

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Patrick Nseumen, File # 15-173-084, has applied for a rezoning from RT1 Two-Family Residential to T2 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 805 Hudson Road, Parcel Identification Number (PIN) 32.29.22.41.0147, legally described as Willius Sub Of B57 Lyman Dayto Subj To Esmts The Fol Part Nly Of Hudson Rd Of Lots 14 15 And Lot 16 Blk 57; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 24, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests rezoning from RT1 Two-Family Residential to T2 Traditional Neighborhood to allow for a café with drive-through that also acts as a commissary for a mobile food vending business. If the rezoning is approved, a conditional use permit would be needed to allow for the drive-through use.
2. The previous use was a service business, which is first permitted in the T1 Traditional Neighborhood district. The requested café and drive-through uses are first permitted in the T2 district. It is not clear how a commissary would be classified by the Zoning Code.
3. The proposed zoning is consistent with the way this area has developed. It allows for a commercial use on this site with a commercial building. The T2 district is intended for use in existing or potential pedestrian and transit nodes, to foster and support compact, pedestrian-oriented commercial and residential development. The Gold Line Bus Rapid Transit project may provide a major transit station about 3 or 4 blocks to the northwest.
3. The proposed zoning is not consistent with the Comprehensive Plan. The Gold Line Station Area Plans, adopted in October 2015, identifies the subject site as being within the Mounds Station Area. The Mounds Station Area Plan chapter identifies a "Primary Transit-Oriented Development (TOD) Zone" about 4 blocks north of the subject site along 3rd Street between Mounds Boulevard and Maria Avenue, and along Maria Avenue between 3rd Street and 4th Street. The Plan states that "established residential areas outside the Primary TOD Zone," such as the subject site, "should maintain their character". The proposed rezoning would change the site's character by allowing uses more intense than the previous use, which is first allowed in the T1 district.

moved by _____
seconded by _____
in favor _____
against _____

4. The proposed zoning is not compatible with the surrounding residential uses at this location. Though the site is located at the intersection of two collector streets, its small size and close proximity to residential make T2 uses, which are more intense than the previous use and have a service area beyond the neighborhood, incompatible at this location.
5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "*applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property.*" The proposed T2 zoning does represent "spot zoning" at this location in that it establishes a use classification that is inconsistent with the surrounding uses. T2 at this location would be an island of nonconforming use within the larger RT1-zoned area. Unlike T1 zoning, T2 is not intended to serve as a transitional zoning district to residential uses and it includes uses that would be inconsistent with the surrounding uses.
6. The petition for rezoning was found to be sufficient on October 28, 2015: 8 parcels eligible; 6 parcels required; 6 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Patrick Nseumen for a rezoning from RT1 Two-Family Residential to T2 Traditional Neighborhood for property at 805 Hudson Road be denied.

city of saint paul
planning commission resolution
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WHEREAS, Omar's Auto, File # 15-173-542, has applied for a conditional use permit for an auto specialty store (tire shop) with modification of required landscaped buffer area width along residentially zoned property (10 ft. required; proposed 9ft. along N property line and 7.5 ft. along E property line) under the provisions of §65.703, §65.704, §61.501, §61.502 of the Saint Paul Legislative Code, on property located at 619 St Anthony Ave, Parcel Identification Number (PIN) 362923320099, legally described as Mackubin And Marshalls addition subj to rd; Lot 16 and all of Lots 17 throug Lot 19 Block 11; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 24, 2015, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is seeking a conditional use permit for the establishment of an auto specialty store (tire shop) with modification of the required landscaped buffer area width along residentially zoned property (10 feet required, 9 feet proposed along north property line and 7.5 feet proposed along east property line). The proposed business would be located in the existing building with hours of operations seven days per week from 9:00 AM to 9:00 PM.
2. Ramsey County Public Works is planning an interchange reconstruction on Dale Street between Iglehart Avenue and University Avenue slated to start in 2017. The County anticipates the property will remain viable after construction, but construction will require acquisition of additional right of way from this property. Ramsey County Public Works has tentatively agreed to remove the two curb cuts nearest to the Dale Street - St. Anthony Avenue intersection (the south curb cut on Dale St. and the west curb cut on St. Anthony Avenue) and restore the associated curb and boulevard as part of the future acquisition.
3. §65.703 lists the standards and conditions that auto service stations and auto specialty stores, must meet:
 - (a) *The construction and maintenance of all driveways, curbs, sidewalks, pump islands or other facilities shall be in accordance with current city specifications. Such specifications shall be developed by the planning administrator, traffic engineer and city fire marshal, and shall be approved by the planning commission, and filed with the city clerk. This condition can be met subject to closure and removal of the two curb cuts/driveways*

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in favor _____
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closest to the Dale Street-St. Anthony Avenue intersection, reconstruction of the associated curbs and boulevards, widening of the two remaining curb cuts, and patching of deteriorated pavement in accordance with city standards, with all of this work subject to review and approval under the City site plan review process. Dale Street is a Ramsey County roadway and St. Anthony Avenue is an Interstate-94 frontage road subject to Minnesota Dept. of Transportation standards. The City site plan review process would coordinate the work with the three jurisdictions involved (City of Saint Paul, Ramsey County, and MnDOT).

- i. Closure of curb cuts/driveways: The south driveway/curb cut on Dale St. and the west driveway/curb cut on St. Anthony Ave. are within 30 feet of the Dale Street - St. Anthony Avenue intersection, which is not in accordance with current City requirements. The site plan submitted by the applicant indicates the closure and removal of these two curb cuts; closure should be required prior to occupancy of the property for the proposed use.
 - ii. Restoration of curbs and boulevards: With the tentative agreement by Ramsey County Public Works to remove the two curb cuts and driveways nearest to the Dale Street - St. Anthony Avenue intersection and restore the associated curb and boulevard as part of the future acquisition, restoration of the curbs and boulevards in these areas should be completed along with the Dale Street widening and reconstruction or by June 30, 2018, whichever is sooner.
 - iii. Widening of remaining curb cuts: The existing eastern curb cut on St. Anthony Avenue is 23 feet wide and the northern curb cut on Dale Street is only 16 feet wide, both less than current City width standards for this use and location. Rebuilding these curb cuts in accordance with City standards as determined by City traffic engineer should be a condition of approval. To coordinate this with the pending Ramsey County reconstruction and widening of Dale Street, widening of these curb cuts should be completed along with the Dale Street widening and reconstruction or by June 30, 2018, whichever is sooner.
 - iv. Patching of pavement: The pavement at the subject property is at the end of its life and needs to be resurfaced, as indicated in the submitted site plan. Resurfacing of the pavement should be a condition of approval.
- (b) *A ten-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.*
This condition is not met. The existing north buffer area is only 9 feet wide and the existing east buffer is only 7.5 feet wide, there is no screen planting in these areas, and where remnants of an obscuring fence exist it is in disrepair. The applicant has requested a modification of the required 10-foot width of the buffer areas. The screen planting and obscuring fence requirements can be met subject to installation of a new fence and plantings.
- (c) *The minimum lot area shall be fifteen thousand (15,000) square feet, and so arranged that ample space is available for motor vehicles which are required to wait. Auto service stations which are intended solely for the sale of gasoline, oil and minor accessories and having no facilities for incidental servicing of automobiles (including lubricating facilities) may be permitted on a lot of twelve thousand (12,000) square feet, subject to all other provisions herein required.* This condition is met. The parcel is 17,820 square feet in area.

