

1ST READING: 7-13-90
REFERRED TO (NAME OF) COMMITTEE: ZCP
PUBLIC HEARING: 7/3/90
2ND READING AND FINAL PASSAGE: 7-27-90

AN ORDINANCE of the CITY OF MINNEAPOLIS

Sayles Belton and Scott

presents the following ordinance:

**Amending Title 20, Chapter 534 of the Minneapolis Code of Ordinances
relating to Zoning Code: Administration and Enforcement.
(Amendment No. 90-20)**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 534.140 of the above-entitled ordinance be amended to read as follows:

534.140. Application for variation and notice of hearing. An application for a variation shall be filed in writing with the zoning administrator. The application shall contain such information as the board of adjustment may by rule, require. Notice of the time, place and purpose of such public hearing shall be published at least once IN A NEWSPAPER OF GENERAL CIRCULATION AND, not less than fifteen (15) days before the hearing, in a newspaper of general circulation. Notice of time, place and purpose of such public hearing shall also be mailed to the owners of record who are owners of property (ACCORDING TO RECORD ON FILE WITH COUNTY AUDITOR) in whole or in part situated within THREE HUNDRED FIFTY (350) FEET NOT LESS THAN FIFTEEN (15) DAYS PRIOR TO THE HEARING DATE. the following distance from the boundaries of the properties affected: For applications regarding residentially zoned properties, owners within one hundred (100) feet shall be notified; for applications regarding nonresidentially used properties, or properties of nonresidential and residential use, owners within two hundred (200) feet shall be notified. Said notice going to the owners of record in the office of the county auditor. Said notice SPECIFYING TIME, DATE AND PURPOSE OF THE PUBLIC HEARING shall ALSO be sent not later than seven (7) TWENTY ONE (21) days prior to the date of hearing TO THE REGISTERED NEIGHBORHOOD GROUP(S). On the address side OF THE NOTICE GOING TO THE PROPERTY OWNERS shall be printed or stamped WITH the words, "Important Notice Affecting Your Property." 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 seven (7) TEN (10) days prior to the date of the hearing.

The zoning administrator shall submit to the Minnesota Commission of Natural Resources and the affected watershed district or flood-control commission a copy of the application for a proposed variance in advance of the public hearing so that said agencies will have at least ten (10) days' notice of the hearing. A copy of all decisions granting variances shall also be forwarded to said agencies within ten (10) days of such action.

Section 2. That Section 534.250 of the above-entitled ordinance be amended to read as follows:

534.250. Notice of Hearing. Notice of the time, place and purpose of such public hearing shall be published at least once, not less than fifteen (15) days before the hearing, in a newspaper of general circulation. Notice of time, place and purpose of such public hearing shall also be mailed NOT LATER THAN TWENTY ONE

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(21) DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING to the REGISTERED NEIGHBORHOOD GROUP(S) AND NOT LATER THAN FIFTEEN (15) DAYS TO owners of record who are owners of property in whole or in part situated within three hundred fifty (350) feet of the boundaries of the properties affected, said notice going to the owners of record in the office of the county auditor. Said notice GOING TO THE PROPERTY OWNERS shall be sent not later than ten (10) days prior to the date of hearing. On the address side shall be printed or stamped the words "Important Notice Affecting Your Property," except as otherwise required by Minnesota Statutes Section 462.357. 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 to be rezoned. Said signs shall be posted no later than ten (10) days prior to the date of the hearing.

Section 3. That Section 534.251 of the above-entitled ordinance be amended to read as follows:

534.251. Amendments initiated by the city council or the planning commission. The city council shall hold public hearings after published notice in compliance with the provisions of Minnesota Statutes, Section 462.357, in the instance that an amendment is initiated by the city council or the planning commission without the consent of affected property owners after a survey has been made of an area of the city of not less than forty (40) acres. Notice of time, place and purpose of such public hearing shall also be mailed NOT LATER THAN TWENTY ONE (21) DAYS TO THE REGISTERED NEIGHBORHOOD GROUP, FIVE (5) AND FIFTEEN (15) DAYS PRIOR TO THE PUBLIC HEARING DATE to all persons receiving water bills for property to be rezoned by such amendment, and to the owners of all vacant property. Said notice GOING TO THE PROPERTY OWNERS shall be sent not later than ten (10) days prior to the date of hearing. On the address side shall be printed or stamped the words "Important Notice Affecting Your Property," except as otherwise required by Minnesota Statutes, Section 462.357. Such notice to owners shall not be required in the instance of a comprehensive rezoning of the city.

Section 4. That Section 534.320 of the above-entitled ordinance be amended to read as follows:

534.320. Hearing on application for conditional use. Upon receipt in proper form of the application and statement referred to in section 534.310, the planning commission shall hold at least one public hearing on the proposed conditional use. At least fifteen (15) days in advance of such hearing, notice of time and place of such hearing shall be published in a newspaper of general circulation, as prescribed by applicable Minnesota Statutes. Supplemental or additional notices may be published or distributed as the planning commission may, by rule, prescribe from time to time. Notice of time, place and purpose of such public hearing shall also be sent by postcard NOT LATER THAN TWENTY ONE (21) DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING to the REGISTERED NEIGHBORHOOD GROUP(S) AND FIFTEEN (15) DAYS TO THE owners of record who are owners of property in whole or in part situated within two hundred (200) THREE HUNDRED FIFTY (350) feet of the boundaries of the properties affected; said notices going to owners of record in the office of the county auditor. Said notice shall be sent not later than seven (7) days prior to the date of hearing. On the address side of the card NOTICE GOING TO THE PROPERTY OWNERS shall be printed or stamped the words "Important Notice Affecting Your Property."

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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 seven (7) TEN (10) days prior to the date of the hearing.

The zoning administrator shall submit to the Minnesota Commissioner of Natural Resources and the affected watershed district or flood-control commission a copy of the application for a proposed conditional use permit in advance of the public hearing so that said agencies will have at least ten (10) days' notice of the hearing. A copy of all decisions shall be forwarded to said agencies within ten (10) days of such action.

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Dziedzic	X						Scallon	X					
Campbell				X			Nieland	X					
Hilary	X						Cramer				X		
Rainville				X			Schulstad	X					
Cherryhomes	X						Johnson	X					
Coyle	X						President	X					
Scott	X						Sayles Belton	X					

PASSED JUL 27 1990
DATE

APPROVED — ~~NOT APPROVED~~ — ~~VETOED~~ AUG 2 1990
DATE

Shawn Sayles Belton
PRESIDENT OF COUNCIL

Don Hase
MAYOR

ATTEST Mommy Kage
CITY CLERK