

ORDINANCE NO. 2009-62
AN ORDINANCE AMENDING SECTIONS 17, 18, & 19 RESIDENTIAL DISTRICTS TO INCLUDE PROVISION FOR INTERIM USE PERMITS ALLOWING FARM ANIMALS WITH CONDITIONS

WHEREAS, the City Council of the City of Rockville adopted official zoning controls (“Zoning Code”) pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

WHEREAS, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42, 2007-43, 2007-44, 2008-45, 2008-46, 2008-47, 2008-49, 2008-50, 2008-51 and 2008-53; 2009-58, 2009-61 and

WHEREAS, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

WHEREAS, the Planning Commission seeks to amend and clarify the official controls relating to interim use permits in the R-1, R-2, R-3 District; and

WHEREAS, public hearing was held on December 16, 2009 in front of the City Council, and members of the public were given an opportunity to comment on the proposed amendment. Notice of the public hearing was published in the Cold Spring Record on December 1, 2009; and December 8, 2009.

NOW, THEREFORE, the City Council does ordain:

Section 17: “R-1” Single Family Residential District is amended to add:

Subdivision 4: Conditional Uses

8. Animal Feedlots subject to provisions of Stearns County Feedlot Ordinance and further farm animals may be allowed on lots that are 5 Acres or more in size subject to an Interim Use Permit and at a maximum density of .50 animals per acre. Any building where farm animals are kept shall be setback a distance of 100 Feet from the property line or road easement.

Section 17: “R-1” Single Family Residential District is amended to include a new section 5 – Interim Use Permits and further to re-number the remaining subdivisions.

Subdivision 5: Interim Use Permits

The following interim uses are permitted in the R-1 District with an interim use permit:

1. Farm animals

Section 18: “R-2” Two Family Residential District is amended to add:

Subdivision 4: Conditional Uses

8. Animal Feedlots subject to provisions of Stearns County Feedlot Ordinance and further farm animals may be allowed on lots that are **5** Acres or more in size subject to an Interim Use Permit and at a maximum density of .50 animals per acre. Any building where farm animals are kept shall be setback a distance of 100 feet from the property line or road easement.

Section 18: “R-2” Two Family Residential District is amended to include a new section 5 – Interim Use Permits and further to re-number the remaining subdivisions.

Subdivision 5: Interim Use Permits

The following interim uses are permitted in the R-2 District with an interim use permit:

1. Farm animals

Section 19: “R-3” Multiple Family Residential District is amended to add:

Subdivision 4: Conditional Uses

8. Animal Feedlots subject to provisions of Stearns County Feedlot Ordinance and further farm animals may be allowed on lots that are **5** acres or more in size subject to an Interim Use Permit and at a maximum density of .50 animals per acre. Any building where farm animals are kept shall be setback a distance of 100 feet from the property line or road easement.

Section 19: “R-3” Multiple Family Residential District is amended to include a new section 5 – Interim Use Permits and further to re-number the remaining subdivisions.

Subdivision 5: Interim Use Permits

The following interim uses are permitted in the R-3 District with an interim use permit:

1. Farm animals

Adopted this 16th day of December, 2009

ATTEST:

**JEFF HAGEN
MAYOR**

**VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK**