



## Ordinance No. 1416: Interim Use Permits

Text Amendment 23-02

Petitioner:

City of Fridley

City Council, September 11, 2023



## The request

- Amend the Zoning Ordinance to provide a process for allowing Interim Uses under an Interim Use Permit
  - Interim Use Permits are allowed by State
    Statute
  - Interim Use Permits function very similarly to Special (Conditional) Use Permits
    - Same public hearing and Planning
      Commission City Council approval process
    - Exception: they are temporary

- a. Definition and Purpose.
  - An interimuse is a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.
  - b. The purposes for allowing interimuses are:
    - To allow a use for a temporary period of time **until a permanent location** is obtained or while the permanent location is under construction;
    - To allow a use that is presently judged acceptable by the City Council, but that with **anticipated development or redevelopment**, will not be acceptable in the future or will be replaced in the future by a permitted or special conditional use allowed within the respective district;
    - iii. To allow a use that is **seasonal** in nature; or
    - iv. To allow a use for a limited period of time that reasonably uses the property where it is not reasonable to use it in the manner otherwise provided in the zoning ordinance or comprehensive plan.



## Why Interim Use Permits?

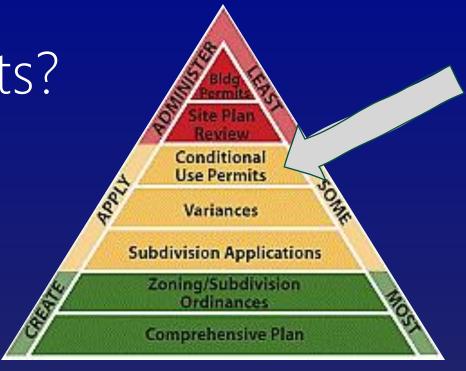
- Effectively regulate short-term land uses
  - Examples:
    - Mineral or aggregate resource extraction, mining
      - Ends after materials are depleted
    - Temporary classrooms or other temporary structures
      - Ends after a permanent facility is constructed
    - Use of an identified Redevelopment Site
      - Temporary approval preserves the possibility of future redevelopment
  - Avoid creating legal nonconformities

- Uses Permitted with an Interim Use Permit may include but are not limited to:
  - a. Interim use of an identified Redevelopment Site unlikely to redevelop within the interim use permit period;
  - b. Temporary structures in use until a permanent facility can be constructed;
  - c. Off-site parking;
  - d. Seasonal uses not otherwise provided for in this chapter;
  - e. Any other uses determined by the City Council to be the same or similar type uses.



Why not Special Use Permits?

- Special (Conditional) Use Permits are a 'permanent' approval
  - Revoked by official action of the City Council
- Some uses make sense for only a short period



Use	Discretionary? once adopted	Timeframe	Approval Process
Principal	No	Indefinite	Allowed by right
Accessory	No	Per continuation of Principal Use	Allowed by right
Special / Conditional	Can be conditioned	Until revoked	Planning Commission + City Council
Interim	Can be conditioned	Until expiration or consummation	Planning Commission + City Council

## Staff recommendation

 Hold a public hearing on the proposed amendment, Ordinance 1415 Approve the first reading of the ordinance



