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## GENERAL LAND USE APPLICATION

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This application packet is used to file any land use application(s) that requires approval by the Minneapolis City Planning Commission or the Zoning Board of Adjustment. The packet is a tool for gathering property-related information relevant to a land use application. It contains a checklist of materials required for a land use application and a worksheet to be completed by the applicant.

The Minneapolis Zoning Code (Chapter 525, Section 140) governs the land use application process.

### **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).

For reasonable accommodations or alternative formats please contact 311 at 612-673-3000. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users call 612-673-2157 or 612-673-2626. Para asistencia 612-673-2700 - Rau kev pab 612-673-2800 - Hadii aad Caawimaad u baahantahay 612-673-3500.

- (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.

## GENERAL LAND USE APPLICATION REQUIREMENTS CHECKLIST

Staff will accept only complete applications that include all of the items listed below and any specific application requirements. If any of the items are missing at the time of submittal, the application will be deemed incomplete and staff will not accept the application.<sup>1</sup>

Pre-application meeting.
<del>Electronic submittal meeting ePlan submittal guidelines (attached).</del>
Completed Application Worksheet. <b>See pages 10-12 in the attached</b>
Correct fees paid. <b>\$1,145.00</b>
A letter from the property owner, if other than the applicant, authorizing the application.
Copy of a letter or email, sent to the applicable neighborhood group(s) and city council office(s), explaining the proposed project. The letter must contain the following information: <ol style="list-style-type: none"> <li>1. Description of the project.</li> <li>2. Land use applications that the applicant is aware are needed for the project.</li> <li>3. Address of the property for which zoning approval is sought.</li> <li>4. Applicant's name, address, telephone number, and e-mail address, if available.</li> </ol> <p>Where the property for which zoning approval is sought is located on a public street that acts as a boundary between two neighborhoods, the above information shall also be provided to the neighborhood group(s) representing the adjacent area(s).</p>
Statement of proposed use and description of the project.
Specific land use application requirements. <b>(See attached page 8 for Variance Findings)</b>

***Additional requirements, as applicable***

One copy (plus one 8 ½ x 11) of a survey prepared by a licensed land surveyor (always required if applying for a variance of a required yard).
Electronic copy of the existing and/or proposed legal descriptions in a Microsoft Word document (for rezonings and conditional use permits).
Photos of the property and existing structures.
<del>One copy (plus one 8 ½ x 11) of a scaled and dimensioned site plan.<sup>2</sup></del>
<del>One copy (plus one 8 ½ x 11) of scaled and dimensioned floor plans showing all floors (include property lines and roof plan).</del>
<del>One copy (plus one 8 ½ x 11) of a landscaping plan showing existing and proposed shrubs and trees (location, type, number and overall amount).</del>
<del>One copy (plus one 8 ½ x 11) of scaled and dimensioned elevations of each façade, including a table that lists the square footage and percentage of each exterior building material per elevation (for new construction).</del>
<del>One copy (plus one 8 ½ x 11) of colored elevations and/or renderings (for new construction).</del>
<del>Shadow and context studies for large scale projects.</del>
<del>Material and color samples.</del>
<del>One copy (plus one 8 ½ x 11) of scaled and dimensioned signs (locations, types and dimensions).</del>

<sup>1</sup> City staff will review the initial application submission to determine completeness and will notify the applicant of what, if any, additional information must be submitted. Please be aware that supplemental information may also be requested during the evaluation and hearing process.

