

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 97-30

AN ORDINANCE AMENDING SECTIONS 150 and 300.07 SUBD. 4 O.
OF THE 1997 LAKE ELMO MUNICIPAL CODE

Section 1. Amendment: Section 150 of the 1997 Lake Elmo Municipal Code will be amended to include the following definitions:

Dedicated Conservation Easements. A non-possessory interest in real property imposing limitations on a parcel of land for the purposes of retaining and protecting natural or open space values of real property, assuring its availability for agricultural, forest, recreational or other open space uses and protecting natural resources. A conservation easement must be granted to a qualified land trust and the City of Lake Elmo. At the City's discretion, the conservation easement may go to the City of Lake Elmo, if a qualified land trust does not accept the easement.

Duplex: A residential structure containing two dwelling units located on one parcel of land.

Dwelling, Single Family Attached: Two single family dwellings sharing one or more common wall, each on its own individual lot.

Dwelling, Townhouse: A residential building containing three (3) or more dwelling units with at least one (1) common wall between adjacent residences and each unit so oriented as to have all exits directly to the out-of-doors.

Private Open Space: Open space owned by a private legal entity.

Rural Hamlet: A group of five (5) to twenty-five (25) housing units located in a contiguous group, with adjacent and fronting lots oriented towards each other in some geometric way as on a street or a village green or square, and forming a distinct boundary with the countryside.

Trails: Areas constructed within the City for a designated use, such as walking, non-motorized biking, rollerblading, skateboarding, equestrian trails if appropriate.

Village Green: An open space area surrounded by homes and designed as a central gathering area or park for residents of the neighborhood and/or residents of the community.

Section 2. Amendment: Sections 300.07 Subdivision 4 “O” B.5., B.6., E.2., H., H.2., I., J.4., and J.5 of the 1997 Municipal Code is hereby amended to read as follows:

300.07 Subd. 4. O. B.5. No land under three (3) acres shall be considered as part of the required open space except village greens, and except those areas which have steep slopes, wetlands, and other natural characteristics.

300.07 Subd. 4. O. B.6. Where applicable, open space uses shall be contiguous with open space uses on adjacent parcels. This will provide large expanses of open space areas.

300.07 Subd. 4. O. E. 1. Buffer zones of at least one hundred (100) feet shall be required between residential structures and agricultural uses. The buffer areas shall be thickly planted with fast-growing native grasses, shrubs and trees. Roads may be substituted for the buffer that will create an effective barrier separating yards from fields and pastures.

300.07 Subd. 4. O. E. 2. Where an existing development abuts a proposed development or a residence, a two-hundred (200) foot setback shall be provided between any main structure and the property line. Where existing vegetation and/or changes in topography occur which may buffer the site from existing residences, a one hundred (100) foot setback may be allowed. Screening shall be provided, which may consist of a combination of trees and berming. the applicant shall indicate viewsheds from existing developments and locate trees and other screening methods.

300.07 Subd. 4. O. Subd. 7. H. Densities. The Zoning Map for the Op District outlines the area. The base density shall be six (6) units per twenty (20) gross acres of land. When determining the total density for any development, the lesser “whole” number shall apply. (i.e. 22.95 units calculated equals 22 units allowed.) To require open space and preserve historic structures, the following density bonuses shall apply:

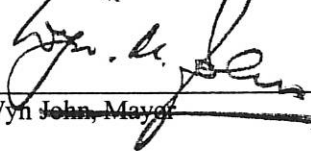
300.07 Subd. 4. O. Subd 7 H. 2. One (1) additional unit per twenty (20) gross acres of land for the development of trails. At a minimum, trails shall be at least six (6) feet in width, and surfaced with paving or woodchips. The length of trails shall be the total width of the building lots at the front setback line within the buildable lot area. The trails shall connect to local or collector streets. The trails shall be properly identified on the plat maps and committed as trails in the future.

300.07 Subd. 4. O Subd 7. H. 3. One (1) additional unit per twenty (20) gross acres of land for the development of a village green.

Open Space Preservation District (OP) Minimum District Requirements				
	Single Family	Duplex	Townhouse	Single Family Attached
Maximum Building Height: Primary Structure	2-1/2 Stories or 35 feet	2-1/2 Stories or 35 feet	2-1/2 Stories or 35 feet	35 feet
Maximum Building Height: Accessory Structure	25 feet	1 Story or 25 feet (whichever is less)	1 Story or 20 feet (whichever is less)	20 feet
Minimum Lot Width: ½ Acre Lot 1 acre lot	N/A N/A	N/A N/A	N/A N/A	N/A
Maximum Lot Coverage: Buildable Land Area	10%	N/A	N/A	
Minimum Setbacks:				
Front Yard	30 feet	20 feet	20 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)	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	30 feet	30 feet
Corner Lot: Side Yard	30 feet	30 feet	30 feet	
Well from Septic Tank	50 feet	50 feet	50 feet	50 feet
Maximum Lot Size:				
Individual Well and Septic System Each lot in an OP Development shall have two perc tests conducted according to Section 700 of this Code. These shall be submitted prior to Preliminary Plat and Plan Approval	1 Acre	1 Acre	N/A	<u>1 Acre</u>
Individual Well and Communal Drainfield	½ Acre	½ Acre	8,000 square feet per unit	½ acre per unit

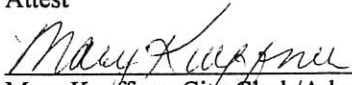
300.07 Subd. 4. O. Subd 7. J.4. When wetland treatment systems are proposed on the site, these areas may not be considered as the required open space in any development. No wetland treatment system shall be allowed within the village green.

Section 3. Effective Date: This ordinance shall become effective upon its passage and publication according to law.



Wyn John, Mayor

Attest



Mary Kueffner, City Clerk/Administrator

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