

PROCEDURE FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP

Overview: When a person wishes to use property for a purpose that is not permitted in the existing zoning classification, that use can only be permitted if the property is rezoned. The zoning of a property must also be consistent with the Comprehensive Plan Land Use Map designation. If a person is proposing a rezoning inconsistent with the Comprehensive Plan designation, the Comprehensive Plan Land Use Map must also be amended. A copy of the Comprehensive Plan Land Use Map is available for review or purchase from the City's Planning Department.

Pre-application Procedure: Before making application for an amendment to the Comprehensive Plan Land Use Map, persons are encouraged to meet with a member of the Planning staff to discuss the following:

- City plans and policies that might relate to or affect the property.
- Preliminary development or building plans for the property.

If a decision is made to proceed after the advisory meeting or meetings, a formal application is made.

The Planning staff also suggests the applicant hold a neighborhood meeting prior to the public hearing to discuss plans for the property.

APPLICATIONS AWAITING ACTION ON A COMPREHENSIVE PLAN AMENDMENT: *NO REQUEST FOR A ZONE CHANGE FOR A PROPERTY AFFECTED BY A PENDING REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT SHALL BE PROCESSED UNTIL THE CITY COUNCIL TAKES FINAL ACTION ON THE COMPREHENSIVE PLAN LAND USE MAP AMENDMENT.*

Process: Within ten (10) business days of submission of the application, the applicant will receive formal, written notice from the City about whether the application is complete. Within 30 days of receipt of a complete application, the Planning Department will schedule a public hearing for review by the Planning Commission.

Timing: Public hearings are scheduled for the Planning Commission on the 2nd and 4th Mondays of each month. Complete applications must be submitted to the Planning Department at least thirty (30) days prior to the scheduled meeting to allow publication of hearing notice. The Planning Department will publish notices in the *Prior Lake American* and notify the applicant and other affected property owners of the date and time the proposal will be heard by the Planning Commission. The City will also post a sign on the subject site identifying the proposed application.

Staff Report: The Planning Department will prepare a staff report which: 1) explains the request; 2) reviews the policies for approving an amendment as contained in the Zoning Ordinance and how the proposal relates to those policies; and 3) provides a recommendation.

Hearing: **A public hearing will be held by the Planning Commission.** The Commission will review the staff report and hear from the applicant. Public testimony on the request will also be taken. The Planning Commission, after reviewing all of the information, will make a recommendation to the City Council on the application based on findings addressing the relationship of the proposed amendment to

the policies outlined in the Comprehensive Plan and the guidelines established by the Metropolitan Council.

Applicants are invited to use the overhead projector provided, and the exhibits prepared by Staff. Any additional exhibits submitted by the applicant (at the hearing or prior to the hearing) such as photographs, petitions, etc. must be entered into the public record and submitted to the Planning Department for the file.

City Council Review: The City Council will review the application and the recommendation of the Planning Commission, along with the record of the public hearing and other pertinent information. **The City Council review of this application is not a public hearing, and the Council may or may not choose to hear testimony. In any case, no new evidence may be introduced to the City Council following the close of the public hearing.**

If the City Council approves the proposed amendment, a resolution approving the amendment will be forwarded to the Metropolitan Council for its approval. The resolution shall be effective upon approval by the Metropolitan Council.

APPLICATION INSTRUCTIONS

No application will be considered until all required information is submitted. The following information, along with the attached checklist, is required for a complete application. The City also reserves the right to request additional information when needed to review an application.

- **Application Fee:** Check payable to the “City of Prior Lake”. The filing fee is \$500.00 plus \$10.00/acre. Fifty percent of this fee may be refunded if the application is withdrawn prior to publication of the hearing notice.
- **Signed Application:** A completed application form signed by the owner or owners of the property. This application form must identify the existing Comprehensive Plan designation as well as the proposed designation. Include authorization from the property owner on the application form or by attached letter of authorization if an agent signs the application.
- **Application Checklist:** The attached checklist identifies the necessary information. *Failure to provide any of the required information will result in an incomplete application.* The Application Checklist will expedite the review of your application. **Attach the checklist with the application materials.**

AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP APPLICATION CHECKLIST

PROPERTY ADDRESS: _____
DEVELOPER: _____

FILE NUMBER
DATE SUBMITTED
REVIEWED BY

For City Use Only

REQUIRED INFORMATION	LOCATION	VERIFIED (for City use only)
The following data is required as part of an application to amend the official Comprehensive Plan Land Use Map.	Indicate where this information is provided in the application materials such as sheet #, narrative, or other attached report.	Reviewed by city staff to ensure required materials were submitted.
Application		
1. A complete Application Form, signed by the applicant and the fee owner of the property.		
2. The required filing fee of \$500.00 + \$10.00 per acre.		
3. A complete legal description of the property. In addition, a location map identifying the property must be submitted.		
4. A radius map and a list and 2 sets of labels of the names and addresses of the owners of property located within 500' of the subject site. These shall be obtained from and certified by an abstract company.		