



## COMPREHENSIVE PLAN AMENDMENT APPLICATION<sup>1</sup>

This handout is intended to provide guidance on putting together and submitting a comprehensive plan amendment application in Montgomery. The purpose of the comprehensive plan amendment form is to provide the City a chance to review your proposal.

In order to have your comprehensive plan amendment application be complete and reviewed in the timeliest fashion, there are a number of steps that must be followed:

1. Contact City staff to discuss your comprehensive plan amendment request and obtain a land use application.
2. Put together an informational packet (described herein) that fulfills the comprehensive plan amendment submittal requirements. Initially providing detailed information and answers will greatly reduce the potential overall review time.
3. Submit your completed packet to staff by the applicable **due date** for review. Staff will examine your information to determine if the application is complete, and contact you if additional information is required or was omitted. It is to your advantage to submit your materials as early as possible so staff can assist you in ensuring your application is complete. Applications found to be incomplete as of the due date shall not be reviewed until the following month<sup>2</sup>.
4. Staff will address completed applications by reviewing all information, writing a report regarding the request, and notifying all parties required by law.
5. The Planning and Zoning Commission will hold a public hearing regarding your request and give a recommendation to the City Council. Attendance is **required** at this meeting for action. **Nonattendance** will result in denial.
6. The City Council will consider the request and either grant or deny the request. Attendance is **required** at this meeting for action. **Nonattendance** will result in denial.

The City Council has established a **\$300** non-refundable fee for processing a comprehensive plan amendment application.

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<sup>1</sup> The information provided in this document is intended to be a correct statement of the law as set forth in the Montgomery City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

<sup>2</sup> Minnesota State Statute 15.99 requires local governments to review an application within 10 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

At a minimum, the following materials must be submitted prior to deeming an application complete:

Sub:   Req:   Item:

\_\_\_     \_\_\_     **1. Land Use Application** signed by all property owners along with payment of the proper filing fee.

\_\_\_     \_\_\_     **2. Comprehensive Plan Amendment Application Form**

Reason for Request: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Description of Request (Narrative explaining the requested change and the reasons why the Comprehensive Plan should be amended): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Current Land Use Guiding: \_\_\_\_\_                      Requested Land Use Guiding: \_\_\_\_\_

\_\_\_     \_\_\_     **3. Fifteen (15) Copies of a map of properties** to be modified to a different land use category, showing the addresses and land uses for adjacent properties (if applicable).

\_\_\_     \_\_\_     **4. Proposed text and/or maps** to be added, amended, or deleted from the Comprehensive Plan along with documentation as to the location of the text changes in the Comprehensive Plan (if applicable)

\_\_\_     \_\_\_     **5. Evidence of ownership or enforceable option** on the property.

***Criteria for granting a Comprehensive Plan Amendment Request***

In granting a Comprehensive Plan Amendment Request, the City Council shall consider the advice and recommendation of the Planning and Zoning Commission and:

1. Whether the proposed amendment corrects an error or addresses the need resulting from some changing condition, trend, or fact arising since the adoption of the Comprehensive Plan;
2. Whether the proposed amendment is consistent with the guiding principles of the Comprehensive Plan;
3. The extent to which the proposed amendment addresses a demonstrated community need;
4. Whether the proposed amendment will protect the health, safety, morals, and general welfare of the public;
5. The impacts on the natural and built environments, including air, water, noise, stormwater management, wildlife habitat, water quality, vegetation, drainage, streets, and other engineering design or environmental factors;
6. Whether the proposed amendment is compatible with existing and proposed uses surrounding the subject property; whether the proposed design and land uses are appropriate for the land; and whether the proposed amendment will maintain or improve compatibility among uses and ensure efficient development within the City;
7. Whether the proposed amendment will result in a logical, orderly and predictable development pattern; and
8. Whether the proposed amendment is consistent with the purpose of this ordinance.

**Staff Checklist for Comprehensive Plan Amendments**

\_\_\_\_\_ **Completed Application Form**

\_\_\_\_\_ **Notice of Public Hearing for Newspaper / Affidavit of Publication**

- Published in the legal newspaper at least once, not less than ten (10) days and not more than thirty (30) days prior to said hearing.

\_\_\_\_\_ **Notice of Public Hearing for Mailing / Affidavit of Mailing**

- Notify by mail all property owners within 350 feet of the outer boundaries of the property in question, not less than ten (10) days and not more than thirty (30) days prior to said hearing

\_\_\_\_\_ **Staff Report**

\_\_\_\_\_ **Planning & Zoning Commission Item / Public Hearing**

\_\_\_\_\_ **City Council Action Item**

\_\_\_\_\_ **Follow-Up Letter to Applicant**

\_\_\_\_\_ **Update the Comprehensive Plan Accordingly (ie Text, Maps)**