



PLANNING COMMISSION  
DATE: 5/27/15  
AGENDA ITEM: 4A – PUBLIC HEARING  
CASE # 2015-16

ITEM: Zoning Text Amendment – Commercial Wedding Ceremony Venue Ordinance

SUBMITTED BY: Kyle Klatt, Community Development Director

REVIEWED BY: Nick Johnson, City Planner  
Adam Bell, City Clerk

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### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to conduct a public hearing on a request submitted by Danielle Hecker to amend the Zoning Ordinance to allow Commercial Wedding Ceremony Venues through in interim use permit within the City's RR – Rural Residential zoning districts. The City Code presently restricts such uses to the A – Agriculture and RT – Rural Transitional Districts. The applicant is also asking to increase the maximum number of guests allowed at each event from 150 to 200. Should the applicant's request for a zoning text amendment be approved by the City, she intends to submit a subsequent application for the required interim use permit to conduct a Commercial Wedding Ceremony Venue at 11658 50<sup>th</sup> Street North.

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### **GENERAL INFORMATION**

*Applicant:* Danielle Hecker, 11658 50<sup>th</sup> Street North, Lake Elmo, MN 55042

*Property Owner:* Daniel J. and Danielle N. Hecker, 11658 50<sup>th</sup> Street North, Lake Elmo, MN

*Location:* The zoning text amendment as proposed would apply to all properties that are zoned RR – Rural Residential within the City. Should the requested zoning amendment be approved, the applicant intends to apply for an interim use permit to conduct a Commercial Wedding Ceremony Venue at the above address. The site information listed below is specific to the applicant's property.

*Request:* To amend the Lake Elmo Zoning Code to allow Commercial Wedding Ceremony Venues as an interim use permit within the City's RR – Rural Residential Zoning Districts and to increase the maximum number of guests for each event from 150 to 200.

*Existing Land Use:* Rural Residential – Large Lot. Former farmstead that was part of a larger agricultural operation.

*Existing Zoning:* RR – Rural Residential

*Surrounding Land Use:* Large lot (10+ acre parcels) residential. Within a short distance to four open space developments: Tana Ridge, Sanctuary, Tamarack Farms, and Fields of St. Croix.

*Surrounding Zoning:* RR – Rural Residential and OP – Open Space Preservation  
*Comprehensive Plan:* RAD – Rural Agricultural Density  
*Proposed Zoning:* RR – Rural Residential (with amendments to allow Commercial Wedding Venues as an interim use in this district).

*History:* The applicant’s 10-acre property was split off from the larger agricultural acreage in 2010. This subdivision facilitated the sale of the historic farmstead as a separate 10-acre parcel. The applicant has since made substantial renovations to the single-family residence on the property, in addition to removing several outbuildings and former agricultural structures.

The City adopted the Commercial Wedding Ceremony Venue Ordinance in May of 2010. This ordinance was superseded by a similar ordinance that was adopted, but repealed, nearly 10 years ago. There are no current sites that are permitted under the ordinance.

*Applicable Regulations:* §154.400 RR – Rural Zoning Districts  
 §154.310 Commercial Wedding Ceremony Venue Ordinance

## **REQUEST DETAILS**

The City of Lake Elmo has received a petition from Danielle Hecker, 11658 50<sup>th</sup> Street North, to amend the City’s Zoning Ordinance to allow Commercial Wedding Ceremony Venues as in interim use permit within the City’s RR – Rural Residential zoning districts. The City Code presently restricts such uses to the A – Agriculture and RT – Rural Transitional Districts. The applicant is also asking to increase the maximum number of guests allowed at each event from 150 to 200. The Planning Commission is being asked to hold a public hearing on the request, as all changes to the City’s Zoning Code require a public hearing. The applicant currently resides at the above address, and should the zoning amendment be approved by the City, intends to submit an applicant for an interim use permit in accordance with the Commercial Wedding Ceremony Ordinance to operate such a use from this property.

## **BACKGROUND**

The City of Lake Elmo has at two times in the fairly recent past adopted an ordinance to allow for “special events” or “wedding ceremonies” to occur on rural properties. The first such ordinance concerning “Outdoor Social Events” was adopted in 2006, but was repealed approximately one year later before any events allowed under the ordinance were approved. In early 2014, at the request of a resident that expressed an interest in conducting wedding ceremonies on her agricultural property, the Planning Commission drafted an ordinance amendment that allows wedding ceremonies (with no receptions) on A – Agriculture and RT – Rural Transitional properties. The ordinance that was ultimately adopted by the City was modeled after a similar ordinance approved by the City of Afton. The approved ordinance is attached for review by the Commission (Ordinance No. 08-107).

