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## TEMPORARY USE APPLICATION

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**545.700. Purpose.** Temporary use provisions are established to allow for certain uses and structures which have only a seasonal or temporary duration such as community festivals, fresh produce stands, and temporary promotions by permanent businesses.

**545.710. Temporary use permit required.**

- (a) *In general.* Any person wishing to establish a temporary use shall obtain a temporary use permit for such use, as specified in Chapter 525, Administration and Procedures.
- (b) *Exceptions.* No temporary use permit shall be required if the temporary use is required to obtain a business license issued by the City of Minneapolis.

**545.720. Permitted temporary uses and structures.**

- (a) *In general.* The following temporary uses and structures shall be permitted in all zoning districts, except as otherwise specified below, provided such temporary use or structure shall comply with the regulations of the zoning district in which it is located and all other applicable regulations of this article. Outdoor temporary uses shall be exempt from the enclosed building requirement.
  - (1) *Storage of building materials and equipment or temporary buildings.* The indoor or outdoor storage of building materials and equipment and temporary buildings for construction purposes may be allowed as a temporary use, provided that such storage or temporary building shall be located on the site under construction and shall not exceed the duration of such construction or one (1) year, whichever is less. The zoning administrator, upon written request, may for good cause shown grant extensions to this time limit.
  - (2) *Temporary real estate tract office.* Temporary real estate tract offices for the purpose of conducting the sale of lots of the tract upon which the tract office is located may be allowed as a temporary use, provided such office shall be located on the tract for a period not to exceed one (1) year. The zoning administrator, upon written request, may for good cause shown grant extensions to this time limit.
  - (3) *Temporary amusement events.* Indoor or outdoor temporary amusement events, including the erection of tents for such event, may be allowed as a temporary use, provided such use shall not exceed a duration of fifteen (15) days in one (1) calendar year. In the urban neighborhood or residential mixed-use districts, such temporary amusement events shall be located on institutional and public uses property only.
  - (4) *Seasonal outdoor sale of holiday items.* The seasonal outdoor sale of holiday items may be allowed as a temporary use. Such temporary use shall not exceed a duration of thirty-five (35) days in one (1) calendar year. In the urban neighborhood and CM1 districts, such seasonal outdoor sale of holiday items shall be located on institutional and public uses property only.
  - (5) *Farmers' markets, mini-markets and produce and craft markets.* Farmers' markets, mini-markets and produce and craft markets may be allowed as a temporary use. Such temporary use shall not exceed

For reasonable accommodations or alternative formats please contact 311 at 612-673-3000. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users call 612-673-2157 or 612-673-2626. Para asistencia 612-673-2700 - Rau kev pab 612-673-2800 - Hadii aad Caawimaad u baahantahay 612-673-3500.

a duration of seventy-five (75) days in one (1) calendar year. In the urban neighborhood and CM1 districts, farmers' markets, mini-markets and produce and craft markets shall be located on institutional or public use sites or on zoning lots of not less than twenty thousand (20,000) square feet.

- (6) *Promotional activities involving outdoor sales and display.* Outdoor sales and display not otherwise allowed, may be allowed as a temporary use, provided such use shall not be located in an urban neighborhood or residential mixed-use district. Such temporary use shall not exceed a duration of fifteen (15) days in one (1) calendar year.
- (7) *Searchlights.* Searchlights may be allowed in the commercial mixed-use and downtown districts as a temporary use, provided such use shall not exceed a duration of three (3) consecutive days and no more than fifteen (15) days in one (1) calendar year.
- (8) *Exhibition or temporary market.* Exhibition or temporary markets may be allowed as a temporary use. Such temporary use shall not exceed a duration of one hundred eighty (180) days in one (1) calendar year. In the urban neighborhood and RM1 districts, exhibition or temporary markets shall be located on institutional or public use sites.
- (9) *Sauna.* In addition to the applicable exceptions to the enclosed building requirement in section 550.420, outdoor saunas shall be allowed as an accessory to any use for a duration of thirty (30) days in one (1) calendar year.
- (10) *Additional temporary uses.* In addition to the temporary uses and structures listed above, the zoning administrator may allow other temporary uses and structures, not exceeding fifteen (15) days in one (1) calendar year, provided the zoning administrator determines that the proposed temporary use or structure is substantially similar to a temporary use or structure listed above in the manner provided for in this chapter, governing determination of substantially similar uses.

