

PROCEDURE FOR AN AMENDMENT TO THE OFFICIAL ZONING 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 types of uses permitted in each Zoning Use District are contained in the Zoning Ordinance. The boundaries of each zoning district are depicted on the City's Zoning Map. The Zoning Ordinance and Zoning Map are available for review or purchase from the City's Planning Department.

Pre-application Procedure: Before making application for an amendment to the Official Zoning 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.

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 following policies:

1. The area, as presently zoned, is inconsistent with the policies and goals of the Comprehensive Plan, or the land was originally zoned erroneously due to a technical or administrative error, or
2. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to rezone so as to encourage redevelopment of the area, or

3. The permitted uses allowed within the proposed Use District will be appropriate on the subject property and compatible with adjacent properties and the neighborhood.

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.**

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 \$300.00 plus \$10.00 per 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 Zoning District as well as the proposed Zoning District. 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 OFFICIAL ZONING 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 Zoning Map according to the City of Prior Lake Zoning Ordinance.	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 \$300.00 plus \$10.00 per acre.		
3. A complete legal description of the property to be rezoned. 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 350' of the subject site. These shall be obtained from and certified by an abstract company.		