- (d) *Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.* This condition can be met. The applicant has been informed of and agreed to the prohibition of accessory sales of goods and equipment located in the required setback, parking or maneuvering space.

Additional standards and conditions in traditional neighborhood and IT industrial districts do not apply. The subject property is zoned B2.

4. §61.501 lists five standards that all conditional uses must satisfy:

- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The proposed use meets policies from the Comprehensive Plan and the Dale Station Area Plan. The Future Land Use Map, Figure LU-B, of the Comprehensive Plan shows the site as part of a Mixed-Use Corridor. This future land use category includes "areas where two or more of the following uses are or could be located: residential, commercial, retail, office, small scale industry, institutional, and open spaces." The proposed use also supports the following policies from the Dale Station Area Plan: 4.4.1a) *Buildings of up to 3 stories will assist in repairing the gaps in the street fabric while providing an appropriate scale and transition to the abutting residential neighborhoods,* and 4.4.2a) *Land uses that bring new jobs should be encouraged: The size and location of these parcels relative to Interstate 94...a range of uses, including multi-unit residential, live/work, retail and employment, is appropriate as well.*
- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition can be met subject to the closure and removal of the two curb cuts and driveways closest to the intersection of Dale Street and Saint Anthony Avenue, and widening of the remaining two curb cuts, as addressed in finding 3(a) above.
- (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* The proposed use is generally consistent with the existing character of development in the area, which is a mix of multifamily residential and commercial. It will not endanger public health, safety, or general welfare subject to the closure and removal of the two curb cuts closest to the intersection and widening of the remaining two curb cuts as addressed in finding 3(a) above, and provision of a landscaped buffer and visual screening as required by Zoning Code for auto service stations that adjoin a residential use or zoning district.
- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. Reuse of this site as an auto service station will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition can be met subject to conditions that the landscaped yard along the north side of public sidewalk on St. Anthony Avenue is extended west where the curb cut is being closed and removed, that at least two trees are planted and maintained in the landscaped yard along the north side of public sidewalk on St. Anthony Avenue, that trees and screening landscaping are planted and maintained in the landscaped buffer areas along the north and east edges of the lot, all as required in Zoning Code §§ 63.314 and 63.115, and that there shall be no outdoor storage or

servicing (Zoning Code § 66.441 states that in the B2 district all storage and servicing shall be within a completely enclosed building).

5. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.*

These criteria can be met for the requested modification of the required 10-foot width of the buffer areas along residentially zoned property subject to the condition that a new obscuring fence is installed along the property line and new screen plantings are installed in the existing 9-foot wide buffer area along the north property line and 7.5-foot wide buffer area along the east property line that will remain.

The applicant has stated that the 10-foot buffer requirement presents a hardship due to the location of the existing building and the existing location of the driveway and drive lane. City of Saint Paul code requires that a drive lane be 20 feet wide. The existing buffer on the east side of the property is 7.5 feet wide, as specified on the site plan submitted by the applicant. The current distance between the building and the property line on the east side is 29 feet, which does not provide sufficient width for both a 10-foot buffer and a 20-foot drive lane. On the north side of the property, the existing north curb cut on Dale St. is 9 feet from the property line. To meet the 10-foot buffer requirement, the curb cut would need to be relocated. The applicant has proposed adding some shrubs to mitigate the impact on adjacent properties of the reduced buffer area.

While the north and east property lines adjoin residentially zoned property, use of the immediately adjoining property is primarily open space and parking lots to serve nearby apartment buildings, and there is a substantial grade change between the parcel at 619 St. Anthony Avenue and the adjoining residential property. With this and a condition for a new obscuring fence and screen plantings, the proposed modification of the 10-foot buffer width requirement is consistent with reasonable enjoyment of adjacent property and would not impair the intent and purpose of the requirement, and therefore strict application of the 10-foot buffer requirement would unreasonably limit otherwise lawful use of the property and undue hardship to the owner.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for an auto specialty store (tire shop) with modification of required landscaped buffer area width along residentially zoned property (from 10 feet required to 9 feet along the north property line and 7.5 feet along the east property line), at 619 St. Anthony Avenue, subject to the following additional conditions:
 1. A site plan that includes landscaping, drainage and driving movements shall be submitted for site plan review by the Department of Safety and Inspections and approved by the Zoning Administrator for this use prior to operation of the proposed auto specialty store on the site.
 2. The south driveway/curb cut on Dale St. and the west driveway/curb cut on St. Anthony Ave. shall be closed prior to operation of the proposed use, as approved through the site plan review process.
 3. The south driveway/curb cut on Dale St. and the west driveway/curb cut on St. Anthony Ave. shall be removed, the curbs and boulevards in these shall be restored, and the north curb cut on Dale St. and east curb cut on St. Anthony Ave. shall be widened to

meet current City, County and State standards along with the Dale Street widening and reconstruction project or by June 30, 2018, whichever is sooner.

4. Pavement on the site shall be resurfaced prior to operation of the proposed use on the site, or by May 31, 2016, whichever is later, as approved through the site plan review process.
5. A new obscuring fence and screen planting extending along the full north and east property lines, as approved through site plan review, shall be installed prior to operation of the proposed use, or by May 31, 2016, whichever is later.
6. Prior to operation of the proposed use or by May 31, 2016, whichever is later, the landscaped yard along the north side of public sidewalk on St. Anthony Avenue shall be extended west where the curb cut is being closed and removed.
7. At least two trees shall be planted and maintained in the landscaped yard along the north side of public sidewalk on St. Anthony Avenue, trees and screening landscaping shall be planted and maintained in the landscaped buffer areas along the north and east edges of the lot, all as required in Zoning Code §§ 63.314 and 63.115.
8. Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping. All business or auto services must occur within an enclosed building and may not occur outdoors. There shall be no outdoor storage of vehicle parts, tires, oil or any other similar materials associated with the business.

