



## Request for City Council Committee Action from the Department of Regulatory Services

**Date:** September 12, 2011

**To:** Council Member Elizabeth Glidden, Chair  
Regulatory, Energy and Environment Committee

**Subject:** Public Hearing Notification Procedures

**Recommendation:** Receive and File

**Previous Directives:** At the August 22, 2011 Regulatory, Energy and Environment Committee meeting, staff was directed to report back to the Committee on the practices staff utilizes for notifications of public hearings for Extended Hour Licenses.

### Department Information

Prepared by: Grant Wilson, Manager of Business Licenses. 673-3902

Approved by:

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Henry Reimer, Assistant Director of Regulatory Services

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Dana Banwer, Director of Licensing & Environmental Services

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Grant Wilson, Manager of Business Licenses

Presenters in Committee: Grant Wilson

### Financial Impact

- No financial impact

### Community Impact

- Neighborhood Notification: N/A
- City Goals: A City that works - Shared democracy empowers residents as valued partners

### Supporting Information

Attached is a staff report summarizing the procedures staff in the Licenses and Consumer Services Division use to notify the community of public hearings for Extended Hours Licenses.



**Minneapolis**  
*City of Lakes*

**Regulatory Services  
Department**

**Licenses &  
Consumer Services  
Division**

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Date: August 30, 2011

To: Elizabeth Glidden, Chair, Regulatory Energy and Environment Committee, and  
Committee Members

From: Dana Banwer, Director of Licensing & Environmental Services

Re: Public Hearing Process for Extended Hours Licenses

At the August 22<sup>nd</sup> Regulatory, Energy and Environment Committee meeting staff was directed to report back to the committee on our practices for notification of public hearings for Extended Hours Licenses.

On April 1, 2011, the City Council passed an ordinance amendment that transferred the authority to regulate the hours of operation from a land use application to a business license application. This change was a positive change for the City because hours of operation that are granted in the future will be reviewed and approved on an annual basis along with a license renewal, rather than as a land use right associated with the property.

The information provided below is a brief summary of the public hearing process. In addition, we have provided a side by side comparison of how the notification process works when it was performed by Planning, versus how it works since the recent transfer of authority of hours of operation to Business Licensing.

**Step 1:** A GIS map of the 300 foot radius of the area around the proposed application site is generated.

**Step 2:** Mailing labels are generated for all the property owners as identified by Hennepin County property records.

**Step 3:** Public hearing notices are then mailed to property owners at least 21 days prior to the hearing. Public hearing notices are also emailed to business and neighborhood associations in the area. City ordinance public hearing notification process requires that the notice be mailed to all residents “to the extent such notice is feasible” using “owners of record of property identified in the records of the Hennepin County Department of Property Taxation”. Therefore, in order to meet the notice requirement for residential buildings in which the taxpayer may not represent all the residents within that building, it is our practice to post the main entrances of a residential building with the public hearing notice. The public hearing notice is also posted on the main entrance of the applicant’s establishment.

**Step 4:** Hearings are conducted at the Regulatory, Energy and Environment Committee. Most frequently, residents respond in writing just prior to the public hearing. Business licensing staff presents a staff report at the public hearing and the public testimony is entered into record. Business Licensing staff recommends action on the application based on the staff findings from their investigation of the applicant and the public testimony received.

Both Planning and Business Licensing staff were involved in the transfer of authority amendments and in developing the application process. Many of the same processes were maintained in the transfer of authority, including the practices for public hearing notification.

### Extended Hours License Public Hearings Processes

| <b>Zoning Process</b>                               | <b>Licensing Process</b>                           |
|---|--|
| 21 day hearing notice requirement requirement       | 21 day hearing notice                              |
| 350 feet radius notice area                         | 300 feet radius notice area                        |
| Applicant obtains labels from Hennepin County       | Licensing obtains labels from Hennepin County      |
| Mail to property owners by Applicant                | Mail to property owners by Licensing Staff         |
| Mail to Neighborhood Group by Applicant             | Email to Neighborhood Group by Licensing Staff     |
| Hearings held at Planning Commission                | Hearings held at RE&E                              |
| Staff Report to Commission including recommendation | Staff Report to Committee including recommendation |