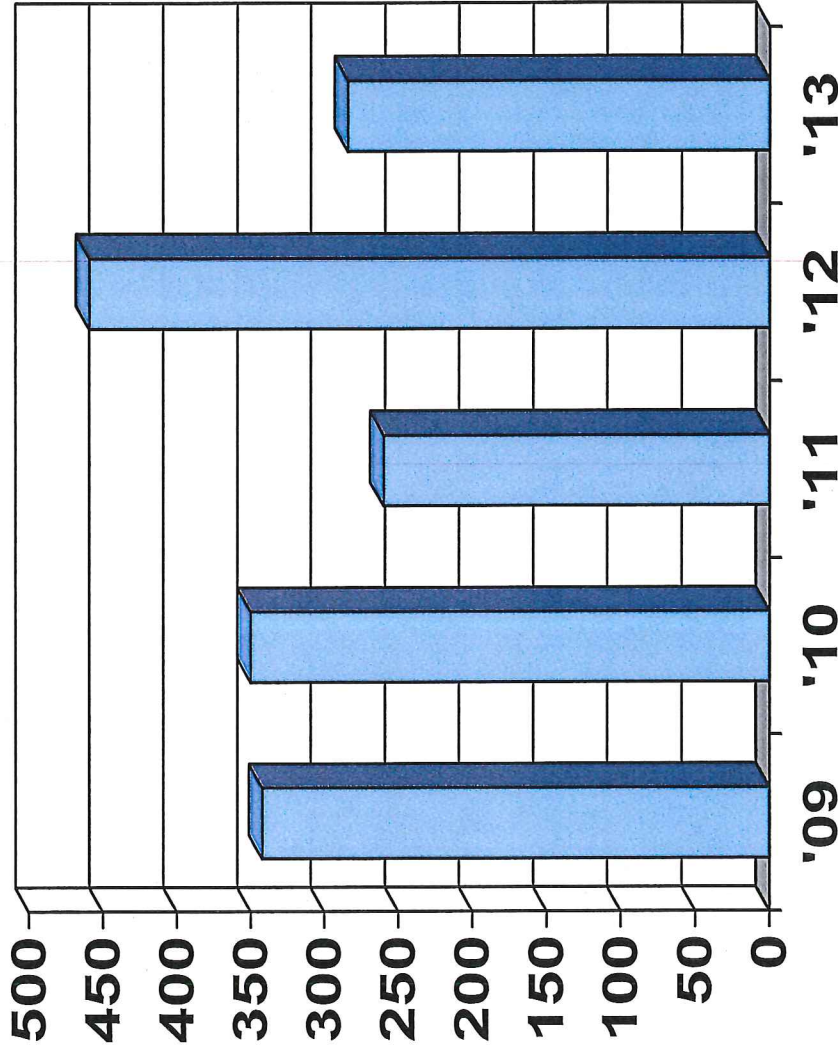


NUMBER OF SIGN PERMITS PROCESSED



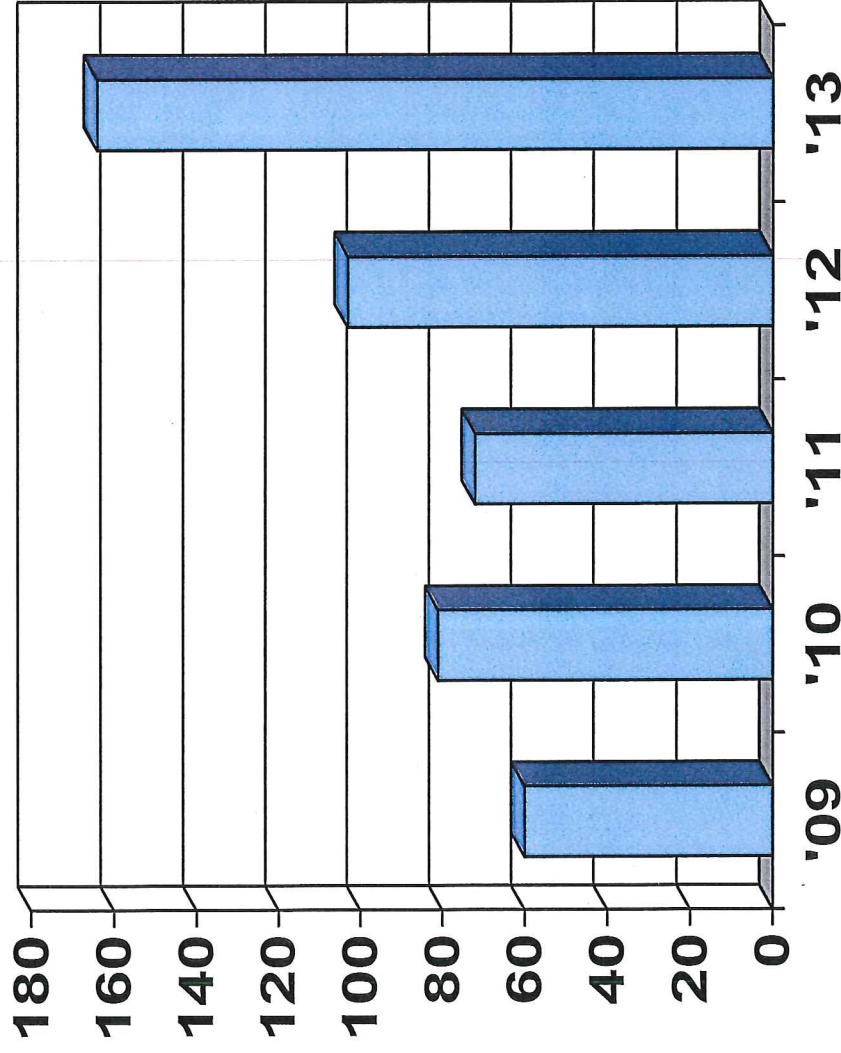
- The average number of sign permits processed over the past five years was 347. There were 426 sign permits issued in 2013, a 13% increase over the number of sign permits processed in 2012.
- 18% of all sign permits were for temporary signs.
- There were 10 permits issued for signs with dynamic display.

NUMBER OF ZONING COMPLAINTS RECEIVED



- The average number of zoning complaints received over the past five years was 339. There were 284 zoning complaints submitted in 2013.
- The spike in 2012 can be largely be attributed to the window and temporary sign enforcement program using student interns in November and December.
- The most frequent types of complaints in 2013 were about:
 - Signs - 50%
 - Home businesses – 11%
 - Residential auto repair - 7%

NUMBER OF ZONING COMPLIANCE LETTERS SENT



- Letters are required by lending institutions for multifamily and commercial loans verifying zoning compliance.
- The average number of zoning compliance letters sent in the past five years was 96. There were 164 compliance letters sent in 2013, a 59% increase over the number sent in 2012.

Fire Chief
 Tim Butler

Fire Marshal
 Steve Zaccard

Office of the Director
 Director of Safety & Inspections
 (1.0 FTE)

Technology Services 2.0 FTE's Procedures Coordinator Office Assistant III	Human Resources - Business Review Council 1.0 FTE Administrative Assistant Administrative Support 1.0 FTE Environmental Health Spec III	Finance Management 2.0 FTE's Accountant IV Accounting Tech I
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Building Official
 Building Official

Housing and Building Inspections
 Deputy Director
 (1.0 FTE)

Code Enforcement
 (20.0 FTE's)

Housing & Code Enforcement Manager
 1.0 FTE

Code Enforcement
 10.0 FTE's

East Team
 DSI Inspector II
 DSI Inspector I
 DSI Inspector I
 DSI Inspector II
 Intern

Case Managed Properties
 DSI Inspector III
 DSI Inspector I

Vacant Buildings
 9.0 FTE's

East Team
 DSI Inspector III
 DSI Inspector II
 DSI Inspector II
Sale Approval
 DSI Inspector III

