

PLANNING ESSENTIALS: REZONING

HOW TO APPLY

Submit the following information

- Rezoning application
- A currently certified Abstract of Title or an Owner's Duplicate Certificate of Title and copies of all unrecorded documents necessary to establish a legal or equitable interest by the applicant in the property involved
- A statement describing:
 - Intended use of the property
 - Why you believe the city should approve the proposed amendment
 - How the proposal meets the development code requirements below
- Plans
 - One 8 1/2" x 11" and one 11" x 17" half-scale reproducible print for each required sketch, drawing, or plan
 - Two 24" x 36" copies of each plan sheet for staff review (if required by staff)
 - Digital Copies of plans can be submitted at shoreviewmn.gov

APPLICATION FEES

- Filing fee: \$500 or \$100 for amendments from UND, urban underdeveloped to residential
 - Non-refundable.

PROCESSING YOUR APPLICATION

This request requires a public hearing. Staff will review the application in accordance with sections 203.053 and 203.020 (A) of the city code. After review, staff will schedule a public hearing.

- Notice:
 - Newspaper publication:
 - Staff will provide published notice 10 days before the public hearing
 - Notice will include the purpose, time, date and location of the public hearing
 - Affidavits of publication will be part of the meeting's record
 - Mailed notice:
 - Staff will provide written notice to property owners with 350 feet of the property 10 days before the public hearing
 - Notice will include the purpose, time, date and location of the public hearing
 - An affidavit with the names and addresses of the property owners will be a part of the meeting's record
 - The process will not be invalidated if:
 - Mailed notice did not occur



- Defects in the notice occurred despite staff's attempt
- Public hearing:
 - Planning commission will:
 - Hold a public hearing and review the request according to city code
 - Make a recommendation to the city council for approval or denial and provide the reasons for it
 - The request can also be tabled for further review
 - City council will
 - Consider the request based on the planning commission's recommendation
 - The city council may also hold a public hearing instead of the planning commission.
 - Table, approve, or deny the request based on recommendations and the city code
- Issuance and conditions.
 - If approved, the city council may impose conditions and safeguards that ensure the use:
 - Will not be detrimental to the health, safety or general welfare of the community and that the use
 - Is in harmony with the general purpose and intent of the development ordinance and comprehensive guide plan
 - If denied, the city council will provide reasons for it
- Decision
 - Rezoning district map amendments require a 4/5 majority vote of the city council for approval
 - Decisions are final

DEVELOPMENT CODE REQUIREMENTS

- Proposed rezoning:
 - Consistent with:
 - Comprehensive Guide Plan policies
 - General purpose and intent of the development regulations
 - Will not allow development that has a significant and adverse impact on nearby properties
 - Requests are exempt from this if:
 - Only one zoning district option is available for the site based on the current land use plan map designation
 - Proposed rezoning is not the most intensive option identified for the site based on the current land use plan map designation
 - If more than one zoning district option exists, the basis for review will be:
 - The current zoning if it is not a planned unit development (PUD)



- The underlying or assigned zoning if it is a planned unit development (PUD)
- The most restrictive zoning district option if it is a rezoning from Urban Underdeveloped (UND)
- If rezoning to the Telecommunications Overlay District, the planning commission should add:
 - The proposed site:
 - Is necessary to reasonably accommodate a wireless telecommunications service
 - Allows all antennas and towers to blend into the surrounding environment
 - Has trees, topography, buildings, and utility poles to reduce or eliminate the visual impact
 - Does not have public health or safety issues
 - Complies with standards in section 207 of the city code
 - Provides new collocation opportunities
 - Usable sites with this zoning are not within a half-mile radius of the proposed site
- The applicant needs to agree to enter into a development agreement with the city as a condition of approval

MISCELLANEOUS INFORMATION

The city will not accept an application until everything is submitted. An incomplete application may delay scheduling the public hearing and planning commission review.

Your application is considered public. If the city receives a request, they will need to provide it.

Staff recommends that you discuss your proposal with your neighbors before you submit it. This can help address any concerns they may have.

The applicant and property owner are responsible for paying any out-of-pocket expenses. This includes:

- Administrative, engineering, or legal expenses for processing your application
- Staff time for enforcing any conditions(s) of the approval

QUESTIONS?

Shoreview Community Development Department
651-490-4680 | shoreviewmn.gov

