



ZONING TEXT AMENDMENT APPLICATION FORM¹

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

In order to have your zoning text 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 zoning text amendment request and obtain a land use application.
2. Put together an informational packet (described herein) that fulfills the zoning text 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 month².
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 **\$250** non-refundable fee for processing a zoning text amendment application.

¹ 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.

² 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. Zoning Text Amendment Application Form**

Reason for Request: _____

Description of Request (The location and text language of the proposed text to be added, amended, or deleted in this ordinance): _____

Criteria for granting a Zoning Text Amendment Request

In granting a Zoning Text 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 in the original text or map; or
2. Whether the proposed amendment addresses needs arising from a changing condition, trend, or fact affecting the subject property and surrounding area.
3. Whether the proposed amendment is consistent with achieving the goals and objectives outlined in the comprehensive plan.

Staff Checklist for a Zoning Text Amendment

- _____ **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.
- _____ **Staff Report**
- _____ **Planning & Zoning Commission Item / Public Hearing**
- _____ **Zoning Text Amendment Ordinance**
- _____ **City Council Action Item**
- _____ **Follow-Up Letter to Applicant**