

Section 10.29. **Environmental Review Program**

Subd. 1. **Application.** This section shall apply to all projects which:

A. Are consistent with any applicable comprehensive plan.

B. Do not require a state permit, and

C. The City Council determines that, because of the nature or location of the project, the project may have the potential for significant environmental effects; or

D. Are listed in a mandatory EAW or EIS category of the State Environmental Review Program, 6 MCAR SS 3.038 and 3.039, a copy of which is on file with the City Clerk.

This section shall not apply to projects which are exempted from environmental review by 6 MCAR SS 3.041 or to projects which the City Council determines are so complex or have potential environmental effects which are so significant that review should be completed under the State Environmental Review Program, 6 MCAR SS 3.031-3.056.

Subd. 2. **Preparation.** Prior to or together with any application for a permit or other form of approval for a project, the proposer of the project shall prepare an analysis to the project and measures for mitigating the adverse environmental effects. The analysis should not exceed 25 pages in length. The City Council shall review the information in the analysis and determine the adequacy of the document. The City Council shall use the standards of the State Environmental Review Program Rules in its determination of adequacy. If the City Council determines the document is inadequate, it shall return the document to the proposer to correct any inadequacies.

Subd. 3. **Review.** Upon filing the analysis with the City Council, the City Council shall publish notices in a newspaper of general circulation in the City that the analysis is available for review. A copy of the analysis shall be provided to any person upon request. A copy of the analysis shall also be provided to every local governmental unit within which the proposed project would be located and to the EQB. The EQB shall publish notice of the availability of the analysis in the EQB Monitor.

Comments on the analysis shall be submitted to the City Council within thirty (30) days following the publication of the notice of availability in the EQB Monitor. The City Council may hold a public hearing to review comments on the analysis if it determines that a meeting is necessary or useful. The meeting may be combined with any other meeting or hearing for a permit or other approval of the project. Public notice of the meeting to review comments on the analysis shall be provided at least ten (10) days before the meeting.

Subd. 4. **Decision.** In issuing any permits or granting any other required approval for a project subject to review under this section, the City Council shall consider the analysis and the comments received on it. The City Council shall, whenever practical and consistent with other laws, require that mitigation measures identified in the analysis be incorporated in the project's design and construction.

Source: Ord. 328-2<sup>nd</sup> Series  
Effective Date: 2/8/93