

Winona County Interim Ordinance 2016-1

WHEREAS, Winona County recognizes significant public interest and concern regarding large-scale commercial dog breeding operations regarding the standards of animal care including, but not limited to, animal containment cages, outdoor socialization space, adequate natural light; and conditions that may result in animal health problems, and conditions that inhibit animal socialization skills leading to aggressive behaviors, fear, anxiety, and other problems the animals may develop; and,

WHEREAS, the Winona County Board desires to act on any future conditional use permit applications for large scale commercial dog breeding operations consistent with the purpose and intent of the Winona County Zoning Ordinance and the Winona County Comprehensive Plan; and,

WHEREAS, the uses proposed in conditional use permit applications for large scale commercial dog breeding operations that came before the County Board earlier this year raised concerns sufficient enough for the Board to want to examine the current provisions in the Winona County Zoning Ordinance as to whether they are sufficient to protect the public health, safety and general welfare in considering future conditional permit applications for large-scale commercial dog breeding operations; and,

WHEREAS, further study is required to ensure consistency with the Winona County Zoning Ordinance and the Comprehensive Plan to provide a thorough analysis of large-scale commercial dog breeding operations and the effect on public services, public health, safety and general welfare these operations may have; and;

WHEREAS, Minnesota Statutes Section 394.34 (2015) allows Winona County to adopt a temporary interim zoning ordinance for a period of up to 12 months from the date it is effective (and renewed for an additional year thereafter), to allow for such study and adoption of comprehensive plan, zoning and/or other official land use controls in order to protect the public health, safety and general welfare.

NOW THEREFORE,

MAY IT BE RESOLVED, that the Winona County Board of Commissioners authorizes a land use study of large-scale commercial dog breeding operations for the purpose of reviewing the County's Comprehensive Plan and Zoning Ordinance to determine if the above-stated concerns are addressed adequately or if changes and requirements may be necessary in order to protect the public health, safety and general welfare of the public and animals from the negative impacts that may be associated with large-scale commercial dog breeding operations; and,

BE IT FURTHER RESOLVED, the Winona County Board of Commissioners hereby establishes a temporary _____ month moratorium on the issuance of any conditional use permits for new large-scale commercial dog breeding operations to allow the above referenced land use planning study to be completed and any recommended changes or requirements to Winona County Plans, Policies or Official Controls to be considered by the Winona County Planning Commission and Winona County Board of Commissioners;

And,

BE IT FURTHER RESOLVED, the Winona County Board of Commissioners reserves the right to end the moratorium in less than the approved term of the moratorium upon completion of the land use planning study and satisfactory resolution of the issues and concerns

as determined by the County Board. The County Board also reserve the right to extend the moratorium as authorized by Minn. Stat. 394.34.

Effective Date: This Ordinance shall take effect upon its passage and publication.

Enacted by the Winona County Board of Commissioners, this ____ day of _____, 2016.

SIGNED:

ATTEST:

Marie Kovecsi
Chair – Winona County Board of Commissioners

Kenneth J. Fritz
Winona County Administrator

Date

Date

This Interim Ordinance was drafted and was approved as to form by Karin L. Sonneman, Winona County Attorney on June 1, 2016.