



City of Lake Elmo

3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

(651) 777-5510 Fax: (651) 777-9615

www.LakeElmo.Org

NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Wednesday, May 30, 2007, at 7:00 p.m.

AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
 - a. April 9, 2007
4. PUBLIC HEARING: VARIANCE: An application to allow construction of a home on a parcel which does not meet the 1.5 acre minimum lot size requirement, does not comply with the 60% of the district's minimum requirements as outlined in 300.09 of City Code, and construction of an on-site septic system within an area of less than one acre – R1 zoning – 8961 37th Street North. (Recommended for Tabling)
5. PUBLIC HEARING: ZONING CODE TEXT AMENDMENT: Creation of zoning code regulations to govern the following new zoning districts: Agricultural Sewered Residential Holding District (HD-A-SRD), Agricultural Business Park Holding District (HD-A-BP), Rural Residential Sewered Residential Holding District (HD-RR-SRD), Rural Residential Business Park Holding District (HD-RR-BP), Rural Residential Limited Business Holding District (HD-RR-LB), Residential Estates Sewered Residential Holding District (HD-RE-SRD), Residential Estates Limited Business Holding District (HD-RE-LB), One Family Sewered Residential Holding District (HD-R1-SRD), One Family Agricultural Density Holding District (HD-R1-RAD), Manufactured Home Park Urban Residential Holding District (HD-R3-URD), General Business Sewered Residential Holding District (HD-GB-SRD), General Business – Business Park Holding District (HD-GB-BP), General Business Commercial Holding District (HD-GB-C), Limited Business Sewered Residential Holding District (HD-LB-SRD).

6. PUBLIC HEARING: ZONING MAP AMENDMENT: The rezoning of multiple properties South of 10th Street in the City of Lake Elmo to new zoning districts corresponding with the future land use guidance established in the City of Lake Elmo Comprehensive Plan. A copy of the comprehensive plan along with a map identifying all parcels being rezoned is available at City Hall.
7. City Council Updates
 - a. May 15 – Approved authorization for plans and specs for Lake Elmo Avenue Infrastructure Project I-94 to 30th Street (trunk sanitary sewer, water main extension, street reconstruction, trail, and storm sewer improvements)
8. Adjourn

**City of Lake Elmo
Planning Commission Meeting
Minutes of April 9, 2007**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Ptacek, Pelletier, Helwig, Roth, Lyzenga, Fliflet, Deziel, Armstrong, Schneider, McGinnis, and Van Zandt. STAFF PRESENT: Senior Planner Gozola and Planner Matzek.

Agenda

Commissioner Armstrong added item 7e. Discussion of Village Area Master Plan.

M/S/P, Van Zandt/Roth, to approve agenda as amended. Vote: 9:0.

Minutes

Commissioner Schneider would like to add to page 4 after the mention of amenities in the village area that Mr. Jacobson did not respond to his two financial questions.

M/S/P, Helwig/Lyzenga, to approve minutes as amended; 6:0:3 (abstain Ptacek, Pelletier, Roth)

Public Hearing: Variance; Shoreland; 3200 Lake Elmo Avenue

Senior Planner Gozola identified this as the second time this application for a minor subdivision and variance has been before the Planning Commission. At the January meeting, two variances were discussed - variances for lot width at both the road and lakeshore setback. It was tabled and the applicants came back in February and eliminated the width variance at the road setback, leaving one variance. According to the city code, the lot width must also be measured at the lakeshore, which is why it is brought back to the commission at this time. The two variances to be reviewed are the lot widths at the lakeshore and at the lakeshore setback. The only change in the staff report is the removal of the condition that the existing home must hook up to the city water system. The applicants have moved the proposed home further north to address concerns brought up by property owners to the west. The proposed lot could be created without a variance if it did not have the lakeshore. The DNR did not see any environmental issues with the application. Staff believes this additional variance request has not changed the nature of the variance request, that it is reasonable for the reasons as outlined on page two of the staff report, and recommends approval.

Commissioner Schneider asked to see the diagram showing the neighborhood. He requested confirmation that the parcel to the west of the lot was once a part of this lot.

Senior Planner Gozola confirmed that it was once part of this lot. In 1966 a variance was granted to allow that lot to be created.

Mr. Dorland, applicant's attorney

Constance Smith bought the property in 1964. When Mr. Northrup applied for an application, the Council at that time asked why the lot was not split in two. The response was that the intent was to create two additional lots for the two daughters. If this was a rectangular lot, there would not be adequate space, but the proposed lot allows room for the house and septic. The proposed house location will preserve many of the trees. Thirty-second street is not up to code for width and they would prefer the existing driveway stay on Lake Elmo Avenue. If the traffic gets worse, they can move the driveway later.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:17 P.M.

Matt Northrup, 11075 32nd St.

He has talked to Council members in the past month and they would like to see the applicants work with them to move their adjacent property line. If the lot width was altered, an additional variance would not be needed on the mother's house. In 1986, the Council was insistent with the application that the lot meets the lot area requirement.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:22 P.M.

Commissioner Helwig asked where the DNR letter was.

Mr. Northrup said he provided copies of the letter at the last meeting.

Senior Planner Gozola said he would like to address Mr. Northrup's comments. The lot line that separates Mr. Northrup's lot and 3200 Lake Elmo Avenue could be adjusted to provide a driveway location for the new lot that would remove less vegetation. However, this may require additional variances. An easement could also be created to allow a new driveway for the proposed lot through the corner of Mr. Northrup's property. Lot width, as used in the Lake Elmo code, is measured at the building setback. The building setback is defined as the building line. The applicants have adjusted the proposed lot line so that the parent lot does not require a variance.

Mr. Dorland stated that the definition of lot width is the same as it was in 1986 and the same analysis would have applied.

M/S/P, Deziel/Lyzenga to recommend approval of the requested minor subdivision and lot width variances based on the applicant's submission, the contents of the staff report, public testimony and other evidence available to the commission.

Commissioner Fliflet stated she would not be in favor of the application due to the condition that the driveway would be moved. She said she is not sure that it is a safer location.

Commissioner Armstrong said the code says the driveway should be twenty feet from the intersection. It is currently twelve feet now, so an additional eight feet would not make a big difference.

Commissioner Pelletier asked if this is the city's only opportunity to have this condition met.

Senior Planner Gozola stated that this is the opportunity. On page six of the staff report it states that this is a requirement, so if the commission would like to remove this condition, the variance criteria would need to be addressed.

