City Council Action Item

**Subject:** First Reading of an Ordinance Amendment to Code Sections 153.028, 153.031, and 153.032 Regarding Public Hearings for Conditional Use Permit and Site Plan Approvals - City of West St. Paul

**Meeting Date:** Monday, January 24, 2022

**Submitted/Presented by/Department:** Melissa Houtsma - Community Development

<table>
<thead>
<tr>
<th>Action Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Consent Item</td>
<td>☒ Discussion/Direction</td>
</tr>
<tr>
<td>☐ Public Hearing</td>
<td>☐ Informational Only</td>
</tr>
<tr>
<td>☒ Action/Motion</td>
<td>☒ Report</td>
</tr>
<tr>
<td>☒ Resolution</td>
<td>☐ Other:</td>
</tr>
</tbody>
</table>

**Action**

City Staff requests that the City Council review and approve of the first reading of the attached ordinance amendment related to the number of required public hearings for conditional use permit and site plan applications.

**Background**

As part of the ongoing efforts of City Staff to continue to improve and streamline both the application process and City meetings, Staff noted that the current process, per code, calls for two public hearings (one at Planning Commission and one at City Council) for both site plans and conditional use permits. However, per state statute only one public hearing is required for these planning applications.

Why Change the Process?

- This change streamlines the process,
  - Each public hearing requires a public notice be drafted and published, both at cost to the City.
  - Public hearing is set as one meeting, clearer for the applicant and the public.
  - Non-controversial items can be placed on consent agenda at Council, (i.e. CUP for a dental office).
    - Change does not prevent due process, controversial items can still be placed on the regular Council agenda for discussion and feedback from those attending the meeting.
  - Provides more flexibility for scheduling at Council should an item be continued at Planning Commission.

**Planning Commission Review**

The Planning Commission met in regular session to review the proposed change and held a public hearing on the item. No one from the public wished to speak on the item.
Subject: First Reading of an Ordinance Amendment to Code Sections 153.028, 153.031, and 153.032 Regarding Public Hearings for Conditional Use Permit and Site Plan Approvals - City of West St. Paul

The Commission discussed the following items:

- Which meeting do more people speak at, City Council or Planning Commission. Staff states that it can depend on the application, but typically more people come to speak at the Planning Commission meetings.
- Importance of clearly communicating the change of the process to fully inform the public of their opportunities to speak on applications. Further discussion on the various methods of communication that are currently being used, mail, newspaper, website, etc. Similarly, internal communication between staff and City Council helps to facilitate this process and communicate a clearer message.

Ultimately, the Commission voted 7-0 to recommend approval of the amendment regarding the required number of public hearings for conditional use permit and site plan applications as written and recommended by City Staff.

Attachments
Planning Commission Memo and Presentation
Draft Ordinance

Previous Relevant Actions
Proposed ordinance reviewed by the Planning Commission on 01/18/2022.

Alternatives
If City Council is not satisfied with the proposed language as written, please advise City Staff or the desired changes and recommendations.

Financial

<table>
<thead>
<tr>
<th>Budgeted</th>
<th>Yes</th>
<th>No Financial Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Department</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Account</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Amount</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>