The City’s Commercial Wedding Ceremony Venue Ordinance allows a use called “commercial wedding ceremony venue” as an accessory use within the City’s use classification system. These types of activities are allowed as an interim use in A and RT zoning districts. The 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 intent of the ordinance is 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 are accessory to permitted agricultural uses (which include single family residential uses), and are only allowed upon an application for an Interim Use Permit. The use restrictions specified in 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 in the spring of 2014 the Planning Commission reviewed the ordinance 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 was adopted by the City Council in May of 2014 after further revisions as recommended by the Council were incorporated into the document.

The City was approached by the applicant earlier this year with a request to conduct wedding ceremonies from the historic barn structure that is located at 11658 5<sup>th</sup> Street North. After reviewing the present ordinance concerning Commercial Wedding Ceremony Venues with the Planning Department, the applicant decided to file a formal petition with the City to amend the code and in order to allow such activities on her parcel. Because the proposed change affects a large number of parcels in the community, and given the relatively recent adoption of the ordinance, Staff has recommended that the Planning Commission and City Council deal with the zoning text amendment first, and if approved, the applicant would be able to continue with an interim use permit request.

The applicant has provided a brief project narrative concerning her proposal for a Commercial Wedding Ceremony Venue at 11658 50<sup>th</sup> Street North, which includes an overall plan and vision for the property. These materials include a site photograph with notations for the use of the property, including the proposed parking locations.

Please note that a zoning text amendment, such as the applicant's request, requires a public hearing but does not require individual mailed notice to property owners. In this case, Staff has provided mailed notice for the zoning amendment (consistent with the City's general notification requirements) from the applicant's property because she intends to move forward with an interim use permit should the amendment be approved.

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#### **STAFF REVIEW COMMENTS:**

The ordinance amendment as requested is very straight-forward because it requires minor revisions to the text as previously approved by the City. The applicant has provided a marked-up version of the adopted Ordinance No. 08-107 with the changes that are being requested, which includes:

- Adding Commercial Wedding Ceremony Venue as an interim use permit in RR – Rural Residential Zoning Districts (Table 9-1).
- Revising Section 154.310 (D) to add RR – Rural Residential to the list of allowed sites for Commercial Wedding Ceremony Venues.
- Amending Section 154.310 (D,2) to change the maximum number of guests from 150 to 200.

The applicant has not requested any other changes to the ordinance that was reviewed and adopted by the City in 2014.

The Planning Commission spent a large amount of time reviewing the Commercial Wedding Ceremony Venue ordinance prior to recommending approval of the document, and tried to address the various concerns that were raised about the ordinance by including specific restrictions and requirements on these uses (as listed in the standards section). At the time of this review, the Commission was considering the potential impacts on a site located in close proximity to the Carriage Station neighborhood. The primary restrictions intended to minimize neighborhood impacts include the following:

- Capping the number of guests that could attend such ceremonies.
- Allowing the serving of food and beverages only in conjunction with the ceremony itself; no receptions are permitted.
- Restricting the hours of operation to 10 a.m. to 10 p.m.
- Requiring larger setbacks from adjacent properties.
- Requiring the submission of a traffic management plan for the operation.
- Requiring compliance with the City's nuisance provisions concerning noise, sound amplification, waste removal, and other such issues.

One of the objectives of the current ordinance was to provide a reasonable option to help 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 in the use of their property. Commercial wedding venues are considered accessory to permitted agricultural activities and any single family uses on such properties. The use restrictions drafted as part of the ordinance were intended to minimize any impacts to adjacent properties, taking into account the intensive agricultural activities that are otherwise permitted on these sites.

Based on the substantial review and analysis done prior to adoption of the existing ordinance, the same reasoning could be applied to properties that are zoned RR – Rural Residential. In this case, the applicant would like to find a suitable (and economically viable) use for the historic barn structure, and is proposing a major renovation and restoration of this building in order to bring the building up to current codes for public gatherings. Although the applicant's property is located close to single-family residential neighborhoods, there are many parcels zoned A or RT that are situated just as close or closer to existing residential developments.

Because such a large portion of the City is zoned RR – Rural Residential, Staff does recommend that if the ordinance amendment as proposed were to move forward, it should include restrictions that limit the number of sites that could be used for Commercial Wedding Ceremony Venues. Staff is recommending that the ordinance amendment as proposed include restrictions that Commercial Wedding Ceremony Venues only be allowed as an interim use permit on Rural Residential properties that:

- Have historically been used as a farmstead for the surrounding agricultural land, and
- That would use a barn or other historic agricultural building (a structure that is older than 75 years) for the wedding ceremonies.

Consistent with the City's review of the 2014 ordinance amendment, Staff has found that the proposed ordinance amendment is consistent with the Lake Elmo Comprehensive Plan, and specifically, the numerous statements in the Plan that support the preservation of the City's rural character. In this case, Staff has found that the benefits of finding a suitable and economically viable use for historic agricultural buildings and surrounding property outweighs any potential impacts from the conduct of limited commercial activity on the premises. In this case, such activity for wedding venues is viable specifically because of the rural character and scenic qualities of the site. The

ordinance as approved places numerous restrictions on the use that are also intended to ensure that any such operations manage and minimize any negative impacts to adjacent properties. In addition, the permitted of wedding ceremonies as an interim use gives the City added security that these types of activities must be renewed a specific time intervals, and that failure to comply with any of the requirements can result in the termination of the permit.

