

CITY OF ORONOCO

A RESOLUTION APPROVING REZONING FROM R-1 TO B-2 AND CONDITIONAL USE PERMIT FOR ANIMAL BOARDING AT 830 2ND AVENUE SE, ORONOCO

WHEREAS, the Planning and Zoning Commission for the City of Oronoco has carefully reviewed the applications for rezoning and a conditional use permit to allow for animal boarding at 830 2nd Avenue, SE, Oronoco; and

WHEREAS, the Planning and Zoning Commission recommends approval to Council of both the Rezoning from R-1 Low Density Residential to B-2 Highway Commercial for the property at 830 2nd Ave SE based on the following Findings of Fact:

- 1) The property at 830 2nd Avenue SE is zoned R-1 Low Density Residential. The Future Land Use Plan guides the property for half Highway Commercial and half Multi-Family Residential.
- 2) There is an existing single family home and an animal boarding business on the property which has operated since 2004 with no known complaints or problems. A previous permit issued by the City for the animal boarding use expired in 2011.
- 3) The animal boarding use is allowed by conditional use in the B-2 Business District and can be continued with a new conditional use permit from the City, which is part of a concurrent request with this rezoning.
- 4) The pattern of land use and zoning created by the requested rezoning is reasonable – it would allow the existing animal boarding use to remain and moves the property toward more intense uses as envisioned by the Future Land Use Plan. Creating a buffer or transition between the animal boarding use and the single family zoning to the north and east can be addressed within the conditional use permit process.
- 5) The existing single family home on the property, either owner-occupied or rented, can remain and be maintained, repaired, improved, or replaced as a legal non-conforming use.

WHEREAS, the Planning and Zoning Commission recommends Council approve a conditional use permit (CUP) for an animal boarding use at 830 2nd Ave SE, with the following Findings of Fact and Conditions:

Findings of Fact for Approval of Conditional Use Permit:

- 1) The animal boarding facility has operated at 830 2nd Avenue SE since 2004 without problems or complaints.
- 2) The previous City permit for the use expired in 2011. The current CUP approval supersedes that permit.
- 3) The property is large enough to support an animal boarding facility for 15 dogs and have reasonable separation and buffering from neighboring single family residential uses.
- 4) There are standards in the Oronoco City Code relating to care and handling of animals which are reasonable and necessary to the public health, safety, and welfare which are to be followed under this CUP.
- 5) The animal boarding conditional use meets the criteria for approval of a conditional use permit in Section, 153.369 of the Oronoco Zoning Code.

Conditions for Approval of the Conditional Use Permit:

- 1) The CUP for an animal boarding use is approved only if the property is rezoned to B-2 Highway Commercial.

- 2) Operation of the animal boarding facility will follow all provisions of the Oronoco City Code in Chapter 91 Animals, including requirements relating to basic care, vaccination, and nuisances.
- 3) The animal boarding use will only board dogs and is limited to a maximum of 15 dogs for overnight boarding, with a daytime limit not to exceed 35 dogs.
- 4) The boarded dogs will be kept inside an enclosed structure and only allowed outdoors within a secure fence or on leash and under the control of a responsible individual.
- 5) The existing structure and fence for the animal boarding facility will be maintained in an attractive manner in their current location and not expanded or moved without express authorization of the City through an amended conditional use permit.
- 6) A landscaped buffer will be added along the east side of the lot and along the north side of the lot from the NE corner to a point in line with the existing home to the north at 810 2nd Ave SE. The landscaping will be installed by September 30, 2023, be consistent with §151.084, and will be maintained and replaced as needed for the duration of the CUP.
- 7) Any exterior lighting on the property associated with the animal boarding facility will be downcast cutoff type fixtures allowing no more than 0.5 footcandle at eye level at the property lines.
- 8) Signage for the business will meet signage standards in the Oronoco Zoning Code. Sunny noted that there may be a kennel license requirement in the future.

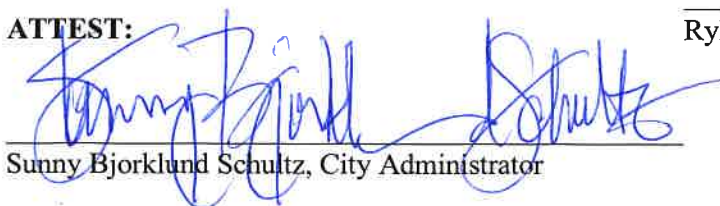
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oronoco does hereby:

- 1) Approve the Rezoning of 830 2nd Avenue SE from R-1 to B-2 as recommended by the Planning and Zoning Commission based on Findings of Fact stated above; and
- 2) Approve the Conditional Use Permit to allow for dog boarding and daycare based on the Findings of Fact stated above and subject to the Conditions for approval as recommended by the Planning and Zoning Commission;

AND BE IT FUTHER RESOLVED that the City Administrator or her designee is authorized to take steps necessary for the implementation of this Resolution and its corresponding Ordinance.

COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Ryland Eichhorst, Mayor	X			
Jim Phillips, Vice Mayor	X			
Dana Bergner	X			
Jim Richards	X			
Carl Krause				X

ATTEST:


Sunny Bjorklund Schultz, City Administrator


Ryland Eichhorst, Mayor