



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

INTERIM USE PERMIT (IUP) – FARM ANIMALS

APPLICANT IS REQUIRED TO MEET WITH CITY STAFF **PRIOR** TO SUBMITTAL OF THIS APPLICATION

APPLICATION FEE: \$300* **ESCROW: \$300**** **FILING FEE: \$55**

*ALTERNATE APPLICATION FEES: 6 OR FEWER CHICKENS: \$100 RENEWAL: \$50

SELECT ONE: NEW <6 CHICKENS RENEWAL AMENDMENT

**CONSULTING FEES ACCRUED FROM THE CITY ENGINEER, CITY ATTORNEY, ETC WILL BE TAKEN FROM THE ESCROW AMOUNT. THE REMAINING ESCROW WILL BE REFUNDED AFTER THE PROJECT IS FINISHED AND HAS MET ALL OF THE CONDITIONS DURING FINAL INSPECTION. THE APPLICATION FEE IS NON-REFUNDABLE.

NAME OF PROJECT (IF APPLICABLE): _____

PROJECT ADDRESS: _____ PRESENT ZONING: _____

LOCATION PID: _____ LOT: _____ BLOCK: _____ SUBDIVISION: _____

DESCRIPTION OF PROJECT: _____

<u>PROPERTY OWNER:</u>	<u>APPLICANT:</u>
	<input type="checkbox"/> SAME AS PROPERTY OWNER
NAME: _____	NAME: _____
PHONE: _____	PHONE: _____
ADDRESS: _____	ADDRESS: _____
CITY/STATE/ZIP: _____	CITY/STATE/ZIP: _____
EMAIL: _____	EMAIL: _____

I FULLY UNDERSTAND THAT I MUST MEET WITH CITY STAFF TO REVIEW ALL SUBMISSION REQUIREMENTS AND CONDITIONS PRIOR TO OFFICIAL SUBMISSION, AND THAT ALL OF THE REQUIRED INFORMATION MUST BE SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE PLANNING/ZONING COMMISSION AND CITY COUNCIL SCHEDULED MEETING DATES TO ENSURE REVIEW BY CITY STAFF.

 PROPERTY OWNER SIGNATURE

 DATE

 APPLICANT SIGNATURE

 DATE

OFFICE USE ONLY

DATE SUBMITTED: _____

TOTAL FEE PAID: _____

ESCROW APPLICATION SUBMITTED: _____

60 DAYS: _____

120 DAYS: _____

SL PF LU

APPENDIX A, SECTION 4 – CONDITIONAL OR INTERIM USE PERMITS



A. Purpose.

The purpose of a conditional use permit (CUP) and an interim use permit (IUP) is to authorize and regulate uses that are permitted by this chapter if certain conditions, having been designated by this chapter or by the city council, are met. The use shall comply with all standards of this chapter and any additional conditions, including conditions of operation, location, arrangement, and construction, as may be necessary to protect public health, safety, or welfare.

B. Application.

Application for a CUP or IUP shall be made to the city on an official city application form. An application for a CUP or IUP shall be accompanied by a fee as set forth by the city council. Such application shall also include written and graphic materials fully explaining the proposed change, development, or use. The city may require that the applicant submit the following information before the application can be deemed complete:

- 1) Legal description of the subject property;
- 2) Evidence of ownership or an interest in the property;
- 3) General location map;
- 4) Principal land uses within 350 feet of the property;
- 5) Certificate of survey, to scale, showing applicable existing and proposed conditions including property lines and dimensions, building location and setbacks, dimensions of building, curb cuts, driveways, access roads, parking, off-street loading areas, septic system, and well;
- 6) Landscape plan drawn to scale showing applicable existing and proposed vegetation and plantings, plant schedule including information about the plant size, quantity, type and root condition, and groundcover;
- 7) Grading and drainage plan;
- 8) Soil conditions;
- 9) Building floor plans, elevations, and sections;
- 10) Description of type of business or activity and proposed number of employees; and
- 11) Other information as may be required by the city.

C. Notice.

- 1) Pursuant to Minnesota Statutes, an application for a CUP or IUP shall be approved or denied within 60 days from the date of its official and complete submission. The 60 day review period can be extended an additional 60 days pursuant to Minn. Stats. § 15.99. If the initial 60 day review period is extended, the city must provide written notice of the extension to the applicant before the end of the initial review period.
- 2) Upon receipt of a complete application, as determined by the city and following preliminary staff analyses of the application, the city, when appropriate, shall set a public hearing following proper hearing notification. Notice of the hearing shall be published in the official newspaper at least ten days prior to the hearing. Written notification of said hearing shall be mailed at least ten days prior to all owners of land within 350 feet of the boundary of the property in question in all business districts and in the R-1 and R-2 districts. A notice shall be sent to all owners of land within 1,250 feet of the boundary of the property in question in the RR district.
- 3) Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth within this chapter provided a bona fide attempt to comply with the provisions of this chapter has been made. A copy of the notice and a list of the property owners and addresses to which the notice was sent shall be made a part of the record.

D. Procedure.

- 1) The planning commission shall consider if the proposed use is consistent with the general purpose and intent of this chapter and the comprehensive plan. Its judgment shall be based upon, but not limited to, the following:
 - a) The impact of the proposed use on the health, safety, and general welfare of the occupants of the surrounding lands;
 - b) Existing and anticipated traffic conditions, including parking facilities on adjacent streets and lands;

- c) The effect of the proposed use on public utilities;
 - d) The effect of the proposed use on property values;
 - e) The effect of the proposed use on the comprehensive plan;
 - f) The ability of the proposed use to meet the standards of this chapter;
 - g) The results of a market feasibility study, if requested by the city, when the purpose for which the conditional use is being requested relies on a business market for its success;
 - h) The effects of the proposed use on groundwater, surface water, and air quality;
 - i) The proposed use is allowed with a CUP or IUP in the zoning district in which it is proposed; and
 - j) The effect of the proposed use on natural resources.
- 2) The planning commission, city council, and city staff shall have the authority to request additional information from the applicant concerning operational factors or to retain expert testimony with the consent and at the consent of the applicant.
 - 3) The applicant or the applicant's representative may appear before the planning commission and city council in order to present information and answer questions concerning the proposed request.
 - 4) The planning commission shall make findings of fact and make a recommendation on such actions or conditions relating to the request as they deem necessary to carry out the intent and purpose of this chapter. Such recommendation shall be in writing and accompanied by the report and recommendation of the city staff.
 - 5) The city council shall not grant a CUP or IUP until it has received a report and a recommendation from the planning commission and the community development department, or until 60 days after the first regular planning commission meeting at which the request was considered except as may be limited by Minn. Stats. § 15.99.
 - 6) Upon receiving the recommendation of the planning commission, the community development department shall schedule the application for consideration by the city council. Such reports and recommendations shall be entered in and made a part of the permanent record of the city council meeting.
 - 7) In connection with the issuance of CUPs and IUPs in nonconforming situations, the city council may require nonconformities to conform to the regulations contained in the zoning regulations and may impose such additional restrictions or conditions as it deems necessary to protect the public interest. When appropriate, restrictive covenants may be imposed regarding such matters.
 - 8) The city council may impose and the applicant shall pay costs incurred by the city for monitoring compliance with the conditions of the CUP or IUP.
 - 9) Approval of a request shall require passage by a majority vote of the entire city council.

E. Certification of taxes paid.

Prior to approving an application for a CUP or IUP, the applicant shall provide certification to the city that there are no delinquent property taxes, special assessments, interest, or city utility fees due upon the parcel of land to which the CUP or IUP application relates.

F. Length of conditional use and interim use.

Any use permitted under the terms of any CUP or IUP shall be established and conducted in conformity with the terms of such permit and of any conditions imposed in connection therewith. CUPs shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this chapter shall prevent the city council from acting or amending official controls to change the status of conditional uses. IUPs shall remain in effect for as long as stated in city council approved conditions.

G. Revocation.

- 1) A violation of any condition set forth in a CUP or IUP shall be a violation of this chapter, and failure to correct said violation within 30 days of written notice of the violation from the city may result in revocation of the permit. The city council may grant an extension of up to 60 days to correct the violation(s).
- 2) Revocation shall not occur earlier than ten city business days from the time the written notice of revocation is served upon the permittee or, if a hearing is requested, until written notice of the city council action has been served on the permittee.

3) Notice to the permittee shall be served personally or by registered or certified mail at the address designated in the permit application. Such written notice of revocation shall contain:

a) The effective date of the revocation;

b) The nature of the violation(s) constituting the basis of the revocation;

c) The facts which support the conclusion that a violation(s) have occurred, and:

d) Notice that the permittee may appeal the revocation by filing a written request for a hearing with the city administrator within ten city business days following the date of service.

4) The written hearing request shall be in writing stating the grounds for appeal and served personally or by registered or certified mail on the City of East Bethel by midnight of the tenth city business day following the date of service.

5) Following the receipt of a request for a hearing, the city shall set a time and place for the hearing which shall be conducted in accordance with the procedures to appeal decisions of the city as set forth in this chapter.

6) The permittee must satisfy the conditions of the CUP or IUP approved by the city council within 60 days. Unless the permittee requests and receives from the city council an extension of time, failure to satisfy the conditions within 60 days will render the permit void.

H. Records of CUPs and IUPs.

A certified copy of any CUP or IUP shall be filed with the Anoka County Recorder or Registrar of Titles. The city shall maintain a record of all CUPs and IUPs issued including information on the use, location, conditions imposed by the city council, time limits, review dates, and such other information as may be appropriate.