The motion was approved. Vote: 5:4

Public Hearing: Rezoning of properties South of 10th

and

Public Hearing: Rezoning of properties in the Village Area

Senior Planner Gozola stated that although there were two hearings planned, staff is asking they be cancelled. There was some concern residents did not fully understand the process at this time. In the past month, the new Administrator Susan Hoyt has heard from a number of residents and has gotten the impression that there was some confusion regarding this process. Planner Gozola went over the proposed timeline and has already been working on the holding zoning district language. He had originally planned to use overlay districts, but the City Attorney preferred to proceed with holding districts instead.

Chairman Ptacek said he appreciates that the administrator is trying to carefully proceed with this process. He believes this may not be new information as it does not include the neighborhood conservation text.

Commissioner Armstrong stated that the Metropolitan Council does not want development at more than one dwelling per twenty acres. He asked why this was taking so long.

Senior Planner Gozola stated it is true that there will be minimal impact from this rezoning. It is important to make sure people understand the process.

Commissioner Armstrong said he has a concern about the existing neighborhood in the old village. He asked Planner Gozola how the number of 380 was arrived at regarding parcels to be notified in the village area.

Senior Planner Gozola stated that an indepth analysis has not yet occurred. Three hundred eighty was a worst case scenario on who would receive letters – both those being rezoned and those near properties being rezoned.

Commissioner Armstrong said he is opposed to putting the existing old village homes into the holding pattern as he does not want to give the Metropolitan Council the idea that those will be planned for sewer. The holding district should be for the larger parcels.

Senior Planner Gozola stated that he will look into past correspondence to verify the correct direction.

Chairman Ptacek stated that those property owners of parcels south of 10th street have been in to the city and probably know what is going on.

Commissioner Fliflet would like to see information sent out with the notice so people would not have to attend the public open house unless they had additional questions.

Council Updates

Planner Matzek stated that on March 29th there was a second Village Area Master Plan Open House. At the April 3rd Council meeting a moratorium for village development was approved, ordinance 97-167 Commercial Social Outdoor Events was repealed, and JP Bush Homes variance application for an off-site septic system was approved and the variance for the reduced one acre septic system area requirement was denied.

Discussion of Village Area Master Plan

Commissioner Armstrong said that the Sunday newspaper had an article about the Village Area Plan. People are concerned that this plan is set in stone. When the plan was presented to them, they were told not to worry about the numbers. He would like to urge his fellow commissioners to attend the workshop at the following night's meeting. This concept plan drives the preliminary and final plat.

Commissioner Fliflet stated that she was unhappy with the lack of the commissions involvement.

Adjourned at 7:54 p.m.

Respectfully submitted,

Kelli Matzek
Planner

ITEM: Consider a request to allow construction of a home on a parcel which does not meet the 1.5 acre minimum lot size requirement or comply with the 60% of the district's minimum requirements as outlined in 300.09 of City Code and construction of an on-site septic system within an area of less than one acre.

REQUESTED BY: Tom DuFresne, Property Owner

SUBMITTED BY: Kelli Matzek, City Planner

REVIEWED BY: Susan Hoyt, City Administrator
Ben Gozola, Senior Planner
Jerry Filla, City Attorney

SUMMARY AND ACTION REQUESTED:

At this time, the city is waiting for additional information regarding the proposed septic system for this property. This information is important to the review of the land use application as one of the variances pertains to the septic system. Staff is requesting the planning chair open the public hearing, receive any public input, and table it to the June 11th Planning Commission meeting.

OPTIONS

- 1) **Table application for more information**, please specify exactly what information you need to know to make this decision.

RECOMMENDATION

Staff is recommending **tabling** of the variance application requested at 8961 37th Street North.

Suggested motion for consideration:

I move to recommend tabling the variance application for 8961 37th Street North to the June 11th Planning Commission meeting.

SUGGESTED ORDER OF BUSINESS:

- | | |
|--|---------------------------------|
| • Introduction | Planning Commission Chair |
| • Report | Kelli Matzek, City Planner |
| • Questions to staff | Chair facilitates |
| • Comments from property owner | Thomas DuFresne, Property Owner |
| • Questions/comments from the public, if any (up to 3 minutes) | Chair facilitates |
| • Discussion | Chair facilitates |
| • Consider tabling of application | Commission |

ITEM: Zoning Code Text Amendment – South of 10th Street Holding Districts

REQUESTED BY: City Council

SUBMITTED BY: Ben Gozola, Senior Planner

REVIEWED BY: Susan Hoyt, City Administrator
Kelli Matzek, Assistant City Planner
Jerry Filla, City Attorney

PURPOSE:

- The Planning Commission is asked to review the proposed zoning code language that will govern the holding districts being established for properties to the south of 10th Street.

ADDITIONAL INFORMATION:

- By state statute, approval of the Comprehensive Plan 2030 requires the City to rezone properties throughout the community as necessary to bring all zoning into conformance with the new land use designations. Representatives from the Met Council have reviewed the proposed changes and agree that approval of the holding districts being discussed will accomplish this goal. The City's current deadline to complete the rezoning process is July 12, 2007.
- Attached you will find the following information:
 - A "Proposed Text Summary" sheet which outlines how each of the proposed zoning districts are constructed. The bubbles on the right side of the page contain comments explaining the purpose/intent of individual sections or specific language.
 - A copy of the proposed zoning code text for all thirteen (13) of the proposed districts for the area south of 10th Street.
- A copy of the proposed zoning map can be found in your packet under Item 6 (public hearing for adoption of the zoning map changes).
- The goal of each district is to ensure that properties do not subdivide in a manner inconsistent with plans for future development. Met Council would not be supportive of any parcel creation less than twenty (20) acres in size. The main (and generally only) impact of the rezoning will be this limitation on development.
- Establishing the proposed holding districts will provide the city with time necessary (at a minimum one year) to craft the final zoning regulations governing development in the Village and I-94 corridor.
- It is anticipated that most speakers at the public hearing will likely be concerned about either the land use guidance for their property (i.e. commercial instead of residential), or the proposed timing for development as guided in the comprehensive plan. Neither issue is currently relevant to *this* public hearing, but both can be explored and discussed following the conclusion of this process.

ACTION REQUESTED:

- Review the proposed zoning code language for the proposed holding districts south of 10th Street, hold the necessary public hearing, and make a recommendation for consideration by the City Council.

