

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #19-042**

**A RESOLUTION APPROVING THE ISSUANCE OF A HOME OCCUPATION PERMIT TO OPERATE COMMERCIAL HORSE FARM ON THE PROPERTY LOCATED AT 17902 SAINT FRANCIS BLVE NW AND DECLARING TERMS OF PERMIT**

**RECITALS**

1. The City of Ramsey received an application from Dale and Tammy Wills (the “Permittee”) requesting a home occupation permit (the “Permit”) to operate a commercial horse farm (the “Home Occupation”) on the property generally known as 17902 Saint Francis Blvd NW and legally described as follows:

The northwest Quarter of the northeast Quarter together with the northeast Quarter of the northwest Quarter both in Section 2, Township 32, Range 25, Anoka County, Minnesota, except roads subject to easement of record.

(the "Subject Property")

2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-51 (Conditional Use Permits) of the Ramsey City Code on February 7, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are available.
3. That the Subject Property is approximately 137 acres in size, with about eighty (80) acres located in Ramsey and the remainder located in the city of Nowthen.
4. That the surrounding parcels in Ramsey range in size from about 0.84 acres to 2.62 acres.
5. That the Subject Property is zoned R-1 Residential (Rural Developing), and the surrounding parcels to the east, west, and south are also zoned R-1 Residential (Rural Developing) and the land to the north, in Nowthen, appears to be zoned Rural Residential Agriculture.
6. That the Subject Property is guided as Rural Developing on the City’s Future Land Use Map.
7. That the Permittee is currently under contract to purchase the Subject Property and that the current owner of the Subject Property has signed the application for the Permit.
8. That the Permittee has also applied for a Conditional Use Permit that would address the proposed indoor riding arenas, stables, and hay and equipment storage.
9. That the existing home and other buildings on the Subject Property are currently accessed by a driveway from Saint Francis Blvd (Highway 47).

10. That the Permittee has proposed that the public access the Subject Property from Potassium Street to minimize potential traffic conflicts on Highway 47.
11. That there would be twenty-six (26) parking stalls provided adjacent to the stalls and riding arena for customer parking.
12. That the Home Occupation is proposed to be within the indoor riding arenas, the indoor stalls, and would also outdoor activities such as trail riding on the Subject Property.
13. That the Permittee has stated that there may be up to sixteen (16) vehicular trips per day, Monday-Saturday, including both customers and employees.
14. That the proposed hours of operation for the Home Occupation are Monday through Friday, 3:00pm to 8:00pm and Saturdays, 8:00am to 4:00pm, excluding any special events.
15. That the Permittee has stated that there would be up to four (4) events/shows each year for the students to showcase their talents, which will result in greater numbers of vehicle traffic for these events.
16. That a Special Events Permit would be required in advance of each of these special events.
17. That the Home Occupation will employ between eight (8) and ten (10) instructors overall but that typically, no more than two (2) would be on the Subject Property at any given time.
18. That the Permittee has indicated that the Home Occupation is being designed to maintain up to thirty (30) horses on the Subject Property.
19. That based on the size of the Subject Property, City Code would allow over 100 horses to be maintained on the Subject Property.
20. That the Permittee has supplied a Manure Mitigation Plan that appears sufficient to address potential nuisance concerns.
21. That the Permittee has stated that no signage related to the Home Occupation is proposed other than a small sign on the main indoor riding arena identifying the entrance.
22. That the City finds the Home Occupation does not constitute a fire hazard to neighboring residences.
23. That the City hosted a Public Workshop on January 3, 2019 to provide surrounding property owners an opportunity to learn more about the proposed Home Occupation.
24. That the Permittee has made some adjustments to the proposed Site Plan in an attempt to accommodate some concerns that were identified during the Public Workshop.

25. That the attendees of the Public Workshop generally supported the proposed Home Occupation but did note concerns related to traffic, impacts to local roads, and eventual costs for road reconstruction.
26. That the City has forwarded the request to the Minnesota Department of Transportation (MnDOT) for review and comment since the Subject Property is currently accessed from Highway 47.

### **FINDINGS OF FACT**

1. That the operation of a horse farm will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the operation of a horse farm use will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the operation of a horse farm will be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
4. That the operation of a horse farm will not be hazardous to existing or future neighboring uses.
5. That the operation of a horse farm will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the operation of a horse farm will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the operation of a horse farm will not involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

**NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

That the Ramsey City Council hereby grants approval of a Home Occupation Permit (the “**Permit**”) to operate a horse farm on the **Subject Property** contingent upon the following conditions:

### **CONDITIONS**

1. That this **Permit** shall allow the operation of a commercial horse farm on the **Subject Property**, which may include riding lessons, instructions, boarding of horses not owned by the Permittee, and routine chores and maintenance of the facilities.

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2. That the **Permittee** successfully obtains a Conditional Use Permit and Variance for the excess square footage and height proposed for the indoor riding arenas, indoor stables, and hay/equipment storage barn.
3. That the **Permittee** shall obtain all necessary permits for the proposed structures and comply with all applicable local, state and federal regulations.
4. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
5. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
6. That the City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request.
7. That the **Permittee** shall install the facilities (indoor riding arenas, indoor stalls, stables, and hay/equipment barn, as well as parking stalls and driveway), in general conformance with the 'footprint' indicated in the Site Plan attached herein as Exhibit 1.
8. That the **Permittee** shall be allowed to host up to four (4) shows/events per year that will be open to the public, subject to review and approval by the **City's** Public Safety Staff.
9. That the **Permittee** agrees to meet with **City** Staff, such as Police, Fire, Public Works, and Community Development, annually to assess and review the proposed shows/events to determine what accommodations the **Permittee** may need to provide to ensure the health, safety, and welfare of both the attendees of the shows/events as well as the surrounding neighborhoods.
10. That the **Permittee** agrees to reassess how these shows/events are addressed in the future if attendance increases substantially.
11. That all parking related to these shows/events shall be accommodated on the **Subject Property** (there shall be no parking on the public roads).
12. That the **Permittee** agrees hours of operation of Monday – Saturday 8:00am to 8:00pm.
13. That access to the **Subject Property** for the Home Occupation shall be from Potassium Street to limit potential conflicts on Highway 47.
14. That the **Permittee** shall manage manure as outlined in the narrative supplied with the application under the section entitled Manure Issue Mitigation.
15. That the **Permittee** shall maintain compliance with Minnesota Pollution Control Agency rules and regulations pertaining to feedlots.

16. That the **Permittee** shall reside in the dwelling unit on the **Subject Property** or in a dwelling unit on a parcel immediately adjacent to the **Subject Property**; if not, the **Permit** shall be terminated.
17. That the **Permittee** agrees to comply with Chapter 117, Article II, Division 6, Subdivision 1 of City Code, titled "Signs".
18. That the **Permittee** agrees to comply with section 117-355 of City Code relating to outside storage and maneuvering of vehicles and equipment on the **Subject Property**; all parking and maneuvering areas on the **Subject Property** must be surfaced with class V gravel, concrete or asphalt, unless otherwise approved via a Special Events Permit.
19. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **Permittee**.
20. That should the **Permittee** die or sell the **Subject Property**, the **Permit** shall be automatically terminated, except that in the case of death, should a surviving spouse or child, residing at the same address, desire to continue the home occupation, written notice to that effect shall be given to the City Administrator and the City Council may authorize continuation of the **Permit** without further hearing.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 26th day of February, 2019.





Exhibit 1  
Site Plan