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ZONING FEE STUDY AND TEXT AMENDMENTS

WHEREAS, Zoning Code § 61.302, *Application forms and fees*, prescribes fees to defray the costs of zoning permits and approvals pursuant to MN Stat. §§ 462.351-364, which require fees to be fair, reasonable, and proportionate to the actual cost of the service for which the fee is imposed; require zoning fees to be prescribed by ordinance; and require Planning Commission review and recommendation for Zoning Code amendments; and

WHEREAS, Zoning Code § 61.801(b) provides that Zoning Code text amendments may be initiated by the City Council or by the Planning Commission; and

WHEREAS, it has been over five years since fees for zoning applications were reviewed by the Zoning Committee of the Planning Commission in 2010 and the Planning Commission recommended amendments to Zoning Code Section 61.302 to increase fees to more fully cover the cost of processing the applications, amendments that were adopted by the City Council in January 2011; and

WHEREAS, costs to the City for processing various types of zoning reviews and applications have increased since the fees were last increased in 2011; and

WHEREAS, the Department of Safety and Inspections (DSI), as part of their budget process over the last few months, has proposed a 3% increase for all DSI fees, and proposed an additional increase in the fees for site plan and design review for 1-2 dwelling units, fee increases that DSI wants to move ahead with now; and

WHEREAS, the 3% fee increases proposed by DSI are less than the increase in costs due to inflation since 2011 and do not include all zoning fees paid to the Department of Planning and Economic Development; and

WHEREAS, Zoning Committee of the Planning Commission, on November 24, 2015, reviewed the costs to the City for processing various types of zoning reviews and applications, the inflation of these costs since the fees were last increased in 2011, and draft amendments to Zoning Code Section 61.302, *Application forms and fees* proposed by the Department of Safety and Inspections and forwarded its recommendations to the Planning Commission; and

WHEREAS, the full Planning Commission considered the recommendations of the Zoning Committee on December 4, 2015;

moved by _____
seconded by _____
in favor _____
against _____

NOW, THEREFORE, BE IT RESOLVED, under provisions of Minnesota Statutes § 462.367 and Legislative Code § 61.801, that the Planning Commission hereby initiates a zoning study to consider adjustments of fees prescribed in Zoning Code § 61.302, *Application forms and fees*, to reflect an increase in costs due to inflation since the fees were last set; and

BE IT ALSO RESOLVED, under provisions of Minnesota Statutes § 462.367 and Legislative Code § 61.801, that the Planning Commission hereby initiates a zoning study to consider amendments to zoning fees proposed by the Department of Safety and Inspections (DSI), and based on the amendments proposed by DSI recommends to the Mayor and City Council the following amendments to Zoning Code § 61.302, *Application forms and fees*; and

BE IT ALSO RESOLVED, that the Planning Commission directs the Planning Administrator to forward the following draft zoning text amendments, along with the November 24, 2015, memorandum from the Zoning Committee containing their recommendations and rationale for the recommended text amendments, to the Mayor and City Council for their review and adoption.

Note: Existing language to be deleted shown by ~~strikeout~~. New language to be added shown by underlining.

Sec. 61.302. Application forms and fees.

(a) *Application forms and fee.* All applications shall be filed on appropriate forms. Pursuant to Minn. Stat. § 462.353, subd. 4, a fee to defray the costs incurred in administering official zoning controls established pursuant to Minn. Stat. § 462.351-364, as set forth in the schedule below, shall be paid by the applicant when a zoning application is filed. The fee for applications filed with the planning administrator shall be paid to the department of planning and economic development. The fee for applications filed with the zoning administrator shall be paid to the department of safety and inspections. Zoning control application fees shall be amended by ordinance.

(b) *Fee schedule.* Fees for the following zoning control applications shall be as follows:

(1) *Site plan review:*

- a. ~~Two~~ Three hundred fifty dollars (~~\$200~~350.00) residential, one (1) to two (2) dwelling units. Three hundred twenty-five dollars (~~\$325~~.00) for additions to one- and two-family dwellings.
- b. Five hundred fifteen dollars (~~\$500~~515.00) up to ten thousand (10,000) square feet of land and two hundred six dollars (~~\$200~~206.00) for each additional ten thousand (10,000) square feet of land for all other uses, and an additional fee of two hundred sixty eight dollars (~~\$260~~268.00) for sites on steep slopes or in the river corridor or tree preservation overlay districts. For any site plan for which a travel demand management plan is required, there is an additional fee of four hundred fifty six-four dollars (~~\$450~~464.00).
- c. In addition to the site plan review fee, three hundred nine dollars (~~\$300~~309.00) for site plans that are reviewed before the planning commission.
- d. Thirty-one dollars (~~\$30~~31.00) for agricultural uses required by section 65.771(a) and farmer's markets required by section 65.515(b).

~~(2)~~ *Design review:*

- a. ~~Forty five dollars (\$45.00) for new single family dwellings and duplexes.~~
- b. ~~Thirty dollars (\$30.00) for additions to single family dwellings and duplexes.~~

~~(23)~~ *Conditional use permit:* Eight hundred dollars (\$800.00) up to one (1) acre of land, two hundred dollars (\$200.00) for each additional acre of land, and an additional fee of one hundred eighty (\$180.00) for a river corridor conditional use permit.

~~(3)~~~~(4)~~ *Major variance:*

- a. Five hundred ~~twenty~~ thirty-six dollars (~~\$520~~536.00) one- and two-family residential and signs.
- b. Five hundred ~~sixty~~ seventy-seven dollars (~~\$560~~577.00) multiple-family residential.
- c. Eight hundred ~~fifteen~~ thirty-nine dollars (~~\$815~~839.00) commercial, industrial, institutional.

~~(45)~~ *Minor variance:* Four hundred ~~twenty~~ thirty-three dollars (~~\$420~~433.00).

~~(56)~~ *Nonconforming use permit, determination of similar use:* Seven hundred dollars (\$700.00).