- ATTACHMENTS:
- "Proposed Text Summary" Sheet
 - Agricultural Business Park Holding District (HD-A-BP) text
 - Agricultural Sewered Residential Holding District (HD-A-SRD) text
 - General Business – Business Park Holding District (HD-GB-BP) text
 - General Business Commercial Holding District (HD-GB-C) text
 - Manufactured Home Park Urban Residential Holding District (HD-R3-URD) text
 - Residential Estates Limited Business Holding District (HD-RE-LB) text
 - Residential Estates Sewered Residential Holding District (HD-RE-SRD) text
 - Rural Residential Ag Density Holding District (HD-RR-RAD) text
 - Rural Residential Business Park Holding District (HD-RR-BP) text
 - Rural Residential Limited Business Holding District (HD-RR-LB) text
 - Rural Residential Sewered Residential Holding District (HD-RR-SRD) text
 - One Family Ag Density Holding District (HD-R1-RAD) text
 - One Family Sewered Residential Holding District (HD-R1-SRD) text
 - Formal Ordinance formatting for all proposed language (including Village regulations)

PROPOSED TEXT SUMMARY

Rural Residential Sewered Residential Holding District (HD-RR-SRD)

Comment: This is the title of the holding district.

1. Purpose

The Rural Residential Sewered Residential Holding District (HD-RR-SRD) is intended to regulate land use within rural residential areas planned and staged for sewer residential development. Areas zoned HD-RR-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

Comment: This language is very important as it identifies when properties within this holding district will be rezoned in the future. For properties south of 10th Street, development cannot occur until such time as the land is guided for sewer according to the sewer staging plan AND pipe must be physically accessible to the property. Rezoning will not occur unless both of these criteria are met.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Sewered Residential Holding District (HD-RR-SRD) except as outlined in this section.

Comment: The final sentence under "purpose" identifies the future guided land use, but not the specific zoning district. Specific zoning districts and regulations will be created in the future to govern development in these areas.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

Comment: This language clarifies that current standards governing the lot will apply unless specifically amended by this new section.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

Comment: The currently permitted uses on lots will not change as a result of being placed into a holding district. The only exception would be permitted uses that allow for the creation of parcels less than 20 acres in size. Such uses would now be prohibited (i.e. "non-farm dwellings" in agricultural areas).

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

Comment: Conditionally permitted uses will not change as a result of being placed into a holding district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

Comment: Allowable accessory uses and structures will not change as a result of being placed into a holding district.

Comment: For most holding districts, this section will introduce the only changes to current zoning regulations. Specifically, this section states that all current rules apply, but that minimum lot size is now twenty (20) acres. This will of course change once the property is rezoned for urban development in accordance with the comprehensive plan.

Comment: This final sentence clarifies that existing lots of record will retain all of their current rights in spite of the increase to minimum lot size.

PROPOSED TEXT SUMMARY

7. **Special Requirements**

All building permits in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

Comment: Any special requirements which currently exist were carried over into the new holding districts.

8. **Cluster Development**

Cluster development in the HD-RR-SRD zoning district is prohibited.

Comment: Cluster development is prohibited in all holding districts as it would allow for the creation of lots less than 20 acres in size.

Agricultural Business Park Holding District (HD-A-BP)

1. Purpose

The Agricultural Business Park Holding District (HD-A-BP) is intended to regulate land use within agricultural areas planned and staged for business park development with access to regional sewer service. Areas zoned HD-A-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Business Park Holding District (HD-A-BP) except as outlined in this section.

3. Permitted Uses

The permitted uses in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Agricultural Business Park Holding District (HD-A-BP) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development in the HD-A-BP zoning district is prohibited.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards in the HD-A-BP zoning district shall be the same as the Agricultural (A) zoning district.

Agricultural Sewered Residential Holding District (HD-A-SRD)

1. Purpose

The Agricultural Sewered Residential Holding District (HD-A-SRD) is intended to regulate land use within agricultural areas planned and staged for residential development with access to regional sewer service. Areas zoned HD-A-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Sewered Residential Holding District (HD-A-SRD) except as outlined in this section.

3. Permitted Uses

The permitted uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses

The accessory uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Agricultural Sewered Residential Holding District (HD-A-SRD) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development in the HD-A-SRD zoning district is prohibited.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards shall be the same as the Agricultural (A) zoning district.

General Business – Business Park Holding District (HD-GB-BP)

1. Purpose

The General Business – Business Park Holding District (HD-GB-BP) is intended to regulate land use within general business areas planned and staged for sewer service business park development. Areas zoned HD-GB-BP will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business – Business Park Holding District (HD-GB-BP) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. Performance Standards

Performance standards governing construction and development in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

General Business Commercial Holding District (HD-GB-C)

1. Purpose

The General Business Commercial Holding District (HD-GB-C) is intended to regulate land use within general business areas planned and staged for sewer commercial development. Areas zoned HD-GB-C will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Commercial use.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business Commercial Holding District (HD-GB-C) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-C zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-C zoning district shall be the same as the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-C zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. **Performance Standards**

Performance standards governing construction and development in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

General Business Sewered Residential Holding District (HD-GB-SRD)

1. Purpose

The General Business Sewered Residential Holding District (HD-GB-SRD) is intended to regulate land use within general business areas planned and staged for sewer residential development. Areas zoned HD-GB-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer residential use.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business Sewered Residential Holding District (HD-GB-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. Performance Standards

Performance standards governing construction and development in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

Manufactured Home Park Urban Residential Holding District (HD-R3-URD)

1. Purpose

The Manufactured Home Park Urban Residential Holding District (HD-R3-URD) is intended to regulate land use within manufactured home park areas planned and staged for sewer urban residential development. Areas zoned HD-R3-URD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Urban Residential use.

2. General Regulation

All regulations governing the Manufactured Home Park (R-3) zoning district shall also apply to properties zoned Manufactured Home Park Urban Residential Holding District (HD-R3-URD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district. Connection to the municipal sanitary sewer system and municipal water supply shall be required.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Manufactured Home Park Urban Residential Holding District (HD-R3-URD) shall be the same as in the Manufactured Home Park (R-3) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Manufactured Home Park (R-3) zoning district shall be viewed as conforming to minimum lot size.

Residential Estates Limited Business Holding District (HD-RE-LB)

1. Purpose

The Residential Estates Limited Business Holding District (HD-RE-LB) is intended to regulate land use within residential estate areas planned and staged for sewer limited business development. Areas zoned HD-RE-LB will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer limited business use.

