

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**RESOLUTION NO. 2017-118**

*A RESOLUTION DENYING A ZONING TEXT AMENDMENT TO AMEND THE CITY'S  
ZONING CODE TO ALLOW COMMERCIAL BOARDING FACILITIES AS A CONDITIONAL  
ACCESSORY USE WITHIN THE AGRICULTURAL ZONING DISTRICT*

**WHEREAS**, the City of Lake Elmo (the “City”) has established a Zoning Map by Ordinance that implements the various land use policies in the City’s Comprehensive Plan; and

**WHEREAS**, Mare Affair Farm, LLC, 10880 Stillwater Blvd N, Lake Elmo, MN 55042 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Zoning Text Amendment to allow commercial boarding facilities as a conditional accessory use within the Agricultural zoning district; and

**WHEREAS**, the request for a Zoning Text Amendment was submitted by the Applicant along with requests for a Zoning Map Amendment to re-zone the property located at 10880 Stillwater Blvd N from RT – Rural Development Transitional to A-Agricultural, and Conditional Use Permits for a commercial boarding facility and expansion of a feedlot within a shoreland; and

**WHEREAS**, the Planning Commission held a public hearing on September 11, 2017 to consider the Applicant’s requests; and

**WHEREAS**, the Planning Commission submitted its report and recommendation to the City Council as part of a Staff Memorandum dated October 3, 2017; and

**WHEREAS**, the City Council considered said matter at its meetings on October 3, 2017 and October 17, 2017; and

**NOW THEREFORE BE IT RESOLVED** based upon the testimony elicited and information received, the City Council makes the following findings of fact:

**FINDINGS.**

1. That the procedures for requesting a Zoning Text Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.105.
2. That all the submission requirements of said Section 154.105 have been met by the Applicant.
3. That the proposed Zoning Text Amendment includes the following components:
  - a. That commercial boarding facilities be a conditional accessory use within the Agricultural zoning district.
  - b. The definition of “commercial boarding facility” be worded as “the boarding, breeding or raising of horses or ponies not owned by the owner or occupant of

the property in addition to horses owned by the owner or occupant which may include related horse training and riding instruction for those other than the owner or occupant of the property and their non-paying guests.”

4. That “commercial stables” a similar use, was previously allowed by the City as a conditional principal use within the Agricultural zoning district.
5. That the “commercial stables” use did not include horse training and riding instruction and therefore, the proposed “commercial boarding facility” use is more expansive.
6. That in 2016, the Council removed the “commercial stables” use from the Zoning Code as the Council had not deemed it to be an appropriate use within rural districts of the City.
7. That the Council has determined that commercial boarding facilities are more expansive uses than commercial stables.
8. That since the proposed new use is more expansive and because a similar use was recently removed from the Zoning Code, the Council has determined that commercial board facilities should not be added as a conditional accessory use within the Agricultural zoning district to the Zoning Code.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Lake Elmo City Council hereby denies the request by Mare Affair Farm, LLC for a Zoning Text Amendment to allow commercial boarding facilities as a conditional accessory use within the Agricultural zoning district.

Passed and duly adopted this 17th day of October 2017, by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk