



3800 Laverne Avenue North
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NOTICE OF MEETING

The City of Lake Elmo
Planning Commission will conduct a meeting on
Monday January 14, 2019
at 7:00 p.m.
AGENDA

1. Pledge of Allegiance
2. Election of Officers – The Planning Commission is required to elect a Chairperson and Vice Chairperson for 2019.
3. Approve Agenda
4. Approve Minutes
 - a. December 10, 2018
5. Public Hearings
 - a. **COMPREHENSIVE PLAN UPDATE** – The Planning Commission will be holding a public hearing and reviewing the proposed 2040 Comprehensive Plan for the City of Lake Elmo.
6. Business Items
 - a. **MIXED USE (MU) ORDINANCE** – The Planning Commission will be continuing their review of a proposed new Zoning Ordinance to create Mixed Use Business Park and Mixed Use Zoning District in the City.
7. Communications/Updates
 - a. City Council Update – January 2, 2019
 1. Resolution Ratifying approval of Royal Golf 3rd Addition Final Plat, PUD and Easement Vacation
 2. Resolution Ratifying approval of Wyndham Village Final Plat
 - b. City Council Update – January 8, 2019
 1. Planning Commission Appointments
 2. 2019 Planning Commission Work Plan
 - c. Staff Updates
 1. Upcoming Meetings:
 - January 28, 2019
 - February 11, 2019
8. Adjourn

***Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.



**City of Lake Elmo
Planning Commission Meeting
Minutes of December 10, 2018**

Chairman Dodson called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Dodson, Dorschner, Weeks, Kreimer, Hartley, Lundquist, Pearce

COMMISSIONERS ABSENT: Johnson & Pearce

STAFF PRESENT: City Planner Prchal and Planning Director Roberts

Approve Agenda:

M/S/P: Lundquist/Hartley, move to approve the agenda as presented, ***Vote: 6-0, motion carried unanimously.***

Approve Minutes: November 26, 2018

M/S/P: Hartley/Dodson, move to approve the November 26, 2018 Minutes as amended, ***Vote: 6-0, motion carried unanimously.***

Business Item – 2019 Planning Department Work Plan

Prchal started his presentation regarding the 2019 Planning Department Work Plan. Many of the items that were on the work plan in 2018 were completed and a number of items are in progress. Prchal stated that the large item for 2019 will be codifying the Ordinances with the adoption of the Comprehensive Plan. Creating the Mixed Use Zoning District is on the agenda tonight and is an important one with the adoption of the Comprehensive Plan.

Dodson would like to see that the ordinances on the website get updated with what is current. Prchal stated that American Legal will be updated as part of the recodification with the Comprehensive Plan. Weeks stated that there is a cost component as American Legal is the one doing the updating vs. staff. Prchal stated that the Zoning code is current in a PDF version on the website. Dodson feels to get the citizens compliant with ordinances, it has to be more user friendly for them. Dorschner is wondering about the trailers in front, side yards and driveways and what problem is being solved. Roberts stated that currently the way the ordinance reads, the

only place to legally store it is in your back yard. Roberts stated that other cities allow the storage of utility trailers in other areas. The Commission could think about options like size limitations and such, but this would give people other options. Dodson asked if there were many complaints about this. Prchal stated that complaints are relatively low, but if someone went around and took pictures of all the trailers not in compliance, it would be a full time job for enforcement. Roberts stated this is not in the zoning code, but in the screening section.

Kreimer asked about the priority number of overlay districts and why there wasn't one. Prchal stated that it was a carryover item and staff thought it would be better to work on the design guidelines than to work on the overlay districts. Weeks feels the overlays can get complicated and restricted and is not in favor of them.

Hartley asked if there is a time limit in which to have the ordinances match the adopted Comprehensive Plan. Roberts stated that state law gives a City 9 months to get the Ordinances in compliance with the Comprehensive Plan.

Dodson would like to add a bullet point to ongoing Planning Activities to update the City website with zoning amendments, including American Legal.

Kreimer stated that there is not a priority level for the Village Parkway Railroad Crossing. Roberts stated that would probably be a four as it is development driven by what happens on both sides of the tracks.

Weeks asked about the first item under the 2040 Comprehensive Plan Update which is plan for possible density reductions. Prchal stated that he would need to refer to Jennifer and it is probably a carry over. This item can be taken out as it was addressed with the 2040 Comprehensive Plan.