2. General Regulation

All regulations governing the Residential Estates (RE) zoning district shall also apply to properties zoned Residential Estates Limited Business Holding District (HD-RE-LB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Residential Estates Limited Business Holding District (HD-RE-LB) shall be the same as in the Residential Estates (RE) zoning district except for the following:

- Minimum lot size shall be a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Residential Estates (RE) zoning district shall be viewed as conforming to minimum lot size.
- Subdivision density shall be based on a twenty (20) acres average, and no outlots are to remain in the subdivision.

Residential Estates Sewered Residential Holding District (HD-RE-SRD)

1. Purpose

The Residential Estates Sewered Residential Holding District (HD-RE-SRD) is intended to regulate land use within residential estate areas planned and staged for sewer residential development. Areas zoned HD-RE-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the Residential Estates (RE) zoning district shall also apply to properties zoned Residential Estates Sewered Residential Holding District (HD-RE-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Residential Estates Sewered Residential Holding District (HD-RE-SRD) shall be the same as in the Residential Estates (RE) zoning district except for the following:

- Minimum lot size shall be a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Residential Estates (RE) zoning district shall be viewed as conforming to minimum lot size.

- Subdivision density shall be based on a twenty (20) acres average, and no outlots are to remain in the subdivision.

Rural Residential Ag Density Holding District (HD-RR-RAD)

1. Purpose

The Rural Residential Ag Density Holding District (HD-RR-RAD) is intended to regulate land use within rural residential areas planned and staged for Rural Agricultural Density development. Areas zoned HD-RR-RAD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Rural Agricultural use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Ag Density Holding District (HD-RR-RAD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. **Special Requirements**

All building permits in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. **Cluster Development**

Cluster development in the HD-RR-RAD zoning district is prohibited.

Rural Residential Business Park Holding District (HD-RR-BP)

1. Purpose

The Rural Residential Business Park Holding District (HD-RR-BP) is intended to regulate land use within rural residential areas planned and staged for business park development. Areas zoned HD-RR-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Business Park Holding District (HD-RR-BP) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Business Park Holding District (HD-RR-BP) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. **Special Requirements**

All building permits in the Rural Residential Business Park Holding District (HD-RR-BP) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. **Cluster Development**

Cluster development in the HD-RR-BP zoning district is prohibited.

Rural Residential Limited Business Holding District (HD-RR-LB)

1. Purpose

The Rural Residential Limited Business Holding District (HD-RR-LB) is intended to regulate land use within rural residential areas planned and staged for limited business development. Areas zoned HD-RR-LB will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Limited Business use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Limited Business Holding District (HD-RR-LB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Limited Business Holding District (HD-RR-LB) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. Special Requirements

All building permits in the Rural Residential Limited Business Holding District (HD-RR-LB) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development in the HD-RR-LB zoning district is prohibited.

Rural Residential Sewered Residential Holding District (HD-RR-SRD)

1. Purpose

The Rural Residential Sewered Residential Holding District (HD-RR-SRD) is intended to regulate land use within rural residential areas planned and staged for sewer residential development. Areas zoned HD-RR-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Sewered Residential Holding District (HD-RR-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. **Special Requirements**

All building permits in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. **Cluster Development**

Cluster development in the HD-RR-SRD zoning district is prohibited.

One Family Ag Density Holding District (HD-R1-RAD)

1. Purpose

The One Family Ag Density Holding District (HD-R1-RAD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. Areas zoned HD-R1-RAD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Rural Agricultural use.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned One Family Ag Density Holding District (HD-R1-RAD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the One Family Ag Density Holding District (HD-R1-RAD) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One Family Residential (R-1) zoning district shall be viewed as conforming to minimum lot size.

One Family Sewered Residential Holding District (HD-R1-SRD)

1. Purpose

The One Family Sewered Residential Holding District (HD-R1-SRD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. Areas zoned HD-R1-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned One Family Sewered Residential Holding District (HD-R1-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R1-SRD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R1-SRD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R1-SRD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the One Family Sewered Residential Holding District (HD-R1-SRD) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One Family Residential (R-1) zoning district shall be viewed as conforming to minimum lot size.

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3 OF THE LAKE ELMO CITY CODE
TO CREATE NEW HOLDING ZONING DISTRICTS ALONG I-94 AND
WITHIN THE VILLAGE AREA

The City Council of the City of Lake Elmo hereby amends Chapter 3 as follows:

SECTION 300.07 – ZONING DISTRICTS

Subd. 1. Classifications.

For the purpose of this section, all land in the City is divided into zoning districts. The zoning districts shall be identified by the following classifications:

A.	Ag or A	Agricultural
<u>B.</u>	<u>HD-A-BP</u>	<u>Agricultural Business Park Holding District</u>
<u>C.</u>	<u>HD-A-SRD</u>	<u>Agricultural Sewered Residential Holding District</u>
B. D.	R-R	Rural Residential
<u>E.</u>	<u>HD-RR-BP</u>	<u>Rural Residential Business Park Holding District</u>
<u>F.</u>	<u>HD-RR-LB</u>	<u>Rural Residential Limited Business Holding District</u>
<u>G.</u>	<u>HD-RR-RAD</u>	<u>Rural Residential Ag Density Holding District</u>
<u>H.</u>	<u>HD-RR-SRD</u>	<u>Rural Residential Sewered Residential Holding District</u>
C. I.	R-1	One Family Residential
<u>J.</u>	<u>HD-R1-RAD</u>	<u>One Family Ag Density Holding District</u>
<u>K.</u>	<u>HD-R1-SRD</u>	<u>One Family Sewered Residential Holding District</u>
D. L.	R-2	One and Two Family Residential
E. M.	R-3	Mobile Home Park
<u>N.</u>	<u>HD-R3-URD</u>	<u>Mobile Home Park Business Park Holding District</u>
F. O.	R-4	Multi-Family Residential
G. P.	RE	Residential Estates
<u>O.</u>	<u>HD-RE-LB</u>	<u>Residential Estates Limited Business Holding District</u>
<u>R.</u>	<u>HD-RE-SRD</u>	<u>Residential Estates Sewered Residential Holding District</u>

<u>H.S.</u>	GB	General Business
<u>T.</u>	HD-GB-BP	General Business Business Park Holding District
<u>U.</u>	HD-GB-C	General Business Commercial Holding District
<u>V.</u>	HD-GB-SRD	General Business Sewered Residential Holding District
<u>I.W.</u>	HB	Highway Business
<u>I.X.</u>	CB	Convenience Business
<u>K.Y.</u>	LB	Limited Business
<u>L.Z.</u>	BP	Business Park
<u>AA.</u>	VR-A	Village Residential Agriculture Holding District
<u>BB.</u>	VR-GB	Village Residential General Business Holding District
<u>CC.</u>	VR-R1	Village Residential One Family Holding District
<u>DD.</u>	VR-RR	Village Rural Residential Holding District
<u>M.EE.</u>	PF	Public and Quasi-Public Open Space
<u>N.FF.</u>	P	Public Parks and Open Space
<u>O.GG.</u>	OP	Open Space Preservation District
<u>P.HH.</u>	OZD	Overlay Zoning Use Districts

Subd. 2. Boundaries...

