



Interim Use Permit

An interim use permit allows a temporary use that is not designated as permitted or conditionally permitted but is acceptable for a limited period of time subject to certain conditions. The interim use permit is granted to an individual and does not run with the property. Examples of Interim Uses include home occupations, temporary classrooms, and outdoor flea markets.

Information Required for an Interim Use Permit

- Planning and Zoning Application
- Evidence of Ownership of the Property
- Required Fee (non-refundable)
- Scaled Map Showing Property and Location of Interim Use (floor plan if use is within a building)
- Description of Proposed Use and Timing of Use
- Electronic plans may be required as directed by staff
- Other necessary information as required by the Community Development Department

Criteria for Granting and Interim Use Permit

1. The proposed use meets the applicable zoning regulations; and
2. The proposed use will terminate upon a date or event that can be identified with certainty; and
3. The proposed use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
4. The proposed use will be subjected to, by agreement with the property owner, any conditions that the City Council deems appropriate for the proposed interim use, including the provision of a surety by the owner to cover the costs to remove the interim use and/or any structures

Process for Approving an Interim Use Permit

Step 1: Schedule a pre-application meeting with the Community Development Department to go over the proposed use and location.

Step 2: Applicant submits application, fee, and required information (see list above).

Step 3: Staff will review the submission and make a determination of whether the application is complete. Staff has 15 days to determine if additional information is needed and will send a letter to the applicant requesting the documents be submitted. If an application is deemed incomplete, the 60 day time limit (beginning the day the application is submitted) for the City to approve or deny the application will stop. The 60 day time period may be extended an additional 60 days if the City provides written notice of the extension to the Applicant before the initial review period ends.

- Step 4: Once a complete application has been received, the Community Development Department will send the request to all relevant review agencies for comment. Agencies include the city engineer, fire chief, police chief, county and state transportation departments, building official, etc.
- Step 5: Staff will prepare a report of the request and place the item on the next available Planning Commission meeting. Applications must be received 39 days before the meeting to provide time for agency review.
- Step 6: Public hearing notices are mailed to all property owners within 350 feet of the property in question by the Community Development Department and published in the Anoka County Union 10 days prior to the meeting.
- Step 7: The Applicant or their representative attends the Planning Commission public hearing. The Planning Commission shall consider if the proposed use is consistent with the general purpose and intent of the Zoning Ordinance and Comprehensive Plan. They will measure the request against the criteria stated above. The Commission will hear testimony from anyone wishing to speak for or against the request. At this time the Applicant or their representative should speak to their request.
- Step 8: The Planning Commission recommendation of approval, denial, or approval with conditions will be forwarded to the next available City Council meeting. Conditions of approval may be attached to mitigate any negative effects the Interim Use may have. Conditions may include:
- Increasing the required lot size or yard dimensions
 - Limiting the height, size, or location of buildings
 - Controlling the location and number of vehicle access points
 - Increasing the street width
 - Increasing the number of required off-street parking spaces
 - Limiting the number, size, location or lighting of signs
 - Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby properties
 - Designation of open space
 - Annual review, if deemed appropriate by the City Council
- Step 9: The City Council will consider the application, staff report, and Planning Commission recommendation and make a final decision of approval, denial, or approval with conditions.
- Step 10: If approved, the resolution will be published in the Anoka County Union. Ten days after the approval by the City Council, the Applicant may proceed with the proposed work after all necessary building permits and conditions of approval have been completed.

Meetings

As noted above, there are two required meetings for an Interim Use Permit. The first is the Planning Commission, a seven member appointed board of community residents. Meetings are held the first Tuesday of the month at 7:00 pm in the Council Chambers at City Hall. Following this meeting, the request will be heard by the City Council at their meeting on the third Monday of the month at 7:00 pm and make a final decision.

Process to Amend an Interim Use Permit

The process to amend an interim use permit is the same as the original approval. The Applicant shall include the requested changes related to the interim use and information in support of the requested changes.

Expiration or Termination of an Interim Use Permit

If the Applicant does not proceed substantially on the work within six months, the interim use permit shall become void. To proceed substantially means to make visible improvements to the property. One or more extensions for not more than six months each may be granted by the City Council if a good cause can be demonstrated for doing so.

An interim use permit shall terminate upon the occurrence of any of the following events, whichever comes first:

1. The date or event stated in the permit
2. The use has been discontinued for over one year
3. There is a change in ownership of the property for which the interim use permit was issued

Revocation of Interim Use Permit

The interim use permit may be revoked if:

1. The property is in violation of the conditions of approval listed in the permit
2. Access to the property for making inspection is refused to the zoning administrator

The same process for granting an interim use permit shall be followed when considering revocation of an interim use permit.

Resubmitting after Denial

No application for an interim use permit shall be resubmitted for a period of six months from the original denial.

Additional information can be obtained by calling the City of Anoka Planning Department at 763-576-2720.