~~(67)~~ *Appeals:*

- a. Five hundred ~~twenty~~ thirty-six dollars (~~\$520~~536.00) for appeals from administrative decisions to the board of zoning appeals or planning commission.
- b. Four hundred ~~forty~~ fifty-three dollars (~~\$440~~453.00) for appeals from decisions of the board of zoning appeals or planning commission to the city council.

~~(78)~~ *Rezoning:* One thousand two hundred dollars (\$1,200.00) up to one (1) acre of land, two hundred fifty dollars (\$250.00) for each additional acre of land, and an additional fee of five hundred dollars (\$500.00) for rezoning to TN3(M) Traditional Neighborhood District with a master plan and an additional fee of one thousand dollars (\$1,000.00) for rezoning to PD Planned Development District.

~~(89)~~ *Reduced fees for multiple approvals:* For any permit or variance application in subparagraph (2) through ~~(76)~~ above submitted for consideration by the planning commission at the same public hearing as a rezoning, or a permit or variance application in subparagraph (2) through ~~(76)~~ with a higher fee, an additional fee of three hundred dollars (\$300.00) shall be added to the rezoning fee set forth in subparagraph ~~(87)~~ or to the higher fee in subparagraph (2) through ~~(76)~~.

~~(94)~~ *Subdivision review:*

- a. Three hundred dollars (\$300.00) lot split.
- b. Six hundred dollars (\$600.00) up to one (1) acre of land, and one hundred twenty-five dollars (\$125.00) for each additional acre of land, sans dedicated public streets and open space, for preliminary plat/registered land survey.
- c. Two hundred twenty-five dollars (\$225.00) final plat/registered land survey.
- d. Five hundred twenty dollars (\$520.00) for variance of subdivision regulations to be considered by the city council.

~~(104)~~ *Planning commission shared parking permit:* Three hundred fifty dollars (\$350.00).

~~(112)~~ *City council interim use permit:* Seven hundred dollars (\$700.00)

(123) *Zoning compliance letter, research:*

- a. One hundred ~~three~~ three dollars (~~\$100~~103.00) one- and two-family residential.
- b. Two hundred thirty ~~-seven~~ -seven dollars (~~\$230~~237.00) all other uses.
- c. One hundred ~~three~~ three dollars (~~\$100~~103.00) additional for an expedited request.

(1314) *Administrative staff reviews:*

- a. Three hundred ~~fifty-five~~ sixty-six dollars (~~\$355~~366.00) for review of request for reasonable accommodation.
- b. Three hundred ~~seventy-five~~ eight-six dollars (~~\$375~~386.00) for review of statement of clarification.
- c. Two hundred ~~fifteen~~ twenty-one dollars (~~\$215~~221.00) for review of shared parking permit.
- d. ~~Eighty-five~~ Eighty-eight dollars (~~\$85~~88.00) for review of demolition permit.
- e. One hundred ~~five~~ eight dollars (~~\$105~~108.00) for review of antenna permit.
- f. One hundred ~~fifteen~~ eighteen (~~\$115~~118.00) for a flood plain permit.
- g. ~~Seven hundred~~ dollars (~~\$700.00~~) for a historic use variance.

(14) *Historic use variance:* Seven hundred dollars (\$700.00).

(15) *SFV state fair vending permit:* Annual fee of one hundred ~~twenty-four~~ twenty-four dollars (~~\$120~~124.00) per parcel on which vending will occur.

(16) *Wetland Conservation Act administrative determination:*

- a. One hundred ~~twenty-five~~ twenty-nine dollars (~~\$125~~129.00) for Wetland Conservation Act exemption or no loss compliance letter.
- b. Wetland delineation review:
 1. One hundred ~~sixty-five~~ sixty-five dollars (~~\$160~~165.00) for sites less than 1 acre.
 2. Three hundred ~~twenty~~ thirty dollars (~~\$320~~330.00) for sites 1 acre or larger.
- c. Four hundred ~~sixty~~ seventy-four dollars (~~\$460~~474.00) for wetland fill and replacement/sequencing plan review.
- d. ~~Four hundred ninety~~ dollars (~~\$490.00~~) for appeals to the city council from decisions of the zoning administrator on wetland exemption or no loss determinations.

(17) *Environmental review:* Actual cost of review processes as determined by the planning director.

(187) *Late fee:* For any application made for any development commenced without first obtaining all required permits and approvals, the fees listed above shall be doubled, to a maximum additional fee of one thousand dollars (\$1,000.00), to offset costs associated with investigating, processing and reviewing applications for such development.

(198) *Refunds:* For a zoning case withdrawn before final approval, the zoning or planning administrator may refund part of the fee based upon the proportion of the work completed at the time of withdrawal.

(2049) *Large sites:* For large sites where only a portion of the site is affected by the zoning action, the zoning or planning administrator may set the fee based on the size of the affected portion of the site.

~~(20) *Environmental review:* Actual cost of review processes as determined by the planning director.~~

(c) *Fee for permits and approvals subject to annual review condition.* A holder of a conditional use permit, nonconforming use permit or variance, which the planning commission, board of zoning appeals or city council, has approved subject to annual review, shall pay to the department of safety and inspections, at the time the zoning administrator provides notice of the annual review to the permit holder, an annual review fee in the sum of sixty-two dollars (\$6062.00).



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-266-6549

DATE: November 24, 2015
TO: Planning Commission
FROM: Zoning Committee
RE: Zoning Fee Study and Amendments

Zoning Code § 61.302, *Application forms and fees*, prescribes fees to defray the costs of zoning permits and approvals pursuant to MN Stat. §§ 462.351-364, which require fees to be fair, reasonable, and proportionate to the actual cost of the service for which the fee is imposed; require zoning fees to be prescribed by ordinance; and require Planning Commission review and recommendation for Zoning Code amendments. Zoning Code § 61.801(b) provides that Zoning Code text amendments may be initiated by the City Council or by the Planning Commission.

Zoning Code § 61.302(a) states that fees for applications filed with the planning administrator (in PED) shall be paid to the Department of Planning and Economic Development and fees for applications filed with the zoning administrator (in DSI) shall be paid to the Department of Safety and Inspections. The fees for some specific types of applications are sometimes paid to DSI and sometimes paid to PED because for case-specific reasons the applications are sometimes required to be filed with the zoning administrator in DSI and sometimes required to be filed with the planning administrator in PED. When zoning fees have been studied in the past, zoning staff in DSI and PED have always worked closely together to recommend coordinated and consistent amendments.

