

**CASTLE ROCK TOWNSHIP  
PLANNING COMMISSION  
PUBLIC HEARING MINUTES  
MAY 13, 2002**

The Planning Commission of Castle Rock Township held a public hearing on Monday May 13, 2002 at 7:30 p.m. at the Castle Rock Township Hall at 2537 240<sup>th</sup> Street West. Present were Dave Nicolai, Maralee Rother, and Arlyn Lamb Commissioners. Also present were Dean Johnson from Resource Strategies, Shirley, Dubbels, Jeanette Yanez, Lupe Yanez, Roger Randall, Bill Neil, Ken Betzold and Mark Henry.

The purpose of the hearing was to consider amending the Castle Rock Township Zoning Ordinance by adding or revising the following provisions and re-adopting the revised ordinance: animal control, site plan review requirements, architectural standards, performance standards for screening, parking and site lighting, clarification of commercial/industrial uses, road access, construction and maintenance requirements, establishment of a Mineral Extraction zoning district, adoption of building codes by reference, right to farm provisions, general housekeeping amendments and ordinance reformatting.

Vice-Chair Dave Nicolai called the meeting to order at 7:40 p.m. The meeting was turned over to Dean Johnson from Resource Strategies and he gave a presentation on the ordinances.

Jim Heiman arrived at 7:45 p.m.

One point was made that the conditional use permits stay with the property and variances also stay with the property.

Changes made and considered are:

***Change date on zoning map with the effective date adoption of ordinance***

***On appendix A: Public Hearing Application Form add Conditional Use Permit***

Under kennels on page 9 - - the statement is added - - ***a kennel shall also mean any residence or business in which six (6) or more domestic animals over the age of six (6) months are kept at any time.***

On page 69 #N in description of number of farm animals allowed, it should read ***units*** instead of farm animals.

On page 19 add ***5.06 Right to Farm***

On page 64 add *by law* and add *domestic*

On page 20 under 6.01 purpose delete *CO Conservancy Overlay District* and insert *ME Mineral Extraction*

**Add 5.05 Right to Farm**

*The Township has found that protecting and preserving land for agriculture is in the best interests of the community and protects the public health, safety and welfare by implementing community goals and policies. Agriculture often includes such activities as the intense use of farm equipment and machinery; plowing during dry and windy conditions; the raising of livestock and fowl; the use of irrigators over extended periods of time; and the use of soil amendments, including manure, herbicides and pesticides. These activities may be considered nuisances or inconveniences in more urban setting; however, these activities are common in an agricultural community and vital to the sustenance of an agricultural economy. For the purposes of this Ordinance, farm activities or agricultural activities shall not be considered a public nuisance, provided that such activities do not violate any State statute or rule or any other laws or ordinances.*

On page 22 under 6.04 AG B. #8 add *old b page 23 old ordinance*

On page 25 add *2. Seasonal Mineral extraction, subject to the requirements of Ordinance No. 99-1 Castle Rock Mineral Extraction Ordinance, and subsection L., below.*

On page 34 delete 6.10 Conservancy Overlay District and replace with the following:

**6.10 ME Mineral Extraction District**

**A. Intent**

*The ME District is intended to allow mineral extraction within the Township in areas that have little or no impact on adjacent land uses do Not negatively impact agricultural preservation efforts of the Township, do not impact existing roadways or require improvements to existing roadways, do not impact natural areas, and o not impact administrative requirements of the Township.*

**B. Interim Uses**

*Mineral Extraction is allowed as an interim use, subject to the*

*requirements of Section 8.08 of this Ordinance and the standards and conditions of the Ordinance No. 99-1 Castle Rock Mineral Extraction Ordinance. Accessory uses to mineral extraction may be considered as part of an Interim Use Permit, subject to the requirements of Ordinance No. 99-1 Castle Rock Mineral Extraction Ordinance.*

**C. Standards for Granting Interim Use Permits**

*In addition to Section 8.08 of this Ordinance and other requirements of this Ordinance, the issuance of an Interim Use Permit shall be subject to the Township's findings for the following conditions:*

- 1. The interim use shall not have an unmitigated negative impact on any environmental system, natural feature, or adjacent property.*
- 2. The interim use shall not negatively impact the Township's goal for agricultural preservation.*
- 3. The interim use shall not be incompatible with area land uses.*
- 4. The interim use shall not lead to the premature conversion of adjacent land uses to unplanned or incompatible land uses.*
  
- 5. The interim use shall not create transportation access, congestion, or safety hazards or create undue burden and increased maintenance on local, collector or arterial roadways.*

*Add to Sections 6.04 AG; 6.05 RR-1 and 6.06 RR-2 B. Permitted Uses: replace #11 with 11. A state-licensed residential facility serving six or few persons, in accordance with the provisions of Minnesota Statutes Section 462.357 Subd. 7 and add #12 A state-licensed day care facility serving 12 or fewer persons, in accordance with the provisions of Minnesota Statutes 462.357 Subd. 7. In 6.06 RR-2, it would be #5 and #6.*

*On page 26 in 6.05 B 6 instead of effective date put in August 31, 1978 in fourth line and last line of the paragraph*

*Dave Nicolai left the meeting.*

While looking thru the revised draft, it was noted that on page 22, the statement from page 23 of the original ordinance # 101.2 8 b regarding 165 feet of frontage was omitted and the question was asked why it was omitted. Evidently it was a typo and it will be redone because there was no reason for it to be omitted.

**Arlyn Lamb made a motion and Maralee Rother seconded to close the public hearing. Motion carried 3 ayes.**

**Maralee Rother made a motion and Arlyn Lamb seconded that the Planning Commission will review the revised ordinance and will make a final recommendation at the regular meeting May 28, 2002. Motion carried 3 ayes.**

**Maralee Rother made a motion and Arlyn Lamb seconded to adjourn the meeting. Motion carried 3 ayes.**

Respectively submitted Maralee Rother Planning Commission secretary.