Truth In Sale of Housing
 Management Asst III

Fire Safety
 (24.0 FTE's)

Assistant Fire Marshal
 1.0 FTE

Commercial & Engineering
 9.0 FTE's

Fire Protection Engineer
 Fire Prevention Insp II
 Fire Sprinkler Insp.
 Fire Prevention Insp I
 Fire Sprinkler Insp.
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I

Residential West
 7.0 FTE's

Fire Prevention Insp II
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I

Residential East
 7.0 FTE's

Fire Prevention Insp II
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I
 Fire Prevention Insp I

Electrical
 7.0 FTE's

Sr Electrical Insp
 Electrical Inspector
 Electrical Inspector
 Electrical Inspector
 Electrical Inspector
 Electrical Inspector

Plan Review
 6.0 FTE's

Sr Plan Examiner
 Plan Examiner II
 Structural Engineer
 Plan Examiner I
 Plan Examiner II
 *Plan Examiner I
 Intern

Elevator
 3.0 FTE's

Sr Elevator Inspector
 Elevator Inspector
 Elevator Inspector

Plumbing
 6.0 FTE's

Sr Plumbing Insp
 Plumbing Inspector
 Plumbing Inspector
 Plumbing Inspector
 Plumbing Inspector
 Plumbing Inspector

Building Inspection
 10.0 FTE's

Building Inspector
 Building Inspector
 Building Inspector
 Building Inspector
 Building Inspector
 Building Inspector
 Building Inspector
 Building Inspector

Mechanical
 4.0 FTE's

Sr Mech Insp Pipefitter
 Mechanical Inspector
 Mechanical Inspector
 Mechanical Inspector

Mechanical
 Sheetmetal
 3.0 FTE's

Sr. Mech. Insp. Sheet Metal
 Sheet Metal Inspector
 Sheet Metal Inspector

*Vacant

Licensing, Permits, and Customer Service
 Deputy Director
 (1.0 FTE)

Information & Complaint
 5.0 FTE's

DSI Inspector III
 Office Assistant II
 Office Assistant III
 Office Assistant III
 DSI Inspector II

Site Plan Review
 7.0 FTE's

Zoning Manager
 DSI Inspector III
 DSI Inspector III
 DSI Inspector I
 Water Resource Coordinator
 DSI Inspector III
 DSI Inspector II
 Intern
 Intern

Animal Control
 9.0 FTE's

Animal Control Supv
 Animal Control Officer
 Office Assistant III
 Office Assistant II
 Animal Control Officer
 Animal Control Officer
 Custodian-Eng I
 Animal Control Officer

Clerical Support
 15 FTE's

Office Manager
 License Clerk
 Office Assistant III
 Customer Serv Spec
 Office Assistant II
 License Clerk
 Building Permit Clerk
 Office Assistant IV
 Office Assistant IV
 Customer Serv Spec
 Secretary Steno
 Building Permit Clerk
 Building Permit Clerk
 Office Assistant II
 *Customer Serv Spec

