RAVENNA TOWNSHIP
DAKOTA COUNTY, MINNESOTA
Ordinance No. 01-2013

ORDINANCE AMENDING THE RAVENNA TOWNSHIP ZONING ORDINANCE (01-2010) REGARDING COMMERCIAL ANIMAL SERVICES

The Board of Supervisors of the Town of Ravenna ordains:

Article I. New Definition. Section 040 of the Ravenna Township Zoning Ordinance is amended by adding the underlined material as follows:

Commercial Animal Services. The use of land for a commercial enterprise to educate the public in the use, care, or feeding of animals or to provide animal-assisted therapy services. The use includes day camps, horse riding instruction provided to those not boarding horses on the same land, short-term animal-assistance educational sessions, and animal-assisted therapy for disabled persons. The use does not include veterinarian services or other commercial uses for the keeping, caring for, or treatment of animals not owned by a person living on the land.

Article II. Use Not Prohibited. Section 101.3 of the Ravenna Township Zoning Ordinance is amended by adding the underlined material as follows:

101.3 Prohibited Uses

Prohibited uses include, but are not limited to:

1. Parking or storage or dismantling of junked vehicles while outside.
2. Outside parking of semi-trailers over 28 feet in length on less than 40 acres.
3. Dumps, dumping, junk yards, or recycle centers.
4. Commercial uses other than Agricultural Uses, Commercial Animal Services, and those operating pursuant to a permit issued by the Township prior to June 10, 1999. Expansion of existing commercial uses is subject to provisions of section 059.

Article III. Interim Uses. Section 101 of the Ravenna Township Zoning Ordinance is amended by adding Section 101.2.5 as follows:

101.2.5 Interim Uses

The following uses are allowed in the RR-1 District as interim uses and require an interim use permit from the Town Board:

1. Commercial Animal Services.

Article IV. Interim Use Permit. The Ravenna Township Zoning Ordinance is amended by adding Section 70 as follows:

Section 70: INTERIM USE PERMIT

No use requiring an interim use permit under this Ordinance shall be initiated or expanded except upon issuance of an interim use permit from the Town Board pursuant to this Section.

70.1 Application

A person applying for an interim use permit shall submit to the Town Clerk-Treasurer a completed application together with the applicable fees. The application must, at a minimum, contain all of the following information together with any other information required on the application form:

1. The name and mailing address of all property owners of record, according to the county auditor's property tax records, contiguous to the property to which the application relates;
2. The name of the applicant and of all owners of the property to which the application relates; and
3. A description of the proposed use including, to the extent applicable, hours of operation, parking, anticipated traffic and routes, lighting plans, identification and explanation of any potential sources of significant noise, dust, vibration, or other impacts reasonably anticipated to be generated by the proposed use which could affect surrounding properties.

70.2 Procedure

Applications determined to be complete by the Town Clerk-Treasurer shall be processed in accordance with the following:

1. The Planning Commission shall hold a public hearing on the interim use request, which public hearing shall be preceded by published notice at least 10 days prior to the day of the hearing. At least 10 days prior to the day of the hearing, property owners contiguous to the property to which the application relates shall be notified by mail of the public hearing. Failure of any property owner to receive such notification shall not invalidate the proceedings.
2. The applicant, or the applicant's representative, shall appear before the Planning Commission at the hearing in order to answer questions concerning the proposed interim use.
3. After the hearing the Planning Commission shall consider the criteria in Section 70.3 and make a written recommendation to the Town Board regarding the requested interim use. If the Planning Commission is unable to pass a recommendation to either approve or deny the interim use, it shall forward the application to the Town Board without a recommendation. A recommendation to approve the requested

interim use shall include any conditions the Planning Commission recommends be placed on the permit.

4. The Town Board shall take final action on the proposed interim use upon consideration of the criteria in Section 70.3. The Town Board may impose conditions on the interim use permits it issues and all such permits shall indicate the date and/or event upon which the permit shall terminate.

