

**EUREKA TOWNSHIP
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 28

**AN ORDINANCE AMENDING EUREKA TOWNSHIP
ORDINANCE NO.20 BY ADDING PROVISIONS
RELATING TO AN INTERIM USE PERMIT**

The Board of Supervisors of the Town of Eureka does hereby ordain:

Section 1. Amendment. Section 4 of Ordinance No. 20 relating to definitions is hereby amended by adding the following definition:

Interim Use. An “interim use” is a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

Section 2. Amendment. Section 6 of Ordinance No. 20 is hereby amended by adding Section 6.9 to provide as follows:

6.9 Interim Use Permit.

- A. Application, Public Hearing, Notice and Procedure. The application, public hearing, notice and procedural requirements for interim use permits shall be the same as those for zoning code amendments as provided for in the Township’s Zoning Ordinance and in Minnesota Statute § 462.3 57, subd. 3, except to the extent otherwise provided in the ordinance that allows an interim use permit in a specific zoning district.
- B. Application Fee. Unless an ordinance specifies a larger fee, the application fee shall be the same as for a zoning code amendment.
- C. Standards. An interim use must comply with the following standards:
 - 1. The interim use must be identified as a permitted interim use in the zoning district where the property is located.
 - 2. The interim use must meet or exceed the performance standards set forth in the zoning ordinance and other applicable Township ordinances.
 - 3. The interim use must comply with the specific standards for the use identified in the ordinance allowing the interim use, and must comply with all other conditions of approval that are imposed by the Town Board.

- D. Conditions. The Township may attach conditions to the approval of an interim use permit to mitigate anticipate adverse impacts associated with the use, to ensure compliance with the conditions of approval, to protect the value of other property, and to achieve the goals and objectives of the Comprehensive Plan and the zoning ordinance.
- E. Termination. An interim use permit shall terminate on the occurrence of any of the following events, whichever first occurs:
1. The date of termination or the event of termination specified in the permit or specified in the ordinance that allows the interim use.
 2. Upon violation of a condition under which the permit was issued.
 3. Upon change in the Township's zoning regulation that renders the use non-conforming.

Section 3. Effective Date. The effective date of this Ordinance shall be upon its passage and publication according to law.

Adopted this 13th day of May, 2002.

Chair of Town Board

ATTEST:

Clerk

Date Published in Official Newspaper
_____, 2002