Licensing & Skyway Mgmt.
 7.0 FTE's

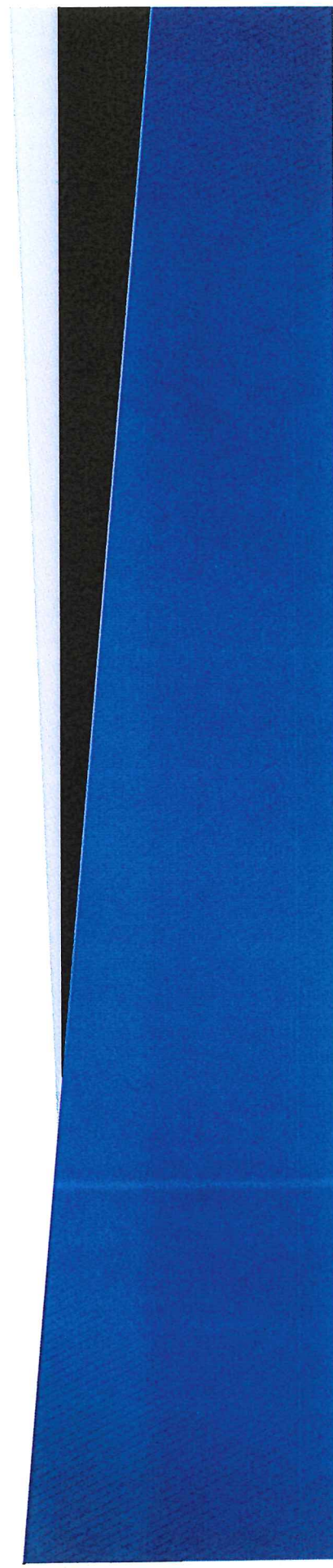
DSI Inspector III
 DSI Inspector III
 DSI Inspector III
 DSI Inspector III
 Env Health Specialist II
 DSI Inspector III
 *DSI Inspector III
 Gambling Enforcement
 1.0 FTE
 Police Sergeant

*Vacant

ZONING ENFORCEMENT

Zoning Committee of Planning Commission
8-28-14

Wendy Lane, Zoning Administrator
Dan Niziolek, DSI Deputy Director and License Manager



Dept. of Safety and Inspections

- ▶ The Department of Safety and Inspections (DSI) is a multi-discipline regulatory department that works to preserve and the improve the quality of life in St. Paul by protecting and promoting the public health and safety of all.



DSI

- ▶ DSI is composed of the following divisions:
 - Zoning
 - Business licensing
 - Code enforcement
 - Construction services
 - Fire safety
 - Call center
 - Animal control



DSI Functional Organization

City of Saint Paul
Department of Safety and Inspections (DSI)
May 2014

Office of the Director

- ❖ Leadership Direction
- ❖ Administrative Support
- ❖ Finance Management
- ❖ Human Resources
- ❖ Technology Management
- ❖ Public Information

Housing and Building Inspections

Plan Review

- ❖ Reviews Plans for Compliance with Appropriate State, Federal & Local Codes
- ❖ Coordinates the Approval Process for Build Permit Review & Issuance
- ❖ Schedules Meetings to Review Proposed Construction Projects
- ❖ Administers Sewer Availability Charges (SAC) Program for Metropolitan Council

Fire Safety Inspection

- ❖ Inspections of Commercial, Multifamily Residential & Non-Owner Occupied I & II Residential for Fire, Life Safety and Property Maintenance
- ❖ Investigates Complaints from Citizens & Other Municipal Departments with regard to the Occupancy & Use of Non-Owner Occupied Residential & Commercial Properties
- ❖ Fire Protective System Plan Review and Inspection including Fire Sprinkler, Fire Alarm, Fire Stand Pipe and Commercial Kitchen Hood Systems
- ❖ Fire Investigation Follow-up for Evaluation of Habitability Condition & Code Compliance
- ❖ Issue Fire Permits and Conduct Inspections-Tents, Propane, Fireworks, Open Burning, Above & Underground Fuel Tanks, Public Assemblies & Temporary occupancies
- ❖ DSI Emergency Management Liaison

Building Official

- ❖ Administers State Delegation Agreement
- ❖ Oversight of Construction Services Division

Construction Services

- ❖ Inspection of New & Existing Structures
- ❖ Inspect & Enforce Codes for Buildings, Mechanical Systems, Zoning, Fencing, Signage, HPC, Erosion Control & Vacant Buildings
- ❖ Investigate Complaints
- ❖ Authorize & Issue Exams for Licensing Contractors to Work in Saint Paul
- ❖ Liaison Between Various Trades and Divisions Coordinating Projects