**Checklist continued.**

<del>A travel demand management (TDM) plan, when proposing 100,000 square feet or more of new or additional non-residential gross floor area or as required by the zoning district.</del>
<del>A unit matrix with net residential area for projects with 20 dwelling units or more.</del>
<del>An approved waiver from the restrictions of any applicable interim ordinance.</del>
<del>Completed Preliminary Development Review submittal.</del>
<del>If the property is a locally designated historic landmark and the development project requires a Certificate of Appropriateness, the General Land Use Application may be deemed incomplete until a complete Certificate of Appropriateness application has been submitted to CPED.</del>
<del>If the property is not already locally designated and the proposed development project requires demolition of an existing structure, a General Land Use Application may be deemed incomplete until a Historic Review Letter is obtained from CPED in order to determine whether the structure is a historic resource and may be eligible for local historic designation.</del>
<del>No new application for zoning approval for the same project or proposal shall be accepted or deemed complete, until all previous applications for such project or proposal have been finally acted upon or withdrawn. No new application for zoning approval for the same project or proposal shall be accepted or deemed complete, if at the time of application such property is not in compliance with the requirements of a previous land use approval by the zoning administrator, planning director, board of adjustment, city planning commission or city council.</del>
<del>Comprehensive plan amendments must be finalized prior to deeming the land use application complete.</del>

<sup>2</sup> The site plan must be prepared by a certified architect, landscape architect, engineer, or land surveyor that is licensed in the State of Minnesota. A license stamp, or registration number, whichever is applicable, together with the signature, shall be provided on the face of the site plan. Site plan information may be combined with the survey of the property. The requirement that one of the above professionals prepare the site plan may be waived by the Zoning Administrator, Planning Director or their authorized representative where the application does not involve a new principal structure, provided the plan is accurately dimensioned and is drawn to an architectural or engineering scale. Applications will not be accepted and permits will not be issued for a new principal structure if a survey is not provided. If the project is subject to Chapter 530, Site Plan Review, it is recommended that the applicant provide a copy of the site plan review ordinance to the registered professional prior to preparation of a site plan. Site plans must include the following items:

- All property lines (existing and proposed).
- Streets, sidewalks and alleys, include existing and proposed curb cuts. If public areas are to be vacated, indicate this.
- Indicate traffic flow on streets, alleys and drive aisles.
- Adjacent uses (show location and identify).
- Building footprints (including garages and other accessory structures) and square footages.
- Other impervious surfaces (walkways, decks, patios, etc.) and square footages.
- Structure encroachments (including areaways, balconies, door swings, etc.) in the right-of-way.
- Dimensioned parking, including handicap accessible spaces, and loading spaces (all parking and loading areas serving the property). Indicate how the parking and loading areas will be designed (curbing, wheel stops, etc).
- Bicycle parking spaces.
- Indicate snow storage area or propose a snow removal plan.
- Walls, screens and fences (show location, type and height).
- Mechanical equipment (air conditioning units, electrical transformers, private or public utilities, etc.)
- Fire hydrants, transit stops, public plazas, trash enclosures, trees in the public right-of-way.
- Proposed and existing lighting (location, type and size).
- Natural features and topography.
- Indicate the direction of water drainage from the site and building (downspouts, roof drains, etc.).
- Stormwater management plan for sites over one acre.
- Erosion control plan for sites where more than 5,000 square feet of dirt is disturbed.
- Indicate north arrow and date the plan was drawn.

## SPECIFIC LAND USE APPLICATION REQUIREMENTS CHECKLIST

In addition to the General Application Requirements, the following may also be required:

*Identified applications (subject to change):*

CONDITIONAL USE PERMIT	CERTIFICATE OF NONCONFORMING USE	CHANGE OF NONCONFORMING USE	EXPANSION OR ALTERATION OF NONCONFORMING USE
REZONING	SITE PLAN REVIEW	VARIANCE	

### CONDITIONAL USE PERMIT

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*Note:* After a conditional use permit has been approved by the City of Minneapolis and the action has become final, such conditional use permit shall be recorded with the Hennepin County Recorder (abstract property) or Registrar of Titles (Torrens property).

**ALL CONDITIONAL USE PERMITS:** *A statement by the applicant which addresses the following required findings:*

- (1) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
- (2) The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (3) Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.
- (4) Adequate measures have been or will be taken to minimize traffic congestion in the public streets.
- (5) The conditional use is consistent with the applicable policies of the comprehensive plan.
- (6) The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

**INCREASING MAXIMUM HEIGHT:** *In addition, the following findings must be addressed:*

- (1) Access to light and air of surrounding properties.
- (2) Shadowing of residential properties, significant public spaces, or existing solar energy systems.
- (3) The scale and character of surrounding uses.
- (4) Preservation of views of landmark buildings, significant open spaces or water bodies.

