



INTERIM USE PERMIT PROCEDURE¹

The Minnetrista City Code was established to protect both current and future residents from the negative impacts of improper development and to ensure a positive future for the city. An Interim Use Permit (IUP) is a mechanism that allows the city to examine proposed temporary uses of a property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it to ensure the intended request is compatible both on-site and with the surrounding environment. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

In order to successfully receive an interim use permit, there are a number of steps that must be followed:

1. Contact city staff to discuss your proposed interim use and obtain a land use application from City Hall.
2. Put together an informational packet (described herein) that outlines your request and outlines all reasons as to why the interim use permit should be granted.
3. Submit your completed packet to staff by the applicable due date for review (see city calendar). Staff will examine your submittal to determine if the application is complete, and contact you if additional information is required or was omitted. It is to your advantage to submit your materials as early as possible so staff can assist you in meeting all requirements. Applications found to be incomplete as of the due date shall not be reviewed until the following month².
4. Staff will address completed applications by requesting comments from partnering agencies, scheduling meetings, writing reports, and notifying a public hearing.
5. The Planning Commission will review the request at their monthly meeting (4th Monday of every month³) and forward a recommendation onto City Council (1st Monday of the following month³). Applicants are advised to attend both the Commission meeting and the Council meeting and be open to questions that might be posed regarding the request.
6. The City Council will consider the request and either grant or deny the interim use permit.

Above all else, it is imperative that you begin your preparations as early as possible to insure your application is complete at least one month prior to the next planning commission meeting (**see the city calendar for due dates**). Because of state mandated notification requirements, there may be NO exceptions to this deadline.

¹ The information provided in this document is intended to be a correct statement of the law as set forth in the Minnetrista City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

² Minnesota State Statute 15.99 requires local governments to review an application within review the 15 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

³ Please note that meeting dates are subject to change due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.



Per the City’s Fee Schedule Ordinance, the City Council has established the following fees⁴ for an interim use application:

Standard (new) IUP	\$600 + \$1,500 Deposit
Amending IUP	\$300 + \$300 Deposit

Types of Interim Use Permits: The various types of interim use permits are listed below. Please consult with City staff regarding which type of permit you will need for your desired use.

- **Standard (New) IUP**—If you currently do not have an interim use permit you will likely need to apply for an IUP permit. Processing these applications involves a great deal of staff time and resources to administer from beginning to end as they constitute the initial examination of a proposal.
- **IUP Amendment**—If you have an existing interim use permit, but desire to make a change to the provisions outlined by the permit, you will need to apply for an interim use permit amendment. This application recognizes that much of the work for the initial review is completed, and the review of the proposed change should be far less time intensive for staff.

Please note that it is the responsibility of the applicant to provide all required information and to illustrate all reasons why the requested interim use should be granted. City staff is not authorized, nor permitted, to prepare applications since the “burden of proof” rests with the applicant to justify the specific interim use permit request.

The following pages detail the components that are generally necessary for all interim use permit applications to be considered complete. It is strongly recommended that an applicant meet with staff prior to putting together an application to identify components which may be exempted, and to identify others that may need to be added.

At a minimum, the following materials must be submitted prior to deeming an application complete:

- | <u>Sub:</u> | <u>Req:</u> | <u>Item:</u> |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A completed land use application form signed by all property owners along with payment of the proper filing fee. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Written statements providing information regarding your proposal. <u>Please provide a separate answer for each of the lettered items listed below</u> (answers must be submitted in both hard copy and electronic form-- .txt files or MS Word format): <ul style="list-style-type: none"> a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates; b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s); |

⁴ Applicant is also responsible for any additional fees incurred by the City (i.e. engineering, postage, legal expenses, and et cetera).



Written statements continued:

- c. A specific written description of the proposed use(s). Incorporate information describing how the use will work on the proposed site including proposed site changes, existing open spaces, landscaping, traffic circulation, transition areas to adjacent properties, individual uses for existing and proposed structures, and effects on natural areas (wetlands, forests, etc.) both on-site and in the general vicinity of the project;
- d. Address how the proposed use would affect the health, safety, and general welfare of the city—including but not limited to the factors listed below. For all potential adverse effects, please address how the conflict(s) and/or disturbance(s) would be avoided or mitigated:
 - Noise, glare, odor, electrical interference, vibration, dust, etc.;
 - Possible fire and safety hazards;
 - Existing and anticipated traffic conditions;
 - Parking facilities on adjacent streets and land;
 - The effect on surrounding properties including valuation, aesthetics, scenic views, current and possible land uses, character, and integrity of the neighborhood;
 - Impact on governmental facilities and services including roads, parks, schools, sanitary sewer system, water facilities & supply, and police & fire protection;
 - Effect on sensitive environmental features including lakes, surface and underground water supply, wetlands, slopes, flood plains, and soils; and
 - Any other factors as found relevant by the city.
- e. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area; and
- f. Statement of the date or event terminating the use.

