

**CITY OF ARLINGTON
ORDINANCE 245**

**AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE
BY ADDING SECTION 15.5 RELATING TO INTERIM USE PERMITS**

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169 SHALL BE AMENDED BY ADDING SECTION 15.5 AS FOLLOWS:

SUBDIVISION 1. PURPOSE/INTENT.

The purpose and intent of allowing interim uses is:

- A. To allow a use for a limited period of time that reasonably utilizes the property in the manner not permitted in the applicable zoning district.
- B. To allow a use that is presently acceptable but that, with anticipated development, may not be acceptable in the future.

SUBDIVISION 2. APPLICATION, HEARING, PROCEDURE.

The application, public notice and procedure requirements for interim use permits shall be the same as those for Conditional Use Permits as provided in Section 15 of the Zoning Ordinance.

SUBDIVISION 3. CRITERIA FOR REVIEW.

Criteria for review of interim use permits shall be the same as those for Conditional Use Permits as provided in Section 15 of the Zoning Ordinance.

SUBDIVISION 4. CONDITIONAL APPROVAL.

- A. Criteria for approval of interim use permits shall be the same as those for Conditional Use Permits as provided in Section 15 of the Zoning Ordinance.
- B. The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permits only if it finds that such use at the proposed location:
 - 1. Meets the standards of a conditional use permit set forth in Section 15 of this Ordinance.
 - 2. Conforms to the zoning regulations, performance standards and other requirements of this Ordinance.
 - 3. Is allowed as an interim use in the applicable zoning district.
 - 4. Will terminate upon a tangible date or event specified in the resolution approving said interim use permit.

SUBDIVISION 5. TERMINATION.

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

- A. The date specified in the permit;
- B. A violation of the conditions under which the permit was issued; or
- C. A change in the City's zoning regulations which render the use nonconforming.

This ordinance shall become effective immediately upon passage and publication.

For City of Arlington:

By James R. Kreft
It's Mayor

By Matthew Jaunich
It's City Administrator

First Reading: May 18, 2009
Second Reading: June 1, 2009
Adopted: June 1, 2009
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