Subd. 4. Districts.

A. AG – Agricultural...

B. B.-HD-A-BP – Agricultural Business Park Holding District

1. Purpose

The Agricultural Business Park Holding District (HD-A-BP) is intended to regulate land use within agricultural areas planned and staged for business park development with access to regional sewer service. Areas zoned HD-A-BP will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Business Park Holding District (HD-A-BP) except as outlined in this section.

3. Permitted Uses

The permitted uses in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Agricultural Business Park Holding District (HD-A-BP) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development in the HD-A-BP zoning district is prohibited.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards in the HD-A-BP zoning district shall be the same as the Agricultural (A) zoning district.

C. HD-A-SRD – Agricultural Sewered Residential Holding District

1. Purpose

The Agricultural Sewered Residential Holding District (HD-A-SRD) is intended to regulate land use within agricultural areas planned and staged for residential development with access to regional sewer service. Areas zoned HD-A-SRD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Sewered Residential Holding District (HD-A-SRD) except as outlined in this section.

3. Permitted Uses

The permitted uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses

The accessory uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Agricultural Sewered Residential Holding District (HD-A-SRD) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development in the HD-A-SRD zoning district is prohibited.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards shall be the same as the Agricultural (A) zoning district.

B.D. RR -- Rural Residential...

E. HD-RR-BP -- Rural Residential Business Park Holding District

1. Purpose

The Rural Residential Business Park Holding District (HD-RR-BP) is intended to regulate land use within rural residential areas planned and staged for business park development. Areas zoned HD-RR-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be

consistent with the comprehensive plan guidance of the property for Business Park use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Business Park Holding District (HD-RR-BP) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Business Park Holding District (HD-RR-BP) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].
Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. Special Requirements

All building permits in the Rural Residential Business Park Holding District (HD-RR-BP) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development in the HD-RR-BP zoning district is prohibited.

F. HD-RR-LB – Rural Residential Limited Business Holding District

1. Purpose

The Rural Residential Limited Business Holding District (HD-RR-LB) is intended to regulate land use within rural residential areas planned and staged for limited business development. Areas zoned HD-RR-LB will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Limited Business use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Limited Business Holding District (HD-RR-LB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-LB zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Limited Business Holding District (HD-RR-LB) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. Special Requirements

All building permits in the Rural Residential Limited Business Holding District (HD-RR-LB) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development in the HD-RR-LB zoning district is prohibited.

G. HD-RR-RAD – Rural Residential Ag Density Holding District

1. Purpose

The Rural Residential Ag Density Holding District (HD-RR-RAD) is intended to regulate land use within rural residential areas planned and staged for Rural Agricultural Density development. Areas zoned HD-RR-RAD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Rural Agricultural use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Ag Density Holding District (HD-RR-RAD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-RAD zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. Special Requirements

All building permits in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development in the HD-RR-RAD zoning district is prohibited.

H. HD-RR-SRD – Rural Residential Sewered Residential Holding District

1. Purpose

The Rural Residential Sewered Residential Holding District (HD-RR-SRD) is intended to regulate land use within rural residential areas planned and staged for sewer residential development. Areas zoned HD-RR-SRD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Rural Residential Sewered Residential Holding District (HD-RR-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RR-SRD zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. Special Requirements

All building permits in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development in the HD-RR-SRD zoning district is prohibited.

C.I. R-1 – One Family Residential...

J. HD-R1-RAD – One Family Ag Density Holding District

1. Purpose

The One Family Ag Density Holding District (HD-R1-RAD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. Areas zoned HD-R1-RAD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Rural Agricultural use.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned One Family Ag Density Holding District (HD-R1-RAD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the One Family Ag Density Holding District (HD-R1-RAD) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One Family Residential (R-1) zoning district shall be viewed as conforming to minimum lot size.

K. HD-R1-SRD – One Family Sewered Residential Holding District

1. Purpose

The One Family Sewered Residential Holding District (HD-R1-SRD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. Areas zoned HD-R1-SRD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned One Family Sewered Residential Holding District (HD-R1-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R1-SRD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R1-SRD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R1-SRD zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the One Family Sewered Residential Holding District (HD-R1-SRD) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One Family Residential (R-1) zoning district shall be viewed as conforming to minimum lot size.

D.L. R-2 – One and Two Family Residential...

E.M. R-3 – Mobile Home Park...

N. HD-R3-URD – Mobile Home Park Business Park Holding District

1. Purpose

The Manufactured Home Park Urban Residential Holding District (HD-R3-URD) is intended to regulate land use within manufactured home park areas planned and staged for sewer urban residential development. Areas zoned HD-R3-URD will be rezoned upon the availability of sewer service and when consistent with the

“Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Urban Residential use.

2. General Regulation

All regulations governing the Manufactured Home Park (R-3) zoning district shall also apply to properties zoned Manufactured Home Park Urban Residential Holding District (HD-R3-URD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district. Connection to the municipal sanitary sewer system and municipal water supply shall be required.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-R3-URD zoning district shall be the same as in the Manufactured Home Park (R-3) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Manufactured Home Park Urban Residential Holding District (HD-R3-URD) shall be the same as in the Manufactured Home Park (R-3) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Manufactured Home Park (R-3) zoning district shall be viewed as conforming to minimum lot size.

O. R-4 – Multi-Family Residential...

F.P. RE – Residential Estates...

G.O. HD-RE-LB – Residential Estates Limited Business Holding District

1. Purpose

The Residential Estates Limited Business Holding District (HD-RE-LB) is intended to regulate land use within residential estate areas planned and staged for sewer limited business development. Areas zoned HD-RE-LB will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer Limited Business use.