**SIGN ADJUSTMENTS:** *In addition, the following findings must be addressed:*

- (1) The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.
- (2) The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.

**COMMUNICATION TOWERS, ANTENNAS AND BASE UNITS:** *In addition, the following information must be submitted:*

- (1) Responses to Sections 535.530 and 535.540.
- (2) A photo simulation of the proposed communications tower and/or antennas.
- (3) Photograph of the base equipment.
- (4) Proof of the FCC license.
- (5) Letter from the State Historic Preservation Office.
- (6) Certified property survey.
- (7) Map showing the distance from all surrounding residential structures.
- (8) Map showing the existing communication towers within a one-mile radius of the site and an explanation of why the existing communications towers cannot be used for co-location.

**PLANNED UNIT DEVELOPMENT:** *In addition, submit the required items found in the Planned Unit Development Application Packet.*

**OTHER CONDITIONAL USE PERMITS:** *In addition, findings must be submitted if applying for any of the following:*

- A conditional use permit for a **home occupation to be separate from the dwelling unit in a building of five units or more** (Section 535.450).
- A conditional use permit to **increase the floor area of warehousing and distribution uses in the I1 district** (Section 550.230).
- A conditional use permit to **increase the gross vehicle weight of commercial vehicles allowed to be parked within a certain distance of a Residence or Office Residence district** (Section 550.110).
- Any conditional use permit required by the **Shoreland or Floodplain Overlay Districts** (Sections 551.490 and 551.580).
- *Note:* The findings for the conditional use permits listed above will be provided to the applicant by staff.

#### **CERTIFICATE OF NONCONFORMING USE**

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*Documents and/or affidavits showing continuous use of the property back to a time when the use was a legal, conforming use. Examples of supportive documents may include building permit records, business records, lease agreements, tax statements, etc.*

#### **CHANGE OF NONCONFORMING USE**

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*A statement by the applicant which addresses the following aspects of the proposed change:*

- (1) Hours of operation.
- (2) Signage.
- (3) Traffic generation.
- (4) Off-street parking and loading.
- (5) Nature of business operations.
- (6) Number of employees.
- (7) Building bulk.
- (8) Aesthetic impacts on surrounding property.
- (9) Lighting, noise, odor, heat, glare and vibration.

## **EXPANSION OR ALTERATION OF NONCONFORMING USE**

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*A statement by the applicant which addresses the following required findings:*

- (1) A rezoning of the property would be inappropriate.
- (2) The enlargement, expansion, relocation, structural alteration or intensification will be compatible with adjacent property and the neighborhood.
- (3) The enlargement, expansion, relocation, structural alteration or intensification will not result in significant increases of adverse off-site impacts such as traffic, noise, dust, odors and parking congestion.
- (4) The enlargement, expansion, relocation, structural alteration or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.
- (5) In districts in which residential uses are allowed, the enlargement, expansion, relocation, structural alteration or intensification will not result in the creation or presence of more dwelling units or rooming units on the subject property than is allowed by the regulations of the district in which the property is located.
- (6) The enlargement, expansion, relocation, structural alteration or intensification will not be located in the Floodway District.

## **REZONING**

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*Complete Forms A through C, as required, found in the Zoning Application, Petitions and Affidavits Packet.*

- If signatures are required, complete Forms D and E, and possibly Forms F and G, and obtain a list and map of property owners within 100 feet from the boundaries of the entire property and all contiguous property under the same ownership as the property in question. The map shall include underlying platted lots.

## **SITE PLAN REVIEW**

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*See Chapter 530 Site Plan Review standards.*

## **VARIANCE**

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**ALL VARIANCES:** *A statement by the applicant which addresses the following required findings:*

- (1) Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.
- (2) The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.
- (3) The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

**SIGN VARIANCE:** *In addition, the following findings must be addressed if applying for a sign variance:*

- (1) The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.
- (2) The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.