The relationship of zoning fees to the cost of the service for which the fee is imposed was last studied in 2010. In that study, DSI and PED zoning staff prepared detailed cost estimates for processing the various types of zoning applications. A table prepared in 2010 summarizing that work is attached. It shows the estimated actual cost of each type of application, the proposed fee, and the % of the cost recovered by the proposed fee. It also shows the fees Minneapolis and Bloomington were charging at that time. The amendments to zoning fees prescribed in Zoning Code § 61.302 recommended in the 2010 study and adopted by the City Council in January 2011 set fees at an appropriate percentage of the cost to the City for review and administration of each particular type of zoning application, generally between 60% and 100% of the estimated cost.

All of the work done in the 2010 study to prepare detailed cost estimates for the various types of zoning applications doesn't need to be redone now, but the fees do need to be adjusted periodically for inflation. The total amount of zoning fees per year does not justify the time and cost of going through the process of amending the Zoning Code to adjust zoning fees

every year. In 2014, DSI collected a total of \$206,025 and PED collected a total of \$61,879 in zoning fees under the fee schedule in Zoning Code § 61.302. The last two zoning fee studies/amendments were in 2005 and in 2010/2011, about five years apart.

Two tables with inflation data that apply to Saint Paul through 2014 are attached. Using the three-year 2012-2014 inflation average as an estimate for 2015, the table for Minneapolis – Saint Paul shows inflation of 11.4% in the five years since the zoning fees were last amended. Similarly using the 3-year 2012-2014 inflation average as an estimate for 2015, the table for state and local governments shows inflation of 9.3% in the five years since the zoning fees were last amended.

Zoning Code § 61.401, *Site plan review generally*, requires that a site plan and building elevations drawn to scale, along with any other information determined by the zoning administrator as being essential for determining whether provisions of the Zoning Code (including design standards) are being complied with, shall be submitted to and approved by the zoning administrator before building permits are issued for new buildings or building expansions. However, the practice has been to apply the site plan review fee in § 61.302(b)(1) only if site plan review is also required under § 61.402, *Site plan review by the planning commission*, which generally does not include one- and two-family dwellings unless they are part of a larger development, on a steep slope, or in the river corridor. The current \$200 fee for site plan review for 1-2 dwelling units in § 61.302(b)(1) was estimated in 2010 to recover 63% of the costs of the review.

A separate fee in § 61.302(b)(2) for design review for one- and two- family homes is applied when the fee for site plan review in § 61.302(b)(1) is not applied. Both fees are not applied to the same project because they would be duplicative. The design review fees in § 61.302(b)(2) are \$45 for new one- and two- family homes and \$30 for additions to one- and two- family homes.

The fees currently being charged for site plan and design review required by the Zoning Code for new one- and two-family dwellings and additions to one- and two-family dwellings usually cover a very small portion of the staff time involved. When amendments to dimensional and design standards for one- and two-family dwellings were being studied last summer, the zoning administrator prepared updated detailed cost estimates for this review using the current average cost per hour for the DSI staff doing this review (including average salary and benefits plus operating costs): \$359 for new one- and two-family dwellings and \$344 for additions. Lack of fees to pay for the staff needed for this has resulted in a backlog and slow review time.

A large part of the gap between the cost of site plan review (including review for compliance with design standards in the Zoning Code) for one- and two-family dwellings and the fees being charged could be addressed by applying the site plan review fee in § 61.302 to site plan review required under both § 61.401 and § 61.402. The separate fees in § 61.302 for site plan review and design review could be combined under site plan review, since the design review requirements are included under § 61.401, *Site plan review generally*. Increasing the cost

recovery rate is the other way to reduce the gap between the cost and fees for site plan review for 1-2 dwelling units. DSI has proposed a site plan review fee of \$350 for new one- and two-family dwellings (97 % of the estimated cost) and \$325 for additions (94 % of the estimated cost). This would be lower than the current \$440 Minneapolis fee.

During their budget process over the last few months, a DSI proposal for an across-the-board increase for all DSI fees (building permit fees, license fees, etc.) was discussed with the Mayor and Council, and a 3% across-the board increase was agreed to. On October 26, 2015, DSI Deputy Director Dan Niziolek forwarded a draft ordinance to the Zoning Administrator and City Attorney's Office with a 3% increase in the zoning fees collected by DSI and the change in fees for site plan review for 1-2 dwelling units noted above. They then informed the Planning Administrator and zoning staff in PED of the proposal, and informed the DSI Deputy Director of the state requirement for Planning Commission review.

Options for more coordinated and consistent amendments were considered to adjust zoning fees for inflation (rather than a 3% increase related to increases for other DSI fees that are not based on the cost of the service for which the fee is imposed, some of which have been increased more recently than zoning fees), and to include all of the zoning fees paid to PED (rather than just the fees paid to DSI including just some of the fees paid to PED). However, the Deputy Mayor is not comfortable with moving ahead at this time with something other than what DSI has already discussed with the Mayor and Council, and DSI wants to move ahead as quickly as possible with what they have already discussed with the Mayor and Council.

Committee Recommendation

The Zoning Committee recommends applying the site plan review fee in Zoning Code § 61.302 to site plan review required under both § 61.401 and § 61.402; recommends initiation of a zoning study to consider adjustments of fees prescribed in Zoning Code § 61.302, *Application forms and fees*, to reflect an increase in costs due to inflation since the fees were last set; and recommends initiation and adoption of the following draft amendments to Zoning Code § 61.302, *Application forms and fees*, including:

1. Combine the separate fees for site plan review and design review for one-and two-family dwellings under site plan review, and adjusting this fee to recover about 94-97% of the cost of this review;
2. Increase other zoning fees paid to the Department of Safety and Inspections by 3%;
3. Move the historic use variance fee from "g" under "*administrative staff reviews*" to its own category because it is not an administrative staff review; and
4. Delete (16)d pertaining to appeals of wetland exemption and no loss administrative decisions because such appeals go to the board of Zoning Appeals covered in (6) *Appeals*.

Draft amendments to Zoning Code § 61.302, *Application forms and fees*

Sec. 61.302. Application forms and fees.