Code Enforcement

- ❖ Investigate Exterior Complaints - Garbage/Rubbish, Tall Grass Weeds, Snow/Ice & Graffiti
- ❖ Interior Violations - Owner Occupied Properties
- ❖ Vacant Buildings - Inspect and Monitor Vacant Properties
- ❖ Nuisance/Dangerous Buildings-Repair or Remove
- ❖ Truth-In-Sale of Housing Program
- ❖ Right-of-Way Program-Sign or Other Enforcement
- ❖ Homeless Camp Enforcement

Licensing, Permits, and Customer Service

Information & Complaint

- ❖ Answer Calls Requesting Information
- ❖ Complaint Calls Taken & Processed
- ❖ Enter & Assign Complaints in AMANDA

Zoning & Site Plan Review

- ❖ Coordinates Site Plan Reviews
- ❖ Staffs the Board of Zoning Appeals (BZA)
- ❖ Sign Regulation
- ❖ Zoning compliance
- ❖ Zoning & Sign Complaints Investigation
- ❖ Inspects and Enforces Sites for Compliance with Approved Site Plans
- ❖ Reviews Construction Plans for Compliance with Design Standards
- ❖ Zoning Compliance Letters for Lending Institutions
- ❖ Investigates Drainage, Erosion & Sediment Control, Wetland and Floodplain Problems

Licensing & Skyway Mgmt.

- ❖ Assist Individuals, New & Existing Business, & Developers Navigate the Regulatory Process
- ❖ Review License Applications, Conduct Inspections & Issue Licenses
- ❖ Investigate License Complaints
- ❖ Conduct Liquor & Cigarette Compliance Checks
- ❖ Inspect Taxi Cabs & Sanitary Disposal Vehicles
- ❖ Charitable Gambling Enforcement
- ❖ Skyway Use & Maintenance Management
- ❖ Process Sound Level Variances
- ❖ Investigate Noise, Pollution & Nuisance Complaints
- ❖ Special Event License/Permit Coordination

Animal Control

- ❖ Enforcement of City & State Animal Laws
- ❖ Domestic Animal Complaint Investigation
- ❖ Pest and Nuisance Animal Complaint Investigation
- ❖ Pest and Nuisance Animal Control - Rats, Nuisance, Sick or Injured Wildlife
- ❖ Shelter Operations - Care for Impounded Animals
- ❖ Animal License & Permit Processing
- ❖ Work with Veterinarians & Rescue Agencies

Clerical Support

- ❖ Process all Licenses, Permits & Payments
- ❖ Process all Certificate of Occupancy Payments & Certificates
- ❖ Process Nuisance & Dangerous Dogs Reports
- ❖ Handle Clerical Administration for the BZA & Service Zoning Area Needs
- ❖ Handle Clerical Administration of Hearings, Adverse Actions & Category 3 Nuisance Building Demolition Projects
- ❖ Process & Enter all Truth-In-Sale-Of-Housing Reports, Vacant Code Compliance Reports & Certificates & Elevator Inspection Reports & Certificates
- ❖ Process all Trade Worker Certificates of Competency, Trade Worker Licenses & Provide Clerical Administration of Competency Exams
- ❖ Process Online Registrations for Online Permit Entry
- ❖ Department Purchasing
- ❖ Administration of LEP Program
- ❖ Process Incoming & Outgoing Mail
- ❖ Receives & Distributes Incoming Mail
- ❖ Maintains Record File Room

DSI

- ▶ In addressing safety, health, and neighborhood livability issues, DSI is able to utilize numerous codes, ordinances and statutes; including:
 - Zoning code
 - Business licensing ordinances and statutes
 - Housing maintenance code
 - Fire code
 - Building code
- ▶ When issues are identified, DSI works to coordinate enforcement efforts to ensure efficient and effective resolution.



