

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

RESOLUTION 2012-38

**A RESOLUTION AMENDING A CONDITIONAL USE PERMIT TO FURTHER CLARIFY THE
TYPES OF ACTIVITIES PERMITTED AS PART OF AN AGRICULTURAL
ENTERTAINMENT BUSINESS AT 11211 60TH STREET NORTH**

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Richard and Eileen Bergmann on behalf of Country Sun Farm and Greenhouse (the "Applicants"), 11211 60th Street North, have previously applied for and received approval from the City of Lake Elmo (the "City") to amend the Conditional Use Permit related to an Agricultural Entertainment Business for the Country Sun Farm and Greenhouse; and

WHEREAS, Resolution 2009-047 related to said Agricultural Entertainment Business was approved by the City Council on December 1, 2009; and

WHEREAS, Sections 5 and 10 under the heading of FINDINGS in Resolution 2009-047 specifies the types of uses that are permitted and not permitted as part of the Agricultural Entertainment Business; and

WHEREAS, the City Council intends to further clarify the types of uses that are permitted and not permitted as part of the Agricultural Entertainment Business; and

WHEREAS, Resolution 2009-047 also contains provisions related to Agricultural Sales Businesses that have been superseded by revisions to the City Code, which are now permitted through an Interim Use Permit; and

WHEREAS, the City Council considered said matter at its August 8, 2012 meeting.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following amendments to Resolution 2009-047:

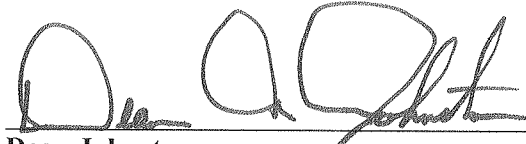
FINDINGS

- 5) That the proposed Conditional Use Permit for an Agricultural Entertainment Business would supplant all previous CUP permit for this property and permit the following uses:
 - a. Corn Maze
 - b. Hay Ride
 - c. Petting Zoo / Farm
 - d. Haunted house
 - e. Seasonal Sales of related Christmas decorations (such as wreaths or other agricultural-type creations)
 - f. Children Activities and Games that are clearly incidental and subordinate to the agricultural activities taking place on the premises. These activities shall include:
 - i. A ticket booth related to the permitted agricultural entertainment activities

- ii. A Silly String (aerosol string) play area
 - iii. Gem mining activities intended to provide learning opportunities for children regarding historical mining practices in Minnesota
 - iv. Corn Pit
- 8) That the following uses on the site are identified as part of the Agricultural Sales Business and are allowed through an Interim Use Permit or as a Wayside Stand within the Agricultural or Rural Residential Zoning District:
- a. Seasonal Sales of fresh flower and plant material
 - b. Seasonal Sale of pumpkins
 - c. Seasonal Sale of Christmas trees
- 10) That the following uses on the site are not allowed/permitted, nor conditionally permitted on the site:
- a. Children Activities and Games unless identified under Finding (5.f) above
 - b. Inflatable jump/bounce houses
 - c. Seasonal Sales of fresh flower and plant material unless as a Wayside Stand or permitted under an Interim Use Permit
 - d. Seasonal Sales of pumpkins unless as a Wayside Stand or permitted under an Interim Use Permit
 - e. Seasonal Sales of Christmas trees unless as a Wayside Stand or permitted under an Interim Use Permit

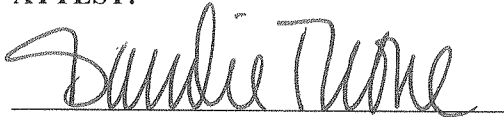
Adopted by the City Council on this eighth day of August 2012.

CITY OF LAKE ELMO



Dean Johnston
Mayor

ATTEST:

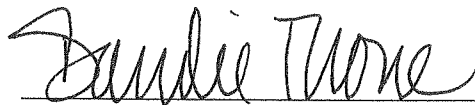


Sandie Thone
City Clerk

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

CERTIFICATION

I do hereby certify the attached **RESOLUTION 2012-38 AMENDING A CONDITIONAL USE PERMIT TO FURTHER CLARIFY THE TYPES OF ACITIVITES PERMITTED AS PART OF AN AGRICULTURAL ENTERTAINMENT BUSINESS AT 11211 60TH STREET NORTH** is the exact copy of the official resolution in my office and has been adopted by the Lake Elmo City Council on this eighth day of August 2012.



Sandie Thone, City Clerk

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