I. Amendment.

Holders of a CUP or IUP may propose amendments to the permit at any time following the procedures for a new permit set forth in this chapter. No significant changes in the circumstances or the scope of the permitted uses shall be undertaken without approval of those amendments by the city council. The city shall determine what constitutes significant change. Significant changes include, but are not limited to, hours of operation, number of employees, expansion of structures and/or premises, and operational modifications resulting in increased external activities and traffic, and the like. The planning commission may recommend and the city council may approve significant changes and modifications to CUPs or IUPs, including the application of additional or revised conditions.

J. Expiration.

Any CUPs granted by the city shall "run" with the land and shall be perpetual unless violation of conditions has occurred and city council has taken action for the revocation of the CUP. Unless the city council specifically approves a different time when action is officially taken on the request, IUPs which have been issued under the provisions of this chapter shall expire without further action by the planning commission or city council unless the applicant commences the authorized uses within three years of the date the IUP is issued.

K. Reapplication.

No application for a CUP or IUP for a particular use on a particular parcel shall be resubmitted for a period of one year from the date of the denial of the previous application unless a decision to reconsider such matter is made by a majority vote of the full city council.

(Ord. No. 19, Second Series, 5-5-2010)

ARTICLE V. –

FARM ANIMALS



Footnotes:

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Editor's note—Ord. No. 13, Second Series, adopted Oct. 7, 2009, repealed the former Art. V, §§ 10-150—10-154, § 10-154.5, §§ 10-155—10-157, § 10-157.5, § 10-158, and enacted a new Art. V as set out herein. The former Art. pertained to farm animals and derived from Ord. No. 115b, §§ 1—8, § 10, 11-1-2006; Ord. No. 115c, §§ 1—9, § 11, 4-16-2008.

Sec. 10-150. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult horse means a horse which is six or more months of age.

Animals, domestic farm means cattle, horses, hogs, sheep, goats, chickens, and other animals commonly kept on farms, or kept for commercial food production purposes.

Animals, non-domestic means animals considered to be indigenous naturally wild or exotic and not naturally trained or domesticated.

Animal shelter means a structure for which the primary purpose is the housing of domestic farm animals.

Bovine means bovids including cows and bison.

Class I horse operation means the keeping of one to four adult horses at any time during a calendar year.

Class II horse operation means the keeping of five to ten adult horses at any time during a calendar year.

Class III horse operation means the keeping of 11 plus adult horses at any time during a calendar year.

Contiguous means sharing an edge or boundary; neighboring; adjacent. Parcels which are separated by a right-of-way, easement, or railroad right-of-way, are considered contiguous for the purpose of this article.

Equine means (as defined by the Minnesota Department of Agriculture), pertaining to, or resembling a horse, including donkeys and mules.

Fowl means birds that are barnyard, domesticated or wild, such as chickens, ducks, geese, and turkey.

Manure storage area means an area where animal manure or process wastewaters are stored or processed.

Nuisance means a nuisance that unreasonably interferes with a right that is common to the general public.

Owner means any person or persons, corporation, firm, or association owning, keeping, or harboring an animal regulated by this article.

Paddock means an enclosed area used specifically for pasturing or controlling animals.

Parcel of land means, for the purposes of this article, a parcel of land is any parcel of land as charged on the county or all adjoining county auditor's tax lists. This includes any fenced contiguous owned, contiguous leased, contiguous rented, or otherwise controlled areas of land that may be used to calculate the maximum number of animals that may be kept on a parcel of land within the city for the issuance of an interim use permit (IUP). A contiguous parcel of land may be used in the calculation if the applicant's period of control is concurrent with the term of the IUP.

Pasture land means land with vegetation coverage used for grazing livestock. Pasture growth can consist of grasses, shrubs, deciduous trees or a mixture, not including wetlands.

Platted subdivision means an area of land separated into two or more parcels, tracts, or lots by a drawing or map filed of record pursuant to Minn. Stats. ch. 505, as amended or renumbered from time to time.

Youth development organizations means a youth organization in which young people in grades kindergarten through one year past high school graduation learn together in various projects, events, and activities under the guidance of professional leadership.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-151. - Interim use permit (IUP) and acreage requirements for domestic farm animals; nondomestic animals prohibited.

