



Conditional Use Permits

This handout summarizes the conditional use permit process. However, it is not all inclusive. Please contact a planner at 952-939-8290 with specific questions regarding your project.

What is a Conditional Use?

The zoning ordinance is a document that outlines all regulations associated with the use and development of residential and non-residential properties. The ordinance categorizes specific land uses as: permitted, accessory, or conditional uses.

Permitted Use: A Permitted Use is use of property that needs no special approval by either the city's planning commission or city council. An example of a permitted use is a single-family home on a residential lot.

Accessory Use: An Accessory Use is a use subordinate to a principal use and located on the same property as that principal use. An example of an Accessory Use is a garden shed on a developed residential lot. An accessory use needs no special approval by either the city's planning commission or city council.

Conditional Use: A Conditional Use is a use that is permitted only under certain conditions. An example of Conditional Use is a detached garage over 12-feet in height on a developed residential lot. A Conditional Use Permit requires a public hearing before the Planning Commission and final decision by the City Council. The council may impose conditions in specific instances to protect public health, safety, and welfare.

What is the Conditional Use Permit Process?

- A property owner or their representative completes a conditional use permit application and submits this application with all required documents to the Planning Division.
- The city sends "Comment Forms" to all property owners within at least 400 feet of the property for which the Conditional Use Permit is being requested. These property owners are encouraged to comment on the requested Conditional Use Permit and return their forms to the city. These owners are further invited to attend a Planning Commission public hearing which is held to consider the request.
- City staff reviews the submitted application and documents and prepare a written report recommending either approval or denial of the Conditional Use Permit request. The written report, which includes all "Neighborhood Feedback" responses, is forwarded to the property owner or their representative and the Planning Commission.
- The Planning Commission holds a public hearing on the Conditional Use Permit request. During the public hearing: (1) staff makes its recommendation; (2) the applicant or their representative have an opportunity to address the commission; (3) area residents are given an opportunity to ask questions and speak for or against the request. Following the public hearing the Planning Commission discusses the request and votes to recommend that the city council approve or deny the request.
- The City Council considers the Conditional Use Permit request at a following meeting and votes to approve or deny the proposal.