

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 97-92

**An Ordinance Amending Sections 300.07 Subd.4.H.4.A.vii; 300.07 Subd. 4.K.6.A.vii.;
and, 300.07 Subd.4.L.6.A.vii. of the Lake Elmo Municipal Code**

Section 1. Amendment: Section 300.07 Subd. 4.H.4.a.vii is hereby amended, in part, and shall read as follows; to wit:

Section 300.07 Subd. 4. H. 4.a. vii: The exterior surfaces of all buildings shall be faced with brick, stone, or glass.

Section 2. Amendment: Section 300.07 Subd. 4. K.6.a.vii is hereby amended, in part, and shall read as follows; to wit:

300.07 Subd. 4.K.6.a.vii. The exterior surfaces of all buildings shall be faced with brick, stone, or glass.

Section 3. Amendment: Section 300.07 Subd. 4.L.6.A.vii is hereby amended, in part, and shall read as follows; to wit:

300.07 Subd.4.L.6.A.vii. The exterior surfaces of all buildings shall be faced with brick, stone, or glass..

Section 4. Effective Date: This ordinance shall become effective upon its passage and publication according to law.



Lee Hunt, Mayor

Attest



Mary Kueffner, City Clerk/Administrator

Adopted by the Lake Elmo City Council the 16th day of October, 2001.

Published in the Stillwater Gazette on the 26th day of Oct., 2001.

(300.07 Sub. 4.H.4.a.vii.)

- vi. Description of unique architectural features specific to the particular request.
 - vii. The exterior surfaces of all buildings shall be faced with brick, stone, or glass.¹ The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel corrugated aluminum, or similar products; these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement. Underground utilities shall be provided for all structures.
- b. **Landscaping.** All yard area shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan. Where areas abut residential districts, a buffer area of a minimum depth of 100 feet will be required. The buffer area shall be completely defined and designed, and approved by the City prior to all final City inspections for construction on site. Prior to the issuance of a building permit or commencement of any improvements on site, the owner shall provide the City with a financial security for a minimum of 24 months, approved by the City Attorney, to assure construction of the buffer area. All landscaping shall comply with Section 520.01.

I. HB - Highway Business.

1. Permitted Uses and Structures.

Highway Business
Automobile Service
Hotels
Motels
Restaurants
Other Highway Business Uses Similar to above
Recreational Vehicle Sales (including motorized hang gliders)

¹ Amended Ordinance 97-92 10-16-01

(300.07 Subd. 4.K.5.a.vii.)

Limited Business - Minimum District Requirements (continued)	
Maximum area to be covered by buildings, parking lots, driveways and other hard surfaces:	40%
Minimum Building Floor Size:	4,000 square feet
Sewer Discharge <i>(Also see Section 700)</i>	No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land, whichever is more restrictive. For the purpose of this regulation, net acres equals the total area of the lot minus wetlands, open water and dedicated public or street right-of-ways. No one single on-site sewer system shall be designed to handle more than 5,000 gallons per day. Each parcel must dedicate areas for primary and secondary on-site sewer treatments areas.
Maximum Width of Driveways	See Section 1405.07
Signage	See Section 300.07 K. 6 d. and Section 535

6. Performance Standards.

- a. **Minimum Architectural Standards.** It is in the best interest of the City to promote high standards of architectural design. New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum:

- i. Elevations of all sides of the buildings,
- ii. Type and color of exterior building materials,
- iii. Typical general floor plans,
- iv. Dimensions of all structures,
- v. Location of trash containers, heating, cooling and ventilation equipment and systems,
- vi. Description of unique architectural features specific to the particular request.
- vii. The exterior surfaces of all buildings shall be faced with brick, stone, or glass.¹ The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel corrugated aluminum, or similar products; these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement. Underground utilities shall be provided for all structures.