- (a) Nondomestic animals are not allowed to be kept within the city.
- (b) An IUP is required for the keeping of domestic farm animals as regulated by this article in the city. The procedure for the issuance of an IUP will be in accordance with the City Code.
- (c) No animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three acres. Provided further, that if 80 percent of the lots within a platted subdivision are larger than three acres, an IUP for keeping a regulated animal may be issued for any of those lots larger than three acres.
- (d) Upon the transfer of the title of a parcel for which parcel an IUP is in effect on the effective date of this article, the new owner may apply for an IUP for the keeping of such animals if the existing permit is in effect and in good standing at the time the title to the property is transferred.
- (e) Meeting the acreage requirements set out in this section does not in and of itself entitle an applicant to an IUP.
- (f) IUPs in existence on the effective date of this article for parcels not in compliance with these acreage requirements will be allowed to continue but only as legal, nonconforming uses.
- (g) It is a requirement for all IUPs issued under this article that a minimum of one fenced acre of pasture land plus any indicated fraction thereof must be provided for each animal unit described below as the animal equivalent for the animal to be kept pursuant to the IUP.
- (h) The following equivalents will apply when determining the animal units defined below:

Animal	Animal Units Per Acre
1 swine	0.4
1 goose or duck	0.2
1 goat or sheep	0.5
1 turkey	0.10
1 bovine	1.4
1 equine	1.0
1 chicken or pheasant/quail	0.01
1 emu or ostrich	1.0
1 alpaca or llama	1.0

(i) Animals may graze within shoreland and bluff impact zones provided permanent vegetation is maintained and a plan has been submitted that is consistent with the technical guides of the Anoka Conservation District.

(j) *Exceptions.*

(1) Youth development organizations may apply for an IUP in accordance with section 10.157. The IUP shall cover individual groups and members of the youth development organization; IUP application fees shall be waived. The IUP shall expire five years from the approval date at which time the organization must reapply for the IUP. In conjunction with the organization's approved IUP, individual members shall comply with the following:

a. Each member of the organization must complete a youth development project permit application prior to farm animals being kept on the property. The permit will be reviewed by city staff within two weeks of submittal of a completed application.

b. It is a requirement for all permittees to have a minimum of one acre of pasture land to accommodate the farm animals.

c. Permittee must comply with all other farm animal regulations set forth in the code.

d. Approved farm animals must be removed from the property within 30 days of the expiration of the permit.

e. In the event a permittee would like to keep the farm animals after the expiration of the project permit, an individual IUP must be applied for and approved. The permittee must meet requirements of the code.

(2) Domestic farm animals with an animal unit of 0.01 or less per acre are permitted without an IUP with the following conditions:

a. A maximum of ten animals may be kept on a parcel with a minimum of one acre of pasture land without an IUP so long as all other requirements set forth in the code are met.

b. The keeping of 20 plus animals requires an IUP and must meet all requirements set forth in the code, including acreage.

(3) The use of the property shall be single-family residential;

a. The property shall contain one detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;

b. Chickens shall not be kept inside the principal structure;

c. No person shall slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties;

d. Chicken coops and attached exercise pens shall be provided for all chickens;

e. Coops and pens shall be fully enclosed and constructed of durable weather resistant materials;

f. The floor area of the **coop** shall be a minimum of **two sq. ft.** in area per chicken;

g. The floor area of the attached **pen** shall be a minimum of **six sq. ft.** in area per chicken;

h. Coops and pens shall meet all setback requirements required of accessory structures;

i. Coops and pens shall be located in rear yards only;

j. Coops larger than 200 sq. ft. in area shall meet all accessory structure requirements of the City Code including those pertaining to location, size, number, height, use and design;

k. Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards while under supervision;

l. All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings. All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;

m. Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of City of East Bethel;

- n. The city may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the certificate of compliance and the City Code;
 - o. No more than six chickens can be kept on lots between one-half acre and three acres in size;
 - p. No roosters shall be allowed on lots between one-half acre and three acres in size;
 - q. No chickens will be permitted on lots less one-half acres
 - r. An interim use permit would be required for this use unless the property complies with section 10-151(j)(2);
 - s. All chickens shall be of the subspecies *Gallus gallus domesticus* and tolerant of local climate conditions.
- (Ord. No. 13, Second Series, 10-7-2009; Ord. No. 49, Third Series, 5-20-2015)

Sec. 10-152. - Domestic farm animal shelter setbacks, paddocks, and pasture land.

- (a) Domestic animal shelters are considered an accessory structure and must comply with the accessory structure regulations set forth in appendix A of this Code.
- (b) Domestic farm animal shelters and pasture land must meet the requirements of this section.
- (c) *Setbacks.* All newly constructed domestic farm animal shelters, pasture land, and manure stockpiles shall be set back as follows:

	<i>Natural/Manmade Features</i>	<i>Horizontal Setbacks</i>
(1)	Property line	<ul style="list-style-type: none"> • Fenced pasture land: 5 feet
		<ul style="list-style-type: none"> • Shelters: 50 feet
		<ul style="list-style-type: none"> • Manure stockpiles: 50 feet
		<ul style="list-style-type: none"> • Fenced pasture land: 50 feet
(2)	Existing wells	<ul style="list-style-type: none"> • Shelters: 50 feet
		<ul style="list-style-type: none"> • Manure stockpiles: 100 feet
(3)	Ordinary high water level of a stream, river, pond, storm water retention pond, lake	70 feet
(4)	Residential structure	75 feet

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-153. - Manure, rodent, and insect management.

