

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 458

AN ORDINANCE AMENDING THE CITY OF FOLEY'S ZONING ORDINANCE
RELATING TO INTERIM USE PERMITS

WHEREAS, the City of Foley wishes to amend its Zoning Ordinance by making revisions to Sections 22 (Conditional Use Permits) of the Zoning Ordinance; and

WHEREAS, the City of Foley issued a public hearing notice regarding this ordinance amendment and said public hearing was held on July 13, 2021.

NOW, THEREFORE, the City of Foley ordains as follows:

Section 1. The following additions shall be made to Section 22 of the City of Foley's Zoning Ordinance:

The zoning ordinance shall be revised with insertions depicted with underline:

SECTION 22: CONDITIONAL USE PERMITS AND INTERIM USE PERMITS

Subdivision 1: Purpose

The following item is added to existing Subdivision 1:

1. Conditional Use Permits and Interim Use Permits follow the same review process and are collectively referred to as Land Use Permits. The City may elect to issue an Interim Use Permit instead of a Conditional Use Permit for any listed conditional use.

Subdivisions 2-10: Reference to Land Use Permit

All references in Subdivisions 2 through 10 of "conditional use permit" is hereby replaced by "land use permit".

Subdivision 2: Procedure

10. General Conditions. If the City Council grants the Land Use Permit, it may impose conditions on it, or the Planning Commission, considers necessary to protect the public health, safety and welfare.

The following item #11 is added in between General Conditions and Written Findings:

11. Termination. An Interim Use Permit may be terminated on a date established in the permit, a change in zoning regulations, a change in ownership, or the occurrence of any condition established by the Council.

Subdivision 8: Time Limitation

1. Any land use permit may include an expiration date and the property owner will be responsible to submit the application for renewal of the permit. The City Council will review and consider all renewal applications, which must be submitted at least sixty (60) days before the expiration date. The criteria for renewal will be the same as for a new permit. The owner of the land will not be required to pay a fee for said review.

Section 3. Summary Publication.

At least four-fifths of the City Council’s members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“ORDINANCE AMENDING SECTION 22 (CONDITONAL USE AND INTERIM USE PERMITS)

The ordinance amendment incorporates interim use permit language into city zoning ordinance.

Approved this 13th day of July, 2021.

ATTEST:

Gerard L. Bettendorf, Mayor

Sarah A. Brunn, Administrator