Kreimer was wondering if there should be anything for the Planning Commission regarding the water and 3M, or if that was all legal and City Council driven. Weeks stated that she feels it is all City Council and legal driven.

Hartley stated that a part of that issue is that the targets for various parts of the City depend on having water utilities to support the growth. Hartley feels it would be something that was better dealt with proactively vs. reactively.

Dorschner stated that the Planning Commission has no role in that issue. Hartley stated that it does affect City Planning. Weeks feels that the Planning Commission should continue to plan the way they are and it is up to staff to notify potential applicants about the water issues.

Roberts stated that he has not heard anything from the City Engineers that they feel this is a problem or they would have been talking moratorium by now.

M/S/P: Dodson/Dorschner, move to recommend that staff submit the 2019 Work Plan to the City Council as presented and amended by the Planning Commission, **Vote: 6-0, motion carried unanimously.**

Business Item – Zoning Text Amendment – Mixed Use

Roberts started his presentation regarding the Zoning Text Amendment to create a Mixed Business Park and a Mixed Use Commercial Zoning District. This Zoning Text Amendment is a direct response to what is in the 2040 Comprehensive Plan.

The proposed ordinance provides descriptions that would line up with the Comprehensive Plan. There would be additional submittal requirements that would be imposed on developers. This area is required to have a mix of 50 percent residential and 50 percent commercial to meet the density and housing unit numbers. This gives developers and the City flexibility to meet market demands. There is a mix of permitted and Conditional uses, with no interim uses proposed.

Hartley stated that he feels manufacturing should be a conditional use so that each one is looked at separately to gauge the impact. Dodson stated that there needs to be criteria to judge it against it. Weeks suggested it be called light manufacturing so that applicants understand it is not a busy facility that creates a lot of traffic and noise. Weeks stated that many manufacturing facilities stay once they are settled in a place and support other businesses and employ numerous employees and do not strain City services. Dodson looks at the criteria in terms of noise, mess and traffic value. Kreimer suggested possibly hours of operation if located by a residential area.

The Planning Commission felt light industrial and research and testing should be included in both the Mixed Use Commercial and Mixed Use Business Park.

Dodson asked about the 50% residential and 50% Commercial. Dodson feels that it will be difficult for a plan to meet that exactly and thinks it should say at least 50% residential. Kreimer asked if a project could be 100% residential. Roberts said yes a project could be 100% residential. Hartley asked if there is a definition for what a ghost plat is. Roberts stated it is basically a sketch plan, which would not be approved, but would show how a future phase could meet the 50/50 requirement.

Hartley is concerned about the legal ramification of the ghost platting. Weeks stated that she feels that ghost plats are binding, they just are not recorded. Hartley is concerned that if they are not recorded, they are not binding to a future property owner. Roberts stated that the ghost plats are a tool to use to prove to the Met Council the City's ability to meet the residential numbers. Dodson thinks the ghost platting complicates things. Hartley asked if other City's use the ghost plat tool and if they have

experience with it, what are the thoughts or problems with it. Roberts stated that he is not sure if other City's use this tool.

Dodson thinks drinking and entertainment should be conditional uses. Weeks stated that the state limits liquor licenses and the City might be at the maximum already. Roberts stated that staff is suggesting that self-service storage and trade shop not be allowed in the mixed use because of impacts to residential.

Dodson would like the Lake Elmo Design Standards guidelines referenced in 154.512 (c). Dodson thinks there should be a specific number requirement for bicycle parking. That number could be a percentage such 5% of the car parking. Roberts is wondering if that is even important enough to include. Dorschner feels the market drives that and it should be taken out.

Dorschner wanted to clarify that this is just the mixed use in the I-94 are and none of this would apply to the Village Mixed Use. Roberts stated that is correct.

City Council Updates – December 4, 2018

1. Amendment to Boulder Ponds 3rd Developer Agreement - approved
2. Wyndham Village Final Plat - approved
3. Royal Golf 3rd Addition Final Plat, PUD and Easement Vacation - approved
4. Chapter 32: Planning Commission Ordinance - approved

Staff Updates

1. Upcoming Meetings
 - a. January 14, 2019
 - b. January 28, 2019

Meeting adjourned at 8:47 pm

Respectfully submitted,

Joan Ziertman
Building Permit Technician



STAFF REPORT

DATE: 01/14/2019

REGULAR

ITEM #:5A – Public Hearing

TO: Planning Commission
FROM: Ken Roberts, Planning Director
AGENDA ITEM: **Public Hearing – Draft 2040 Comprehensive Plan Update**
REVIEWED BY: Jennifer Haskamp, Swanson Haskamp Consulting
Kristina Handt, City Administrator

INTRODUCTION

The Planning Commission is being asked to hold a public hearing and consider the final draft of the 2040 Comprehensive Plan Update.