- (a) Manure must be handled or treated in such a manner as to not create a public and/or private nuisance.
- (b) Paddocks or similar enclosures must be maintained in a manner that minimizes concentrations of breeding insects and rodents.
- (c) Manure must not be left on any public way.
- (d) Stockpiling of manure requires a manure management plan that meets requirements set by the Minnesota Pollution Control Agency.
- (e) The room or area of an animal shelter where feed is stored must be reasonably secure from rodents, pests, and the animals kept in the shelter, to the extent practicable.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-154. - Care and maintenance of animals.

No animal regulated under this article shall be treated cruelly or inhumanely by any person or in violation of any provision of Minn. Stats. ch. 343, as amended and/or renumbered from time to time.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-154.5. - Animal health and animal shelter regulations.

It is the purpose of this section to insure the health and safety of domestic farm animals in the city by establishing regulations governing animal shelters, corrals, paddocks, and the keeping of such animals in the city.

- (1) All newly constructed animal shelters must meet or exceed all requirements of municipal, county, and state building and fire codes.
- (2) The following apply to all regulated domestic farm animals:
 - a. All animals must be maintained to standards of health specific to the breed.
 - b. All animals must have access to potable water.
 - c. Veterinary records for each animal must be disclosed upon request of the city's designated inspector.
 - d. Animal shelters must be kept in a sanitary manner, free of the odor of ammonia, to the extent practicable.
 - e. A consistent and adequate food and water supply must be available to all animals.
 - f. Fencing must be kept in a manner consistent with Minn. Stats. §§ 344.01—344.20, as amended and renumbered from time to time.
 - g. All domestic farm animals must have access to a shelter.
- (3) Class II and class III horse operations in the city must also comply with the following additional requirements:
 - a. Class II and class III horse operations in the city will be inspected and evaluated annually as a requirement of the IUP for conformance with all applicable regulations. The costs of such inspection and evaluation must be paid by the holder of the permit as part of the annual permit fee. Nonpayment of such costs will be grounds for termination of the permit. In addition to a class III horse operation, an inspection by a doctor of veterinary medicine licensed to practice in Minnesota must accompany the city's inspector on all inspections. Failure to provide access for inspection will be grounds for termination of the IUP.
 - b. Stall doors must be in good repair and easily opened and closed.
 - c. An evacuation plan for humans and animals must be displayed in all animal shelters.
 - d. Grain and hay dust must be minimized to the extent practicable.
 - e. Aisles must be kept free of debris and impediments to movement by humans and animals.
 - f. There must not be any protruding objects in any animal shelter which could cause injury to humans or animals.
 - g. Drainage must be adequate to prevent accumulations of water to facilitate cleaning of animal shelters and paddock areas.
 - h. Animal bedding must be clean and of a material customarily used for animal bedding purposes.

- i. Lights and windows must be animal proofed to prevent breakage, to the extent practicable.
 - j. Grain and forage must be free from mold and miscellaneous debris, to the extent practicable.
- (4) The city's designated inspector and any peace officers of the state and all other personnel under the direction and control of the city whom the inspector believes necessary must be allowed access for inspection purposes on any parcel with an approved IUP upon 12-hours' notice. An application for an IUP under this article will be deemed the consent of the owner of the property to such inspections.
- (5) IUPs not in compliance with this article will be cited accordingly but may be granted time, at the city inspector's discretion, to come into compliance with the requirements of this section. In the event an extension of time is granted, a plan to implement the noncompliant requirements by an agreed upon date must be signed by the parties and filed at city hall. The plan must include clearly defined steps for coming into compliance, each of which must be completed by a specific date. Failure to complete the agreed upon steps by the specified dates will be grounds for termination of the IUP. In no case, however, may an extension exceed 75 days from the date of inspection, and only one extension can be granted.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-155. - Running at large.

- (a) No person, firm, or corporation will permit any animal regulated under this article to run at large within the city. Any such animal will be deemed to be "at large" when it is off the premises owned or rented by its owner and unattended by the owner or any agent or employee of the owner.
- (b) The animal control authority, any peace officer of the state, and any other personnel under the direction and control of the city, or any agent of the city, may impound any such animal found at large as regulated by Minn. Stats. § 374.14.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-156. - Riding.