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**RECCOMENDATION:**

Staff is recommending that the Planning Commission recommend approval of the requested zoning text amendment to amend the Zoning Ordinance to allow Commercial Wedding Ceremony Venues as in interim use permit within the City’s RR – Rural Residential zoning districts and to increase the maximum number of guests allowed at each event from 150 to 200 with the additional restrictions as noted in the above Staff report.

The recommended motion to take action on this request is as follows:

***“Move to recommend approval of the request amend the the Zoning Ordinance to allow Commercial Wedding Ceremony Venues as in interim use permit within the City’s RR – Rural Residential zoning districts and to increase the maximum number of guests allowed at each event from 150 to 200 with the additional restrictions recommended by Staff.”***

**ATTACHMENTS:**

- 1. Application Form
- 2. Application Narrative
- 3. Proposed Ordinance Amendment
- 4. Location Map (Applicant’s Property in Red)
- 5. Aerial Photograph with Setbacks
- 6. Proposed Site Layout and Parking
- 7. Ordinance No. 08-107 (Commercial Wedding Ceremony Venue)

**ORDER OF BUSINESS:**

- Introduction .....Community Development Director
- Report by Staff ..... City Planner
- Questions from the Commission ..... Chair & Commission Members
- Open the Public Hearing .....Chair
- Close the Public Hearing.....Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members

Date Received: 4/16/15  
Received By: \_\_\_\_\_  
Permit #: 2015-16

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651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

### LAND USE APPLICATION

- Comprehensive Plan  Zoning District Amend  Zoning Text Amend  Variance\*(see below)  Zoning Appeal
- Conditional Use Permit (C.U.P.)  Flood Plain C.U.P.  Interim Use Permit (I.U.P.)  Excavating/Grading
- Lot Line Adjustment  Minor Subdivision  Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan  PUD Preliminary Plan  PUD Final Plan

Applicant: Danielle Hecker  
Address: 11658 50th St. N, Lake Elmo MN 55042  
Phone #: 612-327-8561  
Email Address: dhecker@gmail.com

Fee Owner: Daniel J Hecker & Danielle N. Hecker  
Address: 11658 50th St. N, Lake Elmo MN 55042  
Phone #: 612-327-8561  
Email Address: dhecker@gmail.com

Property Location (Address and Complete (long) Legal Description):  
Parcel ID: 01029214 Address: 11658 50th St. N, Lake Elmo MN 55042. Legal Description: That part of the west half of the Southeast quarter of section 1, Township 29, Range 21, except the South 1725 feet of the east 505 feet thereof, Washington county, MN described as follows: Beginning at the southwest corner of said South 1725 feet of the East, 505 feet of the west half of the Southeast quarter; thence north 00 degrees, 21 minutes, 51 seconds west, Washington county coordinate system NAD 83.

Detailed Reason for Request:  
The use variance would enable revenue to adequately restore a founding Lake Elmo property and allow for honorable business use. With respect to our community and in alignment with our City's principals, my intention is to preserve and enhance our natural, open space environment by modern usage of a barn structure that is nonfunctional for its original purpose. Consequently, the options are very limited under current codes and zoning and repairs would incur a significant expense. Further, I intend to partner with local businesses to enhance commerce and communal reputation.

\*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:  
Permitted and conditional uses: RR - Rural Residential  
Persons Capacity: 200

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4/16/15

Signature of fee owner: [Signature] Date: 4/16/15

April 16, 2015

Subject: Amendment to City Ordinance <Wedding Ceremony Venue>

Atten: City of Lake Elmo

It is my intention to preserve the 100+ year old barn located at 11658 50th St. N, Lake Elmo MN and allow wedding ceremony use in accordance with the city ordinance set forth. The property is on a 10-acre residential parcel with the south boundary being 50th St. N, approximately 700 feet away. The North and Eastern boundaries are uninhabited fields and the west is insulated by a pond. There are no immediate surrounding neighbors.

The use variance would enable revenue to adequately restore a founding Lake Elmo property and allow for honorable business use. With respect to our community and in alignment with our City's principals, my intention is to preserve and enhance our natural, open space environment by modern usage of a barn structure that is nonfunctional for its original purpose. Consequently, the options are very limited under current codes and zoning and repairs would incur a significant expense. Further, I intend to partner with local businesses to enhance commerce and communal reputation.

