

3.1 Checklist

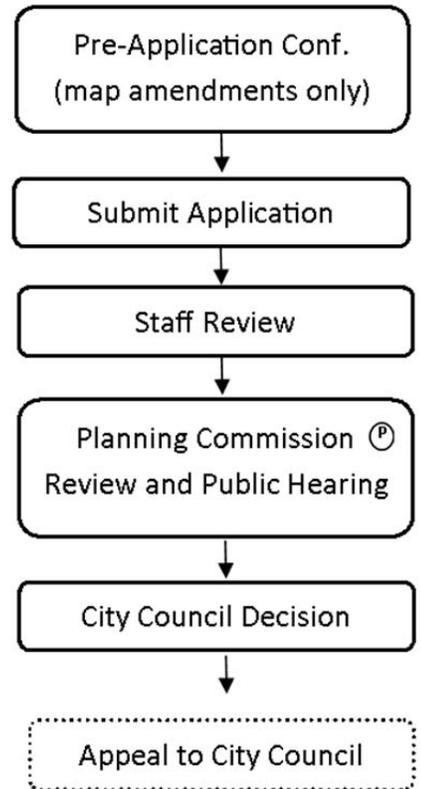
UDC Map Amendment

A UDC Map Amendment allows for adjustment of zone district boundaries for your property. For example, if you want to use your property in a way that is not permitted by its current zoning, under some circumstances a rezoning may be possible. To change the zoning of a property, the proposed zoning district must be consistent with adopted City plans and an ordinance must be passed by the City Council. See UDC Section 50-37.3 for more information.

Starting the Application Process

- You must discuss proposed rezonings with Planning Staff prior to submitting an application. Call 218-730-5580 to schedule a pre-application meeting.
 - Make sure to get a Pre-App Verification at this meeting; you will need to submit this with your application.
- Submit your application materials to the One Stop Shop, Room 210 City Hall, by the Planning Commission Deadline. Your application must include the following:
 - Application Cover Sheet
 - Pre-App Verification
 - Required fee
 - Petition
 - If requesting a change from one residential district to another residential district or from a non-residential district to another non-residential district, only the subject property owners need to sign the petition.
 - If requesting a change from a residential district to a mixed use, form, or special purpose district, written consent is required of the owners of two-thirds of those properties located wholly or partially within 100 feet of the subject property. **Note: All property owners of a parcel must sign the petition if held in joint ownership.** If you are unable to get signatures from two-thirds of these properties, then a 6/9 vote of City Council will be required for the map amendment to pass.
 - See [appendix](#) for petition form.

UDC Map Amendment



[Ⓟ] Indicates Public Hearing Required

Important Dates

Application Deadline:

Sign Notice Placed:

Planning Commission:

City Council (1st read)*:

City Council (2nd read)*:

Effective*:

**Please note that these dates are approximate guidelines and may change*

- A plat or map clearly showing the area to be rezoned
- Legal description

Public Notice

A newspaper notice (legal ad) will be placed by the City at least once each week for three weeks before the date of the public hearing.

A mailed notice will be sent by the City to property owners within 350 feet when the amendment involves a rezoning of 5 acres or less.

- You are required to post a sign notice on the property at least two weeks before the date of the public hearing. See UDC Section 50-37.1.H for information on size, placement, and content of each sign; you may want to contact a sign company or printing company to have the sign made. You must provide evidence that the signs were in place; submit photo(s) of the signs to the Planning Division at least two weeks before the date of the public hearing.

Staff Review

Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for a zoning text or map amendment, Planning Staff generally review the Comprehensive Plan (including the Future Land Use Map, Governing Principles, and Policies), surrounding land uses and zoning, individual factors that are unique or special to the proposal, any additional criteria listed in the UDC, and other related factors.

Planning Commission Hearing

You will be notified when a Planning Commission hearing is scheduled for your application. Planning Commission meetings are scheduled at 5:00 pm on the second Tuesday of each month. The Planning Commission will conduct a public hearing and make a recommendation.

City Council Decision

The action of the Planning Commission will be submitted to the City Council in the form of an ordinance. This ordinance must be read twice (two separate council meetings), before the Council votes. The Mayor must sign and the ordinance must be published in the paper. It becomes effective 30 days after publication.

The City Clerk's office will send notice of the Council action to the applicant.

owner of property located partly or entirely within 350 ft. of the area to be rezoned. Failure to give mailed notice as required by this section or any defect in the notice given shall not invalidate any action of the planning commission or council, provided that a bona fide attempt to comply with this section has been made.

(c) **Sign notice** means a sign with minimum dimensions of 24 in. by 30 in. posted as close as reasonably possible to each street frontage on the applicant's property with the text between 3 and 5 ft. above grade level, with a title line reading "Zoning Notice" in letters at least 3 in. tall, and with the remainder of the text in letters at least ½ in. tall. Each sign must be posted at least two weeks before the date of the public hearing, and must remain in place and legible through the date of the public hearing as shown on the sign. If the sign will not be legible at the stated height due to snow accumulations it may be placed higher, but at the lowest elevation that will be legible to the public. If snow obscures the sign during the posting period, the snow shall be removed and/or the sign shall be relocated so as to be legible within 24 hours after snowfall ends. Evidence produced at or before the public hearing that one or more of the required signs were not in place or legible throughout that period shall be grounds for postponement of the public hearing and a requirement to repost the property. Required signs may not be posted in any portion of the public right-of-way.

2. Content of Notice

Each required notice shall include the following information:

- (a) The name of the applicant;
- (b) The address of the property;
- (c) A narrative description of the project including the proposed land uses, size (in sq. ft.) and height (in ft. and stories) of any proposed buildings or building expansions;
- (d) The type of permit or approval being sought;
- (e) Contact information where additional information can be obtained from the applicant (which may be an address, telephone number, web site, or e-mail address or other electronic site or method);
- (f) Contact information for the assigned city staff member;
- (g) The date, time and place of the public hearing.

3. Special Notice Provision for Appeals

In the case of an appeal to the planning commission or council pursuant to Section 50-37.1.O, mailed notice shall be provided to any interested parties that were notified of the original application and the right to receive notice of any appeal, and who have notified the city in writing that they would like to receive notice of the appeal.

I. Public Hearings

- 1. Public hearings before the planning commission and public hearings before the council on matters related to this Chapter shall be conducted pursuant to rules and practices established by each of those bodies and in compliance with state law.
- 2. Attendance shall be open to the public.
- 3. All hearing and decision timeframes shall comply with MSA 15.99.

Section V

If petitioning for a change from a Residential district to a Mixed Use, Form, or Special Purpose District, include consenting property owners within 100 feet of the property requested to be rezoned (if not included, the rezoning would require a 2/3 vote from council to be approved). **All property owners of the property must sign.**

NAME ADDRESS LEGAL DESCRIPTION OF PROPERTY
YOU MAY USE ADDITIONAL SHEETS