Zoning Code

- ▶ **Sec. 61.108. Conditions violated, permit revocation.**
- ▶ The zoning administrator shall notify the planning commission or the board of zoning appeals when a development covered by a site plan, permit, variance, determination of similar use, or other zoning approval is not in compliance with any of the conditions imposed upon such use approval. The commission or the board may, at a public hearing, following notice to the owner of subject property and other adjacent property owners as specified in section 61.303(c), and upon determination that the conditions imposed by such approval are not being complied with, revoke the authorization for such approval and require that such use be discontinued. The commission or the board, in lieu of revoking the permission, may impose additional conditions, modify existing conditions, or delete conditions which are deemed by the commission or the board to be unnecessary, unreasonable or impossible of compliance.



Zoning Code

- ▶ Sec. 61.901. Violations.
- ▶ Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor. In addition, the owner or lessee of any building, structure or premises or part thereof, where any condition in violation of this code shall exist or be created, and who has assisted knowingly in the commission of such violation, shall be guilty of a separate offense, and upon conviction thereof shall be guilty of a misdemeanor.



Conditions of Zoning Approval

- ▶ Planning Commission
 - Conditional use permit
 - Nonconforming use permit
 - Determination of similar use
 - Site plan
 - Appeal
- ▶ Board of Zoning Appeals
 - Variance
 - Appeal
- ▶ City Council
 - Interim use permit
 - Appeal



Conditions Reviewed

- ▶ Conditions of zoning approval are reviewed when applications are submitted for:
 - Site plans
 - Permits
 - Licenses
- ▶ When licenses are issued by the city, any applicable zoning condition is added as a condition to the license.



New Construction

- ▶ Building inspectors check construction sites for compliance with zoning by inspecting such things as the location of buildings, erosion and sediment control installation, stormwater retention systems, grading, completion of the parking lot, curb cuts, ground cover. They sign off on FEMA forms when needed prior to building occupancy and coordinate with the watershed district on water issues.



Follow-Up Inspections

- ▶ Before a zoning case is closed, a follow-up inspection is done by zoning staff to ensure compliance with conditions of approval.
- ▶ If conditions are not met, an order is sent to bring the property into compliance.
- ▶ If the noncompliance continues, staff looks at all of the enforcement tools available, depending on the type of violation:
 - Take it back to the planning commission, board of zoning appeals, or city council
 - Initiate adverse action against the business license
 - Revoke the certificate of occupancy
 - Take action under the nuisance ordinance
 - Take legal action



Follow-Up Inspections

- ▶ If all zoning conditions are met, the case is closed and further inspections are only made in response to a complaint.
- ▶ If conditions are added to a license, new complaints result in a license investigation.



Staff Resources

- ▶ MN Statute 15.99 requires that a decision on all zoning applications must be made within 60 days or they are automatically approved. Consequently, new applications are a priority, and investigating complaints and following up on zoning approvals (site plans, planning commission permits, and variances) have had a lower priority.
- ▶ Code enforcement inspectors have started handling zoning complaints about home occupations, illegal duplexes, excessive garage sales, and parking in front yards.
- ▶ Student interns and temporary staff have helped to follow up on approved site plans and conditions of zoning approvals. They have also been used to investigate complaints about signs. In 2015, a half time FTE will be added to the zoning staff.