The use would encompass ceremony celebrations only, no receptions and therefore, no alcohol. The number of guests would be set at a maximum capacity of 200 persons. The season would entail months May through October and ceremonies would be at a maximum of two days during a calendar week. Operating hours would be allowable from 10AM until 8PM with all guests and staff vacating by 8PM. Lights and ceremonial music should follow the aforementioned operating hours. All parking would be contained on-site and is set back from a public roadway more than 1000+ feet. Adequate on-site portable sanitation would be provided. Sufficient liability coverage would be obtained/ maintained before the start of operation.

My desire is to have permission from the City of Lake Elmo to proceed with this amendment request and begin facility restoration quarters two and three of 2015 with operation set to open May 2016.

Sincerely,  
Danielle Hecker

# Ordinance NO. 08 - 107

An ordinance amending the Lake Elmo City code of Ordinances by adding provisions concerning Commercial Wedding Ceremony Venues and allowing such uses as an interim use in ~~A and RT Zoning Districts~~. A, RT, and RR Zoning Districts.

Section 3. The City Council of the City of LAke Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code is hereby amended by adding the following:

154.400 Permitted and Conditional Uses.

Table 9-1 lists all permitted and conditional use allowed in the rural districts. "P" indicates a permitted use, "C" a conditional use, and "I" an interim use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "standards" indicate the location within this ordinance of specific development standards that apply to the listed use.

Table 9-1: Permitted and Conditional Uses, Rural Districts

XXX	RT	A	RR	RS	RE	Standard
Accessory Uses						
Commercial Wedding Ceremony Venue	I	I	-	-	-	155.111.C

	RT	A	RR	RS	RE	Standard
Accessory Uses						
Commercial Wedding Ceremony Venue	I	I	I	-	-	155.111.C

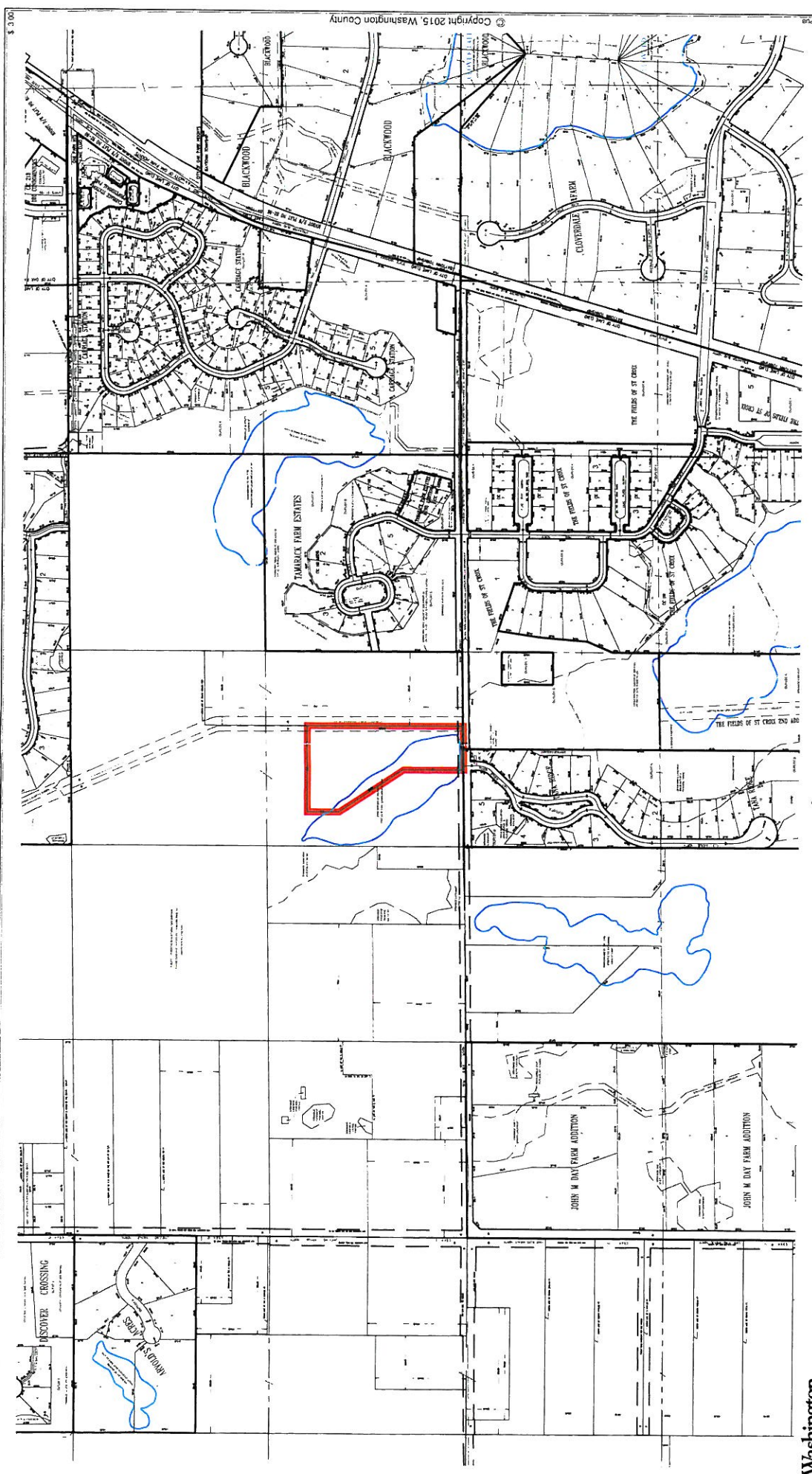
Section 4. The City Council of the City of LAke Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is herby amended by adding the following:

