



INTERIM USE PERMIT (IUP)

An **interim 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. Interim Use Permits are intended to allow a use for a limited period of time, where appropriate; for example, where future development is anticipated and the use would not be acceptable thereafter, but is acceptable in the meantime.

PLANNING & ZONING RICHFIELD COMMUNITY DEVELOPMENT DEPARTMENT

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Findings Needed to Grant a IUP:

- Interim use will not adversely impact the health, safety, and welfare of the community during the interim use time;
- The interim use is similar to existing uses in the area;
- An interim use shall conform to zoning regulations except that City Council may waive ordinance provisions upon a finding that the temporary nature of the interim use will eliminate the adverse effects the provisions were intended to prevent;
- Assurance that the property will be left in suitable condition after the use is terminated;
- By agreement the use will not impose additional costs on the public if it is necessary for the public to take the property in the future;
- The property owner, by written agreement, agrees to any conditions that the City Council has deemed appropriate for permission of the use, including condition that the owner will provide appropriate financial surety to cover the cost of removing the interim use and interim structures upon expiration of the interim use permit; and

Process:

1. An Interim use permit needs to be initiated by a petition of at least 51% of the owners of the land proposing the interim use, the Planning Commission, or the City Council.
2. An application and all supporting documentation is submitted online via [Citizen Serve](https://www5.citizenserve.com/richfield). (<https://www5.citizenserve.com/richfield>)
3. An application must include a signed statement agreeing:
 - > *That the applicant, owner, operator, tenant, and/or user has no entitlement to future reapproval of the interim use permit;*
 - > *That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future;*
 - > *That the applicant, owner, operator, tenant, and/or user will abide by conditions of approval that the City Council attaches to the interim use permit; and*
 - > *A statement addressing the relationship of the proposed project to the neighboring uses.*

ZONING CODE
SECTION 547.15

2023

4. The application is reviewed by the Administrative Review Committee (ARC). ARC is made up of staff members from different City departments who review the request for compliance with applicable codes and standards and for the possible effects the request may have on City services or adjacent properties. ARC members may request additional information and/or ask changes to be made to the proposal prior to the application being placed on an agenda.
5. The applicant submits the additional information and/or attachments to the proposal as required by the ARC review.
6. The application is then placed on the Planning Commission schedule. Applications should be submitted at least 6 weeks before the scheduled Planning Commission meeting to be considered for the agenda. An application must be deemed complete at least 2 weeks before the scheduled Planning Commission meeting to be placed on the agenda. The Planning Commission meets on the fourth Monday of every month at 7:00 pm.
7. The Planning Commission will conduct a public hearing and make a recommendation to the City Council. Notice of the public hearing is published in the official newspaper and sent to all property owners and occupants within 350 feet of the property.
8. The recommendation of the Planning Commission will be forwarded to the City Council for a final determination of the request.

Application Review Timeline: The City is required to notify applicants within 15 business days of receiving an application as to whether or not an application is complete. Once an application is complete, the City has 60 calendar days to make a decision on the application. The City has the option of extending the 60-day review period if it informs the applicant in writing of the reason why an extension is needed. The City makes every effort to process the application within 60 days.

Expiration of IUP: The use should discontinue upon a date or event that can be identified with certainty, but also before any adverse impacts are felt upon adjacent properties. Regardless of those two parameters, IUPs may not be granted for a period greater than 5 years, but may be re-issued by going through the complete review and approval process again.

Termination of a IUP: An IUP shall terminate upon the occurrence of either of the following; whichever comes first: The date on the permit, or the violation of conditions under which the permit was issued.

Additional Information: A security deposit acceptable to the City shall be provided when screening, landscaping, parking lot or other similar improvements to the property are required.

Application Fee: The processing fee for an IUP application is \$500 + \$100/year of requested IUP. (If permit is granted for fewer years than requested, excess fee shall be refunded.)