



## Legislation Details (With Text)

<b>File #:</b>	Ord 14-18	<b>Version:</b>	1	<b>Name:</b>	An Ordinance Creating Chapter 95 of the Saint Paul Administrative Code To Establish a Procedure to Amend District Council Boundaries.
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed	<b>In control:</b>	City Council
		<b>Final action:</b>	4/23/2014		
<b>Title:</b>	Creating Chapter 95 of the Saint Paul Administrative Code to establish a procedure to amend District Council boundaries.				
<b>Sponsors:</b>	Amy Brendmoen				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Briefing Memo, District Council Boundary Change Ordinance, 2. Boundary Change Fee - PED Memo, 3. Zoning Fee Examples, 4. Existing DC Boundary Dispute Process + Original DC Boundary Determination				

Date	Ver.	Action By	Action	Result
4/30/2014	1	Mayor's Office	Signed	
4/23/2014	1	City Council	Adopted	Pass
4/16/2014	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
4/9/2014	1	City Council	Amended and Laid Over for Third Reading	Pass
4/2/2014	1	City Council	Laid Over to Second Reading	

Creating Chapter 95 of the Saint Paul Administrative Code to establish a procedure to amend District Council boundaries.

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

#### Section 1

Section 95.01 the Saint Paul Administrative Code is hereby created to read as follows:

#### Sec. 95.01 Definitions

The following terms, if used within this Chapter 95 of the Saint Paul Administrative Code, shall be defined as follows:

- A. One Block Face shall mean one (1) side of a street for one (1) block.
- B. Department shall mean the Department of Planning and Economic Development.
- C. District Council shall mean a City recognized organization that enters into a contract with and receives funding from the City to represent a specific geographic area and to provide public input on City matters.
- D. Occupant shall mean the tenant or tenants of residential and commercial property, the manager or person having care, custody or control of the building, commercial businesses, industrial premises, or unoccupied buildings.
- E. Owner shall mean the fee owner of the building as listed on the records of the Ramsey County

Department of Property Taxation.

## Section 2

Section 95.02 of the Saint Paul Administrative Code is hereby created to read as follows:

### **Section 95.02 Council Authority**

The council, after following the procedures in this chapter, may, by resolution, modify Boundaries.

## Section 3

Section 95.03 of the Saint Paul Administrative Code is hereby created to read as follows:

### **Section 95.03 Application for Modification of Boundary.**

All requests for modification of a boundary shall be initiated by filing an application with the Department. The application shall include the following:

#### A. Threshold Consent Requirement.

1. A petition signed by persons representing a minimum of 75 % of properties in the proposed area of change approving the proposed boundary change. The petition shall conform to the following requirements:

- a. Each signer shall write his or her name and address on the petition. Only one signature per address shall be counted, and the petition may be signed by either the Owner or an Occupant; and
- b. The minimum size of a change shall be forty eight (48) compact and contiguous block faces or 24,000 lineal feet of block frontage.
- c. Precise description of the existing boundary and proposed boundary and must be accompanied by a map clearly outlining the same and the reasons for the proposed change; and
- d. The person or resident presenting the petition must sign an oath attesting to the authenticity of the signatures and shall designate a contact person who shall have the responsibility of assisting in the verification of signatures as well as in any investigation and subsequent report to the city council which may be necessary.

Or

2. A joint application of all affected existing District Councils recommending and consenting to the proposed boundary change. Prior to making such a recommendation, each affected District Council shall notify all properties in the proposed area of change of the proposed boundary change and the date of the public meeting where such change will be considered. There is no minimum size requirement for a boundary change recommended by all affected District Councils. The notice shall precisely describe the existing boundary and the proposed boundary and be accompanied by a map clearly outlining the same. The notice shall also precisely state the reasons for the proposed change. The District Council may not take a vote on such a change unless a public meeting has been held and input is taken from all interested parties; and

B. The application shall be presented to the Department and shall describe the existing boundary and proposed boundary. The application shall clearly state the rationale for the requested boundary change. The applicant shall provide analysis of pertinent factors such as:

1. Why the change will improve the engagement and representation of the residents in the impacted area in important community conversations, policy discussions, planning, and community activities.
2. Possible consequences of inaction.
3. Utilization of clear, rational, logical boundaries which take into consideration visible and identifiable

natural or manmade features, topography, census tracts or block groups, population, political boundaries, school enrollment areas, or other distinguishing features. Not all characteristics will be pertinent in every case.

C. The application shall include payment of a non-refundable filing fee of ~~\$800.00~~ 250.00.

#### Section 4

Section 95.04 of the Saint Paul Administrative Code shall be created to read as follows:

##### **Section 95.04 Investigation.**

Once an application is received the Department shall either validate the signatures or the District Council procedures. If the petition or procedures meet the requirements, the Department shall investigate and analyze the proposed boundary change considering all the factors listed in § 95.07 and any other relevant considerations. In the event of an application for a boundary change by petition, the Department shall provide all submitted documents to the affected District Councils. The affected District Councils shall then have ninety (90) days to provide a response to the proposed change.

#### Section 5

Section 95.05 of the Saint Paul Administrative Code shall be created to read as follows:

##### **Section 95.05 Recommendation to the City Council.**

After analyzing the proposed change and considering any relevant material submitted by the affected District Councils or any other person or group having an interest in the proposed boundary change, the Department shall submit the results of the investigation and shall issue a written report recommending to the council whether to adopt the proposed boundary change. The recommendation shall include all factors that weigh in favor of and weigh against granting the application for a boundary change including but not limited to the factors listed in § 95.07.

#### Section 6

Section 95.06 of the Saint Paul Administrative Code shall be created to read as follows:

##### **Section 95.06 Hearing.**

Upon receipt of the recommendation of the Department as provided in Section 95.05, the council shall set a time and place for a public hearing on the petition. At least thirty (30) days prior to the hearing, notice shall be provided under Chapter A-11 of the Administrative Code, and written notice shall be mailed to the petitioner or other known interested parties.

#### Section 7

Section 95.07 of the Saint Paul Administrative Code shall be created to read as follows:

##### **Section 95.07 Council Resolution**

In determining whether to grant or deny the application for District Council boundary change, the Council's considerations may include, but not be limited to, the following:

- A. The Department recommendation;
- B. In the case of an application by petition, whether the affected District Councils are in favor of the change;

- C. Public input;
- D. Whether the boundary change will significantly impact District Council funding levels;
- E. Whether the boundary change will provide better representation or opportunities for engagement;
- F. The factors identified in 95.03.

#### Section 8

Section 95.08 of the Saint Paul Administrative Code shall be created to read as follows:

#### **Section 95.08 Effective Date of Change**

All District Council boundary changes shall take effect as provided by the Council in the Resolution approving the change.

#### Section 9

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.