154.310 Standards for Accessory Uses

D. Commercial Wedding Ceremony Venue. A commercial wedding venue is allowed as an accessory use with an interim use permit in the ~~A - Agricultural and RT - Rural Transitional on parcels greater than 10 acres~~. A - Agricultural, RT - Rural Transitional, and RR - Rural Residential on parcels greater than 10 acres.

2. Maximum Number of Guests. The maximum number of guests is limited to ~~150~~ 200 for each event.





THIS DRAWING IS THE RESULT OF A COMPARISON AND REPRODUCTION OF LAND RECORDS AS THEY APPEAR IN VARIOUS WASHINGTON COUNTY OFFICES. WASHINGTON COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES OR DISCREPANCIES THAT MAY EXIST BETWEEN THIS DRAWING AND THE REPRESENTED ACTUAL CONDITIONS. THIS DRAWING IS FOR REFERENCE PURPOSES AND MAY NOT BE USED FOR ANY OTHER PURPOSES.

MAP LAST UPDATED: October 27, 2014  
 NO ADDITIONAL CHANGES HAVE BEEN REPORTED TO DATE  
 DATE OF CONTIGUOUS: November, 2011 DATE OF PHOTOGRAPHY: None

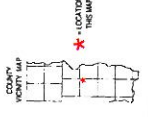
PROPERTY IDENTIFICATION NUMBER FORMAT (GEODESIC)

SECTION	TOWNSHIP	RANGE	RANGE	SECTION	SECTION
11	22	22	22	11	11

(2003) - see this drawing for property identification numbers

SECTION IDENTIFICATION

SECTION	TOWNSHIP	RANGE	RANGE	SECTION	SECTION
11	22	22	22	11	11



SECTION TOWNSHIP RANGE INDEX

SECTION	TOWNSHIP	RANGE	RANGE
11	22	22	22



- LEGEND
- DNR PROTECTED WATERS
  - DNR PROTECTED WETLAND
  - UNPROTECTED WATERCOURSE
  - MANICURED WETLAND
  - PARK BOUNDARY

Washington County  
 PUBLIC WORKS DEPARTMENT  
 SURVEY AND LAND MANAGEMENT DIVISION  
 14945 Road Street West, P.O. Box 6  
 Washington, Missouri 64886  
 857.630.8000  
 www.co.washington.mo.us

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Ruler  
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CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA

ORDINANCE NO. 08-107

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY ADDING PROVISIONS CONCERNING COMMERCIAL WEDDING CEREMONY VENUES AND ALLOWING SUCH USES AS AN INTERIM USE IN A AND RT ZONING DISTRICTS

**SECTION 1.** The City Council of the City of Lake Elmo hereby ordains that Title I: General Provisions; Chapter 11: General Code Provisions, is hereby amended by adding the following definitions:

*Wedding Ceremony:* The formal activities and observances during which people are united in marriage. A wedding ceremony typically involves an exchange of vows, presentation of a gift, and a public proclamation of marriage by an authority figure or leader. Music, poetry, or readings from religious texts or literature are also commonly incorporated into the ceremony.

*Wedding Reception:* A wedding reception is a party held after the completion of a marriage ceremony. It is held usually as hospitality for those who have attended the wedding and typically occurs in a different venue than the wedding itself.

**SECTION 2.** The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§154.012 Zoning Use Types and Classifications

B. Use Types and Classifications.

12. Accessory Uses

*Commercial Wedding Ceremony Venue.* A use involving a location to conduct wedding ceremonies, not including receptions, and usually operated in exchange for remuneration by providing the venue to the public.

**SECTION 3.** The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:

§154.400 Permitted and Conditional Uses.

Table 9-1 lists all permitted and conditional uses allowed in the rural districts. "P" indicates a permitted use, "C" a conditional use, and "I" an interim use. Uses not so indicated shall be considered

prohibited. Cross-references listed in the table under “Standards” indicate the location within this Ordinance of specific development standards that apply to the listed use.

