

Land Use Application Packet Materials

Please read through this entire packet to ensure your application is complete for processing. Should you have questions or concerns you are encouraged to contact the Planning Director, who will act as your primary contact during this process.

Pre-Application Meeting

A pre-application meeting is required prior to submission of a Land Use Application. The purpose of the pre-application meeting is to aid you in preparing a complete application, including providing procedural information, information regarding regulations of the Zoning Code, and identifying policies or regulations that create opportunities or problems for your request. The Planning Director will also take the opportunity to review and identify which items from the Land Use Application Checklist below will be required. A Pre-Application Meeting Form is included in this packet. To schedule a pre-application meeting call the Planning Director at 651-638-2059.

Land Use Application Checklist:

In addition to completing the attached Land Use Application and submitting the required application fee, additional supportive materials are required to process your request.

Zoning Code Section 8-010 (1) (G) recognizes that every land use application is unique and that a complete list of required submittals cannot be provided for every type of application. The Planning Director will provide instruction during the required Pre-Application meeting on which of the items listed below must be submitted with your Land Use Application. The list does not contemplate every item needed to make a decision on every land use request and more complicated requests may result in the need for additional materials throughout the course of Planning Commission and City Council review. City staff will process your application in accordance with the 60 day rule of Minnesota State Statute 15.99.

For Special Use Permits, Variances, Non-Conforming Use Permits, & Subdivisions of a residential nature and all Vacation requests, the following items are required:

- Completed Pre-Application Meeting Form
- Completed Land Use Application
- Fee based on type of land use request
- Written narrative explaining your request in detail
- Certificate of Survey (dated within the last six months)
- For subdivisions & vacations: list of existing & proposed legal descriptions
- Proposed Site Plan
- Existing & Proposed Floor Plans
- Existing & Proposed Elevation Views
- List of proposed exterior building materials & colors
- Copy of completed Rice Creek Watershed District Permit Application (only if applicable)
- Additional Written Items (see explanation below)

For all non-residential land use requests, Planned Unit Development, Planned Residential Development, Rezoning, Zoning Code Amendment & Comprehensive Plan Amendments, the following items are required:

- Completed Pre-Application Meeting Form
- Completed Land Use Application
- Fee based on type of land use request
- Written narrative explaining your request in detail
- Certificate of Survey (dated within the last six months)
- For subdivisions: list of existing & proposed legal descriptions
- Proposed Site Plan
- Grading & Drainage Plan
- Utility Plan
- Parking Plan
- Landscaping Plan
- Lighting Plan
- Existing & Proposed Floor Plans
- Existing & Proposed Elevation Views
- List of proposed exterior building materials & colors
- Perspective drawing and/or color rendering from areas of interest
- Copy of completed Rice Creek Watershed District Permit Application
- Additional Written Items (see explanation below)

Additional Written Items Required

Depending on the type of land use request made, the Zoning Code requires additional written materials to be submitted. The Planning Director will discuss this at the time of your Pre-Application meeting. The types of additional written materials that may be required include:

Special Use Permits

All requests for a Special Use Permit must include a written narrative on how the project meets the Special Use Permit standards of Zoning Code Section 8-130.

Variances

All requests for a Variance must include a written narrative on how the project meets the Variance standards of Zoning Code Section 8-230.

Nonconforming Use Permits

All requests for a Nonconforming Use Permit must include a written narrative on how the project meets the Nonconforming Use standards. There are four types of nonconformities with differing standards for all four. Generally speaking, most Nonconforming Use Permits processed deal with Type 4 nonconformities. The Type 4 Nonconforming standards are located in Zoning Code Section 8-460.

Planned Developments (PRD or PUD)

If you are requesting either a Planned Residential Development (PRD) or Planned Unit Development (PUD) a written statement on how the project would be of

public interest must be submitted. This narrative should also address the timing of the project and if the project is proposed to be built in stages.

Rezoning

If you are requesting a Rezoning, a petition must be signed by at least 50% of the property owners within 200 feet of the property to be rezoned. Failure to secure these signatures results in the inability to submit a Land Use Application.

The standards noted above related to Special Use Permits, Variances, and Nonconforming Use Permits are included in this packet in worksheet form. You can either complete the worksheet, which allows you to respond to each specific standard or you may submit your responses in an essay format. Should you have questions or concerns in responding to these standards, the Planning Director can provide further direction at the time of your pre-application meeting.

Schedule for Review

A Development Review Schedule is included in this packet. The Development Review Schedule identifies the application submission deadline and the dates for when the Planning Commission and City Council will consider your request. All requests for land use approval require a review by the Planning Commission and City Council. The Planning Commission acts as a recommending body to the City Council, who makes all final decisions.

Some land use requests require public hearing notifications and neighborhood notifications. The dates when these items occur is listed on the Development Review Schedule. Generally, the application submission deadline is 3 weeks in advance of the Planning Commission meeting, which is held on the 3rd Tuesday of every month. The exception to the 3 week advance application date is when that date falls near a holiday. When this occurs the application deadline will be more that 3 weeks in advance to be sure adequate time is given to publish hearing notices in the local newspaper.