- (a) *Application forms and fee.* All applications shall be filed on appropriate forms. Pursuant to Minn. Stat. § 462.353, subd. 4, a fee to defray the costs incurred in administering official zoning controls established pursuant to Minn. Stat. § 462.351-364, as set forth in the schedule below, shall be paid by the applicant when a zoning application is filed. The fee for applications filed with the planning administrator shall be paid to the department of planning and economic development. The fee for applications filed with the zoning administrator shall be paid to the department of safety and inspections. Zoning control application fees shall be amended by ordinance.
- (b) *Fee schedule.* Fees for the following zoning control applications shall be as follows:
- (1) *Site plan review:*
 - a. ~~Two~~ Three hundred ~~fifty~~ dollars (~~\$200~~350.00) residential, one (1) to two (2) dwelling units. Three hundred twenty-five dollars (\$325.00) for additions to one- and two-family dwellings.
 - b. Five hundred ~~fifteen~~ dollars (~~\$500~~515.00) up to ten thousand (10,000) square feet of land and two hundred ~~six~~ dollars (~~\$200~~206.00) for each additional ten thousand (10,000) square feet of land for all other uses, and an additional fee of two hundred sixty ~~eight~~ dollars (~~\$260~~268.00) for sites on steep slopes or in the river corridor or tree preservation overlay districts. For any site plan for which a travel demand management plan is required, there is an additional fee of four hundred ~~fifty~~ sixty-four dollars (\$450~~464~~.00).
 - c. In addition to the site plan review fee, three hundred ~~nine~~ dollars (~~\$300~~309.00) for site plans that are reviewed before the planning commission.
 - d. ~~Thirty-one~~ dollars (~~\$30~~31.00) for agricultural uses required by section 65.771(a) and farmer's markets required by section 65.515(b).
 - (2) ~~*Design review:*~~
 - a. ~~Forty-five~~ dollars (~~\$45~~.00) for new single family dwellings and duplexes.
 - b. ~~Thirty~~ dollars (~~\$30~~.00) for additions to single family dwellings and duplexes.
 - (23) *Conditional use permit:* Eight hundred dollars (\$800.00) up to one (1) acre of land, two hundred dollars (\$200.00) for each additional acre of land, and an additional fee of one hundred eighty (\$180.00) for a river corridor conditional use permit.
 - (3)(4) *Major variance:*
 - a. Five hundred ~~twenty~~ thirty-six dollars (~~\$520~~536.00) one- and two-family residential and signs.
 - b. Five hundred ~~sixty~~ seventy-seven dollars (~~\$560~~577.00) multiple-family residential.
 - c. Eight hundred ~~fifteen~~ thirty-nine dollars (~~\$845~~839.00) commercial, industrial, institutional.
 - (45) *Minor variance:* Four hundred ~~twenty~~ thirty-three dollars (\$420~~433~~.00).
 - (56) *Nonconforming use permit, determination of similar use:* Seven hundred dollars (\$700.00).

(67) Appeals:

- a. Five hundred ~~twenty~~ thirty-six dollars (~~\$520~~536.00) for appeals from administrative decisions to the board of zoning appeals or planning commission.
- b. Four hundred ~~forty~~ fifty-three dollars (~~\$440~~453.00) for appeals from decisions of the board of zoning appeals or planning commission to the city council.

(78) Rezoning: One thousand two hundred dollars (\$1,200.00) up to one (1) acre of land, two hundred fifty dollars (\$250.00) for each additional acre of land, and an additional fee of five hundred dollars (\$500.00) for rezoning to TN3(M) Traditional Neighborhood District with a master plan and an additional fee of one thousand dollars (\$1,000.00) for rezoning to PD Planned Development District.

(89) Reduced fees for multiple approvals: For any permit or variance application in subparagraph (2) through (76) above submitted for consideration by the planning commission at the same public hearing as a rezoning, or a permit or variance application in subparagraph (2) through (76) with a higher fee, an additional fee of three hundred dollars (\$300.00) shall be added to the rezoning fee set forth in subparagraph (87) or to the higher fee in subparagraph (2) through (76).

(94) Subdivision review:

- a. Three hundred dollars (\$300.00) lot split.
- b. Six hundred dollars (\$600.00) up to one (1) acre of land, and one hundred twenty-five dollars (\$125.00) for each additional acre of land, sans dedicated public streets and open space, for preliminary plat/registered land survey.
- c. Two hundred twenty-five dollars (\$225.00) final plat/registered land survey.
- d. Five hundred twenty dollars (\$520.00) for variance of subdivision regulations to be considered by the city council.

(104) Planning commission shared parking permit: Three hundred fifty dollars (\$350.00).

(112) City council interim use permit: Seven hundred dollars (\$700.00)

(123) Zoning compliance letter, research:

- a. One hundred ~~three~~ three dollars (~~\$400~~103.00) one- and two-family residential.
- b. Two hundred ~~thirty~~ -seven dollars (~~\$230~~237.00) all other uses.
- c. One hundred ~~three~~ three dollars (~~\$400~~103.00) additional for an expedited request.

(134) Administrative staff reviews:

- a. Three hundred ~~fifty-five~~ sixty-six dollars (~~\$355~~366.00) for review of request for reasonable accommodation.
- b. Three hundred ~~seventy-five~~ eight-six dollars (~~\$375~~386.00) for review of statement of clarification.
- c. Two hundred ~~fifteen~~ twenty-one dollars (~~\$245~~221.00) for review of shared parking permit.
- d. ~~Eighty-five~~ Eighty-eight dollars (~~\$85~~88.00) for review of demolition permit.
- e. One hundred ~~five~~ eight dollars (~~\$405~~108.00) for review of antenna permit.
- f. One hundred ~~fifteen~~ eighteen (~~\$145~~118.00) for a flood plain permit.
- g. ~~Seven hundred~~ dollars (~~\$700~~.00) for a historic use variance.

