

**CITY OF SAINT PAUL  
HERITAGE PRESERVATION COMMISSION STAFF MEMORANDUM**

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**INTRODUCTION:** Saint Paul Legislative Code: Chapter 73 Update

**STAFF:** George Gause

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**BACKGROUND**

Originally written in 1976 (with text amendments in 1991 and 2008), the City of Saint Paul's Heritage Preservation Ordinance helped the community retain its historic character. However, shortcomings have emerged and much has changed in the field of historic preservation since the original ordinance was adopted. It has become clear that Saint Paul could benefit from greater clarity on roles and processes in our ordinance.

The Heritage Preservation Commission (HPC) formed an Ordinance Committee in 2003 and again in 2009. Both focused on community outreach and information gathering. Survey and interviews with a diverse set of stakeholders identified several areas to work on including:

- Revising policies to correspond to other City departments
- Fees to defray City costs
- State Statute EAW review requirements
- Need to update language corresponding to current preservation practices
- Clarity about design review process
- Questions regarding enforcement duties

Heritage preservation staff, along with the City's Attorney's Office, worked to develop the committee's findings into new ordinance language. Workload and staffing has impeded work on the update, until now.

**DRAFT CHAPTER 73 HIGHLIGHTS**

The draft Heritage Preservation Chapter 73 expands upon the concepts of the original chapter 73, codifies established practices and expands on several areas:

- Definitions-clarifying terminology used by the HP staff and the Commission
- Establishing minimum maintenance standards for designated sites and structures
- Clarifying that City permits cannot be issued until HP design review is completed
- Clarifying that HP design review may contain conditions of approval
- Expanding HP approvals from 1 year to 2 years, matching the time frame of a building permit
- Clarifying enforcement responsibilities of the Building Official
- Establishing a review time limit parallel to MN State Statute 15.99
- Requiring a complete application for review and criteria for a complete application
- Establishing a definition of incomplete applications and the treatment of these applications
- Changing Certificate of Approval to Certificate of Heritage Preservation Commission Decision
- Clarification that the historic use variance will not adversely impact the historic integrity of the site
- Introducing interim protection for sites or districts undergoing designation studies
- Expanding noticing requirements from 100' to 350', matching the distance required by other agencies

**FEES**

- Establishing fees to defray City costs incurred for reviews
- Fees are divided into two tiers: administrative review and Commission review
- Policies for paying fees and possible refunds will be established in the HPC Bylaws

**ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW) REVIEWS**

- Moving requirements for State & National Register properties to the HPC
- Streamlining the process by a minimum of 30 days

Staff anticipates a May 24<sup>th</sup> public hearing of the HPC for the Chapter 73 Update.