

**SPRING LAKE PARK
ORDINANCE 482**

**AN ORDINANCE AMENDING CHAPTER 16 OF THE CITY CODE TO
ESTABLISH INTERIM USE PERMITS AND AMENDING SECTION 16.64.040 OF
THE CITY CODE**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **ADOPTION** “16.58 INTERIM USE PERMITS” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

16.58 INTERIM USE PERMITS(*Added*)

SECTION 2: **ADOPTION** “16.58.010 Purpose” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

16.58.010 Purpose(*Added*)

The purpose and intent of allowing interim uses is:

- A. To allow a use for a brief period of time until a permanent location is obtained or while the permanent location is under construction.
- B. 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.
- C. 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 maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.

SECTION 3: **ADOPTION** “16.58.020 Application, Public Hearing, Notice and Procedure” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

16.58.020 Application, Public Hearing, Notice and Procedure(*Added*)

The application, public hearing, public notice and procedure requirements for interim use permits shall be the same as those for conditional use permits as provided in SLPC 10.56.030.

SECTION 4: **ADOPTION** “16.58.030 Standards” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

16.58.030 Standards(*Added*)

The Planning Commission shall recommend an interim use permit and the City Council shall issue such interim use permits only if it finds that such use at the proposed location:

- A. Meets the standards of a conditional use permit as set forth in SLPC 16.56.
- B. Conforms to the zoning regulations, performance standards and other requirements.
- C. Is allowed as an interim use in the zoning district.
- D. Will terminate upon a date or event that can be identified with certainty.
- E. Will not impose, by agreement, additional costs on the public if it is necessary for the public to take the property in the future.
- F. Will be subjected to, by agreement with the owner, any conditions that the City Council has deemed appropriate for permission of the use, including, but not limited to, a condition that the owner will provide an appropriate financial security to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit.

SECTION 5: **ADOPTION** “16.58.040 Termination” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

16.58.040 Termination(*Added*)

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

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

SECTION 6: AMENDMENT “16.64.040 Appendix D: Schedule Of Permitted Uses By District” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

16.64.040 Appendix D: Schedule Of Permitted Uses By District

A. *Residential districts.* The following uses are allowed in the various residential districts either as permitted, accessory, ~~or conditional uses~~, or interim uses.

<i>Use</i>	<i>Details</i>	<i>District</i>		
		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Boarding or rental of rooms	Note: family members, as defined in this title, may enter into rental agreements	C	C	C
Cemetery		C	C	C
Churches, chapels, temples		C	C	C
Dwellings	Cluster developments	-	-	C
Dwellings	Medium density dwellings	-	P	P
Dwellings	Mobile homes	-	-	C
Dwellings	Multiple-family dwellings over six units per building	-		C
Dwellings	Single-family detached dwellings	P	P	P
Dwellings	Two-family dwellings	C	P	P
Essential public service and utility structures or uses		P	P	P
Fallout shelter		A	A	A
Family daycare	Within the residence of the daycare provider	P	P	P
Living quarters of persons employed on the premises		-	-	A
Off-street parking lots or garages				A

Parks and recreation	Private owned or operated areas	C	C	C
Parks and recreation	Private recreation facilities for the enjoyment of residents and guests only	A	A	A
Parks and recreation	Public owned or operated areas	P	P	P
Private garage		C	C	C
Professional offices and studios		C	C	C
Schools	Day schools or nurseries	C	C	C
Schools	Public or private	C	C	C
Small wireless facility in right-of-way, as regulated in SLPC 12.48		C	P	P
Swimming pool		A	A	A
Tool house, shed, and similar storage		A	A	A
Uses customarily incident to the permitted, or conditional <u>or interim</u> uses allowed in the district		A	A	A
Other public or semi- public facilities		C	C	C
Key: A = accessory uses; P = permitted uses; C = conditional uses; <u>I = interim uses</u>				

B. *Commercial districts.*

<i>Use</i>	<i>District</i>		
	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>
Accessory uses customarily incident to the permitted, or conditional <u>or interim</u> uses allowed in the district	A	A	A
Adult daycare facilities	C	C	C
Assembly uses, including auditoriums, religious and philanthropic uses	C	C	-
Auto and marine; sales, leasing and rental (See SLPC			