Neighborhood Meetings

Neighborhood meetings are informal meetings held by the applicant in advance of the Planning Commission meeting. Neighborhood meetings allow the applicant to communicate goals to the neighborhood in advance of the formal public hearing, which is conducted during the Planning Commission meeting. Often times neighborhoods have concerns and when these concerns can be voiced in an informal setting in advance of a City meeting, one can attempt to address the concerns in a manner satisfactory to the neighborhood (maybe agree to implement landscaping or a fence or agree to hours of operation). Having neighborhood meetings can also decrease the amount of time necessary to gain approval for a project.

It is required that neighborhood meetings be held for any request for a Rezoning, Planned Unit Development, Planned Residential Development, some Special Use Permits and Variances of a commercial or industrial nature, and any project expected to create controversy. The Planning Director will advise you on whether or not a neighborhood

meeting is required. The Planning Director can also provide a mailing list or venue for your neighborhood meeting.

Development Review Meeting

Depending on the complexity of your land use request, there are various departments within the City that may need to review your application. Following submission of your Land Use Application and supportive materials, City staff conducts a Development Review Meeting. Members of City staff who typically participate in these meetings include the Planning Director, City Engineer, Fire Marshall, Building Official and representatives of the Parks & Recreation and Public Safety departments. Either you, or someone representing you, must attend this meeting. These meetings are held at City Hall and the Planning Director will provide the date/time of this meeting once it has been scheduled.

Minnesota Government Data Practices Act

Please be advised that by submitting a Land Use Application you acknowledge that any materials submitted with your request are subject to the Minnesota Government Data Practices Act and is considered public data in accordance with Minnesota Statutes, section 13.01. Minnesota Statutes, section 13.37 provides for certain types of data to remain nonpublic, including Security Information, Trade Secret Information, and Copyrighted Information. If you believe the materials you are submitting with your permit application contain any nonpublic information you must notify the City at the time of application and provide support for the claim.

Land Use Approval is Not a Building Permit

Once you receive land use approval; if the scope of work requires a building permit you must complete a building permit application and submit all drawings required per the direction of the Building Official. Typically, the details of drawings submitted for land use approval are not adequate for obtaining a building permit. A building permit packet is available on the city's website at www.newbrightonmn.gov.

Post Application Follow-Up

City staff wants the land use application process to be as efficient and user friendly as possible. Should you have suggestions on how to improve the land use process, you are encouraged to contact the Planning Director or a Planning Commissioner. Your comments/suggestions are greatly appreciated and will be reviewed for implementation.

Special Use Permit Criteria Worksheet

A special use permit cannot be approved unless the Planning Commission and City Council find that the following criteria have been met. Please provide a response on how/why your project meets the below stated criteria. Use additional sheets if necessary and consult with the Planning Director at the time of your Pre-Application Meeting as some items may not be applicable for your project.

1) That the establishment, maintenance, or operations of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

3) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

5) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located.

Variance Standards Worksheet

A variance cannot be approved unless the Planning Commission and City Council find that the following standards have been met. Please provide a response as to how/why your project will meet these criteria. Use additional sheets if necessary and consult with the Planning Director at your Pre-Application Meeting if you need clarification on the intent of any of the below standards.

1) Practical difficulties

2) Reasonable use

3) Applying to property

4) Character of the locality

5) Consistency with Comprehensive Plan

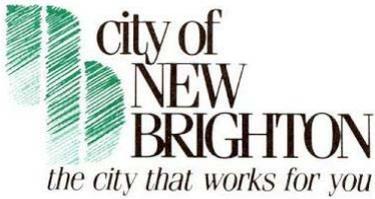
Nonconforming Use Permit Standards Worksheet

A Nonconforming Use Permit cannot be approved by the Planning Commission and City Council unless one of the following three conditions is met. Please provide a response as to your projects ability to comply with one or more of these standards. Use additional sheets if necessary and if you have questions direct them to the Planning Director at the time of your Pre-Application Meeting.

1) The total number of nonconformities is reduced.

2) The impact of any nonconformity upon adjacent premises is reduced to the greatest practical extent.

3) The extent of any nonconformity is reduced where practical.



Land Use Pre-Application Meeting Form

Department of Community Assets & Development

803 Old Hwy 8 NW * New Brighton, MN 55112 * Phone: 651-638-2100 * Fax: 651-638-2044

Date of Pre-Application Meeting: _____

Planner Sign Off: _____

TYPE OF REQUEST

- Comprehensive Plan Amendment
- Minor Subdivision
- Non-Conforming Use Permit
- Preliminary Planned Residential Develop.
- Final Planned Residential Development
- Preliminary Plat
- Final Plat
- Preliminary Planned Unit Development
- Final Planned Unit Development
- Rezoning
- Site Plan
- Special Use Permit – Residential
- Special Use Permit – Comm/Industrial
- Vacation
- Variance
- Zoning Code Amendment

SUBMITTAL CHECKLIST:

- Completed Pre-Application Meeting Form
- Completed Land Use Application
- Fee based on type of land use request
- Written narrative explaining your request in detail
- Certificate of Survey (dated within the last six months)
- For subdivisions: list of existing & proposed legal descriptions
- Site Plan
- Grading & Drainage Plan
- Utility Plan
- Parking Plan
- Landscaping Plan
- Lighting Plan
- Existing & Proposed Floor Plans
- Existing & Proposed Elevation Views
- List of proposed exterior building materials & colors
- Perspective drawing
- Copy of completed Rice Creek Watershed District Permit

ADDITIONAL WRITTEN MATERIALS REQUIRED

(see Land Use Application Packet for applicable worksheet)

- SUP
- Variance
- Nonconforming Use Permit
- PUD/PRD
- Rezoning Petition

Application Submittal Deadline: _____

Development Review Meeting Date: _____

Neighborhood Meeting Date: _____

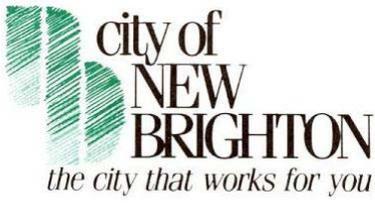
Planning Commission Meeting Date: _____

City Council Meeting Date: _____

I, the Land Use Applicant and/or Owner, understand what is expected at the time of the Land Use Application Submission and am aware failure to submit one or more of the items listed above could result in the City Planner finding my Land Use Application incomplete for processing.

Applicant Signature: _____ Date: _____

Owner Signature: _____ Date: _____



Land Use Application

Department of Community Assets & Development

803 Old Hwy 8 NW * New Brighton, MN 55112 * Phone: 651-638-2100 * Fax: 651-638-2044

Date of Pre-Application Meeting: _____

Case Number(s): _____

TYPE OF REQUEST

- Comprehensive Plan Amendment**
Fee: \$1,148.00
- Minor Subdivision**
Fee: \$268.00 + \$79.00 per proposed lot
- Non-Conforming Use Permit**
Fee for R1 & R2: \$258.00
Fee for all other zones: \$584.00
- Preliminary Planned Residential Develop.**
Fee: \$784.00 + \$100.00 per acre
- Final Planned Residential Development**
Fee: \$258.00
- Preliminary Plat**
Fee: \$485.00 + \$121.00 per acre
- Final Plat**
Fee: \$258.00
- Preliminary Planned Unit Development**
Fee: \$1,211.00
- Final Planned Unit Development**
Fee: \$258.00
- Rezoning**
Fee: \$1,148.00
- Site Plan**
Fee: \$537.00
- Special Use Permit – Residential**
Fee: \$358.00
- Special Use Permit – Comm/Industrial**
Fee: \$621.00
- Vacation**
Fee: \$253.00
- Variance**
Fee for R1 & R2: \$310.00
Fee for all other zones: \$789.00
- Zoning Code Amendment**
Fee: \$1,148.00

Site Address: _____

Legal Description (attach additional pages if necessary):

Short Description of Request (A written narrative describing your request in detail must be attached):

APPLICANT INFORMATION

Name: _____
Address: _____
City: _____
State: _____ **Zip:** _____
Daytime Phone: _____
Fax: _____
Other Phone/Cell: _____
Email: _____

Applicant's Signature

Date

PROPERTY OWNER INFORMATION

(if different than applicant)

Name: _____
Address: _____
City: _____
State: _____ **Zip:** _____
Daytime Phone: _____
Fax: _____
Other Phone/Cell: _____
Email: _____

Owner's Signature

Date

I, the Land Use Applicant and/or Owner, understand what is expected at the time of the Land Use Application Submission and am aware failure to submit one or more of the items listed above could result in the City Planner finding my Land Use Application incomplete for processing.

Applicant Signature: _____ Date: _____

Owner Signature: _____ Date: _____

**City of New Brighton
Development Review Schedule
2016**

Application Submission Deadline	Public Hearing Notice Published <small>(in official City newspaper)</small>	10 Day Neighborhood Notice Deadline	Planning Commission Meeting	City Council Meeting
December 30, 2015	January 6, 2016	January 8, 2016	January 19, 2016	January 26, 2016
January 28, 2016	February 3, 2016	February 5, 2016	February 16, 2016	February 23, 2016
February 25, 2016	March 2, 2016	March 4, 2016	March 15, 2016	March 22, 2016
March 31, 2016	April 6, 2016	April 8, 2016	April 19, 2016	April 26, 2016
April 28, 2016	May 4, 2016	May 6, 2016	May 17, 2016	May 24, 2016
June 2, 2106	June 8, 2016	June 10, 2016	June 21, 2016	June 28, 2016
June 29, 2016	July 6, 2016	July 8, 2016	July 19, 2016	July 26, 2016
July 28, 2016	August 3, 2016	August 5, 2016	August 16, 2016	August 23, 2016
August 31, 2016	September 7, 2016	September 9, 2016	September 20, 2016	September 27, 2016
September 29, 2016	October 5, 2016	October 7, 2016	October 18, 2016	October 25, 2016
October 27, 2016	November 2, 2016	November 4, 2016	November 15, 2016	November 22, 2016
December 1, 2016	December 7, 2016	December 9, 2016	December 20, 2016	January 10, 2017