

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

ORDINANCE NO. 08-035

**AN ORDINANCE ADDING A REAR YARD SETBACK AND REFERENCE TO
BUFFER SETBACKS FOR OPEN SPACE PRESERVATION (OP) DEVELOPMENTS**

WHEREAS, Section 150.180, Subd. (B,2,d) of the City Code prescribes specific buffer setbacks requirements within OP – Open Space Preservation developments; and

WHEREAS, unlike every other zoning district in the city, a rear yard setback was not established at the time the OP Zoning District was incorporated into the city code; and

WHEREAS, the City Council finds that it is in the best interests of the City and its residents within OP – Open Space Preservation Zoning Districts to clarify the “Buffer Zone” is also a setback that applies, in some cases, to individual properties; and

WHEREAS, the Planning Commission reviewed the proposed rear yard setback and buffer setback reference for OP – Open Space Preservation developments, held a public hearing at their regular meeting held November 8, 2010, and recommended approval of the ordinance revisions; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Lake Elmo, Washington County, Minnesota, that the following additional setback information be added to the OP – Open Space Preservation Zoning Districts as follows:

| <i>Open Space Preservation District (OP)</i> | | |
|--|---|---------------------------------------|
| | <i>Single-Family</i> | Townhouse |
| Maximum Building Height: | | |
| Primary Structure | 2 and ½ stories or 35 feet | 2 and ½ stories or 35 feet |
| Accessory Structure | 25 feet | 1 story or 20 feet, whichever is less |
| Minimum Lot Width: | NA | NA |
| ½ acre lot; 1 acre lot | | |
| Maximum Impervious Surface Coverage: | 20%. This percentage may be increased to 25% provided a pervious paver or comparable system is installed consistent with the <i>City of Lake Elmo Engineering Standards</i> | NA |
| Gross Lot Area | | |

| | | |
|---|---|--|
| | <i>Manual</i> or storm water mitigation measures are installed to mitigate the runoff created by the additional coverage above the base district amount. All mitigation measures must be approved by the City Engineer. | |
| Minimum Setback Requirements: | | |
| Front Yard | 30 feet | 20 feet |
| Side Yard | 15 feet or 10% of lot width, whichever is greater | 15 feet or 10% of lot width, whichever is greater |
| Corner Lot Front | 30 feet | 30 feet |
| Corner Lot Side Yard | 30 feet | 30 feet |
| Rear Yard | 20 feet | 20 feet |
| Buffer Setback | See “(d) Buffer zone” above See City Staff or website for individual requirements | See “(d) Buffer zone” above See City Staff or website for individual requirements |
| Well From Septic Tank | 50 feet | 50 feet |
| Minimum Lot Size: | | |
| Individual Well and Septic System | 1 acre | NA |
| Individual Well and Communal Drainfield | ½ acre | 8,000 square feet per unit |

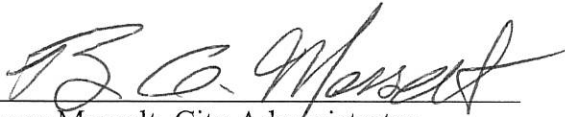
ADOPTION DATE, This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

This Ordinance No. 08-035 was adopted on this 16th day of November, 2010, by a vote of 5 Ayes and 0 Nays.



Dean A Johnston, Mayor

ATTEST:



Bruce Messelt, City Administrator

This Ordinance No. 08-035 was published on the 1ST day of Dec., 2010.