BACKGROUND:

The City has been working with consultant Swanson Haskamp Consulting since February of 2017 on the 2040 Comprehensive Plan Update (Update). As part of the update process, the city held several community engagement events including 4th of July Parade, Arbor Day, Tri-Lakes Ski Show, Farmers Market; Advisory Panel meetings; and two Open Houses. Two public hearings were held at the Planning Commission meetings on May 7, 2018 and May 30, 2018 and two Council Workshops were held at the March 13, 2018 and May 8, 2018.

As explained at the May 15, 2018 City Council meeting, the City's 2040 Comprehensive Plan Update (Update) was originally due to the Metropolitan Council by December 31, 2018. While the City wanted to meet that deadline, an extension request was made (and it was granted) to extend this deadline to February 28, 2019. Before the City can submit the Update to the Metropolitan Council, it must first submit the Update to adjacent jurisdictions for review. These jurisdictions have up to six months to complete this review, although it may not take this long. **(This review period is now complete)**. After the review period, a final public hearing with the Planning Commission is required, and Council must approve with a 4/5 vote that the Update may be officially submitted to the Metropolitan Council for their final review and approval.

On June 5, 2018, the City Council gave preliminary approval to the 2040 Comprehensive Plan Update and authorized staff to send it out for the required adjacent jurisdictional review.

ISSUE BEFORE PLANNING COMMISSION:

Conduct the Public Hearing for the final Draft 2040 Comprehensive Plan Update and make a recommendation about the Update to the City Council.

PROPOSAL DETAILS/ANALYSIS:

Option to Make Changes after Jurisdictional Review. The submittal for adjacent jurisdictional review was sent in draft form. Therefore, the City Council can still make minor changes to the Draft 2040 Comprehensive Plan. These changes cannot be significant however, in that they cannot significantly impact traffic patterns or land use for adjacent jurisdictions. The City could still make changes to the goals and strategies – but staff would not recommend any at this time.

Changes since the 2030 Comprehensive Plan. The City Council requested at the workshop on May 8, 2018 that Staff outline the significant changes since the last Comprehensive Plan Update. Below is a summary of these changes, categorized by Chapter:

- *Chapter 1: Community & Planning Context*
 - This provides a summary of current demographic and socio-economic trends; current market snapshot (both local and regional) and planning context (regional context requirements by the Metropolitan Council and local context and objectives guiding plan development). The regional context requirements reflect the Metropolitan 2015 Systems statement, which forecast that Lake Elmo will more than double its population and add more than 2.5 times the number of households counted in the last census of 2010, and employment will add another 1,000 jobs, increasing by 125% from now until 2040. The local context and objectives guiding plan development describe the process through which the Update was drafted. It also outlines changes from the 2030 Plan, which explains that the Update is a re-write from the previous Plan, taking in to consideration current market place and expected demand.
- *Chapter 2: Vision, Goals & Strategies*
 - This chapter is similar to the 2030 Plan's City-Wide Planning Policy. The former plan's City-Wide Planning Policy outlined goals that pertained to that planning period, including agricultural preservation, goals for residential and non-residential development, housing, environmental protection, municipal services, transportation, I-94 Freeway Corridor Planning Policy, and Village Area Planning Policy. The 2040 Update provides a Vision Statement and outlines goals and strategies. These goals and strategies were derived from a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis exercise by the Advisory Panel. These goals and strategies pertain to character and governance; land use; balanced development and growth; and housing; parks, trails and open space; and transportation and infrastructure.
- *Chapter 3: Land Use*
 - *Sewered Development.* The previous existing land use plan did not include any developed areas that were in the Metropolitan Urban Services Area (MUSA), and the 2040 Update's existing land use includes sewered development (Inwood, Savona, Easton Village, etc.).
 - *Density.* Densities within the plan have changed as follows:
 - Density ranges for Medium Density Residential and High Density Residential were shifted from 4.5-7 units per acre (upa) to 4.5-8 upa and 7.5-15 upa to 8-15 upa, respectively, to allow for a better integration of uses and more flexibility to respond to market demands.

