



RESOLUTION NO. 16-112-03

**A RESOLUTION GRANTING APPROVAL OF AN AMENDMENT TO THE CONDITIONAL
USE PERMIT AS REQUESTED BY COPELAND FARMS FOR THE PROPERTY
LOCATED AT 810 COPELAND ROAD**

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Copeland Farms, (the “Applicant”) submitted a request for an amendment to the Conditional Use Permit to allow an additional 15 horses to be boarded in association with the Commercial Riding Stable operation on the property located at 810 Copeland Road (PID No. 29-118-24-33-0001) (the “Property”); and

WHEREAS, the Property is zoned Agriculture; and

WHEREAS the requested amendment to the Conditional Use Permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on December 14, 2015 to review the application for an amendment to the Conditional Use Permit, following mailed and published noticed as required by law; and

WHEREAS, the City Council has review all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by

Copeland Farms for an amendment to the Conditional Use Permit to allow 15 additional horses to be boarded in association with the Commercial Riding Stable per the City's zoning regulations with the following conditions:

1. The proposed conditional use permit amendment request meets all applicable conditions and restrictions stated in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. Any new signage shall comply with all applicable standards of the City's ordinance.
4. No more than 35 horses shall be boarded on the property.
5. The applicant and facility must operate in compliance with the permit from MPCA. A copy of the valid MPCA permit with amendments to be attached to and become a part of the conditional use permit.
6. City or County road will not be littered in the hauling of manure.
7. A minimum of 1/3 acre or green covered open space, excluding wetland, is required within the horse facility, for each horse allowed by this permit. The open space may be in pasture, lawn or landscaped grounds. The applicant shall maintain the existing screening/buffering and landscaping present on the property at the date of issuance of this Conditional Use Permit.
8. The hours of operation are: summer 7:00 am- 10:00 pm., winter 7:00 am- 9:00 pm. Early arrivals and late departures are to be called into the City Office.
9. Horse shows, training clinics and special events will require special approval from the City.
10. No renting of hack horses.
11. No riding on private land unless authorized by owners.
12. No parking by any user of the commercial riding facility shall be permitted on public roads.
13. Grass shall be continually maintained during the growing season in all pasture areas.
14. All feed and bedding are to be stored inside a closed building.
15. Owner/operator shall utilize appropriate management practices to control flies and odor.
16. The owner of the property shall provide dust control, from 1060 Copeland Road to just south of Kutz Crossing on Copeland Road, should the City no longer provide dust control service.
17. Group lessons or training sessions of non-bordering guests, greater than five (5) people, shall require special approval from the City.

This resolution was adopted by the City Council of the City of Independence on this 12^h day of January, 2016, by a vote of ____ayes and ____nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

(SEAL)

RES. NO. _____
810 Copeland Road CUP Amendment