**Table 9-1: Permitted and Conditional Uses, Rural Districts**

	RT	A	RR	RS	RE	Standard
<b>Accessory Uses</b>						
Commercial Wedding Ceremony Venue	I	I	-	-	-	155.111.C

**SECTION 4. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code, is hereby amended by adding the following:**

**§ 154. 310 Standards for Accessory Uses**

- D. *Commercial Wedding Ceremony Venue.* A commercial wedding venue is allowed as an accessory use with an interim use permit in the A - Agriculture and RT - Rural Transitional on parcels greater than 10 acres size. The suitability of a parcel for a wedding venue shall be determined by the characteristics of the site and by the unique capacity of the parcel to accommodate the use while preserving the essential rural character of the neighborhood and the site on which the use is located, by the ability of the parcel to accommodate the use without negative impact on the general health, safety, and welfare of the community, and by other factors the City may deem appropriate for consideration.
  1. *Ownership.* The property will be the primary residence of the venue operator(s). The operator must be on the premises for the duration of each event.
  2. *Maximum Number of Guests.* The maximum numbers of guests is limited to 150 for each event.
  3. *Food and Beverages.* The serving of food and beverages is permitted only as part of the ceremony.
  4. *Seasonal Operation.* Ceremonies are limited to no more than twice per week and are permitted only during the months of May through October.
  5. *Hours of Operation.* Events shall only be allowed between the hours of 10:00 a.m. and 10:00 p.m. All guests and staff must vacate the premises by 10:00 p.m. All lights associated with the event must be turned off by 10:00 p.m. Any one ceremony is limited to a maximum duration of three (3) hours.
  6. *Overnight Accommodations.* No overnight accommodations are allowed.
  7. *Off-Street Parking.* Off-street parking shall be required in the ratio of one (1) parking space for each three attendees based on the maximum number of attendees planned for the site. The off-street parking area and the number of parking spaces shall be documented on the required site plan.
  8. *Setbacks.* The minimum setbacks from neighboring houses and property lines for the various activities associated with the wedding venue shall be as follows:
    - a. *Parking:* 100 feet from residential property lines; 200 feet from neighboring houses.
    - b. *Outdoor Activity Spaces:* 300 feet from residential property lines; 400 feet from neighboring houses.

- c. **Indoor Activity Spaces:** 300 feet from residential property lines; 400 feet from neighboring houses.
9. **Landscaping/Screening.** Landscaping may be required to buffer the use from adjacent land uses and to provide screening when such screening does not presently exist on the site. A landscape plan shall be submitted at the time of application for an Interim Use Permit.
10. **Grading.** Any proposed grading shall observe all requirements of Section 151.017 of the City Code. If a grading plan is required, it shall be submitted in conjunction with an application for an Interim Use Permit.
11. **Traffic.** A transportation management plan shall be submitted as part of an application for an Interim Use Permit. The plan shall address traffic control, including traffic movement to the public street system and impact on the surrounding roadways.
12. **Structures.** All existing or proposed structures to be used for the wedding ceremony venue shall be inspected by the City's Building Official and must meet applicable Building Code requirements.
  - a. **Temporary Structures.** Temporary structures, including tents and canopies, may be allowed. Tents and canopies may be erected no more than one (1) day prior to an event and must be removed no more than 72 hours following the event.
13. **Application.** An application for a commercial wedding venue shall follow the application and review procedures for an Interim Use Permit as specified in Section 154.107. In addition to the submission requirements of Section 154.107, an application for a commercial wedding venue shall include the following information:
  - a. The expected number of attendees per ceremony;
  - b. The number of ceremonies per year;
  - c. The number of employees;
  - d. The hours of operation;
  - e. Sanitary facilities;
  - f. Lighting;
  - g. Sound amplification to be used and a plan to minimize any amplified sounds;
  - h. Temporary structures or tents to be used in association with the planned events;
  - i. Signage;
  - j. Security to be provided;
  - k. Location of all trash receptacles;
  - l. Traffic management plan;
  - m. Other documentation as specified herein;
14. **Sanitary Facilities.** Sanitary facilities adequate for the number of attendees shall be provided. Portable toilets may be approved for temporary use, and must be screened from view from roads and neighboring properties by landscaping or a wooden enclosure. No portable toilets shall be located closer than 400 feet from a neighboring residential structure.
15. **Lighting.** Lighting associated with the wedding venue shall be limited to downcast and shielded fixtures so that the source of the light is not visible from adjacent roads or neighboring properties. Lighting shall comply with Section 150.035 of the City Code.

16. *Noise.* All wedding venues shall comply with City's noise standards found in Section 130.45 through 130.48 of the City Code.
17. *Sound Amplification.* Amplification of music and participants and is allowed only in conjunction with a wedding ceremony. There shall be no other amplification of music or sound outside of the ceremony.
18. *Waste.* All solid waste must be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, or other nuisance conditions and must be removed at least once every seven days by a licensed solid waste hauler.
19. *Liability.* The applicant shall secure adequate liability coverage, which shall be in place at least one week prior to any event.
20. *Other Activities.* Other than the commercial wedding ceremonies authorized under this section, no other commercial ceremonial activities may be conducted on the site.