- Density ranges for Village Low Density Residential and Village Medium Density Residential have changed from 1.5-2.49 upa to 1.5-3 upa and 2.5-4.99 upa to 3-7.99 upa, respectively, and a Village High Density Residential Land Use with a density of 8-12 upa in order to provide for an increase in types of housing stock, provide opportunities for a more affordable and lifecycle housing, and bring higher concentration of people living close to Village destinations and amenities.
- *Mixed Use*. Mixed Use south of 10th Street has changed. The 2030 Plan stated that mixed use areas south of 10th Street could be zoned in accordance with either the base or adjacent land use category. This is not actually mixed use. The 2040 Update actually proposes mixed use business and mixed use business park south of 10th Street, which assumes that land will develop with a minimum of 50% residential use.
- *Business Park*. The Business Park land use category specifically exempts residential use, warehousing, manufacturing, distribution, assembly and truck terminals, whereas the 2030 Plan allowed such uses. The aforementioned mixed use business park does, however, allow warehousing, showroom, light manufacturing and residential use.
- *Commercial*. The Commercial category specifies that this land use category is to be used for retail business and not to be used for residential, whereas the 2030 Plan allowed for a broader range of uses, including residential. The mixed use commercial category does allow residential use.
- *Village*.
 - Greenbelt Buffers. These are not within the 2040 Update. Buffering can still be required through ordinance development through required setbacks, landscaping, etc. to buffer less intensive uses from more intensive uses.
 - The center of the Village is guided for Commercial, while it was previously designated as Village Mixed Use. Parcels guided for Rural Single Family north of Stillwater Boulevard and in the southeast portion were changed to Village Mixed Use and Low Density Residential. The northeast area of the Village was changed from Low Density Residential and Commercial to Medium Density Residential and Commercial.
 - There is no longer a Village Plan. Rather, there is reference to creating three districts within the Village: Civic, Elmo Station, and Old Village, which are further described in the Balanced Development & Growth Chapter.
- *Rural Areas*. Residential Estates and Rural Single Family land use designations were combined into one Rural Single Family land use designation, which allows development at a density of 0.1-2 units per acre. Additionally, there is no longer a density requirement for Open Space Preservation developments. The Update simply states that these developments generally average more than one residential unit per 10 acres.
- *Musa*. There is no change to the MUSA except for amendments since the 2030 Plan that have been approved by Council.
- *Staging Plan*. The Staging Plan has changed slightly, and specifies specific development time periods and includes the Village Area. The 2030 Plan designated stages. The 2040 Update still designates the areas south of 10th Street in the same order as the 2030 Plan.

- *Chapter 4: Balanced Development & Growth*
 - This is a new chapter that describes what types of development patterns exist today, where those patterns are changing and evolving, and where they are likely to stay the same.
- *Chapter 5: Housing*
 - The housing chapter presents important housing principles that underscore the dynamics behind the role and importance of housing as a key element within the Plan; focuses on existing housing stock, summarizing important information regarding the overall number, types, affordability, and occupants of housing units; projected need for housing during this planning period; and practical implementation tools to help the City achieve its identified housing goals. The 2030 Plan had similar goals, including providing more affordable and a wider variety of housing.
- *Chapter 6: Parks, Trails, and Open Space*
 - The Parks and Trails chapter focuses on refining and synthesizing information contained within the 2030 Comprehensive Plan and preparing an update that is more concise, clear and direct about the City's goals and objectives for its future in regards to parks and trails. It now functions at a higher level of detail that will focus and more clearly demonstrate the interconnected quality of the Parks and Trails system. There are wider park search areas, and the trail plan identifies a regional trail search corridor and broader trail search corridors. This Chapter will evolve in to an updated Park System Plan and a Trail System Plan that implements this chapter as part of the implementation process.
- *Chapter 7: Transportation*
 - The 2030 Plan has been updated to use new numbers within the 2040 Plan and also includes updated road classification and new improvements to be made.
- *Chapter 8: Surface Water*
 - Information updated.
- *Chapter 9: Wastewater Facilities*
 - Information from the 2030 Plan was updated significantly, as the 2030 Plan only planned for, and did not include, infrastructure.
- *Chapter 10: Water Supply*
 - It is required that this has been updated with the 2015 System Statement projections. The numbers will need to be updated once the final population numbers are determined.
- *Chapter 11: Implementation*
 - Rather than designating implementation within each individual chapter, there is an implementation chapter that describes implementation for each chapter within the 2040 Update.