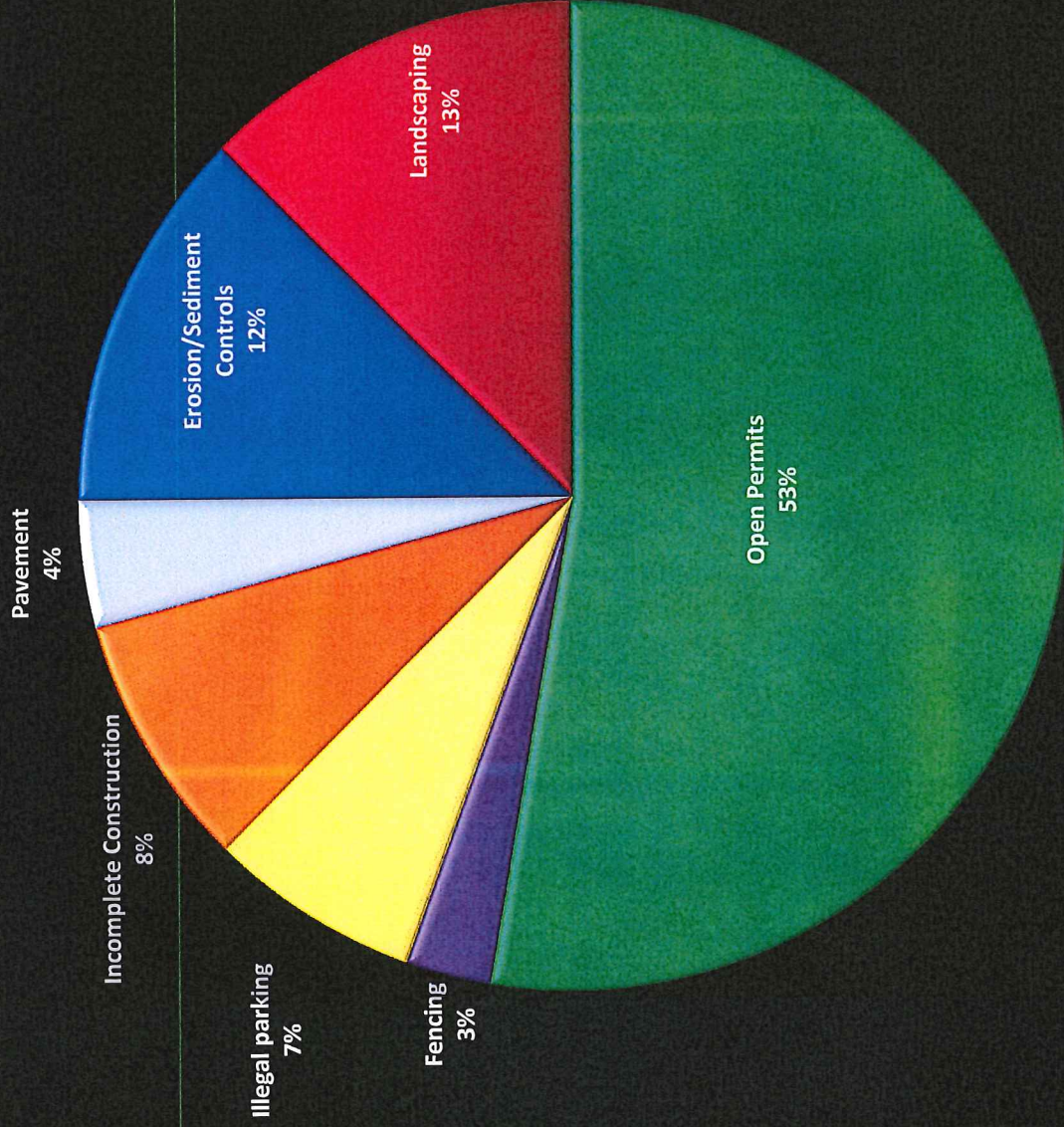


Site Plan Inspections

- ▶ Due to a backlog in conducting final inspections of sites to determine compliance with the approved site plan, two student interns inspected 178 sites over the summer.
- ▶ 59% of sites were found to be in compliance and an additional 6% came into compliance after a written order was sent.
- ▶ Of the 82 sites not in compliance, the reasons are:



Issues within Non-Compliant Site Plans



-Fencing:
Mislocated fence or different building material

-Illegal parking:
Stacked, excess, or inaccurate parking

-Incomplete Construction:
Unfinished or missing components

-Pavement:
Different material used or insufficient amount

-Erosion/Sediment controls:
Discrepancies with Erosion Control Plan or leftover materials

-Landscaping:
Insufficient or wrong type of landscaping

-Open Permits:
Of the 38 Site Plans with Open Permits, below is the number of different permits open for each type:

Building: 25
Sewer: 17
Water: 9