#### **525.630. Temporary use permit.**

- (a) *Purpose.* Temporary use provisions are established to allow for certain uses and structures which have only a seasonal or temporary duration such as community festivals, fresh produce stands, and temporary promotions by permanent businesses. Specific provisions are described in Chapter 545, Article IV, Temporary Uses.
- (b) *Procedure and decision-making body.* An application for a temporary use permit shall include a plan dimensioned or annotated as to accurately show the proposed temporary use, along with a description of the hours and duration of the use. The zoning administrator shall make decisions on temporary use permits.
- (c) *Required findings or criteria.* Each of the following findings shall be made before approving an application for a temporary use permit:
  - (1) The temporary use shall not be detrimental to the public health, safety or welfare, and is compatible with the purpose and intent of this zoning ordinance and the specific zoning district in which it is located.
  - (2) The temporary use shall be compatible in intensity, characteristics, and appearance with surrounding land uses. Factors such as location, access, traffic generation, noise, light, dust control, and hours of operation shall be considered.
  - (3) The temporary use shall comply with the general standards for the zoning district in which it is located, including but not limited to hours of operation, yard requirements, commercial vehicle parking and signs. The temporary use shall also comply with Chapter 545, Article IV, Specific Use Standards.

## **APPLICATION PROCESS**

Applicants are encouraged to contact Minneapolis Development Review for a pre-application meeting in order to determine application requirements and any other applicable submission requirements. An appointment can be scheduled by calling or e-mailing Minneapolis 311 (612-673-3000 outside the City).

To file the temporary use application, review the enclosed items and return to the Development Review Customer Service Center with the completed application materials. Development Services staff will conduct a review of the application to determine completeness and may request additional information. Acceptance of an application does not deem the application complete. If any items are missing at the time of submittal, the application is deemed incomplete.

In the case of an incomplete application, staff issues a letter within fifteen (15) business days of the filing date of the application intended to detail any deficiency of the application. When the applicant remedies the deficiencies, staff makes a final decision on behalf of the zoning administrator. The applicant is provided with a letter that acts as record of this decision which may include any associated conditions of approval. Land use applications that remain incomplete for thirty (30) days or more are deemed withdrawn and returned to the applicant. In such cases, the applicant who still wishes to proceed must file a new application.

Any affected person may appeal the findings and decisions made by the Zoning Administrator within ten (10) calendar days of the original decision in a public hearing before the Board of Adjustment or the decision is final.

## TEMPORARY USE APPLICATION REQUIREMENTS CHECKLIST

**Staff will only accept applications that include all of the items listed below. If any of the items are missing at the time of submittal, staff will not accept the application.<sup>1</sup>**

	Statement of proposed use including the duration of the use and description of the project.
	A written statement by the applicant which addresses each of the required findings of Section 525.630.(c)
	Correct fees paid (checks payable to Minneapolis Finance Department).
	Completed Temporary Use Application Worksheet and Accuracy Declaration.
	A letter from the property owner, if other than the applicant, stating support for the application.
	A letter from the business owner, if other than the applicant, stating support for the application.
	Photos of property(s) & existing structures.
	<p>A scaled and dimensioned site plan of the property. Identify the following items and information:</p> <ul style="list-style-type: none"> <li>▪ All property lines.</li> <li>▪ Streets, sidewalks and alleys, include existing and proposed curb cuts. If public areas are to be vacated, indicate this.</li> <li>▪ Adjacent uses (show location and identify).</li> <li>▪ Building footprints (including garages and other accessory structures) and square footages.</li> <li>▪ Other impervious surfaces (walkways, decks, patios, etc.) and square footages.</li> <li>▪ Structure encroachments (including areaways, balconies, door swings, etc.) in the right-of-way.</li> <li>▪ Dimensioned parking, including handicap accessible spaces, and loading spaces (all parking and loading areas serving the property).</li> <li>▪ Bicycle parking spaces.</li> <li>▪ Indicate snow storage area or propose a snow removal plan.</li> <li>▪ Walls, screens and fences (show location, type and height).</li> <li>▪ Mechanical equipment (air conditioning units, electrical transformers, private or public utilities, etc.)</li> <li>▪ Fire hydrants, transit stops, public plazas, trash enclosures, trees in the public right-of-way.</li> <li>▪ Proposed and existing lighting (location, type and size).</li> <li>▪ Natural features and topography.</li> <li>▪ Indicate north arrow and date the plan was drawn.</li> </ul>
	Scaled and dimensioned floor plans showing all floors.
	Scaled and dimensioned elevations (for new construction).
	Scaled and dimensioned signs (locations, types and dimensions).
	Specific application requirements, if applicable (see attached).
	Please submit all required documentation electronically. Check with your assigned planner to verify whether hard copies are also required.