- (a) No person may ride or drive an animal regulated under this article after sunset and before sunrise along or crossing a public way without appropriate lighting or reflectorized clothing.
- (b) No person may ride an animal regulated under this article in any public park or on any public beach, except in areas duly designated by the city park committee as a trail way or hitching area.
- (c) Every person riding an animal regulated under this article, or driving a vehicle powered by an animal regulated under this article, upon a public way, will be subject to those provisions of city articles and Minnesota Statutes applicable to the driver of a motor vehicle.
- (d) No animal regulated under this article may be ridden or driven in any manner which would cause damage to any hard-surfaced road.
- (e) No person may ride any animal regulated under this article upon private property without the permission of the owner or occupant thereof.
- (f) No person may interfere with any animal regulated under this article that is being ridden or kept in a lawful manner.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-157. - Interim use permit required.

The keeping of animals regulated under this article will be allowed only after issuance by the city of an IUP for such keeping. The procedure for an IUP will be in accordance with the city's zoning ordinance, set forth in appendix A to this Code. The required public hearing will be before the planning commission. The final decision on the IUP will be made by the city council not earlier than seven days after the public hearing.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-157.5. - Severability and conflict.

- (a) *Severability.* If any section, subsection, sentence, clause, or phrase of this article, or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this article, or the application of the particular provision to other persons or circumstances is in effect and shall remain in full force and effect.

(b) *Conflict.* If any portion of this article is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the City Code, the provision which establishes the higher standard shall prevail.

(Ord. No. 13, Second Series, 10-7-2009)

Sec. 10-158. - Penalty.

Any person, firm or corporation violating the provisions of this article will be guilty of a misdemeanor and may be punished with a maximum fine of \$1,000.00 or 90 days in jail or both.

(Ord. No. 13, Second Series, 10-7-2009)



East Bethel City Hall

2241 221st Ave NE | East Bethel, MN 55011
Phone: (763) 367-7844 | Fax: (763) 434-9578

Please contact **East Bethel City Hall** with any questions in regards to this ordinance.

Call:

(763) 367-7844

Visit:

East Bethel City Hall
Monday – Friday
8 A.M. to 4 P.M.
2241 221st Ave NE
East Bethel, MN 55011

Online:

Or by visiting our City Ordinances
at https://www.municode.com/library/mn/east_bethel/codes/code_of_ordinances?nodeid=coor_ch70trmove_artvresn



A copy for you

A copy for a friend



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https://www.municode.com/library/mn/east_bethel/codes/code_of_ordinances?nodeid=coor_ch70trmove_artvresn

IUP Farm Animals



Applicant: _____

Address of Farm Animal Location: _____

1. Nondomestic animals are considered to be those animals or species of indigenous naturally wild or exotic and not naturally trained or domesticated animals. Do you plan on keeping any nondomestic animals on your property?
2. To determine if their property is within a platted subdivision, please provide either your Property Identification (PID) number or a copy of your Anoka County Property Tax Statement. You can find your PID by using our Geographic Information System (GIS) available here: www.ci.east-bethel.mn.us/Index.aspx?NID=278
3. How many acres do you have?
4. List how the species and the number of each type of farm animal will you be keeping:
5. An Interim Use Permit (IUP) is a land use permit that runs with the land and terminates upon the expressed termination date or upon the sale or vacating of the property. If you sell your property, move, or do not renew your IUP before the expressed termination date that the IUP by its terms shall become null and void?
6. How much pasture land is fenced in?
7. For the below questions (a-g) you will need to determine where your property lines are. This can be accomplished by submitting a Certificate of Land Survey or by going onto our GIS and printing a map of your property that displays the aerial photos. Indicate each of the following on your Survey/Aerial photo and include the measurements/distances. Aerial photos can be found here: www.ci.east-bethel.mn.us/Index.aspx?NID=278
 - a) Is the fenced pasture land greater than 5 feet from the property lines?
 - b) Are the shelters greater than 50 feet from the property lines?
 - c) Are the shelters greater than 50 feet from any existing wells?
 - d) Are the manure stockpiles greater than 50 feet from the property lines?
 - e) Are the manure stockpiles greater than 100 feet from any existing wells?
 - f) Are the shelters, pasture land, and manure stockpiles setback greater than 70 feet from the Ordinary High Water Level of streams, rivers, ponds, storm water retention ponds, and/or lakes?
 - g) Are the shelters, pasture land, and manure stockpiles setback greater than 75 feet from the residential structure?

