

## 3.8 Checklist

### Concurrent Use of Streets Permit

This permit is needed for construction of a skywalk or any other application requesting concurrent use of the street surface, air rights above the street, or land beneath the street. It does not apply to applications for a sidewalk café or eating area or a bicycle parking area (see Sidewalk Use Permit). See UDC Section 50-37.7 for more information. Note: a concurrent use permit cannot be issued in order to provide off-street parking spaces required by the UDC.

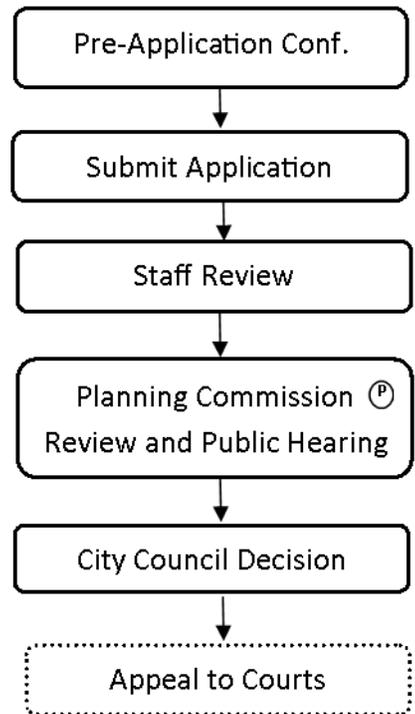
#### Starting the Application Process

- You must discuss proposed concurrent use permits with Planning Staff prior to submitting an application. Call 218-730-5580 to schedule a pre-application meeting, and make sure to get a Pre-App Verification at this meeting; you will need to submit this with your application. The pre-application meeting is intended to discuss the application process and general timeline. A comprehensive review of the proposed project is not possible at this meeting; detailed review of the project will occur once a complete application, with sufficient supporting information and exhibits, is submitted.

#### Your Application

- Submit your application materials to the One Stop Shop, Room 210 City Hall, by the Planning Commission application deadline. Your application must include the following:
  - Application Cover Sheet and Applicable Fee
  - Pre-App Verification
  - A map, clearly showing the portion of the right of way to be used or occupied by the applicant
  - Survey of the property (recommended); and a site plan with accurate depiction of the lot lines, existing and proposed structures, parking, and any other relevant features (required)
  - Legal description of the proposed right of way to be used or occupied by the applicant
  - Contact your insurance provider about the need, if the application is approved, of amending your insurance policy to list the city as an additional insured. The city will need proof before any concurrent use permit ordinance is effective (typically set at \$1,500,000 for bodily injuries, \$500,000 for property damage, \$1,500,000 single limit coverage)

#### Concurrent Use of Street Permit



<sup>(P)</sup> Indicates Public

#### Important Dates

**Application Deadline:**

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**Sign Notice Placed:**

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**Planning Commission:**

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**City Council (1<sup>st</sup> read)\*:**

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**City Council (2<sup>nd</sup> read)\*:**

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**Effective\*:**

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*\*Please note that these dates are approximate guidelines and may change*

## After Submitting Your Application

**1. Determination of Completeness.** Within 15 business days of your application, you should expect to:

- Receive an "Applicant Letter," which acknowledges a complete application, shares the date of the Planning Commission meeting and the assigned staff person, and notifies you of state-mandated deadlines for the City to make a decision, **OR**
- Receive notification that your application is incomplete, with details on further information to submit.

### 2. Public Notice.

- You are required to post a sign notice** on the property at least two weeks before the date of the public hearing. See UDC Section 50-37.1.H for information on size, placement, and content of each sign; you may want to contact a sign company or printing company to have the sign made. You must provide evidence that the signs were in place; **submit photo(s) of the signs to the Planning Division at least two weeks before the date of the public hearing.**

**3. Staff Review.** Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for a concurrent use of streets permit, Planning Staff generally review the necessity of the request to protect the health, safety, and welfare of the city, how the proposal will only occupy the portion of the public easement not being physically used or occupied by the public, and that it will not inconvenience the public's use of the easement, as well as any additional UDC criteria and other related factors.

- You will receive an email with the Planning Commission agenda and a link to this staff report about 5 days prior to the meeting.

**4. Planning Commission Hearing.** Planning Commission meetings are scheduled at 5:00 pm on the second Tuesday of each month. **We ask that applicants or an agent attend this meeting.** Planning Commission will hold a public hearing and make a recommendation to adopt, adopt with modifications, or deny the application.

**5. City Council Decision.** The Planning Commission decision will be forwarded to City Council in the form of an ordinance, which will require two readings. City Council will make a decision whether to approve the permit, approve it with modifications, or deny it.

If the City Council approves the ordinance, the Planning staff will send a copy of the certified document to the applicant once all the conditions have been met (such as proof of listing the city as an additional insured in the applicant's insurance policy). Annual updates of insurance coverage will be required from the applicant in most cases.

*Note that other city codes may apply to your project. Please be aware of any applicable Building Code (Construction Services Division), Fire Code (Life Safety Division), and stormwater/engineering (Engineering Division) regulations. The zoning approval may be only the first step in a several step process.*

*If a **wetland delineation** is needed for the project to proceed, it must be reviewed and approved before any zoning application will be accepted. If a **wetland replacement plan** is required for a project to proceed, it must have been submitted and accepted as a complete application before the project zoning application will be accepted.*