70.3 Criteria

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. In reviewing an application for an interim use permit, the Town Board shall consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands and water bodies. The following criteria shall be considered by Planning Commission when making its recommendation and by the Town Board when making the final decision on whether to approve an application to the extent those criteria are applicable and in addition to such other factors as may be deemed relevant:

1. The proposed use will terminate upon a date or event that can be identified with certainty;
2. The proposed use will not impose additional costs on the public if it is necessary for the public to take the property in the future;
3. Would the use be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the Town;
4. Would the use be harmonious with the general and applicable specific objectives of the Town's Comprehensive Plan;
5. Would the use be designed, constructed, operated and maintained to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area;
6. Would the use be hazardous or disturbing to existing or future neighboring uses;
7. Would the use involve uses, activities, processes, materials equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, scenic blight, glare or odors;
8. Would the use involve lighting that would impair the enjoyment of property and/or property owners in the vicinity or the safety of the traveling public;
9. Would the use be in conformance with the provisions of this Ordinance, and would not unreasonably interfere with the health, safety, and welfare of the surrounding owners and the public, if conducted in compliance with the conditions imposed on the permit; and
10. Would the use adequately provide for parking, current and anticipated traffic congestion, and traffic safety so the use does not become or create a nuisance.

70.4 Site Investigation

The Town may conduct one or more site investigations of the applicant's property as part of processing a permit application and to confirm compliance with applicable codes, requirements, and permit conditions. If a quorum or more of the Planning Commission or

of the Town Board conducts a site investigation, notice shall be posted at the Town's posting places at least three days before the date of the inspection unless the inspection is being conducted as part of the hearing. The Town may also conduct one or more site investigations after a permit has been issued to perform a compliance inspection or to review an alleged or potential violation of the conditions of the permit or of this Ordinance. Submission of an application, and acceptance of a permit, constitutes consent on the part of the owners of the property to the conditions imposed on the permit and to allow the Town to conduct inspections of the property at reasonable times to determine eligibility to receive a permit and then related to the administration and enforcement of the permit.

70.5 Amended Permit

Any change involving structural alterations, enlargement, intensification of the use or similar change not specifically permitted by an interim use permit shall require that the interim use permit be amended. An application to amend an existing interim use permit shall be processed in the same manner as required for a new interim use permit. All application and review procedures shall apply.

70.6 Expiration and Termination

An interim use permit shall expire and become void if the use it allows is not substantially started within 12 months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete. An interim use permit shall expire as of the date or event identified in the permit, but the owner may apply for a new interim use permit. The Town Board may revoke an interim use permit if it determines, after notice to the owner and conducting a public hearing, that any of conditions imposed on the permit have been violated.

Article V. Performance Standards. Section 202 of the Ravenna Township Zoning Ordinance is amended by adding Section 202.8 as follows:

202.8 Commercial Animal Services

All commercial animal services must be related to an agricultural use occurring on the same property and are subject to the following limitations:

1. No commercial animal services uses may occur in the Town without first obtaining an interim use permit from the Town Board.
2. The operator of commercial animal services must comply with all conditions imposed on the interim use permit issued for the use.
3. An interim use permit shall not be issued for any property that contains less than 13 acres.
4. All structures in which members of the public will be present as part of their participation in the commercial animal services shall comply with applicable building standards.
5. The number of animals on the property must not exceed the limits imposed in Section 101.9

Article VI. Fee Schedule. The Land Use Fees section of the Ravenna Township Fee Schedule, adopted by Ordinance No. 02-2010, is hereby amended by adding the following:

Interim Use Permit	$450.00 and Escrow*

Article VII. Incorporation of Amendments. The Town Clerk-Treasurer is hereby authorized and directed to incorporate these amendments into the text of the Ravenna Township Zoning Ordinance and the Fee Schedule, renumber sections as needed, post it as the official current version of the ordinances on the Town's website, and to complete the required Ordinance formalities.

Article VIII. Effective Date. This ordinance shall be effective upon the first day of publication after adoption.

Adopted on the 14th day of March, 2013.

BY THE TOWN BOARD

Mike Waxon, Chairperson

Attest: _____
Caroline Spurgeon, Clerk-Treasurer

CAROLINE ANN SPURGEON
NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES 1-31-2014