**SECTION 5. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 6. Adoption Date.** This Ordinance 08-107 was adopted on this 6<sup>th</sup> day of May 2014, by a vote of 3 Ayes and 0 Nays.

LAKE ELMO CITY COUNCIL

  
\_\_\_\_\_  
Mike Pearson, Mayor

ATTEST:

  
\_\_\_\_\_  
Adam Bell, City Clerk

This Ordinance 08-107 was published on the \_\_\_\_ day of \_\_\_\_\_, 2014.

## Kyle Klatt

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**From:** Rebecca Tenpas <bigbangcreations@q.com>  
**Sent:** Wednesday, May 27, 2015 11:58 AM  
**To:** Kyle Klatt  
**Cc:** wendy.griffin@mnwcd.org  
**Subject:** planning meeting for 5/27/15

To Kyle and those concerned regarding the planning committee meeting on 5/27/15,

I am writing in regards to the zoning text amendment for commercial weddings on a property on 50th St. N., Lake Elmo. I am a resident of 50th St. N. and cannot attend the meeting tonight. I am strongly against this amendment for several reasons. The first is the increased traffic through our neighborhood associated with this type of venue. There will also need to be parking for a large amount of vehicles. This kind of change will set a precedence for non-residential use of property in rural residential areas.

We have gone through a lot changes in this area over the last several years and the voices of the few people who have lived and moved here for the rural environment are slowly becoming unheard. This and other developing proposals would never be considered or proposed in a development neighborhood, but because we are not formally considered a "neighborhood", it seems to is an open target.

Please voice my opinions at the meeting tonight in my absence.

Sincerely,  
Rebecca Tenpas



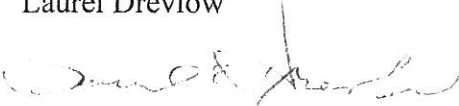
We live in the neighborhood on 50<sup>th</sup> street north in Lake Elmo. It is not a business district. I cannot speak for all of my neighbors but I would guess it is unlikely that any of them moved to our neighborhood to be closer to businesses. There are reasons that communities define places for businesses to exist and separate places for people to live. It allows businesses to carry on their commerce without concern for the noise, pollution, disruption, distress, or danger that is generated by their industry being imposed on innocent village residents. Zoning is intended to allow sellers to pursue their trade while protecting people who are just trying to live peaceably in a neighborhood.

Some may think that a wedding/event center would cause little disruption to a community. As, I am sure, all of you on the planning commission are well aware, that would be incorrect. And while the long, straight stretch of pavement that has already converted our quiet little street into a thoroughfare for people speeding from parts west toward the high school and businesses in Oak Park Heights, creating the business that is proposed this evening will cause the amount of traffic to increase exponentially. The amount of noise and pollution will seriously detract from our ability to live peacefully in our homes and yards. The danger to people who enjoy evening strolls down the sidewalks of our neighborhood will be multiplied unacceptably.

Recent newspaper reports note that 61% of all wedding party members arrive at the ceremony in an intoxicated state. These same individuals will be driving their cars (because people who are drunk typically do not make good choices about these things) at high speeds (because people who are drunk typically believe they can drive better than they can) past our homes, our yards and our neighbors and our neighbors' children. This is a risk no sensible person would willingly take for their own neighborhood. And we trust that our planning commission is membered by sensible people and you will not place Lake Elmo citizens at unnecessary risks.

We are fortunate to have excellent options for special events in the city of Lake Elmo. We will be well served to patronize those individuals who positioned their businesses in an appropriate business district and keep our neighborhoods neighborly and safe.

Laurel Drevlow



11421 N. 50<sup>th</sup> St  
Lake Elmo

## Kyle Klatt

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**From:** jenniferpelletier@comcast.net  
**Sent:** Wednesday, May 27, 2015 12:19 PM  
**To:** Kyle Klatt  
**Cc:** Dean Zuleger  
**Subject:** Re: Tonight's agenda item / wedding facility in RR

Adding an "edit" below in bold type

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**From:** jenniferpelletier@comcast.net  
**To:** "Kyle Klatt" <kyle.klatt@lakeelmo.org>  
**Cc:** "Dean Zuleger" <DZuleger@lakeelmo.org>  
**Sent:** Wednesday, May 27, 2015 12:13:33 PM  
**Subject:** Fwd: Tonight's agenda item / wedding facility in RR

Dear Planner Klatt and members of the Planning Commission,

I'm writing to you regarding tonight's agenda item: the proposed code change in the RR zoning district to add wedding ceremonies. Initially, I had no questions or concerns. However, after thinking through this request (and realizing that we're dealing with a city wide code change), I do wish to express some thoughts for consideration. I am a previous planning commissioner myself, and live across the street.