11.20.040 Paragraph F,4 re: licensing <u>and SLPC 16.36.010 Paragraph A)</u>	-	I E	-
Auto and marine; service, parts, <u>and repair, excluding wash and wash</u>	C	C	-
Boarding and lodging houses	C	-	-
Boarding school	C	-	-
Brewer taprooms and cocktail rooms	P	P	E C
Bus stations or terminal	P	P	P
Business, commercial, or trade schools	P	P	P
Clinics, medical offices	P	P	P
Commercial recreation such as bowling alleys, billiard halls, miniature golf, and the like	C	C	-
Convalescent, <u>assisted living</u> and nursing homes	-	-	C
Child daycare facilities (see SLPC 16.36.010 <u>Paragraph D)</u>	C	C	C
Drive-in restaurants, or similar uses providing goods and services to patrons in autos	C	C	-
Dry cleaning and laundry establishments with no more than four employees for cleaning or pressing	P	P	-
Dry cleaning and laundry collection stations, and self-service	P	P	-
Equipment rental	-	P	-
Financial institutions	P	P	C
Greenhouses, nurseries	-	P	-
Hospitals	-	C	-
Laboratories; medical, dental	P	P	P
Medical equipment rental	-	P	C
Mortuaries, funeral homes, monument sales	C	P	-
Motels, hotels, or apartment hotels	C	C	-
Non-alcoholic beverage bottling establishment not larger than 3,000 square feet accompanied by a retail shop or store not less than 50% of the size of the bottling establishment, where bottled product is sold	P	P	C
Off-sale liquor stores	P	P	-
Off-street parking and loading as regulated in SLPC			

16.40.010	A	A	A
Offices (administrative, executive, professional, governmental, medical, research); without merchandising services	P	P	P
Offices (as above); with merchandising services	C	P	C
Pawnshops, secondhand goods stores (excluding motor vehicles) as regulated SLPC 16.36.010 Paragraph G (see. SLPC 11.16, Pawnshops or SLPC 11.20, Secondhand Goods Dealers, for licensing	C	C	-
Personal services and repair establishments such as barber and beauty shops, shoe repair, and the like	P	P	P
Pet and animal shops, clinics, taxidermists	P	P	-
Plumbing and heating showrooms and shops	-	P	-
Printing, publishing, and related distribution agencies	C	C	-
Private clubs and lodges	C	C	-
Restaurants, night clubs, and the like	P	P	-
Retail shops and stores (excluding autos, boats, and the like) such as apparel, appliances, beverage, book, carpet, drugs, furniture, grocer, hardware, jewelry, paint, tobacco, sporting goods	P	P	C
Schools and studios: artistic, music, photo, decorating, dancing, health, and the like	C	C	-
Sexually oriented businesses as defined in SLPC 11.48 and regulated in SLPC 16.36.010 Paragraph H	C	-	-
Signs as regulated by SLPC 16	A	A	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P	P	P
Theaters (indoor only)	P	P	-
Vending machines for ice, milk, and the like	P	P	-
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses			

- C. *Light industrial district.* Conditional uses in this paragraph shall be governed by the criteria enumerated in SLPC 16.56.030 Paragraph E, relating to conditional uses. [Interim uses in this paragraph shall be governed by criteria enumerated in SLPC 16.58, relating to interim uses.](#)

<i>Uses in I-1</i>	<i>Category</i>
Automobile repair	C
<u>Automobile sales (see SLPC 16.36.010 and SLPC 11.20.040 Paragraph F,4)</u>	I
Bottling establishments	C
Brewing taprooms and cocktail rooms	P
Building material sales and storage	P
Camera and photographic supplies manufacturing	P
Cartage, express, freight terminals	C
Cartography and book binding	P
Dry cleaning and laundry establishments	P
Electrical service shops	P
Engraving, printing, and publishing	P
Governmental and public utility buildings and structures	P
Jewelry manufacture	P
Light manufacturing	P
Medical, dental, and optical laboratories	P
Off-street parking and loading as regulated by SLPC 16.40.010	A
Offices, office buildings	P
Printing, publishing	P
Retail and service establishments essential to the operation of an I-1 district and providing goods and services primarily for the use of persons employed in the district	C
Signs as regulated by this title	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P
Storage, warehousing, or wholesaling business	P
Any manufacturing, production, processing, cleaning, storage, servicing, repair, and testing of materials, goods, or products similar to the permitted uses (P) listed above which conform with the performance standards	C
All uses customarily incident to the permitted (P), or special (S)	A

conditional (C) or interim (I) uses above

Key: A= accessory uses; P = permitted uses; eC = conditional uses; I = interim uses

SECTION 7: EFFECTIVE DATE This Ordinance shall be in full force and effect upon required approval and publication according to law.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL
July 5, 2022

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Delfs	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Goodboe-Bisschoff	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Councilmember Dircks	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Mayor Nelson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer



Robert Nelson, Mayor, Spring Lake Park

Attest



Daniel R. Buchholtz, Administrator,
Clerk/Treasurer Spring Lake Park