

**NOTICE OF PUBLIC HEARING
CITY OF ROCKVILLE**

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Rockville will meet in the council chambers (**Rockville City Hall – 229 Broadway Street East**) at approximately **6:30 p.m. on Wednesday, December 17, 2008** to consider approval of:

**ORDINANCE NO. 2008-53 –PROVIDING FOR EVENT CENTERS IN THE
AGRICULTURAL ZONING DISTRICTS**

Such persons as desire to be heard with reference to the proposed ordinance will be heard at this meeting.

Verena M. Weber-CMC
Administrator/Clerk

Publish 12/2/08
12/9/08
Cold Spring Record

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Ordinance No. 2008-53

AN ORDINANCE PROVIDING FOR EVENT CENTERS IN THE AGRICULTURAL ZONING DISTRICTS

WHEREAS, the City Council of the City of Rockville adopted Ordinance 2003-04 (“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 and 2008-51; 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 has recommended that the use of property within the agricultural zoning districts for event centers can, with appropriate performance standards and as a conditional use, be allowed without negatively impacting the adjoining property owners and other uses of the district, and has recommended the following amendment be adopted at its meeting on November 10, 2008; and

WHEREAS, public hearing was held on _____, 2008 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 _____, 2008 and _____, 2008; and

WHEREAS, the City Council finds that the use of property within the agricultural zoning districts for event centers can, with appropriate performance standards and as a conditional use, be allowed without negatively impacting the adjoining property owners and other uses of the district.

NOW, THEREFORE, the City Council does ordain:

SECTION I:

Insert the following paragraph within Section 16, Subdivision 4, A-40 Conditional Uses, as appropriate, and renumber accordingly:

- “1. Event Centers, provided:
 - A. The capacity of all structures used in the operation of event center is less than 200 persons;
 - B. The event center has sufficient improved parking spaces for the use. All parking spaces must be located at least 30 feet from any neighboring property and at least 150 feet from any neighboring residential structure,

- no unimproved areas may be utilized for parking, and facility is designed to prevent vehicle headlights from shining on neighboring property;
- C. Access to the property is provided by a paved public road, or access is provided by a gravel road, and no residential building is located within 200 feet of the gravel road providing access from the nearest paved public road;
 - D. The driveway and parking surface are paved, or they are maintained to prevent dust;
 - E. The hours of operation is prohibited between the hours of 1:00am to 10:00am, and any other time which operation of a liquor licensed premises is prohibited;
 - F. No service or operation is allowed outside of the enclosed premises after sunset. At no time may the attendance at events located on the property exceed the capacity of the premises used in the operation;
 - G. No sound from the operation is discernible at the property boundary;
 - H. No light is directed off of the property, no flashing or blinking lights are visible from any property line, and no light is brighter than 0.1 footcandles at the property boundary;
 - I. The facility complies with all existing building, zoning and health code regulations.
 - J. All structures are setback at least 30 feet from any neighboring property, at least 150 feet from any neighboring residential structure, and at least 100 feet from the road right-of-way;
 - K. The facility maintains the essential rural character of the district; and
 - L. No existing event center is located within one mile of the boundary of the property seeking the conditional use permit.”

SECTION II:

Insert the following paragraph within Section 24, Subdivision 3, SP-1 Conditional Uses, as appropriate, and renumber accordingly:

- “1. Event Centers, as provided in Section 16, Subd. 4”

SECTION III:

Upon approval by six members of the City Council, the following shall be the summary of this Ordinance, and may be published in place of the full text of this Ordinance. Should a majority of fewer than six member approve this Ordinance, the same shall be effective upon publication of the entire text, as required by Minnesota Statutes, Section 412.191:

“The following is the summary of Ordinance 2008-53 approved by the Rockville City Council on _____, 2008:

AN ORDINANCE PROVIDING FOR EVENT CENTERS IN THE AGRICULTURAL ZONING DISTRICTS

Ordinance No. 2008-53 provides for event centers as a conditional use, with performance standards, within the A-40 and SP-1 zoning districts.

A complete, printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Hall.”

Adopted this _____ day of _____, 2008.

Brian Herberg, Mayor

ATTEST:

Verena Weber, City Administrator-Clerk