Comment/Concern:

1) **The ingress and egress ~ 50th street.** This road has no shoulder for pedestrian and/or bike traffic (**it DOES have a trail along half of the road, but not the entire stretch**). There are many children in the area that use the road, and it has become not only busier due to through traffic heading to Hwy. 5 or CSAH 17, those who use the road frequently drive well over the 40MPR limit. In fact, there is a speed indicator sign out on the road as we speak. **QUESTION** for the commission: what would adding multiple wedding ceremonies add to this growing problem? Again, there is no shoulder on this road.

2) **Regarding the overall change in the zoning code:** I'm not opposed to this type of business. In fact, I think it's a wonderful use of space. However, my concern is that a wedding facility in one area of the zoning district RR could look very different in another area. I'm hoping that the Planning Commission does its due diligence and not only addresses all areas affected, but considers adjacent parcels that may be affected as well.

3) **New development:** the land immediately next to this parcel is slated for a new development. Where will this traffic flow? Consider this in addition to a wedding facility, on a road with no shoulder. This is another important question that I'd like the PZ to address.

4) Possible solutions:

- a) limited the maximum # of visitors (issue: how would the city monitor this?)
- b) discuss/limit the number of ceremonies allowed per day

c) discuss a time of day with which all visitors need to off the premises (i.e.: nothing past 6pm, etc)

*To be clear, it is not my intent to come across as though I am against the project.* However, as a previous planning commissioner, these are important questions/concerns that I think deserve to be addressed. This could have a significant impact on current adjacent parcels, and the future development that will be coming in right next door.

Sincerely,  
Jennifer Pelletier

4884 Lily Ave. North

## Kyle Klatt

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**Subject:** FW: Planning Commission Meeting - Wedding Facility in Barn - Feedback

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**From:** [Ann.Heimerman@thomsonreuters.com](mailto:Ann.Heimerman@thomsonreuters.com) <[Ann.Heimerman@thomsonreuters.com](mailto:Ann.Heimerman@thomsonreuters.com)>

**Sent:** Wednesday, May 27, 2015 12:18 PM

**To:** Julie Fliflet; [JFliflet@freshwater.org](mailto:JFliflet@freshwater.org)

**Subject:** Planning Commission Meeting - Wedding Facility in Barn - Feedback

Hi Julie:

I am *unable to attend the meeting this evening*, but I was unsure as to where I could send our concerns. You came to mind, so I apologize if I am sending this to the wrong person. Feel free to forward this to the appropriate individuals.

I think that the idea of turning a barn into a wedding site is not only a nice one, but a very popular one these days. I would love to support my neighbors with this idea, I just feel as if this opens up a huge can of worms in our neighborhood setting. We would love nothing more than to see this barn *maintained, restored* or even placed on a *historic site list*, if that is an option. However, to allow it to essentially become a business site, is troublesome to us.

Are concerns are as follows:

1. **Traffic:** We are concerned about additional traffic on 50<sup>th</sup> Street and the increased visibility of the street as some sort of "through street." The "Parkway" addition at the Fields' entrance is nice, but unfortunately many days it seems more like a motor speedway, than a residential parkway. We hear all of it, as the backside of our house faces 50<sup>th</sup> street.
2. **New Development Adding Cars to our Area as Well:** We are also aware of the proposed new development around the barn site in the acres behind our home. This new development would likely add significant numbers of cars and noise on 50<sup>th</sup> Street as well. Adding a wedding venue that could accommodate up to 200 people will only add to this volume.
3. **Two Hundred Potential Visitors, Really? :** If the venue can hold up to 200 visitors where would these cars park? This added parking issue plus the car and people noise from up to 200 cars is a huge concern ---- let alone the noise from the weddings themselves. With open windows in the summer months, noise really travels. It will travel right to our backyard and back windows.
4. **Where Two or More Join Together:** Weddings without receptions? Why would people drive to this location and not stay for a beverage or two or more? I just don't think the "we are not hosting receptions" idea will stick. What about the consumption of alcohol at some future point?
5. **What about those runners?:** There is a paved path for walkers, runners and bikes that runs in front of the proposed area. Does this pose any issues for those using the paths? What about during dark nights plus no streetlights?
6. **Cows Moo, but Wedding Guests Rejoice:** We joke about this, but it really is true - - we used to actually hear cows mooing in the pasture from inside our home when that property was a dairy farm. Now all we hear is car noise on the now paved 50<sup>th</sup> street (it used to be a dirt road when we built our house) and the added noise from wedding goers would likely cause a great deal more noise than the cows. We will hear it – there is no doubt in my mind.

These are just some of our concerns as the planning commission considers these measures.

Thank you for helping send this wherever it is needed. If you would like me to send this to anyone else, please let me know.

Thank you for your help.

Ann

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