

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS  
By Goodman**

**Amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 599.190 of the above-entitled ordinance be amended to read as follows:

**599.190. Appeals of decisions of the heritage preservation commission.** All decisions of the heritage preservation commission, except decisions to commence designation studies pursuant to a nomination of property, designations, ~~historic variances~~ and transfers of development rights, shall be final subject to appeal to the city council and the right of subsequent judicial review. Appeals may be initiated by any affected person by filing the appeal with the planning director on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160, and fees as specified in section 599.175. All appeals shall be filed within ten (10) calendar days of the date of decision by the commission. No action shall be taken by any person to alter the property in any manner until expiration of the ten (10) day appeal period and, if an appeal is filed pursuant to this section, until after a final decision has been made by the city council. Not less than ten (10) days before the public hearing to be held by the zoning and planning committee of the city council to consider the appeal, the planning director shall mail notice of the hearing to the property owner and the surrounding property owners who were sent notice of the public hearing before the commission. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

Section 2. That Section 599.510 of the above-entitled ordinance be amended to read as follows:

**599.510. Hearing on application for historic variance.** The commission shall hold a public hearing on each complete application for historic variance as provided in section 599.170. ~~Following the public hearing, the commission shall make findings with respect to the proposed historic variance and shall submit the same together with its recommendation to the zoning and planning committee of the city council.~~ The commission may approve, approve with conditions, or deny an application for a historic variance.

Section 3. That Section 599.520 of the above-entitled ordinance be amended to read as follows:

**599.520. Required findings for historic variance.** Before ~~recommending approval~~approving of a historic variance, the commission shall make findings that the variance is compatible with the preservation of the property and with other properties in the area, and that the variance is necessary to alleviate ~~undue hardship~~practical difficulties due to special conditions or circumstances unique to the property and not created by the applicant.

Section 4. That Section 599.540 of the above-entitled ordinance be and is hereby repealed.

**~~599.540. City council decision.~~** ~~The city council shall make the final decision on all historic variances.~~