- (14) Historic use variance: Seven hundred dollars (\$700.00).
- (15) SFV state fair vending permit: Annual fee of one hundred twenty-four dollars (\$120124.00) per parcel on which vending will occur.
- (16) Wetland Conservation Act administrative determination:
- a. One hundred ~~twenty-five~~ twenty-nine dollars (\$125129.00) for Wetland Conservation Act exemption or no loss compliance letter.
 - b. Wetland delineation review:
 1. One hundred ~~sixty-five~~ sixty dollars (\$160165.00) for sites less than 1 acre.
 2. Three hundred ~~twenty~~ thirty dollars (\$320330.00) for sites 1 acre or larger.
 - c. Four hundred ~~sixty~~ seventy-four dollars (\$460474.00) for wetland fill and replacement/sequencing plan review.
 - d. ~~Four hundred ninety~~ four hundred dollars (\$490.00) for appeals to the city council from decisions of the zoning administrator on wetland exemption or no loss determinations.
- (17) Environmental review: Actual cost of review processes as determined by the planning director.
- (187) Late fee: For any application made for any development commenced without first obtaining all required permits and approvals, the fees listed above shall be doubled, to a maximum additional fee of one thousand dollars (\$1,000.00), to offset costs associated with investigating, processing and reviewing applications for such development.
- (198) Refunds: For a zoning case withdrawn before final approval, the zoning or planning administrator may refund part of the fee based upon the proportion of the work completed at the time of withdrawal.
- (2049) Large sites: For large sites where only a portion of the site is affected by the zoning action, the zoning or planning administrator may set the fee based on the size of the affected portion of the site.
- (20) Environmental review: ~~Actual cost of review processes as determined by the planning director.~~
- (c) Fee for permits and approvals subject to annual review condition. A holder of a conditional use permit, nonconforming use permit or variance, which the planning commission, board of zoning appeals or city council, has approved subject to annual review, shall pay to the department of safety and inspections, at the time the zoning administrator provides notice of the annual review to the permit holder, an annual review fee in the sum of ~~sixty~~ sixty-two dollars (\$6062.00).

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
<i>Site plan review, administrative:</i> residential, 1-2 dwelling units	\$110, 1-4 dwelling units	82%	\$200 residential, 1-2 dwelling units	\$316	63%	\$400	
<i>Site plan review, administrative:</i> all other uses	\$435 for first 25,000 square feet of land \$85 for each additional 25,000	15% for additional lot size	\$500 up to 10,000 sq. ft. of land, \$200 for each additional 10,000 sq. ft. of land for all other uses	\$2,525/plan	20+%	\$400 up to 10,000 square feet of land, \$600 for 10,000 sq ft to 1 acre and \$800 for > 1 acre	\$110
Additional fee for sites on steep slopes, in the critical area or tree preservation overlay	0	New charge	\$260d	\$211 small sites \$340 < 1 acre \$470 > 1 acre	100%		
TDM plan	New function	New charge	\$450 for TDM plan	\$450	100%	\$525 for TDM plan	
<i>Site plan review, planning commission:</i> Additional charge for site plans that are reviewed before the planning commission	0	New charge	\$300	\$1,119	27%	\$700 up to 10,000 square feet of land, \$1,000 for 10,000 sq ft to 1 acre and \$1,350 for > 1 acre	\$860 for site plans before the planning commission. \$920 for site plans before the city council
<i>Design review:</i> for new single family dwellings and duplexes	New function	New charge	\$45	\$46	98%		
<i>Design review:</i> for additions to single family dwellings and duplexes	New function	New charge	\$30	\$31	97%		

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
<i>Conditional use permit:</i>							
	\$750 up to 1 acre of land, \$200 for each additional acre of land, and an additional fee of \$180 for a river corridor conditional use permit	7%	\$800 up to 1 acre of land, \$200 for each additional acre of land, and an additional fee of \$180 for a river corridor conditional use permit	\$1,080	74%	\$550 up to 10,000 square feet of land, \$750 for 10,000 sq ft to 1 acre, \$950 for > 1 acre, \$550 for CUPs related to signs and \$2,250 for CUPs for planned unit developments	\$1,260
<i>Major variance:</i> one- and two-family residential and signs	\$435	20%	\$520	\$718	72%		\$470
<i>Major variance:</i> multiple-family residential	\$470	19%	\$560	\$813	69%		\$720
<i>Major variance:</i> commercial, industrial, institutional	\$680	20%	\$815	\$882	92%		\$720
<i>Minor variance (single family additions):</i>	\$350	20%	\$420	\$603	70%		\$470
<i>Nonconforming use permit, determination of similar use:</i>	\$650	8%	\$700	\$1,080	65%	\$550	

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
<i>Appeals:</i> for appeals from administrative decisions to the board of zoning appeals or planning commission	\$435	20%	\$520	\$819 appeals to the BZA \$848 appeals to planning commission	63% 61%	\$350	\$150
<i>Appeals:</i> for appeals from decisions of the board of zoning appeals or planning commission to the city council	\$435	1%	\$440	\$444 appeals from BZA \$551 appeals from planning commission \$1,170 site plan appeals from planning commission	99% 80% 36%	\$350	\$200
<i>Rezoning:</i>	\$1,000 up to 1 acre of land, \$250 for each additional acre of land, and an additional fee of \$250 for rezoning to PD or TN3(M)	20%	\$1,200 up to 1 acre of land, \$250 for each additional acre of land, plus an additional fee of \$500 for rezoning to TN3(M) and an additional fee of \$1000 for rezoning to PD	\$1,286	93%	\$650 up to 10,000 square feet of land, \$900 for 10,000 sq ft to 1 acre and \$1,100 for > 1 acre plus \$25 fee for publishing in the newspaper	\$1,920
<i>Subdivision review:</i> lot split, adjustment of common boundary	\$140	114%	\$300	\$548	55%	\$350	\$150

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
<i>Subdivision review:</i> Preliminary plat/registered land survey	\$500 up to 1 acre of land, and \$125 for each additional acre of land, sans dedicated public streets and open space, for preliminary plat/registered land survey	20%	\$600 up to 1 acre of land, and \$125 for each additional acre of land, sans dedicated public streets and open space, for preliminary plat/registered land survey	\$1,028 preliminary and final review	80%	\$1,000 preliminary and final review	\$360 plus \$80 per lot for 1- & 2-family acre for all other uses
<i>Subdivision review:</i> final plat/registered land survey	\$200	12%	\$225				\$360 plus \$20 per lot or outlet
<i>Subdivision review:</i> variance of subdivision regulations to be considered by the city council	\$435	20%	\$520	\$854	61%		
<i>City council interim use permit:</i>	0	New charge	\$700	\$815	86%	\$450 up to 10,000 square feet of land, \$650 for 10,000 sq ft to 1 acre and \$850 for > 1 acre	\$860
<i>Zoning compliance letter, research:</i> one- and two-family residential	\$50	100%	\$100	\$103	97%		

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
<i>Zoning compliance letter, research: all other uses</i>	\$80	187%	\$230	\$234	98%		
<i>Zoning compliance letter, research: expedited request</i>	0	New charge	\$100 additional				
<i>Administrative staff reviews: review of request for reasonable accommodation (sober houses)</i>	New function	New charge	\$355	\$355	100%		
<i>Administrative staff reviews: statement of clarification (administrative determination of similar use)</i>	0	New charge	\$375	\$378	99%		
<i>Administrative staff reviews: review of shared parking permit</i>	0	New charge	\$215	\$216	100%	\$100	
<i>Administrative staff reviews: review of demolition permit</i>	0	New charge	\$85	\$86	99%		
<i>Administrative staff reviews: review of antenna permit</i>	0	New charge	\$105	\$109	96%	\$200	
<i>Administrative staff reviews: a flood plain permit</i>	New function	New charge	\$115	\$117	98%		

