

SECTION 1007 – ADMINISTRATION – INTERIM USE PERMITS

1007.01 **PURPOSE.** The purpose and intent of allowing interim uses is:

Subd. 1. To allow a use for a brief period of time, not in excess of one year, until a permanent location is obtained or while the permanent location is under construction.

Subd. 2. To allow a use that is presently acceptable, but that with anticipated development or redevelopment, will not be acceptable in the future.

Subd. 3. To allow a use which is reflective of anticipated long range change to an area and which is in compliance with the Comprehensive Municipal Plan.

1007.02 **PROCEDURE.**

Subd. 1. Existing Uses. Uses defined as interim uses which presently exist and which were legally established within a respective zoning district shall be considered approved.

Subd. 2. New Uses. Uses defined as interim uses which do not presently exist within a respective zoning district shall be processed according to the standards and procedures for a conditional use permit as established with Section 1003.

1007.03 **GENERAL STANDARDS.** An interim use shall comply with the following:

Subd. 1. Existing Uses. Shall be in conformance with zoning and building standards in effect at the time of initial construction and development and shall continue to be governed by such regulations in the future.

Subd. 2. New Uses.

- a. Conforms to all zoning regulations as otherwise applicable.
- b. The date or event that will terminate the use can be identified with certainty.
- c. The existence of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. *(Condition: recipient responsible for all costs to remove the use if not done so at termination – City Admin. Note and not part of ordinance)*
- d. The user agrees to any conditions that the City Council deems appropriate for permission of the use.

Subd. 3. Existing Uses and New Uses.

- a. Shall maintain harmony and compatibility with surrounding uses and with the architectural character and design standards of existing uses and development.
- b. Conforms with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- c. Shall have no detrimental effect upon the property values or the general health, safety, and welfare of the surrounding uses and property owners.
- d. Traffic generated by the use does not overburden or exceed the capabilities of streets and other public services and facilities, including parks, schools, streets and utilities serving the area.

1007.04 **TERMINATION.** An interim use shall terminate on the happening of any of the following events, whichever first occurs:

Subd. 1. The date stated in the permit or ordinance.

Subd. 2. Upon violation of conditions under which the permit was issued.

Subd. 3. Upon change in the City's zoning regulations which renders the use non-conforming.

Subd. 4. The redevelopment of the use and property upon which it is located to permitted or conditional use as allowed within the respective zoning district.