**SHORELAND OVERLAY DISTRICT OR MISSISSIPPI RIVER CRITICAL AREA OVERLAY DISTRICT VARIANCE:** In addition, the following findings must be addressed for a variance required by the Shoreland Overlay District or the Mississippi River Critical Area Overlay District:

- (1) The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
- (2) Limiting the visibility of structures and other development from protected waters.
- (3) The suitability of the protected water to safely accommodate the types, uses and numbers of watercraft that the development may generate.

**ADDITIONAL STANDARDS TO PERMIT DEVELOPMENT ON A STEEP SLOPE, WITHIN 40 FEET OF THE TOP OF A STEEP SLOPE OR BLUFF, OR WITHIN 50 FEET OF THE ORDINARY HIGH WATER MARK OF ANY PROTECTED WATER IN THE SH SHORELAND OVERLAY DISTRICT:**

- (1) Development must currently exist on the steep slope or within forty (40) feet of the top of a steep slope within five hundred (500) feet of the proposed development.
- (2) The foundation and underlying material shall be adequate for the slope condition and soil type.
- (3) The development shall present no danger of falling rock, mud, uprooted trees or other materials.
- (4) The view of the developed slope from the protected water shall be consistent with the natural appearance of the slope, with any historic areas, and with the surrounding physical context.

## FEES

APPLICATION TYPE	FEE (DOLLARS)	
Administrative review of plazas	450	
Administrative review of skyways	450	
Appeals of the ruling of the board of adjustment or city planning commission	450	
Appeals of the ruling of the zoning administrator, planning director or other official involved in the administration or the enforcement of this zoning ordinance	450	
Certificates of nonconforming use	620	
Conditional use permits:	0 – 9,999 square feet of lot area	650
	10,000 – 43,559 square feet of lot area	875
	43,560 square feet of lot area or more	1,085
Conditional use permits for the following uses:	Signs	670
	Planned unit developments	2,570
	Wind energy conversion systems	670
Environmental reviews	615 Or the actual costs of environmental review processes as determined by the planning director, whichever is greater	
Expansion or change of nonconforming use	720	
Floor area ratio premiums	450	
Future land use map amendments:	1,100	
Interim uses:	780	
Minor subdivision	365	
Preliminary and final plat	1,035	
Preliminary and final registered land survey	1,035	
Shared parking	260	
Site plan reviews:	0 – 9,999 square feet of lot area	950
	10,000 – 43,559 square feet of lot area	1,400
	43,560 square feet of lot area or more	1,850
	Amendment to approved plan	450
Administrative site plan reviews:	0 – 9,999 square feet of lot area	675
	10,000 – 43,559 square feet of lot area	930
	43,560 square feet of lot area or more	1,150
	Amendment to approved plan	300
Administrative site plan reviews for single-, two-, and three-family dwellings	475	
Temporary uses	140	
Transfer of development rights	450	
Travel demand management plans	620	
Variances*:	0 – 9,999 square feet of lot area	525
	10,000 – 43,559 square feet of lot area	780
	43,560 square feet of lot area or more	1,000
Variances involving residential uses on reverse corner lots or through lots having less than 10,000 square feet of lot area	220	
Waiver of restrictions of interim ordinances	450	
Zoning amendments:	0 – 9,999 square feet of lot area	840
	10,000 – 43,559 square feet of lot area	1,110
	43,560 square feet of lot area or more	1,400

APPLICATION FEES: \$ \_\_\_\_\_

**NOTE:**  
After notification of a public hearing has taken place, a request by the applicant to continue an application to a subsequent public hearing of the city planning commission or board of adjustment shall be charged a fee totaling one hundred fifty dollars (\$150.00) when such request is granted. The fee shall be applied on a project-by-project basis and only when the continuance was requested by the applicant for the sole benefit of the applicant and when the Zoning Administrator determines that substantial additional staff time is required to review the project.

\*Fees are not collected for variances of the subdivision ordinance.

