

**City of Lake Elmo  
Washington County, Minnesota**

**RESOLUTION NO. 97 - 5**

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on this request on February 10, 1997, as required by City Ordinance;

**NOW, THEREFORE, BE IT RESOLVED**, that a Conditional Use Permit is granted to Elizabeth Miner, Arbor Hill Farm, for the operation of a stable and an equestrian boarding and training center subject to Permittee's compliance with the following conditions:

1. The applicant must obtain an MPCA feed lot permit.
2. The Plan must be approved by the Valley Branch Watershed.
3. A driveway permit must be obtained from Washington County.
4. Name and address of the fee owner of the subject property where the horse(s) are to maintained and name and address of occupant of subject property.
5. The maximum number of horses to be allowed on the site at one time shall not exceed forty-five (45).
6. Liability Insurance - No commercial stable shall operate unless there is in force and effect a liability insurance policy in the amount of at least \$500,000.00.
7. All non-residential buildings shall meet the following setbacks from property lines:
  - a. front 100 ft.
  - b. side 50 ft.
  - c. to street side 100 ft.
  - d. any existing residential structure 250 ft.
8. Buildings - housing horses
  - a. Building proposals shall include architectural and site plans prepared by a registered architect promoting high standards of architectural design and shall show the following as a minimum:
    - 1) Elevations of all sides of the buildings,
    - 2) Type and color of exterior building materials,
    - 3) Dimensions of all structures,
    - 4) Location of all trash containers, heating, cooling, and ventilation equipment and systems.
  - b. Buildings for housing horses should be constructed of nonflammable material where possible. Other material shall be treated with a flame retardant material acceptable by the Code Enforcement Officer and the Fire Chief.

- c. Stall shall measure at least 10' x 10', except for in the lesson facility.
- d. Stall doors shall be constructed to open by sliding.
- e. Ventilation must be adequate to provide a constant supply of fresh air to help maintain an acceptable inside temperature and to reduce moisture build-up which is common with horses.
- f. Fire lanes and exits must be designated and kept clear at all times.
- g. It shall be in the policy that smoking shall not be allowed in stables and all stables shall be posted "no smoking".

#### 9. Manure

- a. Manure shall be handled and in a manner as not to create a public nuisance.
- b. Corrals, pens, stables or similar enclosures shall be maintained in a manner to minimize fly breeding and rodent infestation.
- c. Manure shall not be spread on frozen ground within 500' of a lake or wetland area.
- d. Because the feces of horses are the primary source of infestation of internal parasites, horse manure shall not be spread on pastures currently grazed by horses.
- e. A contract must be held with a Company such as Organic Conversion Corporation for removing manure off of the site. Temporary storage of manure shall be at a maximum of two covered roll boxes stored inside until it is transported off-site.

#### 10. Care and Maintenance of Horses.

- a. No horse shall be treated cruelly or inhumanely by any person or in violation of Minnesota Statutes, Chapter 343.20 - 343.37 which provisions related to preventing cruelty to animals.
- b. Proper care and maintenance of each horse, as defined by Minnesota Statutes, Chapter 346.38. shall be the responsibility of the person, firm or corporation designated as the owner, caretaker or custodian of such horse.
- c. No person shall keep a horse in a manner creating a public or private nuisance.
- d. Fences for pens, corrals or similar enclosures must be of sufficient height and strength to retain the horse(s) enclosed. Extra care must be taken to insure that stallions are properly enclosed.
- e. Horses must be provided a minimum of free choice protection from direct rays of the sun when the temperatures exceed 95 degrees Fahrenheit, from wind and from freezing precipitation. Natural or constructed shelters must be of sufficient size to provide necessary protection.

11. Grass cover shall be maintained in all paddock areas as identified on landscape plan submitted with the building permit and approved by the City Planner. This shall be done by best management practices including keeping grazing pressure to a minimum and rotating use of the paddocks.
12. Hours of operation for outside activities shall be from 7:00 AM to 9:00 PM.
13. No retail sales, other than to horse care clientele and employees shall be conducted on the premises.
14. No parking of vehicles along County Road 10 will be allowed.
15. No outdoor lights shall be permitted except for shielded driveway entrance lights and along the sides of the buildings and the practice rings. All lighting shall be reviewed and approved by the City Planner.
16. Odors from animals, hay, storage, manure, etc., shall in no way become a nuisance to surrounding properties.
17. Dead animals shall be properly disposed of within 24 hours.
18. Fencing shall be maintained at all times.
19. All machinery or equipment, other than horse trailers, shall be stored within buildings. There shall be no outside storage.
20. A contract shall be maintained at all times for the pickup and disposal of solid waste.
21. No public horse shows, competitions or exhibitions, except by private invitation, and not to exceed 100 horses are allowed.
22. The main driveway access shall be class 5 gravel. Parking areas shall be gravel or blacktopped.
23. On-site sewer systems shall be located, designed, installed and maintained in accordance with all State and City regulations.
24. All buildings shall be properly maintained at all times.
25. Signage shall include one-2' x 5' monument sign, no more than 3' in height from grade, located at the entrance to the site.
26. No daily or hourly rental or leasing of horses by the public will be permitted.
27. A caretaker shall occupy and maintain a residence on site. When the caretaker is not present, another qualified person shall be on call and the name and phone number shall be registered with the Washington County Sheriff's Department.
28. A maximum of 45 horses shall be allowed to run unrestrained in areas outside the stables.

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ADOPTED, by the City Council of Lake Elmo this 18<sup>th</sup> day of February, 1997.

  
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Wyn John, Mayor

ATTEST:

  
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Mary Kueffner, City Administrator