

**CITY OF KASSON
ORDINANCE NO. 7.1-22**

**ORDINANCE AMENDING THE KASSON OFFICIAL ZONING CODE CHAPTER 154 TO ADD
INTERIM USES THROUGH AN INTERIM USE PERMIT PROCESS.**

The City Council of Kasson does ordain:

Section 1: The Kasson Official Zoning Code is hereby amended by adding the interim use permit procedure to allow for temporary uses upon a property that have a condition to terminate within a certain time frame, upon an event, or other determination by the City Council.

Section 2: Section 154.071 is hereby added as follows:

§ 154.071 Interim Use Permit

(A) Applicability. The purpose and intent of allowing interim uses is:

- (1) To allow a use for a temporary period of time until a permanent location is obtained, the use terminates, or while the permanent location is under construction.
- (2) 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.
- (3) 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.

(B) Pre-application Meeting. A pre-application meeting pursuant to § [154.065](#)(D) is required prior to submitting an interim use permit application.

(C) Submittal.

The applicant shall file their completed form in the same manner as outlined in Section 154.067 (C) submittal.

(D) Review Process.

The review process shall follow that of 154.067 (D) Review Process.

(E) Issuance of Approval.

(1) Record Keeping.

- (a) The city shall maintain a record of all interim use permits issued including information on the use, location and conditions imposed by the city; time limits, review dates and such other information as may be

appropriate. A record of applications which were not approved shall also be maintained for record keeping purposes.

(2) Effect of Approval.

(a) If an interim use permit is approved or approved with additional conditions, all future use of the land up until the termination of the interim use permit shall comply with the terms of the permit and conditions.

(b) Amendment.

1. A property owner or applicant may request an amendment to the conditions of an existing interim use permit by submitting a full application for an interim use permit and going through the full procedure described in this section.
2. In their review, the Planning and Zoning Commission and the City Council shall consider the original conditions of the approved IUP and find that the amended condition(s) are no longer relevant, are in need of updating, or need to be removed.

(F) Termination of Permit.

An interim use permit shall terminate on the happening of any of the following events, whichever occurs first:

- (1) The date or event stated in the permit;
- (2) The approval of the permit was obtained by fraud;
- (3) Upon violation of the conditions under which the permit was issued;
- (4) The interim use permit, over a 12 consecutive month period, is not used, discontinued, or abandoned; or
- (5) The property is redeveloped to a permitted or conditional use allowed in the respective zoning district.

Section 3: This ordinance is effective upon adoption and official publication.

Adopted by the City Council this 13th day of July, 2022.

Mayor Chris McKern

Attest: Linda Rappe, City Clerk

The motion for the adoption of the foregoing resolution was made by Council Member XX and duly seconded by Council Member XX. Upon a vote being taken, the following members voted in favor thereof: XX. Those against same: XX.