2. General Regulation

All regulations governing the Residential Estates (RE) zoning district shall also apply to properties zoned Residential Estates Limited Business Holding District (HD-RE-LB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RE-LB zoning district shall be the same as in the Residential Estates (RE) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Residential Estates Limited Business Holding District (HD-RE-LB) shall be the same as in the Residential Estates (RE) zoning district except for the following:

- a) Minimum lot size shall be a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Residential Estates (RE) zoning district shall be viewed as conforming to minimum lot size.
- b) Subdivision density shall be based on a twenty (20) acres average, and no outlots are to remain in the subdivision.

R. HD-RE-SRD – Residential Estates Sewered Residential Holding District

1. Purpose

The Residential Estates Sewered Residential Holding District (HD-RE-SRD) is intended to regulate land use within residential estate areas planned and staged for sewer residential development. Areas zoned HD-RE-SRD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

2. General Regulation

All regulations governing the Residential Estates (RE) zoning district shall also apply to properties zoned Residential Estates Sewered Residential Holding District (HD-RE-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the HD-RE-SRD zoning district shall be the same as in the Residential Estates (RE) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Residential Estates Sewered Residential Holding District (HD-RE-SRD) shall be the same as in the Residential Estates (RE) zoning district except for the following:

- a) Minimum lot size shall be a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Residential Estates (RE) zoning district shall be viewed as conforming to minimum lot size.

b) Subdivision density shall be based on a twenty (20) acres average, and no outlots are to remain in the subdivision.

S. GB – General Business...

H.T. HD-GB-BP – General Business Business Park Holding District

1. Purpose

The General Business – Business Park Holding District (HD-GB-BP) is intended to regulate land use within general business areas planned and staged for sewer business park development. Areas zoned HD-GB-BP will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business – Business Park Holding District (HD-GB-BP) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-BP zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations].
Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot

size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. Performance Standards

Performance standards governing construction and development in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

U. HD-GB-C – General Business Commercial Holding District

1. Purpose

The General Business Commercial Holding District (HD-GB-C) is intended to regulate land use within general business areas planned and staged for sewer commercial development. Areas zoned HD-GB-C will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Commercial use.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business Commercial Holding District (HD-GB-C) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-C zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-C zoning district shall be the same as the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-C zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20)

acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. Performance Standards

Performance standards governing construction and development in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

V. HD-GB-SRD – General Business Sewered Residential Holding District

1. Purpose

The General Business Sewered Residential Holding District (HD-GB-SRD) is intended to regulate land use within general business areas planned and staged for sewer residential development. Areas zoned HD-GB-SRD will be rezoned upon the availability of sewer service and when consistent with the “Development Staging Plan” contained in the Lake Elmo Comprehensive Plan. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer residential use.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned General Business Sewered Residential Holding District (HD-GB-SRD) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the HD-GB-SRD zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. Performance Standards

Performance standards governing construction and development in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

I.W. HB – Highway Business...

J.X. CB – Convenience Business...

K.Y. LB – Limited Business...

L.Z. BP – Business Park...

AA. VR-A – Village Residential Agriculture Holding District

1. Purpose

The Village Residential Agriculture District (VR-A) is intended to regulate land use within agricultural areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-A will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Village Residential Agriculture District (VR-A) except as outlined in this section.

3. Permitted Uses

The permitted uses in the VR-A zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

4. Uses Permitted by Conditional Use Permit

The uses permitted by conditional use permit in the VR-A zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.

5. Accessory Uses

The accessory uses in the VR-A zoning district shall be the same as in the Agricultural (A) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Village Residential Agriculture District (VR-A) shall be the same as in the Agricultural (A) zoning district.

7. Cluster Development

Cluster development in the VR-A zoning district is prohibited.

8. Non-Agricultural Low Impact Use Standards

Regulations governing non-agricultural low impact use standards in the VR-A zoning district shall be the same as the Agricultural (A) zoning district.

BB. VR-GB – Village Residential General Business Holding District

1. Purpose

The Village Residential General Business District (VR-GB) is intended to regulate land use within general business areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-GB will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the General Business (GB) zoning district shall also apply to properties zoned Village Residential General Business District (VR-GB) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the VR-GB zoning district shall be the same as in the General Business (GB) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the VR-GB zoning district shall be the same as in the General Business (GB) zoning district.

5. Accessory Uses

Accessory uses and the general requirements of such in the VR-GB zoning district shall be the same as in the General Business (GB) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Village Residential General Business District (VR-GB) shall be the same as in the General Business (GB) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) zoning district shall be viewed as conforming to minimum lot size.

7. Performance Standards

Performance standards governing construction and development in the Village Residential General Business District (VR-GB) shall be the same as in the General Business (GB) zoning district. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

CC. VR-R1 – Village Residential One Family Holding District

1. Purpose

The Village Residential One Family District (VR-R1) is intended to regulate land use within single family residential areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-R1 will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned Village Residential One Family District (VR-R1) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the VR-R1 zoning district shall be the same as in the One Family Residential (R-1) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the VR-R1 zoning district shall be the same as in the One Family Residential (R-1) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the VR-R1 zoning district shall be the same as in the One Family Residential (R-1) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Village Residential One Family District (VR-R1) shall be the same as in the One Family Residential (R-1) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One Family Residential (R-1) zoning district shall be viewed as conforming to minimum lot size.

DD. VR-RR – Village Rural Residential Holding District

1. Purpose

The Village Rural Residential District (VR-RR) is intended to regulate land use within rural residential areas planned and staged for development in accordance with the Village Plan. Areas zoned VR-RR will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.

2. General Regulation

All regulations governing the Rural Residential (RR) zoning district shall also apply to properties zoned Village Rural Residential District (VR-RR) except as outlined in this section.

3. Permitted Uses

Permitted uses and the general requirements of such in the VR-RR zoning district shall be the same as in the Rural Residential (RR) zoning district.

4. Uses Permitted by Conditional Use Permit

Conditionally permitted uses and the general requirements of such in the VR-RR zoning district shall be the same as in the Rural Residential (RR) zoning district.

5. Accessory Uses and Structures

Regulations governing accessory uses and structures in the VR-RR zoning district shall be the same as in the Rural Residential (RR) zoning district.