- | <u>Sub:</u> | <u>Req:</u> | <u>Item:</u> |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Identification of the owner and user, if different. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Legal Description of the property. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Address labels: Two (2) lists of names and addresses of the owners of all property within fifteen hundred (1500) feet of the property to which the interim use relates. One (1) list shall be typed on mailing labels (33 labels per sheet) and the other list shall be a reproducible copy of those labels. Please see Exhibit A of this handout which provides basic instructions on how to acquire a Property Owners List online from Hennepin County. |

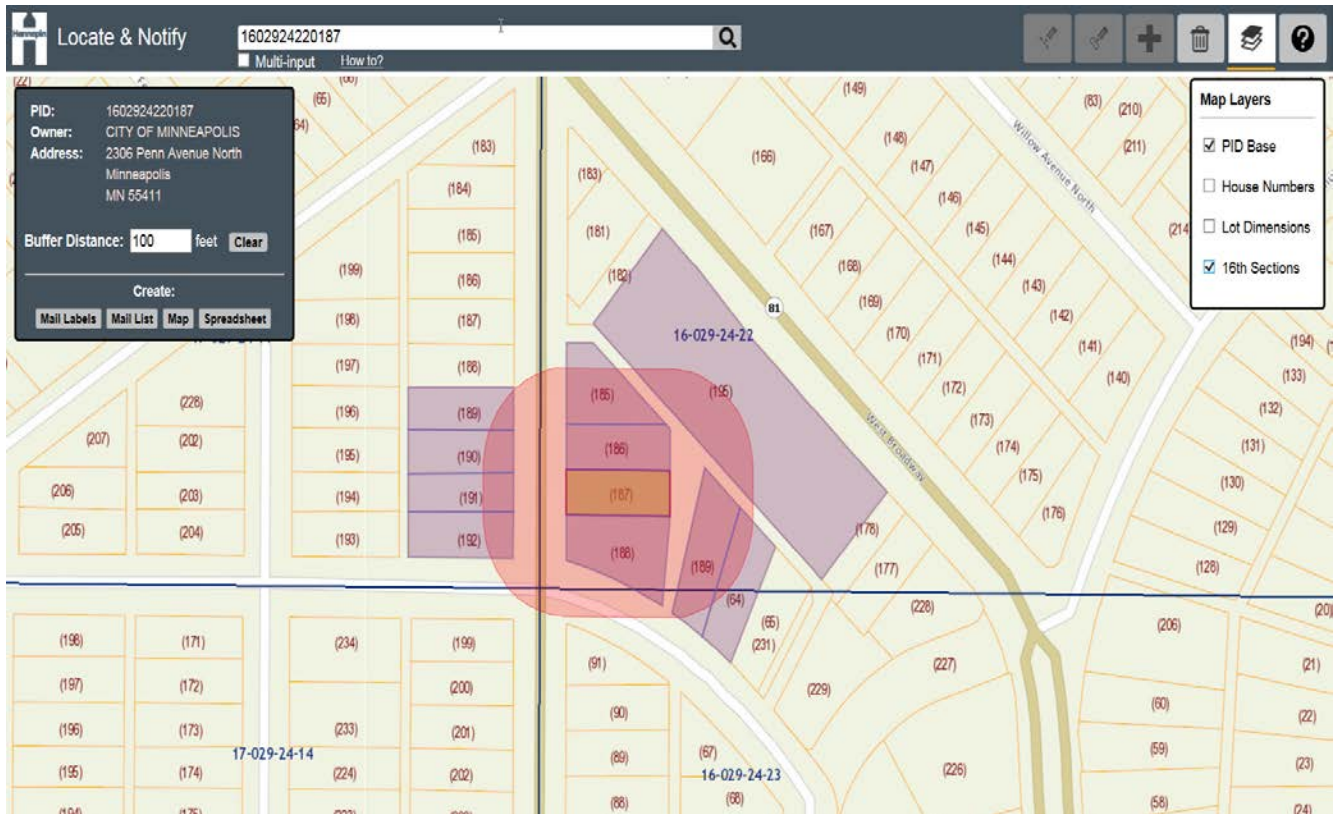


- 6. Area Map:** One (1) copy of an area map showing the parcel(s) in question and the surrounding properties. You will receive this map from Hennepin County when you receive your mailing labels.
- 7. Site Plan,** including location of all buildings, driveways, parking areas, restroom facilities, septic systems, drain fields, wetlands and easements.
- 8. Lighting Plan.**
- 9. Electronic files(s) of plan sets.** Staff can generally work with most file formats (.jpg or .pdf files preferred).
- 10. Any other information required by city staff, commissioners, or council members necessary to provide a complete review of the interim use request. Information deem critical to the review process not listed in this handout may be requested⁵.**

⁵ Number of copies, size, and other such administrative details may also be imposed when requiring additional information.

Exhibit A
INTERIM USE PERMIT LIST
(PROPERTY OWNERS LIST) BASIC INSTRUCTIONS

1. Open the Locate & Notify application: <https://gis.hennepin.us/locatenotify/default.aspx>
2. Enter PID Number or address of the parcel of interest (PID#s are preferred search input).
 - a. If multiple PID#s are needed, simply use the left mouse button and click on the adjacent parcels after the application has zoomed into your area of interest.
3. Hit “Map Layers” and select “16th Sections” to turn on Section/Range/Township lines for your map.
 - a. If the Platted Lots (underlying Legal Description) layer is desired, turn on “Lot Dimensions” layer and turn off “PID Base” layer. Some cities request this on specialized land use applications.
4. Enter the distance required for your application criteria in the “Buffer Distance” section, and buffer.
5. Copy the parcel Address to your clipboard for later use in your “Map Notes” if desired.
6. **Click Mail List Button**, print the list and save a copy if desired.
7. **Click Mail Labels Button**, print labels “actual size”, do not shrink to fit or labels could overrun on later pages (standard 8.5 x 11 – 30 labels per sheet), usually must select a specific printer tray or manual feeder, save a copy if desired.
8. **Click Map Button** and paste the parcel address or add notes to map as desired, print and save copy if desired.
 - a. ****If you have a buffer selected and nothing happens when clicking List, Labels, or Map button, check your internet browser’s pop-up settings. Pop-ups must be allowed for the list, labels, or map, output to display in order to print and save.**



****Below image shows how the map looks with the "Lot Dimension" layer turned on****

