

**Department of Community Planning and Economic Development – Planning Division
Heritage Preservation Code Text Amendment**

Date: July 24, 2012

Initiator of Amendment: Council Member Schiff

Date of Introduction at City Council: May 25, 2012

Specific Site: Citywide

Ward: Citywide **Neighborhood Organization:** Citywide

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Intent of the Ordinance: To extend the length of time for which a decision from the zoning administrator or planning director, or the heritage preservation commission, or city council, is valid.

Appropriate Section(s) of the Zoning Code: Chapter 599, Heritage Preservation Regulations

Background: Currently, no decision of the zoning administrator or planning director, or the heritage preservation commission, or city council, except designations, is valid for a period longer than one year from the date of such decision unless the required permit is obtained within such period and the action approved is substantially begun and proceeds on a continuous basis toward completion, or the use is established within such period by actual operation pursuant to the applicable conditions and requirements of such approval. The planning director, upon written request, may for good cause shown grant up to a one-year extension to this time limit. The proposed amendment would allow the period of decision to last one additional year. An amendment to the Zoning Code ordinance is being processed concurrently to extend the length of time for which a decision from the zoning administrator, planning director, planning commission, board of adjustment, or city council is valid as well.

Purpose for the Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The purpose of the amendment is to extend the period of decision of the zoning administrator or planning director, or approvals granted by the heritage preservation commission, or city council by one year. Extending this time period allows applicants additional time to obtain financing and complete other review processes, such as a land use application, to bring a project to fruition. It is also intended to prevent the need to repeat a review process to renew previously obtained approvals, saving staff and applicant's time and other resources.

Staff does not anticipate any problems resulting from the amendment. If needed, an extension could be denied if the proposal is no longer consistent with adopted policy. Staff is not aware of any past instances where this has been an issue. Another issue that the amendment would address is that most required site improvements are not completed within one year for new construction and require inspectors to return once construction is complete. For sites where noncompliance is an issue, the director of inspections, in consultation with the planning director, has the ability to identify a reasonable time period to remedy the violation.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The amendment is timely given that one year extensions are granted regularly. Developments that were at risk of having their approvals expire and were planning to proceed, include Flour Sack Flats II (520 2nd Street SE) and Florence Court (1000 University Avenue SE). In St. Paul, the period of decision expires after one year with an option to extend it one additional year. In other communities, such as Duluth, Rochester and Stillwater, it does not appear that preservation related approvals have an expiration date.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The following policies of *The Minneapolis Plan for Sustainable Growth* apply:

Economic Development Policy 4.1: Support private sector growth to maintain a healthy, diverse economy.

4.1.5 Continue to streamline City development review, permitting and licensing to make it easier to develop property in the City of Minneapolis.

Heritage Preservation Policy 8.6: Provide educational, financial, technical, and regulatory assistance to ensure the survival of the city's historic resources.

Heritage Preservation Policy 8.11: Improve and adapt preservation regulations to recognize City goals, current preservation practices, and emerging historical contexts.

RECOMMENDATIONS

**Recommendation of the Department of Community Planning and Economic Development--
Planning Division:**

The Department of Community Planning and Economic Development – Planning Division recommends that the Heritage Preservation Commission adopt the above findings and **approve** the heritage preservation code text amendment to Chapter 599, Heritage Preservation Regulations.