### FEES

APPLICATION TYPE	FEE (DOLLARS)
Temporary Uses	170

<sup>1</sup> City staff will review the initial application submission and will notify the applicant of what, if any, additional information must be submitted for staff to evaluate the application for approval or denial. Please be aware that supplemental information may also be requested during the evaluation of the application.

## **SPECIFIC APPLICATION REQUIREMENTS CHECKLIST**

**In addition to the General Application Requirements the following may also be required:**

### **FARMERS' MARKET**

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- (1) A scaled and dimensioned site plan showing the layout of the entire market area shall be submitted.
- (2) All vehicles necessary for the operation of the use shall be located on a dustless all-weather hard surface capable of carrying a wheel load of four thousand (4,000) pounds and shall not remain idling while the use is open.
- (3) Canopies shall be securely fastened so as to stay in place during inclement weather. Canopies for temporary farmers' markets shall be removed during days that the farmers' market is not open to the public.
- (4) Farmers' markets shall be exempt from the enclosed building requirements of the zoning ordinance.

### **OTHER CITY DEPARTMENT REQUIREMENTS**

**The following departments may have additional requirements:**

- Development Review Customer Service Center (612-673-3000)
- Fire (612-673-2546) for site plan and structure review;
- Regulatory Services: Building Plan Review (612-673-5831) and Building Inspections (612-673-5840) for review of buildings, tents or any other structure to be used for the temporary use;
- Licenses and Consumer Services (612-673-2080) for liquor and entertainment licenses;
- Environmental Health (612-673-2170) for short-term or seasonal food permits;
- Public Works:
  - Traffic (612-673-5750)
  - Parking and Transportation (612-673-5639)
  - Sidewalks (612-673-2420)
  - Street Design (612-673-3624)
  - Right-of-Way (612-673-2428)
  - Sewer Design (612-673-3630)
  - Water (612-673-3280)

## TEMPORARY USE APPLICATION WORKSHEET

<b>Property Owner/Applicant</b>	Name		
	Mailing address, including city, state, and zip code		
	Phone number		
	Email		
<b>Applicant's Representative</b> <i>This person will be the primary contact for staff, and is the authorized agent in place of the property owner</i>	Name		
	Mailing address, including city, state, and zip code		
	Phone number		
	Email		
<b>Property Information</b>	Address(es)		
	Identification number(s)		
	Legal description (attach if necessary)		
	Lot area (square feet)		
	Zoning classification(s)		
<b>Name of Proposed Project</b> <i>(If applicable)</i>			
<b>Building Data</b> <i>Fill in existing and proposed even when no change is proposed</i>	Gross floor area	Existing (square feet):	Proposed (square feet):
	Land Use:	(circle one) Existing/Proposed	Floor Area (square feet):
	Land Use:	(circle one) Existing/Proposed	Floor Area (square feet):
	Land Use:	(circle one) Existing/Proposed	Floor Area (square feet):

<b>Parking Data</b>	Number of standard spaces	Existing:	Proposed:
	Number of compact spaces	Existing:	Proposed:
	Number of accessible spaces	Existing:	Proposed:
	Total spaces	Existing:	Proposed:
	Number of bicycle spaces	Existing:	Proposed:
	Number of loading spaces	Existing:	Proposed:
<b>Hours of Operation</b>		Proposed start:	Proposed finish:
<b>Sign Data</b>	Number of signs	Existing:	Proposed:
	First sign (circle one):  Existing / Proposed	Type of sign (circle one): Freestanding / Mounted	Length x width (feet):
		If lit, how?	Area (square feet): Height above grade (feet):
	Second sign (circle one):  Existing / Proposed	Type of sign (circle one): Freestanding / Mounted	Length x width (feet):
		If lit, how?	Area (square feet): Height above grade (feet):
	<b>Fence Data</b>	First fence (circle one):  Existing / Proposed	Type/material (i.e. chain-link, wood):
Second fence (circle one):  Existing / Proposed		Type/material (i.e. chain-link, wood):	Length (feet): Height (feet):

### ACCURACY DECLARATION

My signature attests to the fact that the attached application is complete and accurate to the best of my knowledge. I understand that the staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay review of my application or may result in denial of my request.

Property owner's signature (if different from applicant): \_\_\_\_\_

Applicant's name (please print): \_\_\_\_\_

Applicant's signature: \_\_\_\_\_