



*East Bethel Community Development*  
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## Conditional Use Permit (CUP)/Amendment Checklist

The City permits consideration of select conditional uses in each zoning district if their use is consistent with the purpose and intent of the City's Zoning Code and Comprehensive Plan. CUPs require a public hearing at the Planning Commission and must be approved by the City Council. The City shall approve or deny a completed application within 60 days, with an additional 60 days allowed with written notice to the applicant before the end of the initial review period. The following information is included in Section 4-9 of the City Zoning Ordinance.

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### Required Materials Checklist

- Land Use Application
  - Fees and Escrow
    - Conditional Use Permit:
      - \$500 Application Fee and \$500 Escrow
    - Conditional Use Permit Amendment:
      - \$300 Application Fee and \$500 Escrow
  - Written and graphic materials fully explaining the proposed change, development, or use.
    - Legal description of the property
    - Evidence of ownership or an interest in the property
    - General location map
    - Principal land uses within 350 feet of the property
    - Description of business or activities and proposed number of staff
  - Certificate of survey, to scale, showing applicable existing and proposed conditions including **property lines and dimensions, building location and setbacks, dimensions of building, curb cuts, driveways, access roads, parking, off-street loading areas, septic system, and well**
  - Landscape plan drawn to scale showing applicable existing and proposed vegetation and plantings, plant schedule including information about the plant size, quantity, type and root condition, and groundcover
  - Grading and drainage plan
  - Soil conditions
  - Building floor plans, elevations, and sections
  - Certification of taxes paid
  - Other information as required by Community Development staff
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### Public Hearing

Upon receipt of a complete application, as determined by the City and following preliminary staff analyses of the application, the City, when appropriate, shall set a public hearing following proper hearing notification. Notice of the hearing shall be published in the official newspaper at least 10 days prior to the hearing. Written notification of said hearing shall be mailed at least 10 days prior to all owners of land within 350 feet of the boundary of the property in question in the MXU, all business districts, and in the R-1, R2 and CL districts. A notice shall be sent to all owners of land within 1,250 feet of the boundary of the property in question in the RR district.

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## **Planning Commission and City Council Process**

Step 1: The Planning Commission shall consider if the proposed use is consistent with the general purpose and intent of the Zoning Ordinance and the Comprehensive Plan. Its judgment shall be based upon, but not limited to, the following:

- a) The impact of the proposed use on the health, safety, and general welfare of the occupants of the surrounding lands
- b) Existing and anticipated traffic and parking conditions
- c) The effect of the proposed use on public utilities;
- d) The effect of the proposed use on property values;
- e) The effect of the proposed use on the Comprehensive Plan;
- g) The results of a market feasibility study, if requested by the City, when the purpose for which the CUP is being requested relies on a business market for its success;
- h) The effects of the proposed use on groundwater, surface water, and air quality;
- i) The proposed use is allowed with a CUP in the zoning district in which it is proposed
- j) The effect of the proposed use on natural resources.

Step 2: The Planning Commission, City Council, and City staff may request additional information from the applicant concerning operational factors or to retain expert testimony with the consent and at the consent of the applicant.

Step 3: The applicant or the applicant's representative may appear before the Planning Commission and City Council to present information and answer questions concerning the proposed request.

Step 4: The Planning Commission will make findings of fact and make a recommendation on the request. Such recommendation shall be in writing and accompanied by the report and recommendation of the City staff.

Step 6: Upon receiving the recommendation of the Planning Commission, the Community Development department shall schedule the application for consideration by the City Council.

Step 7: The City Council may require nonconformities to conform to the regulations contained in the zoning regulations and may impose such additional conditions as it deems necessary.

Step 8: The City Council may impose, and the applicant shall pay, costs incurred by the City for monitoring compliance with the conditions of the CUP.

Step 9: Approval of a request shall require passage by a majority vote of the entire City Council.

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## **CUP Amendment**

Significant changes in the circumstances or the scope of the CUP shall be undertaken without approval of those amendments by the City Council. The City shall determine what constitutes significant change. Significant changes include, but are not limited to, hours of operation, number of employees, expansion of structures and/or premises, and operational modifications resulting in increased external activities and traffic, and the like. The Planning Commission may recommend, and the City Council may approve, modifications to CUPs including the application of additional or revised conditions.