APPLICATION FOR
CONDITIONAL USE PERMIT (CUP) AND INTERIM USE PERMIT (IUP)

Requirements, Process and Application Packet

It is through the development, redevelopment and preservation of the City, in accordance with the City’s Comprehensive Plan, development standards and zoning requirements that the City is shaped to the form and characteristics deemed desirable and suitable. In order to mitigate potential impacts on surrounding areas or neighborhoods, certain land uses require the approval of a conditional use or interim use permit.

Once submitted, the permit application will be reviewed by the Community Development Department and presented to the Planning Commission at a public hearing. The Planning Commission will make a recommendation of approval or denial to the City Council along with any conditions that should be attached. See Process and Procedures for Land Use Applications handout for more information.

Packet includes:
• Brief description of permit use
• Application deadlines
• Application
• Questionnaire

Conditional Use Permit (CUP) – City Code Chapter 10 Section 6
The purpose of a conditional use permit is to provide the City with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare, public health and safety. A conditional use is a use which because of certain characteristics cannot be properly classified as a permitted use in the zoning district within which it is proposed. Conditional use permits are designed to meet the problem which arises where certain, although generally compatible with the basic use classification of a particular zone, should not be permitted to be located as a matter of right in every area included within the zone because of hazards inherent in the use itself or special problems which its proposed location may present. In making this determination whether or not the conditional use is to be allowed, the City may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises, or on any adjoining streets, and all other or further factors as the City shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.

Interim Use Permit (IUP) – City Code Chapter 10 Section 7
The purpose and intent of allowing interim uses is: 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 conditional use allowed within the respective district to allow a use which is reflective of anticipated long-range change to an area and which is in compliance with the Comprehensive Plan provided that said use maintain harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.
Right of Entry:
By signing this application, applicant is agreeing to right-of-entry stating that the City and its offers have permission to enter the land for purpose of determining compliance with all applicable condition imposed in the permit.

General Information Regarding Permits

- Conditional and Interim Use is identified within the applicable zoning code for the property.
- The application process must be completed.
- Completing the application process does not guarantee approval.
- Conditional and Interim Use permits are recorded against the property.
- Both types of permits will be considered abandoned in the event the condition or use is discontinued by non-use for six (6) months after notice from the City.

Application Schedule is available online and at City Hall upon requires. Application schedule identifies meeting schedule for Planning Commission and Council.

State statutes provides up to 120 days for the review of complete application, but the City will strive to finalize your request as quickly as possible. Please note that missing application due date and meeting dates or submitting an incomplete application WILL result in the review of the request being delayed. All City Council meeting dates are estimated as it is City policy that issues be resolved and plans be revised as may be needed prior to Council consideration.
PERMIT APPLICATION

PERMIT YOU ARE REQUESTING:  □ CONDITIONAL USE  □ INTERIM USE

PROPERTY INFORMATION
If multiple properties, attach separate sheet

<table>
<thead>
<tr>
<th>PROPERTY INFORMATION</th>
<th>PARCEL ID #:</th>
<th>COMP PLAN FUTURE LAND USE:</th>
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<tr>
<td>LEGAL DESCRIPTION:</td>
<td>ZONING DISTRICT:</td>
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<tr>
<td>LOT SIZE:</td>
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<td>PROJECT ADDRESS:</td>
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OWNER INFORMATION

<table>
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<tr>
<th>OWNER INFORMATION</th>
<th>NAME:</th>
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<tbody>
<tr>
<td>ADDRESS:</td>
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APPLICANT
If different than owner

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>NAME:</th>
<th>PHONE:</th>
</tr>
</thead>
</table>

DESCRIPTION OF REQUEST


REASON FOR REQUEST


ORDINANCE REQUIREMENT


Submittal Materials

The following materials must be submitted with your application in order to be considered complete. A complete application must be made by the application deadline for the Planning Commission meeting for which you wish to be heard. If you have any questions or concerns regarding the necessary materials, please contact the Community Development Department.
APPLICATION SUBMITTION MATERIALS

Survey, site plan, and development plans. Three (3) sets of large scale drawings; one legible set of 8 ½" x 11" or 11" x 17" reductions. Additional sizes and copies may be requested and required by the City for application completion. The following information must be included:

☐ Map or plat showing the lands proposed for the conditional use permit and all land within 350 feet of the boundaries of the property.
☐ Survey of the property showing all property lines, topography, existing and proposed structures (including dimensions and distances to property lines and other buildings), existing streets, alley, private roads, and fire lanes and easements.
☐ Access points, driveways, and parking areas including striping and number of spaces.
☐ Landscaping and ground cover including existing to be retained, existing to be removed, and proposed – all identified by size, type species, and quantity.
☐ Grading, drainage, and stormwater plans with existing and proposed topography prepared by a professional civil engineer registered in the state and adopted.
☐ Utility plans prescribing locations for city water, sewer, fire hydrants, manholes, power, telephone, and cable lines, natural gas mains, and other service facilities prepared by a professional civil engineer registered in the state and adopted.
☐ General floor plans and elevations for all existing and proposed structures.
☐ Proposed signage.
☐ Site lighting.
☐ A legend identifying the legal description, size of parcel, use(s) and square footage, number of units and density of residential, building height, floor area ratio, ground floor area ratio, impervious surface ratio, setbacks on all sides, graphic scale, north point, and usable open space.

Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County Departments, State Agencies, or others that may have authority over your property for approvals and necessary permits.

Names, addresses, and signatures of all owner(s), and any other person having legal interest, of the property.

Permit application form completed, including questionnaire answers.

Permit Request Supplement

Paid application fee and escrow

MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY

Survey of the property: An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" or 8 ½" x 11" format.

Electronic copy of all submittal documents

Any other materials as deemed necessary to help in the review of the application

Application fees and expenses: by signing this application form, the applicant agrees that all fees and expenses incurred by the City for the processing of this application, including costs for professional services, are the responsibility of the property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waivers any and all appeals under Minnesota Statutes 429.081 as amended. All fees and expenses are due whether the application is approved or denied or withdrawn. Escrow fees collected at the time of application may not cover actual expenses, any additional fees will be billed.

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that the IUP application will be processed in accordance with the established City review procedures and Minnesota Statutes 15.99 as amended, at such times as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as required by the City may be cause for denying this application.

This application must be signed by all owners of the subject property or an explanation given why this is not the case. We, the undersigned, have read and understand the above.

Signature of Applicant ........................................ Signature of Applicant ........................................ Date ........................................ Date ........................................

Signature of Owner (if different than Applicant) ........................................ Date ........................................
1. Existing use of the property?

2. Description of proposed use of the property that requires the application for a CUP or IUP?
   a. The situation on the site which necessitates the request for the CUP or IUP
   b. Hours of operation, including dates, times (if applicable)
   c. Duration of the proposed use
   d. Date or event that will terminate the use

3. Type of Conditional or Interim use permit requested?

4. Describe how you believe the requested CUP or IUP Use fits the City’s Comprehensive Plan.

5. Describe any physical or hydraulic impacts this project will have on water resources. Will the project involve the alteration of any surface water?

6. Provide an estimate of the acreage to be graded or excavated and the amount of soil to be moved. Describe any steep slopes or highly erodible soils and what measures will be used to minimize erosion.

7. Is this project in proximity to designated parks, trails recreation areas, wildlife preserves or other unique resources?

8. Provide any additional information that would be helpful for the Planning Commission when reviewing this application.

9. Does the request meet the criteria necessary to grant approval? (refer to the City Code)