## GENERAL LAND USE APPLICATION WORKSHEET

<b>Name of Proposed Project or Subdivision</b>				
<b>Property Owner/Applicant</b>	Name			
	Mailing Address Including City, State and Zip Code			
	Phone Number			
	Email			
<b>Applicant's Representative</b> <i>This person will be the primary contact for staff, and is the authorized agent in place of the property owner</i>	Name			
	Mailing Address Including City, State and Zip Code			
	Phone Number			
	Email			
<b>Neighborhood Group Contact</b> <i>Be sure to include a copy of the letter or e-mail that was sent</i>	Organization			
	Contact Name			
	Phone Number			
	Date letter/e-mail sent			
<b>Council Member Contact</b> <i>Be sure to include a copy of the letter or e-mail that was sent</i>	Name			
	Ward			
	Phone Number			
	Date letter/e-mail sent			
<b>Property Information</b> <i>Provide a separate sheet, if needed</i>	Address(es)			
	Identification Number(s)			
	Lot Area (sq ft)			
	Zoning classification(s)			
<b>Building Data</b> <i>Fill in existing &amp; proposed even when no change is proposed</i>	<i>Gross floor area (square feet)</i>	Existing to remain:	Proposed new:	Total:
	<i>Building footprint area (square feet)</i>	Existing to remain:	Proposed new:	Total:

	<i>Building height</i>	Existing stories:	Proposed stories:
		Existing feet:	Proposed feet:
	<i>Dwelling units</i>	Existing:	Proposed:
	<i>Net residential area</i>		Proposed:
<b>Parking Data</b>	<i>Total number of spaces</i>	Existing:	Proposed:
	<i>Number of standard spaces</i>	Proposed:	
	<i>Number of compact spaces</i>	Proposed:	
	<i>Number of handicap spaces</i>	Proposed:	
	<i>Number of bicycle spaces</i>	Proposed:	
	<i>Number of loading spaces</i>	Proposed:	
<b>Landscaping Data</b>	<i>Landscaped area (square feet)</i>	Existing:	Proposed:
<b>Impervious Surface Data</b>	<i>Impervious surfaces (square feet)</i>	Existing:	Proposed:
<b>Property History</b>	Name of current business:	Beginning / end dates:	Type of business / use:
<b>Fence Data</b> <i>Indicate location on site plan</i>	First fence (check one): Existing / Proposed	Type / material (i.e. wood, chain-link):	Length (feet):
			Height (feet):
	Second fence (check one): Existing / Proposed	Type / material (i.e. wood, chain-link):	Length (feet):
			Height (feet):
<b>Sign Data</b> <i>Include a sign plan with elevations for new signage</i>	<i>Number of signs</i>	Existing:	Proposed:
	First sign (check one):  Existing / Proposed	Type of sign (circle one): Freestanding / Mounted	Length x Width (feet):
		If lit, how?	Area (square feet):
			Height above grade (feet):
	Second sign (check one):  Existing / Proposed	Type of sign (circle one): Freestanding / Mounted	Length x Width (feet):
		If lit, how?	Area (square feet):
			Height above grade (feet):

## LAND USE APPLICATION(S)

Do not complete the following section (*Staff will do this*) PLAN \_\_\_\_\_

1. Variance to reduce the minimum lot area from 6,000 square feet to \_\_\_\_\_ square feet to allow for a minor subdivision.

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2. Minor subdivision to create two tax parcels from one tax parcel.

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I understand that I must file the land use application(s) listed above with the Community Planning and Economic Development Department – Development Services Division and obtain approval of these applications by the Minneapolis City Planning Commission or the Zoning Board of Adjustment in order to conform with the zoning ordinances of the City of Minneapolis. I certify that the information which I have supplied in submitting these application(s) is correct and accurate to the best of my knowledge. When I submit this application along with the required application fee(s) and *a properly scaled and dimensioned plan* of the subject property, I authorize the Community Planning and Economic Development Department – Development Services Division to process the land use application(s) listed above.

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Applicant's name and signature

Date

- ❖ Must be signed and dated by the applicant before the application(s) will be processed.
- ❖ Applications received after 3:30 p.m. will be processed as received on the following business day.
- ❖ Development Services staff may identify additional land use applications upon further analysis of the proposed project.