

## ORDINANCE NO. 2022-02

### LENT TOWNSHIP, CHISAGO COUNTY, MINNESOTA

ORDINANCES AMENDING CHAPTER 2 SECTION 4.04, CHAPTER 2, SECTION 6.02, AND CHAPTER 2 SECTION 6.07 FOR HOME OCCUPATIONS IN THE RURAL BUSINESS OVERLAY DISTRICT OF THE LENT TOWNSHIP LAND USE REGULATIONS.

#### THE LENT TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

**Section 1. AMENDMENT.** Chapter 2, Section 4.04 of the Lent Land Use Regulations is hereby amended with the following underlined words to be added and the following ~~stricken~~ words to be removed.

##### E. Special Exceptions for Home Occupations

Home Occupations which do not meet the standards outlined in Section 4.04.D may be eligible for a Special Exception Home Occupation Permit. Special Exception Home Occupation Permits are available to those parcels zoned Residential Business Overlay, generally located along Forest Boulevard and are north of 340<sup>th</sup> Street and south of 360<sup>th</sup> Street. Such home occupations may include barber shops, beauty salons, antique and gift shops, machine and manufacturing shops, clothing shops, museums, storage of recreational vehicles or equipment, and similar uses as deemed appropriate by the Planning Commission. Performance standards are specified in Section 6.07.F of this code.

##### F. ~~E~~. Review by Planning Commission.

When deemed appropriate, the Zoning Administrator may bring a proposal or existing home occupation to the attention of the Planning Commission at which time the Planning Commission may permit the use or hold such public hearings, request such information, or require such conditions as deemed necessary to ensure compliance with these performance criteria.

**Section 2. AMENDMENT.** Chapter 2 Section 6.02 of the Lent Land Use Regulations is hereby amended with the following underlined words to be added and the following ~~stricken~~ words to be removed.

#### 6.02 Establishment of Overlay Districts

The Districts identified in this section are intended to include provisions which are in addition to or overlay one or more underlying Districts established in Section 5 of this Ordinance. The Special Overlay Districts in this section are identified as a uniform corridor width or setback dimension from an object, such as a river or road, or the Districts may be defined by a legal description. The following special management Districts are established in Lent Township:

Shoreland Management Overlay

District Carlos Avery Overlay District

Sunrise River Overlay District

Rural Business Overlay District

**Section 3. AMENDMENT.** Chapter 2 Section 6.07 of the Lent Land Use Regulations is hereby amended with the following underlined words to be added and the following ~~stricken~~ words to be removed.

**6.07 Rural Business Overlay District**

A. Purpose.

The purpose of the Rural Business Overlay District is to provide additional opportunities for businesses or new commercial development that generally blend in with the surrounding rural residential land uses. Such Home Occupations may require a Special Exception to standards outlined in Section 4.04.D.

B. District Application.

The Rural Business Overlay District is established on properties with roadway frontage on either side of Forest Boulevard, beginning 340<sup>th</sup> Street and continuing to the northern border of Lent Township at 360<sup>th</sup> Street.

C. Permitted Uses.

Permitted, interim and conditional uses shall be identical to those allowed in the underlying zoning District.

D. Lot Size.

Lot area requirements shall meet the minimums of those established in the underlying zoning District.

E. Lot Width.

Lot width requirements shall meet the minimums of those established in the underlying zoning District.

F. Additional Standards.

Special Exceptions for Home Occupations require a use permit as specified in Sections 5.06 C and D. Special Exceptions for Home Occupations must comply with performance standards as outlined in this section:

1. Conduct of the home occupation does not require alterations to the exterior of the residence which substantially alters the appearance of the dwelling as a residence.
2. Signage shall consist of no more than one (1) single or double-faced sign with a maximum area of eight (8) square feet per side in the Rural Residential District.
3. Should the occupation be related to teaching, classes shall not exceed ten (10) students at any one time.
4. Should the home occupation be for repair or manufacturing, the items being repaired or manufactured shall be of a size or nature where the activity can take place within the home, or an accessory structure to the principal use as allowed by this Ordinance.



5. Home occupations may be conducted in an accessory structure provided that the use can comply with all building and fire codes.
6. The home occupation shall not generate sewage of a nature or type that cannot be treated by a standard on-site sewage system or hazardous wastes without an approved plan for off-site disposal.
7. The home occupation shall have a limit of three (3) employees who do not reside at the dwelling.
8. The number of daily customers for each home occupation shall be limited to ensure the operation will not create a nuisance based on factors such as the proposed use and the lot size upon which the home occupation is located.
9. The number of daily vehicle trips generated by each operation shall be limited to ensure the operation will not create a nuisance based on factors such as the number of customers, and the traffic flow in the area.
10. If the home occupation will require a delivery service, such as UPS, no more than ten (10) delivery/pickup trips per week shall be permitted.
11. All off-street parking generated by the home occupation shall be provided on a concrete, bituminous, or gravel surface in or adjacent to the driveway.
12. Between the hours of 7:00 PM and 7:00 AM, no customers or employees who do not reside on the site may be at the site.
13. No business operations occurring outside of the main dwelling are permitted outside of the hours of 7:00 PM and 7:00 AM.
14. The limited operation of an approved wholesale or retail business is allowed.

**Section 4. SEVERABILITY.** Should any section, subdivision, clause, or other provision of this Ordinance be held to be invalid in any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part hereof, other than the part held to be invalid.

**Section 5. FINDINGS.** Findings for Amending the Lent Township Land Use Regulations by amending Chapter 2, Section 4.04, Chapter 2 Section 6.02, and Chapter 2, Section 6.07. In amending the Lent Township Land Use Regulations relating to Home Occupations, the Town Board of Lent Township finds that the amendment does not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area, is sufficiently compatible so that existing development will not be depreciated in value and there will be no deterrence to development of vacant land, is in the opinion of the Township to be reasonably related to the overall needs of the Township, is consistent with the intent and purposes of the zoning ordinance, and will not cause traffic hazards or congestions.

**Section 6. EFFECTIVE DATE.** This Ordinance shall take effect and be in force upon its adoption by the Board of Supervisors.

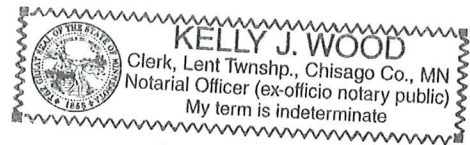
Attest

By: \_\_\_\_\_

Rick Keller, Chairman

By: Kelly Wood

Kelly Wood, Town Clerk



Passed by the Lent Town Board this 15<sup>th</sup> day of February, 2022.

Published in the Press the 3<sup>rd</sup> day of March, 2022.  
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Review