



CITY OF SAINT PAUL
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Date: March 6, 2019
To: Saint Paul Parks and Recreation Commission
From: Mike Richardson, Planning and Economic Development (PED) Staff
Subject: Park Zoning District in 2040 Comprehensive Plan

BACKGROUND

The City of Saint Paul is in the process of updating its Comprehensive Plan. Among other city-wide topics such as housing and land use, a chapter is dedicated to Parks, Recreation, and Open Space (“Parks Chapter”). Public comment was received on a draft and is being considered, along with staff responses, at the Comprehensive and Neighborhood Planning Committee (CNPC) of the Planning Commission. Among those comments were several that addressed the idea of a park zoning district, as described in the current *2030 Comprehensive Plan*:

“ **2.1 Review and revise zoning of parkland by adopting a new park zoning district.**

The intention of the new zoning district is to reinforce the no-net-loss policy already required by the City Charter and to make Parks and Recreation ownership more transparent and accessible to planners, developers, and residents. The new zoning district would apply only to Parks and Recreation properties and is not intended to change the regulation of uses in parks or transfer responsibility for Park and Recreation land-use choices from the Parks Commission to the Zoning Committee or Planning Commission.”

Consideration of a park zoning district began much earlier than the adoption of the *2030 Comprehensive Plan*. On May 15, 2002, City Council adopted resolution 02-303 that requested that the Department of Planning and Economic Development (PED) incorporate a new district for civic and open space in the proposed restructuring of the Zoning Code. The ordinance adopted by the City Council in 2004 to restructure the Zoning Code included an amendment to Sec. 60.301 to include the CO Civic and Open Space District and reserve Article VI. Sec. 66.600 in *Chapter 66, Zoning District Uses, Density, and Dimensional Standards* for the text of the Civic and Open Space District. Two park districts (CO – Civic and Open Space, and CV – Conservancy District) were created in Sec. 60.301(e) and exist today as placeholders but were not developed further. Article VI. Sec. 66.600 of the Zoning Code remains reserved.

The Planning Commission, on February 7, 2014 adopted Resolution 14-11 (Attachment 1) initiating a zoning study for uses and standards for a park and open space-related zoning district. That study remains open.

DISCUSSION

Although the zoning study has not been completed, PED staff met with staff from the Parks & Recreation Department, Real Estate and park advocates in 2013 and 2014 to discuss and analyze relevant goals and issues. Some of the significant insights gained from that work were:

1. The language of the *2030 Comprehensive Plan* Policy 2.1 predetermines the outcome of the study by saying “revise zoning of parkland by adopting a new park zoning district” and creates constraints (intent to reinforce no-net-loss, only apply to Parks & Recreation-owned properties, would not change regulation of uses in parks, would not transfer land use choice from the Parks Commission to the Planning Commission or one of its committees) that make it difficult to evaluate all potential solutions, some of which may result in a better outcome for the public.
2. Application of a new zoning district to parcels would be challenging because the *2030 Comprehensive Plan* Policy 2.1 links the zoning district to “reinforcement” of the City’s “no net loss” policy pertaining to parkland diversion. The “no net loss” analysis is currently done on a case-by-case basis, but to establish an accurate baseline of park land that was acquired “for park purposes” per the *City Charter*, this history and legal analysis would have to be done for all City-owned parcels. A significant commitment of resources from Parks and Recreation and Real Estate would be necessary to determine the intention behind the acquisition of all City-owned parcels and to research the legal access agreements that apply.

The zoning study initiated by the Planning Commission and informed by Council’s intent to develop a parks district remains unfinished and should be completed. It is a very complicated subject, and there are pros and cons to rezoning to a new district, which should be made clear to policymakers. Park zoning districts would be more easily evaluated without the constraints present in Policy 2.1 of the *2030 Comprehensive Plan*. The decision to be made is to either adopt an amendment to the Zoning Code that applies new park zoning districts, or to abandon the idea and amend the Zoning Code to eliminate the placeholders created in 2004.

STAFF RECOMMENDATION

1. Create a new implementation item in the *2040 Comprehensive Plan* that reads:

“Complete the Parks, Civic and Open Space Zoning Study initiated by Planning Commission Resolution 14-11, removing the reference to Parks Policy 2.1 in the *2030 Comprehensive Plan*.”

and set the Timeline as “Short-Term”.

[Note: the *2030 Comprehensive Plan* will be replaced with the *2040 Comprehensive Plan* when it is adopted. Staff will consult with the City Attorney’s Office to confirm the correct process necessary to conduct the study with this change.]

Attachment:

1. Planning Commission Resolution 14-11

Attachment 1: Planning Commission Resolution 14-11

city of saint paul
planning commission resolution
file number 14-11
date February 7, 2014

Parks, Civic and Open Space Zoning Study Initiation

WHEREAS, on May 15, 2002, the City Council adopted resolution #02-303 requesting that the Department of Planning and Economic Development incorporate a new district for civic and open space in the proposed restructuring of the Zoning Code; and

WHEREAS, in 2004, the City Council adopted an ordinance amending the Zoning Code to include the CO Civic and Open Space district in Sec. 60.301 *Zoning districts established* and reserved Article VI. 66.600 in *Chapter 66, Zoning District Uses, Density and Dimensional Standards*, for the text of the Civic and Open Space District, but the text has not yet been added; and

WHEREAS, on February 4, 2010, the City Council adopted a new Comprehensive Plan for the City, including a Parks and Recreation Plan element that reiterated the call for a new zoning district for parks. Policy 2.1 states "review and revise zoning of parkland by adopting a new zoning district;" and

WHEREAS, § 61.801, *Changes and amendments*, requires periodic review and reevaluation of the Zoning Code, and provides for Planning Commission initiation of Zoning Code amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby initiates a study for development of text pertaining to uses and development standards for a parks and open space-related zoning district and the rezoning of appropriate land to the new district.

moved by Reveal
seconded by _____
in favor Unanimous
against _____