6. Minimum District Requirements

The minimum district requirements in the Village Rural Residential District (VR-RR) shall be the same as in the Rural Residential (RR) zoning district except for minimum lot size which shall be a minimum of a nominal twenty (20) acres [a twenty acre parcel not reduced by more than ten percent (10%) and/or a twenty acre parcel located on a corner or abutting a street on two sides not reduced by more than fifteen percent (15%) due to road right-of-way and survey variations]. Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) zoning district shall be viewed as conforming to minimum lot size.

7. Special Requirements

All building permits in the Village Rural Residential District (VR-RR) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

8. Cluster Development

Cluster development in the VR-RR zoning district is prohibited.

M.EE. PF – Public and Quasi-Public Open Space...

N.FF. P – Public Parks and Open Space...

O.GG. OP – Open Space Preservation District...

P.HH. OZD – Overlay Zoning Use Districts...

Effective Date

This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

This Ordinance No. ___ was adopted on this ___ day of _____, 20___, by a vote of ___ Ayes and ___ Nays.

Mayor Dean Johnston

ATTEST:

Susan Hoyt
Administrator

Planning Commission
Date: 5/30/07
PUBLIC HEARING
Item: 6

ITEM: Zoning Code Map Amendment – South of 10th Street Holding Districts

REQUESTED BY: City Council

SUBMITTED BY: Ben Gozola, Senior Planner

REVIEWED BY: Susan Hoyt, City Administrator
Kelli Matzek, Assistant City Planner
Jerry Filla, City Attorney

PURPOSE:

- The Planning Commission is asked to review the proposed zoning map changes that will establish the holding districts for properties to the south of 10th Street.

ADDITIONAL INFORMATION:

- By state statute, approval of the Comprehensive Plan 2030 requires the City to rezone properties throughout the community as necessary to bring all zoning into conformance with the new land use designations. Representatives from the Met Council have reviewed the proposed changes and agree that approval of the holding districts being discussed will accomplish this goal. The City's current deadline to complete the rezoning process is July 12, 2007.
- Attached you will find a copy of the proposed zoning map. Existing zoning classifications and proposed holding districts are identified for all properties intended to be rezoned.
- The rules governing each of the proposed holding districts will be reviewed during the public hearing preceding this item.

ACTION REQUESTED:

- Review the proposed zoning map changes for properties south of 10th Street, hold the necessary public hearing, and make a recommendation for consideration by the City Council.

ATTACHMENTS:

- "Proposed I-94 Zoning Districts" map

Proposed I-94 Zoning Districts

NOTE: The proposed new zoning districts will NOT impact any existing uses. The ONLY change to property being rezoned will be a restriction on development (all new parcels must be a minimum of 20 acres in size until sewer becomes available as staged in the comprehensive plan).

4-30-07






HOW TO READ THIS ZONING MAP

This map only identifies zoning districts for properties depicted in color. Zoning for parcels shown in white can be found on a separate City of Lake Elmo zoning map.









Follow these steps to determine the zoning district:

1. Identify the parcel you are interested in and find its corresponding color within the legend to the right. This will provide you with the first half of the zoning district.
2. Find the label within the parcel. The label represents the second half of the zoning district.
3. Combine the first half with the second half to determine the parcels final zoning designation.

EXAMPLES:  = HD-A-SRD  = HD-GB-BP  = HD-RR-SRD

L E G E N D

The **FIRST** half of the zoning district is identified by color as follows:

 HD-A	 HD-LB	 HD-R3	 HD-RE	 Municipal Boundary
 HD-RR	 HD-GB	 HD-R1		

The **SECOND** half of the zoning district is labeled on the map as follows:

 RAD (Future Zoning = RAD)	 SRD (Future Zoning = SRD)
---	---

Abbreviations: HD = Holding District

A = Agricultural; RR = Rural Residential; RE = Rural Estates; GB = General Business; BP = Business Park; LB = Limited Business; R1 = One Family Residential; R3 = Manufactured Home Park; PF = Public Facilities
 SRD = Sewered Residential District; URD = Urban Residential District; RAD = Rural Agricultural Density;

May 30, 2007

From: Tim Montgomery

Re: Property Zoning

To Whom It May Concern:

My name is Tim Montgomery, myself together with Louis Damian are the owners of the property located at 9120 Hudson Boulevard encompassing approximately 59 acres. I once again, would like to voice my opinion and make another attempt and plead for the planning commission, city administration and city council members to amend the comprehensive plan for the aforementioned property.

I believe the proposed zoning is unlawfully restricting the types of commercial development allowed along I-94 and is further denying reasonable use and rights to the land.

The proposed zoning is NOT consistent with the adjoining properties. This poses a very serious problem with the conformity, future use and sale of this property. When the time comes to pay for the infrastructure and improvements servicing the property it is my fear and concern it will be difficult if not impossible for a developer to utilize the subject property due to non-conformity of the proposed zoning therefore posing a hardship to pay for the infrastructure and improvements.

I am respectfully requesting the planning commission, city administration and city council members to uphold their legal duty and rezone this property to conform to the adjacent properties.

Sincerely,

Tim Montgomery

STATEMENT OF PROPERTY TAXES PAYABLE IN 2007

Washington County Department of Property Records & Taxpayer Services

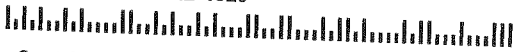
14949 62nd Street North PO Box 200
Stillwater, MN 55082-0200
(651) 430-6175
www.co.washington.mn.us

Property ID: **R 34.029.21.44.0007**

Taxpayer: **98444**

C 269
59147

CM PROPERTIES 94 LMTD PARTNSHP
3470 WASHINGTON DR #102
EAGAN MN 55122-1329



Desc: Sect-34 Twp-029 Range-021
THAT PT E1/2-SE1/4-SE1/4 S34T
29R21 WASH CO MN DESC AS FOLL:

STATE COPY 5-30-07 RZ
DETACH AT PERFORATION AND ENCLOSE THIS COPY WITH FORM M1PR WHEN FILING FOR A REFUND IN THE MINNESOTA DEPARTMENT OF REVENUE. IF THIS BOX IS CHECKED, YOU OWE DELINQUENT TAX AND ARE NOT ELIGIBLE.

