

**CITY OF LAKE ELMO**  
**ORDINANCE NO. 97-115**


**AN INTERIM ORDINANCE IMPLEMENTING A DEVELOPMENT MORATORIUM ON CERTAIN PROPERTY WITHIN THE CITY OF LAKE ELMO**


**THE LAKE ELMO CITY COUNCIL ORDAINS:**

**1.0 Recitals.**

- A. The City Of Lake Elmo (“City”) has a Comprehensive Land Use Plan (“**Comprehensive Plan**”), which identifies:
1. The following parcels as being within the “LB – Limited Business” classification:  
  
Parcel 1: PIN 3302921440003  
Parcel 2: PIN 3402921330005  
Parcel 3: PIN 3402921330004  
Parcel 4: PIN 3402921340004
  2. And, the following parcel as being within the “RAD – Rural Agricultural” classification:  
  
Parcel 5: PIN 3602921340006
- B. All of the above referenced parcels are herein referred to as the “Moratorium Area Parcels.” Buildings have been constructed on Parcel Nos. 1 through 4. Parcel 5 is vacant land.
- C. The City’s Zoning Map designates all of the Moratorium Area Parcels as “GB – General Business.”
- D. There is a conflict between the designation of the Moratorium Area Parcels on the City’s Comprehensive Plan and the designation of such parcels on the City’s Zoning Map. The conflict occurs as a result of a change in the City’s Comprehensive Plan.
- E. The City is in the process of reviewing the manner in which to resolve the conflict which may include a change to its Comprehensive Plan, a change in the zoning districts and/or a change to the text of the City’s zoning regulations.
- F. In order to protect the integrity of its Comprehensive Plan, the planning process and the health, safety and welfare of the citizens of the City Of Lake Elmo, the City Council has determined that a development moratorium in appropriate.

- 2.0 **Development Moratorium.** Except as herein provided, the City Council hereby adopts a development moratorium pursuant to Minn. Statutes §462.355 Subd. 4, applicable to the Moratorium Area Parcels. The development moratorium shall not prohibit the owner of existing buildings located on the Moratorium Area Parcels 1 through 4 from remodeling or restoring such buildings. It is the intent of this development moratorium that the Moratorium Area Parcels 1 through 4 should not be redeveloped for uses otherwise allowed in the GB – General Business Zoning District during the moratorium, but that Moratorium Area Parcels 1 through 4 may be developed in a manner that is consistent with the City’s current LB – Limited Business Zoning District regulations and that Moratorium Area Parcel 5 may be developed in a manner that is consistent with the City’s AG – Agricultural Zoning District regulations.
- 3.0 **Duration of Moratorium.** The development moratorium will commence on the effective date of this ordinance and will continue for six (6) months thereafter, unless otherwise terminated, modified or extended by action of the City Council.
- 4.0 **Enforcement.** The City may enforce any provision of this ordinance by mandamus, injunction or any other appropriate civil remedy in any court of competent jurisdiction.
- 5.0 **Separability.** Every section, provision or other part of this ordinance is declared separable from every other section, provision or part of this ordinance. If any section, provision or part of this ordinance is adjudged to be invalid by a court of competition jurisdiction, such judgment shall not validate any other section, provision or part of this ordinance.
- 6.0 **Effective Date.** This ordinance shall be effective the day following its publication or on the day following the publication of any Ordinance Summary approved by the City Council.
- 7.0 **Adoption Date.** Passed by the City Council on the 4<sup>th</sup> day of February, 2003.

  
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Lee Hunt, Mayor

  
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Charles E. Dillerud  
Acting City Administrator

**PUBLICATION DATE.** Published on the 14<sup>th</sup> day of February, 2003.  
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