8. I agree that manure must be handled or treated in such a manner as to not create a public and/or private nuisance, such as creating a noxious odor beyond a practicable extent, burning manure, leaving manure in the public right-of-way, stockpiling manure in view of neighboring properties, or in any other manner reasonably deemed a nuisance by the Code Enforcement Officer.
9. I agree that paddocks or similar enclosures shall be maintained in a manner that minimizes concentrations of breeding insects and rodents.
10. I agree that manure shall not be left on any public way.
11. Please read the technical guidelines of manure stockpiling at this link: www.pca.state.mn.us/sites/default/files/wq-f8-06.pdf According to these guidelines, will you be stockpiling manure?
12. I agree that the room or area of an animal shelter where feed is stored shall be reasonably secure from rodents, pests, and the animals kept in the shelter, to the extent practicable.
13. I agree that no animal regulated under this article shall be treated cruelly or inhumanely by any person or in violation of any provision of Minn. Stats. ch. 343, as amended and/or renumbered from time to time.
14. I agree that all animals shall be maintained to standards of health specific to the breed.
15. I agree that all animals shall have access to potable water at all times.
16. I agree that veterinary records for each animal shall be disclosed upon the periodic request of the city's designated inspector.
17. I agree that animal shelters shall be kept in a sanitary manner, free of the odor of ammonia, to the extent practicable.
18. I agree that a consistent and adequate food and water supply shall be available to all animals.
19. I agree that fencing shall be kept in a manner consistent with Minn. Stats. §§ 344.01—344.20, as amended and renumbered from time to time.
20. I agree that all domestic farm animals shall have access to a shelter.
21. I agree the city's designated inspector and any peace officers of the state and all other personnel under the direction and control of the city whom the inspector believes necessary shall be allowed access for inspection purposes on any parcel with an approved IUP upon 12-hours' notice.
22. IUPs not in compliance with this article will be cited accordingly for non-compliance but may be granted reasonable additional time, at the city inspector's discretion, to come into compliance with the requirements of this section. In the event that an extension of time to comply is granted, a plan to implement the noncompliant requirements by an agreement reached with the city inspector shall be signed by the parties and filed at city hall. The plan shall include clearly defined goals for coming into compliance, each of which shall be completed by a specific date. Failure to complete the agreed upon goals by the specified dates will be grounds for termination of the IUP. In no case, however, may an extension exceed 75 days from the date of the initial inspection, and only one extension can be granted. I agree to cooperate with the city inspectors if I ever am deemed noncompliant and will make every reasonable effort to come into compliance.

23. I am aware that, the Running at Large Ordinance in Chapter 10, Article 5, Section 10-155 states “(a) No person, firm, or corporation will permit any animal regulated under this article to run at large within the city. Any such animal will be deemed to be "at large" when it is off the premises owned or rented by its owner and unattended by the owner or any agent or employee of the owner. (b) The animal control authority, any peace officer of the state, and any other personnel under the direction and control of the city, or any agent of the city, may impound any such animal found at large as regulated by Minn. Stats. § 374.14.” I agree to abide by the Running at Large ordinance.

For IUPs with horses only:

24. I agree that Class II and Class III horse operations will have the following requirements:
- a. Class II and class III horse operations in the city will be inspected and evaluated annually as a requirement of the IUP for conformance with all applicable regulations. The costs of such inspection and evaluation must be paid by the holder of the permit as part of the annual permit fee. Nonpayment of such costs will be grounds for termination of the permit. In addition to a class III horse operation, an inspection by a doctor of veterinary medicine licensed to practice in Minnesota must accompany the city's inspector on all inspections. Failure to provide access for inspection will be grounds for termination of the IUP.
 - b. Stall doors must be in good repair and easily opened and closed.
 - c. An evacuation plan for humans and animals must be displayed in all animal shelters.
 - d. Grain and hay dust must be minimized to the extent practicable.
 - e. Aisles must be kept free of debris and impediments to movement by humans and animals.
 - f. There must not be any protruding objects in any animal shelter which could cause injury to humans or animals.
 - g. Drainage must be adequate to prevent accumulations of water to facilitate cleaning of animal shelters and paddock areas.
 - h. Animal bedding must be clean and of a material customarily used for animal bedding purposes.
 - i. Lights and windows must be animal proofed to prevent breakage, to the extent practicable.
 - j. Grain and forage must be free from mold and miscellaneous debris, to the extent practicable.
25. I am aware that the Riding ordinance in Chapter 10, Article 5, Section 10-156 states “(a) No person may ride or drive an animal regulated under this article after sunset and before sunrise along or crossing a public way without appropriate lighting or reflectorized clothing. (b) No person may ride an animal regulated under this article in any public park or on any public beach, except in areas duly designated by the city park committee as a trail way or hitching area. (c) Every person riding an animal regulated under this article, or driving a vehicle powered by an animal regulated under this article, upon a public way, will be subject to those provisions of city articles and Minnesota Statutes applicable to the driver of a motor vehicle. (d) No animal regulated under this article may be ridden or driven in any manner which would cause damage to any hard-surfaced road. (e) No person may ride any animal regulated under this article upon private property without the permission of the owner or occupant thereof. (f) No person may interfere with any animal regulated under this article that is being ridden or kept in a lawful manner.” I agree to abide by the Riding ordinance.