	Payable 2006	Payable 2007
Estimated Market Value:	182,000	1,790,500
New Improvements/Expired Exclusions*:		
Taxable Market Value:	182,000	1,790,500
M1PR Line 1 Amount:		
M1PR Line 2 Amount:		
Line 6 Amount:	4,266.00	48,170.00
Property Class:	COMM	COMM

Property ID: **R 34.029.21.44.0007**
Taxpayer: **CM PROPERTIES 94 LMTD PARTNSHP**

Bill #:	90000	Payable 2006	Payable 2007
New Improvements/Expired Exclusions*:			
Estimated Market Value:		182,000	1,790,500
Taxable Market Value:		182,000	1,790,500
Property Class:		COMM	COMM

- Use this amount on Form M1PR to see if you're eligible for a property tax refund.
- Use this amount for the special property tax refund on schedule 1 of Form M1PR.
- Your property tax before reduction by state-paid aids and credits
- Amount paid by the state of Minnesota to reduce your property tax
- Credits paid by the state of Minnesota to reduce your property tax: A. Homestead and Agricultural Credits B. Other Credits
- Your property tax after reduction by state-paid aids and credits
- Washington County
A. County
B. County Regional Rail
- City or Town
LAKE ELMO
- State General Tax
- School District
0834 A. Voter Approved Levies
B. Other Local Levies
- Special Taxing Districts
A. Metropolitan Special Taxing Districts
B. Other Special Taxing Districts
C. Tax Increment
D. Fiscal Disparity
- Non-school voter approved referendum levies
- Total property tax before special assessments
- Special assessments
- YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS**

	\$	\$
	0.00	0.00
	6,809.84	75,201.26
	2,543.84	27,031.26
	0.00	0.00
	0.00	0.00
	4,266.00	48,170.00
	515.34	6,399.03
	1.70	20.44
	370.18	4,803.66
	1,468.90	16,840.02
	363.92	3,434.62
	249.09	3,365.66
	54.56	634.78
	52.30	555.03
	0.00	0.00
	1,190.01	12,116.76
	0.00	0.00
	4,266.00	48,170.00
	0.00	0.00
	4,266.00	48,170.00

Pd 5/11/07

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

Pay this amount no later than **MAY 15** \$ **24,085.00**
Pay this amount no later than **OCTOBER 15** \$ **24,085.00**

Detach at perforation & mail this stub with your 2nd half payment in the enclosed green envelope

PAYABLE 2007 2nd HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: **OCTOBER 15**
Property ID: **R 34.029.21.44.0007**

Bill #: **90000**
Taxpayer: **98444**
CM PROPERTIES 94 LMTD PARTNSHP
3470 WASHINGTON DR #102
EAGAN MN 55122-1329

MAKE CHECKS PAYABLE TO:
Washington County
P.O. Box 200
Stillwater MN 55082-0200

COMM RE TAX
SECOND HALF TAX AMT
\$ **24,085.00**

CHECK
 CASH

No Receipt sent. Your cancelled check is proof of payment. Do not send postdated checks.

STATEMENT OF PROPERTY TAXES PAYABLE IN 2007

Washington County Department of Property Records & Taxpayer Services

14949 62nd Street North PO Box 200
 Stillwater, MN 55082-0200
 (651) 430-6175
 www.co.washington.mn.us

Property ID: R 34.029.21.44.0009

	Payable 2006	Payable 2007
Estimated Market Value:	237,300	1,950,600
New Improvements/ Expired Exclusions*:		
Taxable Market Value:	237,300	1,950,600
M1PR Line 1 Amount:		
M1PR Line 2 Amount:		
Line 6 Amount:	5,880.00	52,564.00
Property Class:	COMM	COMM

Property ID: R 34.029.21.44.0009

Taxpayer: MFC PROPERTIES 94 LMTD PARTNSP

Taxpayer: 98443

C 269
59148

MFC PROPERTIES 94 LMTD PARTNSP
 3470 WASHINGTON DR #102
 EAGAN MN 55122-1329



Tax Desc: Sect-34 Twp-029 Range-021
 E1/2-SE1/4-SE1/4 S34T29R21
 LYING WLY WACO R/W PLAT 48-19B

Bill #:	95859	Payable 2006	Payable 2007
New Improvements/ Expired Exclusions*:			
Estimated Market Value:		237,300	1,950,600
Taxable Market Value:		237,300	1,950,600
Property Class:		COMM	COMM

1. Use this amount on Form M1PR to see if you're eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.	<input type="checkbox"/>	\$	0.00
2. Use this amount for the special property tax refund on schedule 1 of Form M1PR Your Property Tax and How It is Reduced By The State		\$	0.00
3. Your property tax before reduction by state-paid aids and credits		9,397.36	82,064.00
4. Aid paid by the state of Minnesota to reduce your property tax		3,517.36	29,500.00
5. Credits paid by the state of Minnesota to reduce your property tax: A. Homestead and Agricultural Credits B. Other Credits		0.00	0.00
		0.00	0.00
6. Your property tax after reduction by state-paid aids and credits		5,880.00	52,564.00
Where Your Property Tax Dollars Go			
7. Washington County A. County B. County Regional Rail		\$ 712.84	\$ 6,982.68
		2.35	22.30
8. City or Town LAKE ELMO		511.83	5,242.53
9. State General Tax		2,031.05	18,378.00
10. School District 0834 A. Voter Approved Levies B. Other Local Levies		486.17	3,744.84
		342.46	3,672.71
11. Special Taxing Districts A. Metropolitan Special Taxing Districts B. Other Special Taxing Districts C. Tax Increment D. Fiscal Disparity		75.44	692.78
		72.31	605.75
		0.00	0.00
		1,645.55	13,222.41
12. Non-school voter approved referenda levies		0.00	0.00
13. Total property tax before special assessments		5,880.00	52,564.00
14. Special assessments		0.00	0.00
15. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS		\$ 5,880.00	\$ 52,564.00

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

Pay this amount no later than MAY 15 \$ 26,282.00
 Pay this amount no later than OCTOBER 15 \$ 26,282.00

PAYABLE 2007 2nd HALF PAYMENT STUB

Detach at perforation & mail this stub with your 2nd half payment in the enclosed green envelope

TO AVOID PENALTY PAY ON OR BEFORE: OCTOBER 15

Property ID: R 34.029.21.44.0009

COMM RE TAX

SECOND HALF TAX AMT

\$ 26,282.00

Bill #: 95859
 Taxpayer: 98443
 MFC PROPERTIES 94 LMTD PARTNSP
 3470 WASHINGTON DR #102
 EAGAN MN 55122-1329

MAKE CHECKS PAYABLE TO:
 Washington County
 P.O. Box 200
 Stillwater MN 55082-0200

CHECK
 CASH

No Receipt sent. Your cancelled check is proof of payment. Do not send postdated checks.