



## MAYOR & COUNCIL COMMUNICATION

**DATE: May 6, 2014**  
**REGULAR**  
**ITEM # 7**  
**ORD 08-107/RES 2014-29**

**AGENDA ITEM:** Commercial Wedding Ceremony Venue Ordinance

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Nick Johnson, City Planner

### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECCOMENDER:** The Planning Commission and Staff are recommending amendments to the City Code that will allow Commercial Wedding Ceremony Venues through an interim use permit in A – Agriculture and RT – Rural Transitional zoning districts. The draft ordinance includes new definitions, an amendment to the use chart for rural zoning districts, and specific development standards for commercial wedding ceremony venues.

**FISCAL IMPACT:** None

**SUMMARY AND ACTION REQUESTED:** The City Council is asked to consider a zoning text amendment to allow Commercial Wedding Ceremony Venues on properties that are over 10 acres in size and zoned A – Agriculture or RT – Rural Transitional. The draft ordinance includes new definitions for “wedding ceremony” and “wedding reception”, adds Commercial Wedding Ceremony Venues to the Rural Zoning Districts use chart, and includes proposed development standards for these uses. The Planning Commission has reviewed the ordinance over the course of several meetings this spring, and is recommending approval of the draft as presented.

*The Planning Commission and Staff are recommending that the City Council adopt the Commercial Wedding Ceremony Venue ordinance through the following motion:*

***“Move to adopt Ordinance 08-107 adding provisions concerning Commercial Wedding Ceremony Venues to the Zoning Ordinance”***

*In addition, Staff recommends proceeding with summary publication of the adopted ordinance through the following motion:*

***“Move to adopt Resolution 2014-029 to allow for summary publication of Ordinance 08-108”***

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:**

The City of Lake Elmo has previously adopted a similar, but much less specific, ordinance concerning “Outdoor Social Events” in 2006. This ordinance was repealed approximately one year later before any events allowed under the ordinance were approved. One of the proponents of the previous ordinance, Carol Palmquist (12202 55<sup>th</sup> Street North) addressed the Planning Commission in February of this year with a request to have the Commission consider an ordinance amendment that would allow her to rent her land out for wedding ceremonies only, with no receptions. The Commission agreed to research options for such an ordinance, and ultimately directed Staff to prepare an ordinance concerning commercial wedding ceremony venues that was modeled after a similar ordinance recently adopted by the City of Afton.

The proposed ordinance would amend appropriate sections of the Zoning Ordinance to allow a new use called “commercial wedding ceremony venue” as an accessory use within the City’s use classification system. These types of activities would be allowed as an interim use in A and RT zoning districts. The draft ordinance includes a series of requirements for these types of uses, and covers a wide range of issues, including food handling, hours of operation, off-street parking requirements, setbacks, landscaping, screening, application requirements, lighting requirements, and other relevant information. The draft has been prepared using the City of Afton’s recent ordinance for similar events as a model, and also incorporates the proposed restrictions that were previously brought forward by Ms. Palmquist when she initially addressed the Planning Commission.

The proposed ordinance is intended to allow for the continued use of private agricultural property in a manner that allows for a reasonable economic return for property owners that otherwise would be limited the use of their property. Commercial wedding venues would be considered accessory to permitted agricultural activities, and would only be allowed upon an application for an Interim Use Permit. The use restrictions drafted as part of the ordinance are intended to minimize any impacts to adjacent properties, taking into account the intensive agricultural activities that are otherwise permitted on these sites.

During the course of three separate meetings this spring the Planning Commission has reviewed a draft ordinance prepared Staff and made modifications to the document in order to address questions and concerns from the Commission and members of the public. The final draft as recommended by the Planning Commission differs from the 2007 ordinance in a number of ways, including the following:

- The proposed ordinance allows ceremonies only, and does not allow receptions of any type to be conducted on the property.
- The draft ordinance permits wedding venues as an Interim Use Permit, which is only valid for a specific period of time as determined by the Council. The previous ordinance would have allowed social events as a Conditional Use Permit, with no expiration associated with such a use.
- The allowed number of guests is 150, which is lower than the previous ordinance of 250 guests.
- The proposed ordinance includes several restrictions and requirements, including setbacks, that were previously absent.
- The ordinance requires specific plans and details concerning any proposed ceremony use to be submitted with an application, which can be evaluated by the Council and public prior to the issuance of a permit.

The Planning Commission conducted a public hearing on the zoning text amendment at its April 14, 2014 meeting and received the following comments concerning the ordinance (taken from the minutes from this meeting):

- Tara Cadenhead, 12190 Marquess Lane, requested clarification regarding the food and receptions. She stated that from a safety perspective there are concerns regarding more people back in that area of the bike path.
- Sarah Ziemer, 12136 Marquess Lane, raised numerous concerns due to previous events. She cited traffic as a concern and noted that noise was an issue.
- Mark Citsay, 12108 Marquess Lane, shared that it is disconcerting to think that every weekend their quiet can be violated for another person's profit. He is also expressed concern with the trail safety and the beer cans and activity by the pump-house in the area.
- Chip Longacre, 12058 55<sup>th</sup> Street N, mentioned he only had 2 events last year and one was a friend's wedding. He acknowledged that he needs to be more sensitive to the noise and trash issues.
- Pam Chickett, 5711 Linden Ave, via email, stated her concern about running a commercial business from a residential property. She noted that there has been issues with traffic from past events. She explained that there is poor access to both of the agricultural properties along 55<sup>th</sup> Street and stated her concerns about emergency vehicles being to access the property. She also stated her concern about the noise and traffic that could be generated if both properties held an event on the same day.

The Commission received no additional comments concerning the ordinance and recommended several revisions to the ordinance as presented. All such changes have been incorporated into Ordinance No. 08-108 for consideration by the City Council. The Commission adopted a motion to recommend approval of the Commercial Wedding Ceremony Venue Ordinance; the Commission's motion was adopted unanimously.

**BACKGROUND INFORMATION (SWOT):**

**Strengths:** The proposed ordinance provides for a reasonable economic activity on larger agricultural parcels within the City.

The ordinance allows for a very specific and limited use with detailed requirements that must be met by an applicant.

An interim use may be approved for a specified time period. The Council is under no obligation to renew permits in the future.

**Weaknesses:** It is not possible to account for all possible scenarios concerning how ceremonies are conducted with the ordinance.

City oversight will be needed to ensure that the terms and conditions of the ordinance are being properly observed by applicants.

**Opportunities:** The ordinance provides one tool for the long-term preservation of open space in the community that also allows reasonable use of the property by the property owner.

**Threats:** The ceremonies, if not properly managed, can have negative impacts on surrounding properties.

**RECOMMENDATION:**

*Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council adopt the Commercial Wedding Ceremony Venue Ordinance through the following motion:*

***“Move to adopt Ordinance 08-107 adding provisions concerning Commercial Wedding Ceremony Venues to the Zoning Ordinance”***

*In addition, Staff recommends proceeding with summary publication of the adopted ordinance through the following motion:*

***“Move to adopt Resolution 2014-029 to allow for summary publication of Ordinance 08-108”***

**ATTACHMENTS:**

1. Ordinance 08-107
2. Resolution 2014-029
3. Letter from Carol Palmquist