¹ Amended Ordinance 97-92 10-16-01

(300.07 Subd. 4 L.6.A..vii)

vii. The exterior surfaces of all buildings shall be faced with brick, stone, or glass.¹ The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel, corrugated aluminum, or similar products; these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement. Underground utilities shall be provided for all structures.

b. **Parking.** Each building site shall be provided with such off-street automobile parking as may be approved by the City. No parking shall be permitted on any street, driveway, or any place other than in approved parking spaces.

i. Construction. All drives and parking lots shall be constructed with concrete or blacktop, and with concrete curb and gutters. Where appropriate, sidewalks may be required. Parking lot landscape areas, including landscape islands shall be reasonably distributed throughout the parking lot area so as to break up expanses of paved areas.

ii. Ratio. Unless otherwise approved by the City, parking shall be provided as follows:

(a) The minimum ratio of one permanently paved off-street automobile parking space for each 250 square feet of office building area, or the minimum ratio of one permanently paved off-street automobile parking space for every two employees, whichever ratio shall result in the greater number of parking spaces.

(b) Screening. All parking area shall be screened from the public view in a manner approved by the City prior to the construction or alteration of any building or building site.

(c) Location. Unless otherwise approved by the City prior to construction or alteration, parking will not be permitted within 30 feet of the front property lines (those facing any dedicated street) of the building site, nor within 10 feet of its side property lines, nor within 10 feet of its rear property line.

c. **Landscaping.** All yard area shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan. Where areas abut residential districts, a buffer area of a minimum depth of 150.

¹ Amended Ordinance 97-92 10-16-01

505.09 Survey

The building inspector may require a certificate of survey showing the actual dimensions of the lot to be built on, the exact size and location on the lot of the building and accessory buildings to be erected, and other information as may be necessary to determine compliance with the City Code, before issuing a building permit for new construction on any lot.

505.10 Pole Construction Buildings¹

Pole buildings shall be permitted in the Agricultural and Rural Residential Zoning Districts only, except they shall be prohibited where a Conditional Use Permit has been issued for an Open Space Preservation Development.

505.11 Incompatible Structures.

Subd. I Referral by Inspector and Clerk

Whenever an application is filed with the City for a building permit for any structure to be built, enlarged, or altered within, or moved in or into the City, and the building inspector finds that the application, plans, and specifications, and the plot plan submitted (the application papers) comply with the Code of the City except that the application papers provide for a structure, the exterior design, appearance, and functional plan which the building inspector and the clerk feel may be so at variance or so similar with the exterior design, appearance, and functional plan of structures in the neighborhood and same zoning district of the proposed structure as to cause a material depreciation generally to property in the neighborhood, then the building inspector shall within 10 days after the receipt of the application papers, file the papers and the opinion in writing, signed by the building inspector and the clerk, with the planning commission.

Subd. 2 Call of Hearing

Within ten day after the receipt of the application papers and opinions, the clerk shall give notice to each member of planning commission and to the public by publication in the official paper and to any other persons the clerk deems advisable, of a hearing to be held by the Planning Commission with respect to the application. The notice shall state the purpose of the hearing and the location of the structure. Notice to the applicant shall be by registered mail at least three days in advance of the hearing, provided appearance at the hearing shall constitute a waiver of any defect in the notice of the hearing. The hearing on the application shall be held not less than one week nor more than two weeks after receipt of the application by the City.

Subd. 3 Hearing and Findings

Before or during the hearing, each member of the planning commission may view the premises upon which the structure is located or to be located, and at the hearing the commission shall examine the application papers and hear the applicant. It may also hear any citizens of the neighborhood and other individuals who request to be heard. Within 48 hours of the close of the hearing, the commission shall, pursuant to a majority vote of all the members of the commission, file written findings of the fact. It shall determine whether the exterior design, appearance and functional plan of the structure is or is not at a variance or so similar with the exterior design, appearance and functional plan of structures constructed or in the course of construction in the

¹ Amended Ordinance 97-91 10/16/01