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
<i>Wetland Conservation Act</i> administrative determination: Wetland Conservation Act exemption or no loss compliance letter	\$100	25%	\$125	\$127	98%		
<i>Wetland Conservation Act</i> administrative determination: wetland delineation review	\$250 regardless of size	-36% < 1 acre 28% > 1 acre	\$160 for sites less than 1 acre, \$320 for sites 1 acre or larger	\$162 < 1 acre \$324 > 1 acre	99% 99%		
<i>Wetland Conservation Act</i> administrative determination: wetland fill and replacement/sequencing plan review	0	New charge	\$460	\$461	100%		
<i>Wetland Conservation Act</i> administrative determination: appeals to the city council from decisions of the zoning administrator on wetland exemption or no loss determinations	0	New charge	\$490	\$493	99%		
<i>Zoning petition:</i> Delete charge, include in base application.	\$2 each parcel for ownership list	-100%					

ZONING FEE COMPARISON, 2010

Zoning fees last changed 2-19-05

ZONING FUNCTION	CURRENT FEE	% PROPOSED FEE INCREASE	PROPOSED FEE	ESTIMATED ACTUAL COST	% COST RECOVERED BY PROPOSED FEE	MINNEAPOLIS FEES	BLOOMINGTON FEES
Late fee: Double fee	Double fee up to \$430	Penalty fee for starting work without prior approval	Double fee up to \$1,000				
SFY state fair vending permit:	\$100	20%	\$120	\$141	85%		
Fee for permits and approvals subject to annual review:	\$50	20%	\$60	\$64, shared parking annual review	94%	\$500 or the actual costs of environmental review processes as determined by the planning director, whichever is greater	\$1,420 for mandatory Environmental Assessment Worksheet \$5,660 for Environmental Impact Statement
Environmental review:	0	New charge	Actual cost of review processes as determined by the planning director	Varies by project	100%		

Series ID: CUUSA211SA0

Not Seasonally Adjusted

Area : Minneapolis-St. Paul, MN-WI

Item : All items

Base Period : 1982-84=100

Year	Ann			
1984	103.1			
1985	107	3.78%		
1986	108.4	1.31%		
1987	111.6	2.95%		
1988	117.2	5.02%		
1989	122	4.10%		
1990	127	4.10%		
1991	130.4	2.68%		
1992	135	3.53%		
1993	139.2	3.11%		
1994	143.6	3.16%		
1995	147	2.37%		
1996	151.9	3.33%		
1997	155.4	2.30%		
1998	158.3	1.87%		
1999	163.3	3.16%		
2000	170.1	4.16%		
2001	176.5	3.76%		
2002	179.6	1.76%		
2003	182.7	1.73%	2.43% average 1995-2014	20 year
2004	187.9	2.85%	2.06% average 2005-2014	10 year
2005	193.1	2.77%	2.31% average 2010-2014	5 year
2006	196.2	1.61%	1.67% average 2012-2014	3 year
2007	201.2	2.57%		
2008	209.0	3.83%		
2009	207.9	-0.51%		
2010	211.7	1.85%		
2011	219.3	3.59%		
2012	224.5	2.33%		
2013	228.8	1.94%		
2014	232.0	1.40%		

<http://www.bea.gov/iTable/iTable.cfm?ReqID=9&step=1>

Table 1.1.9.

**Implicit Price Deflator for
State and Local Governments**

Index numbers, 2009=100

Year	Ann			
1984	41.407			
1985	43.097	4.08%		
1986	44.341	2.89%		
1987	46.409	4.66%		
1988	47.958	3.34%		
1989	50.278	4.84%		
1990	52.784	4.98%		
1991	54.623	3.48%		
1992	56.601	3.62%		
1993	58.049	2.56%		
1994	59.593	2.66%		
1995	61.212	2.72%		
1996	62.627	2.31%		
1997	63.996	2.19%		
1998	65.285	2.01%		
1999	67.875	3.97%		
2000	71.16	4.84%		
2001	73.626	3.47%		
2002	75.141	2.06%		
2003	77.761	3.49%	3.17% average 1995-2014	20 year
2004	81.719	5.09%	2.81% average 2005-2014	10 year
2005	86.3	5.65%	1.91% average 2010-2014	5 year
2006	90.7	5.03%	1.32% average 2012-2014	3 year
2007	95.4	5.24%		
2008	100.3	5.09%		
2009	100.0	-0.28%		
2010	102.7	2.71%		
2011	105.9	3.12%		
2012	107.9	1.91%		
2013	109.4	1.32%		
2014	110.8	1.31%		
2015	110.3	-0.43%		

Q1



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

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November 13, 2015

To: Saint Paul City Council

From: Ricardo Cervantes-Director, Department of Safety and Inspections

Subject: 2016 Department of Safety and Inspections Proposed 2016 Fee Increase

The Mayor's proposed 2016 City of Saint Paul Budget includes a 3% increase in all Department of Safety and Inspections (DSI) permit and license fees. This will generate an estimated increase of \$450,000 in permit and license revenue. These fee changes are intended to partially cover the 4.36% increases in DSI's operating expenses in 2016; including health care, Social Security, Medicare, salaries, work comp, etc.

Zoning and Truth of Sale in Housing (T.I.S.H) fees are currently being reviewed by their respective boards; Planning Commission and T.I.S.H. Board respectively. The proposed fee change and the board's comments will be brought before the council in the 1st Quarter of 2016.

Recent Fee Increases:

2015 Increases

- 3% Increase in Building Permits and Plan Review Fees
 - Hired HVAC and Electrical Inspector
 - HVAC increase permits finalized by 15%
 - Electrical increase permits finalized by 7%
- Increases in Provisional (100%) and Residential Certificate of Occupancy Fees (15%)
 - Hired three Residential Certificate of Occupancy inspectors
 - 22% decrease in most overdue Residential Certificate of Occupancy properties
 - 23% increase in number of residential Certificates of Occupancy issued from 2014 (YTD)

2008 Increases

- 5% fee increase for all licenses (excluding restaurants and on-sale liquor)