

**CITY OF WEST ST. PAUL, MN
NOTICE OF PUBLIC HEARING**

The listed item below will be a Public Hearing at the Planning Commission meeting Tuesday, August 17, 2021 at 6:30 pm and a Public Hearing at the City Council meeting on Monday, August 23, 2021 at 6:30 pm:

PC Case 21-10 – Ordinance Amending and Repealing in Part, Multiple Sections of Chapter 153 of the West St. Paul Zoning Code - City of West St. Paul

If you have any questions regarding the hearing item listed above, please contact Melissa Sonnek, City Planner at (651) 552-4134.

If you need any type of accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4102 at least 5 (five) business days prior to the meeting.

Nicole Tillander
City Clerk
City of West St. Paul

Published: August 6, 2021
Twin Cities Pioneer Press

Posted: August 3, 2021
City of West St. Paul

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 21-

**AN ORDINANCE AMENDING IN PART, AND REPEALING IN PART, SECTIONS
153.050 (F), 153.114, 153.129, 153.145, 153.160, 153.175, 153.192, 153.210, 153.225, 153.239,
153.254 OF CHAPTER 153 OF THE CITY OF WEST ST. PAUL ZONING CODE**

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. Section 153.050(F) of the Zoning Code is hereby amended as follows:

R-1A ONE-FAMILY RESIDENTIAL DISTRICT

153.050 PERMITTED USES.

(F) A state-licensed residential care facility ~~or a housing with services establishment registered under Minn. Stat. Ch. 144D~~, serving six or fewer persons; a licensed day care center serving 12 or fewer persons; or a group family day care facility licensed under Minn. Rules 9502.0315 to 9502.0445, serving 14 or fewer children;

SECTION 2. REPEALED. Section 153.114 of the Zoning Code is hereby repealed as follows:

~~§ 153.114 PROHIBITED USES.~~

~~Within the R-3, Townhouse, three to eight unit Residential District, the following uses are prohibited: housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 3. REPEALED. Section 153.129 of the Zoning Code is hereby repealed as follows:

~~§ 153.129 PROHIBITED USES.~~

~~Within the R-4, Multiple Family three to 16 unit Residential District, the following uses are prohibited: housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 4. AMENDMENT. Section 153.145 of the Zoning Code is hereby amended as follows:

§ 153.145 PROHIBITED USES.

Within the B-1, Limited Business District, the following uses are prohibited:

~~(A) State-licensed residential care facilities;~~

~~(B) Housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 5. AMENDMENT. Section 153.160 of the Zoning Code is hereby amended as follows:

§ 153.160 PROHIBITED USES.

Within the B-2, Neighborhood Business District, the following uses are prohibited:

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- ~~-(A) State-licensed residential care facilities;~~
- ~~-(B) Housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 6. AMENDMENT. Section 153.175 of the Zoning Code is hereby amended as follows:

§ 153.175 PROHIBITED USES.

Within the B-3, General Business District, the following uses are prohibited:

- ~~-(A) State-licensed residential care facilities;~~
- ~~-(B) Housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 7. AMENDMENT. Section 153.192 of the Zoning Code is hereby amended as follows:

§ 153.192 PROHIBITED USES.

Within the B-4 Shopping Center District, the following uses are prohibited:

- ~~-(A) State-licensed residential care facilities;~~
- ~~-(B) Housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 8. REPEALED. Section 153.210 of the Zoning Code is hereby repealed as follows:

~~§ 153.210 PROHIBITED USES.~~

~~Within the B-5 Gateway North Mixed Use District, the following uses are prohibited: housing with services establishments registered under Minn. Stat. Ch. 144D. (Ord. 16-12, passed 11-14-2016)~~

SECTION 9. AMENDMENT. Section 153.225 of the Zoning Code is hereby amended as follows:

§ 153.225 PROHIBITED USES.

Within the B-6, Town Center Mixed Use District, the following uses are prohibited:

- ~~-(A) State-licensed residential care facilities;~~

~~—(B)—Housing with services establishments registered under Minn. Stat. Ch. 144D.
(Ord. 16-12, passed 11-14-2016)~~

SECTION 10. AMENDMENT. Section 153.239 of the Zoning Code is hereby amended as follows:

§ 153.239 PROHIBITED USES.

Within the I-1, Light Industrial District, the following uses are prohibited:

~~—(A)—State-licensed residential care facilities;~~

~~—(B)—Housing with services establishments registered under Minn. Stat. Ch. 144D.
(Ord. 16-12, passed 11-14-2016)~~

SECTION 11. AMENDMENT. Section 153.254 of the Zoning Code is hereby amended as follows:

§ 153.254 PROHIBITED USES.

Within the I-2, General Industrial District, the following uses are prohibited:

~~—(A)—State-licensed residential care facilities;~~

~~—(B)—Housing with services establishments registered under Minn. Stat. Ch. 144D.
(Ord. 16-12, passed 11-14-2016)~~

SECTION 12. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The Minnesota legislature changed the definition of “housing with services establishment” in Minn. Stat. Ch. 144D to make registration optional, thereby rendering our ordinance language irrelevant.

SECTION 13. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this 23rd day of August, 2021.

Attest:

David J. Napier, Mayor

Nicole Tillander, City Clerk