

**Guidelines for Conditional Use and Interim Use Permits
is Established
by Minnesota State Statute**

462.3595 CONDITIONAL USE PERMITS.

Subdivision 1. **Authority.** The governing body may by ordinance designate certain types of developments, including planned unit developments, and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved by the governing body or other designated authority by a showing by the applicant that the standards and criteria stated in the ordinance will be satisfied. The standards and criteria shall include both general requirements for all conditional uses, and insofar as practicable, requirements specific to each designated conditional use.

Subdivision 2. **Public hearings.** Public hearings on the granting of conditional use permits shall be held in the manner provided in section [462.357, subdivision 3](#).

Subdivision 3. **Duration.** A conditional use permit shall remain in effect as long as the conditions agreed upon are observed, but nothing in this section shall prevent the municipality from enacting or amending official controls to change the status of conditional uses.

Subdivision 4. **Recording of permit.** A certified copy of any conditional use permit shall be recorded with the county recorder or registrar of titles of the county or counties in which the municipality is located for record. The conditional use permit shall include the legal description of the property included.

462.3597 INTERIM USES

Subdivision 1. **Definition.** 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.

Subdivision 2. **Authority.** Zoning regulations may permit the governing body to allow interim uses. The regulations may set conditions on interim uses. The governing body may grant permission for an interim use of property if:

- (1) the use conforms to the zoning regulations;
- (2) the date or event that will terminate the use can be identified with certainty;
- (3) permission 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; and
- (4) the user agrees to any conditions that the governing body deems appropriate for permission of the use. Any interim use may be terminated by a change in zoning regulations.

Subdivision 3. **Public hearings.** Public hearings on the granting of interim use permits shall be held in the manner provided in section [462.357, subdivision 3](#).

CITY OF CARLTON
APPLICATION FOR A CONDITIONAL USE/ INTERIM USE PERMIT

Applicant: _____
(Applicant Name, please print)

Owner _____ Renter _____
(Check One)

Property Address: _____
(Street Address)

A Plot Plan of said property, drawn to scale, must be attached hereto, and made a part of this application.

Legal Description of Property:

The Planning Commission may hold such hearings on the proposal to issue a Conditional Use/Interim Use Permit as it may consider necessary; but at least one public hearing shall be held, per §462.357, subdivision 3. The Planning Commission shall determine all action regarding the Conditional Use/Interim Use Permit; but it shall not grant the permit unless it finds that the establishment, maintenance, or conducting of the use for which an Interim Use Permit is sought will not, under the circumstances of the particular case, be detrimental:

1. To the health, safety, morals, comforts, convenience or welfare of the persons residing or working in the neighborhood of such use; or,
2. To the public welfare or injurious to property or improvements in the neighborhood.

NOTE: The applicant must submit payment for the Conditional Use/Interim Use Permit (see City Fee Schedule) prior to processing this application. The Planning Commission expects that the applicant will attend the Public Hearing to discuss the request.

Provide a brief explanation to the statements below; attach additional sheets as necessary.

Description of Request:

Justification of Request:

Compatible with Existing and Planned Adjacent Uses? Yes No

Related to the Needs of the City? Yes No If yes, how?

Consistent with the Comprehensive Plan? Yes No If yes, how?

I hereby certify that I am the owner or authorized agent of the owner of the above property and that all uses will conform to the existing State laws and City Ordinances. I also certify that I will comply with all conditions of this permit should this application be approved. Intentional or unintentional falsifications of this application or any attachments thereto will serve to make this application and any resultant permit invalid.

Signature of Applicant: _____ Date: _____

For Office Use Only	Date Received:	
Permitted Conditional or Interim Use? (circle one)	Approved ___ Denied ___	Date _____
Interim Use, date or terms of expiration _____		
Reason for decision: _____		

Public Hearing held on: _____		