

### ARTICLE III. - GENERAL APPLICATION PROCEDURES

525.140. - Application procedures.

- (a) *In general.* All applications submitted shall be processed by the zoning administrator, who shall make a preliminary investigation, in accordance with the procedures set forth in this chapter.
- (b) *Determination of completeness of application.* The zoning administrator shall review all applications and determine whether such applications are complete. Applications shall not be accepted as complete until the applicant has complied with all of the following:
- (1) A pre-application meeting with city staff during which the appropriate application procedures, requirements and applicable zoning ordinance provisions are reviewed and explained.
  - (2) Submittal of all required application forms relating to the application, including all additional applications, as required in sections 525.20 and 525.30.
  - (3) Submittal of all supporting information required by city ordinance, the zoning administrator, the planning director, the application forms, or by law.
  - (4) Submittal of all fees.
  - (5) Submittal of all required environmental reviews.
  - (6) Submittal of all required state and federal permits for uses located in the FP Floodplain Overlay District.
  - (7) For all land use applications requiring a public hearing as set forth in this zoning ordinance, except appeals of decisions of the city planning commission or board of adjustment, submittal of evidence that notification of the application has been mailed or delivered to the ward council office and the neighborhood group(s) for the area in which the property is located. For all applications for administrative site plan review as set forth in Chapter 530, submittal of evidence that notification of the application has been mailed or delivered to the neighborhood group(s) for the area in which the property is located. The neighborhood group(s) to be notified are those organizations that appear on the list maintained by the planning department for this purpose. The notification shall include the following information: a description of the project; the zoning approvals that the applicant is aware are needed for the project; the address of the property for which zoning approval is sought; and the applicant's name, address, telephone number, and e-mail address, if available. Where the property for which zoning approval is sought is located on a public street that acts as a boundary between two (2) neighborhoods, the above information shall also be provided to the neighborhood group(s) representing the adjacent area(s).
- (c) *Incomplete applications.* If after the application has been accepted, the zoning administrator determines that the application is not complete, the zoning administrator shall notify the applicant in writing within fifteen (15) business days of receipt, specifying any deficiencies of the application, including any additional information which must be supplied, and that no further action shall be taken by the city on the application until the deficiencies are corrected.
- (d) *Remedy of deficiencies.* If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application shall be deemed withdrawn and will be returned to the applicant.
- (e) *Extensions of time.* Upon written request by the applicant, the zoning administrator may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant by these application procedures.

## 525.150. - Public hearings.

### (a) *Notice.*

- (1) *Land use applications.* For all land use applications requiring a public hearing as set forth in this zoning ordinance, except appeals of decisions of the city planning commission or board of adjustment and applications for waiver of the restrictions of an interim ordinance, notice of the public hearing shall be given in the following manner. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.
  - a. *Newspaper of general circulation.* The zoning administrator shall publish notice of the time, place and purpose of the public hearing at least once, not less than fifteen (15) days before the hearing, in a newspaper of general circulation.
  - b. *Registered neighborhood groups.* The zoning administrator shall mail notice of time, place and purpose of the public hearing to the registered neighborhood group(s) for the area in which the subject property is located not less than twenty-one (21) days before the hearing.
  - c. *Affected property owners.* The zoning administrator shall mail notice to all owners of record of property located in whole or in part within three hundred fifty (350) feet of the boundaries of the subject property, not less than fifteen (15) days before the hearing.
  - d. *Posted card.* Notice of time, place and purpose of such public hearing shall also be posted, with a card sign furnished by the zoning administrator's office, on the four (4) corners of the site involved. Said sign shall be posted not later than ten (10) days prior to the date of the hearing.
- (2) *Zoning amendments initiated by the city council or city planning commission.* For all zoning amendments initiated by the city council or city planning commission as set forth in this chapter, except interim ordinances, notice of the public hearing shall be given in the following manner. The failure to give mailed notice, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.
  - a. *Newspaper of general circulation.* The planning director shall publish notice of the time, place and purpose of the public hearing in a newspaper of general circulation in the manner provided by Minnesota Statutes section 462.357.
  - b. *Registered neighborhood groups.* The planning director shall mail notice of time, place and purpose of the public hearing to the affected registered neighborhood group(s) not less than twenty-one (21) days before the hearing.
  - c. *Property owners.* Notice to property owners shall be provided in the manner provided by Minnesota Statutes section 462.357.
- (b) *Notification regarding natural resources.* When any conditional use permit, variance, or zoning amendment, relates to the FP Floodplain, SH Shoreland or MR Mississippi River Critical Area Overlay Districts, as established in Chapter 551, Overlay Districts, the zoning administrator shall mail to the Minnesota Commissioner of Natural Resources, Minneapolis Park and Recreation Board and the affected watershed district or flood-control commission the notice of the hearing at least twenty-one (21) days in advance of the hearing. In addition, a copy of all decisions shall be forwarded to such agencies within ten (10) days of any decision.
- (c) *Procedures.* All hearings conducted shall be open to the public. Any person may appear and testify at a hearing either in person or by duly appointed agent or attorney. The chair or the acting chair may administer oaths. Upon the conclusion of the testimony in each hearing, the review body shall announce its decision or recommendation or shall lay the matter over to a subsequent meeting. The review body shall keep minutes of its public hearings, and shall also keep records of its official actions. Decisions of the review body shall be filed in the office of the zoning administrator or in the office of the city clerk.