Land Use Escrow Application

Property Address: _____

Owner's Name: _____ Phone: _____

Email: _____

Type of Land Use Application: _____

Person/Company paying the escrow	Person/Company receiving returned escrow (if different from the person/company paying the escrow than permission is needed)
Name: _____	Name: _____
Phone: _____	Phone: _____
Email: _____	Phone: _____
Mailing Address: _____ _____	Address: _____ _____
Amount entered into escrow: \$ _____	Email: _____

	Escrow Amount
Type of Land Use Application	
Tax Increment Financing	\$12,000
Preliminary Plat	\$5,000
Major Mining Permit	\$1,500
Admin. Subdivision, Comp Plan Amendment, Metes and Bounds Split, Minor Mining Permit, Site Plan Review, Vacation, Zoning Map Amendment	\$1,000
Final Plat	\$1,000 + \$50/Lot if new road
Environmental Review	\$650
Concept Plan Review, Conditional Use Permit, Conditional Use Permit Amendment, Grading Permit, Planned Unit Development Amendment, Variance, Zoning Text Amendment	\$500
Interim Use Permit/Amendment	\$300

Escrow Information

Escrow is set aside for attorney, consulting, engineering, and other misc. fees. If the City of East Bethel is to acquire these fees while working on your Land Use Application, than you are authorizing the City to use this escrow to pay for those fees. The remaining escrow amount will be returned once the work has been approved by the Building and/or Community Development Director.

Escrow Payer Signature: _____ Date: _____

Community Development Staff: _____ Date: _____

East Bethel Community Development

2241 221st Ave NE | East Bethel, MN 55011

Phone: (763) 367-7844 | Fax: (763) 434-9578

Application Deadlines for 2020

Planning staff has ten (10) business days to deem an application complete. The submittal dates pertain to applications deemed complete by Planning staff. These dates do not pertain to Subdivisions applications.

Application Deadline To be submitted by 4pm (30 days prior to PC meeting)	Planning Commission Meeting
Friday, December 27, 2019	January 28, 2020
Monday, January 27, 2020	February 26, 2020
Friday, February 21, 2020	March 24, 2020
Friday, March 27, 2020	April 28, 2020
Friday, April 24, 2020	May 26, 2020
Friday, May 22, 2020	June 23, 2020
Friday, June 26, 2020	July 28, 2020
Friday, July 24, 2020	August 25, 2020
Friday, August 21, 2020	September 22, 2020
Friday, September 25, 2020	October 27, 2020
Friday, October 23, 2020	November 24, 2020
Friday, November 20, 2020	December 22, 2020

Planning Commission meetings are held on the 4th Tuesday of the month, unless a holiday falls on that day.

City Council meetings are held on the 2nd and 4th Mondays of the month, unless a holiday falls on that day.

Changes to meeting dates will be posted on the East Bethel City website.

CONTACT LISTS FOR REVIEW OF DEVELOPMENT PROJECT

If the box is checked, you must provide a letter of approval, copy of minutes, or other documentation as it relates to your project to the City of East Bethel Planning/Building Department as part of your application for submittal.

CITY

- City Attorney**
Eckberg Lammers
1809 Northwestern Ave. S.
Stillwater, MN 55082
(651) 967-7344
www.eckberglammers.com/

- City Engineer**
Hakanson Anderson
Attn: Craig Jochum
3601 Thurston Ave.
Anoka, MN 55303
763-427-5860
www.haa-inc.com/

HIGHWAY/TRANSPORTATION

- Traffic Engineering Manager**
Anoka County Highway Department
1440 Bunker Lake Blvd.
Andover, MN 55304
763-862-4231
www.anokacounty.us/307/Highway-Department

- Development Review Coordinator**
MN Dept of Transportation
Metro Division, Waters Edge
1500 West County Road B-2
Roseville, MN 55113
651-234-7500
metrodevreviews.dot@state.mn.us

JOINT APPLICATION REQUIRED (WETLANDS/WATERWAYS)

- Anoka Conservation District**
Attn: Wetland Specialist
1318 McKay Dr NE, Suite 300
Ham Lake, MN 55304
763-434-2030, ext. 14
<https://www.anokaswcd.org/>

- Area Hydrologist**
MN Dept of Natural Resources
1200 Warner Road
St. Paul, MN 55106-6796
651-259-5802
<https://www.dnr.state.mn.us/>

- Ecological Services**
MN Dept of Natural Resources
1200 Warner Road
763-200-2581
<https://www.dnr.state.mn.us/>

- Board of Water & Soil Resources**
651-296-6736
<http://www.bwsr.state.mn.us/>

- U.S. Army Corps of Engineers**
180 Fifth St East, Suite 700
St. Paul, MN 55101
651-290-5282
<https://www.mvp.usace.army.mil/>

- Sunrise Watershed Management Organization**
19511 E. Tri Oak Cir
Wyoming, MN 55092
763-434-9652
LAM3@ISD.net

- Upper Rum River Watershed Management Organization**
19900 Nightingale St. NW
Oak Grove MN 55011
651-259-5755
<http://www.urrwmo.org/>