





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.

- a. An interim use 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 interim uses are:
 - i. To allow a use for a temporary period of time **until a permanent location** is obtained or while the permanent location is under construction;
 - ii. 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

- a. 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	<i>Per continuation of Principal Use</i>	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