Changes since Workshop. Through direction of the Planning Commission and Council, the Urban Reserve land use designation, which guided land to develop post-2040, was removed. This has been replaced with various land uses including Village Low Density Residential, Village Medium Density Residential, Low Density Residential, Medium Density Residential, and some High Density Residential.

Jurisdictional Review Comments:

The City received a few comments from adjacent jurisdictions about the proposed 2040 Comprehensive Plan Update. Many of the comments were recommending minor corrections (especially to the maps), were notes of general support or had no comment.

The City of Afton sent comments about the proposed update. I have attached their comments for your consideration. While staff appreciates their concerns and comments, it is our opinion they are not significant enough to warrant changes to the proposed 2040 Comprehensive Plan Update.

Washington County also sent comments about the Draft Plan. I have attached their comments for your consideration. Staff has incorporated many of their comments in this latest version of the plan.

The Metropolitan Airports Commission (MAC) sent the City comments for the Transportation Chapter (Aviation) relating to Lake Elmo Airport, its Master Plan and how that plan relates to the City of Lake Elmo. They noted that they recently updated the Airport Master Plan and that the Airport is now classified as a regional airport. They also noted the ongoing importance of runway and airspace protection zones around the runways and that the City should take these into consideration when reviewing new developments. We have incorporated their relevant comments and changes into the Plan Update as needed.

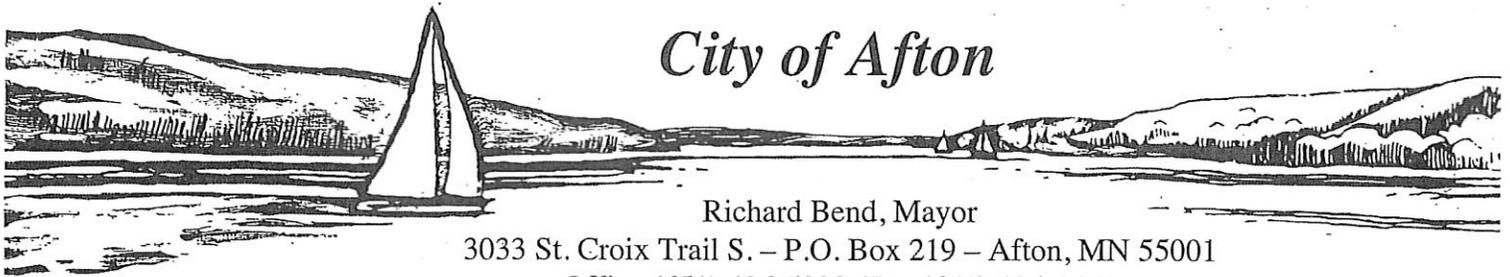
Since June of 2018, staff also made some minor spelling and grammar corrections and clarifications to the draft 2040 Comprehensive Plan Update. They are included in the latest version for your review. The latest version of the 2040 Comprehensive Plan update is available on the City website and is available at lakeelmoplan2040.com/documents/ (To open: Right click then click open hyperlink). This is the version of the proposed Comprehensive Plan the Planning Commission should be considering and making a recommendation on.

RECOMMENDATION:

Staff recommends the Planning Commission hold a public hearing and make a recommendation to the City Council about the Draft 2040 Comprehensive Plan Update.

ATTACHMENTS:

1. City of Afton comments
2. Washington County comments



City of Afton

Richard Bend, Mayor

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Bill Palmquist - Ward 1

Joe Richter - Ward 2

Stan Ross - Ward 3

Randy Nelson - Ward 4

December 14, 2018

Emily Becker
Planning Director
City of Lake Elmo
3880 Laverne Avenue N, Ste 100
Lake Elmo, MN 55042

RE: Draft 2040 Comprehensive Plan Comments

Dear Ms. Becker;

Thank you for providing the City of Afton an opportunity to review and comment on the draft 2040 Lake Elmo Comprehensive Plan.

The City of Afton is generally supportive of the draft Plan, and is particularly supportive of the plan to retain the rural character of the majority of the City, but does have concerns related to the following:

Interstate 94 Development. The draft Lake Elmo Land Use Plan directs a mixture of urban uses along the north side of the Interstate 94 corridor. Concerns exist related to the impacts such urbanization will have upon the City of Afton. Of specific concern are the impacts which additional traffic will have upon the I-94 / Manning Avenue interchange area and surrounding lands which lie within the City of Afton.

According to Lake Elmo's draft Transportation Plan, the preparation of an Interstate 94 corridor management plan is expected to be developed in the near future which will examine existing operations and determine future plans. It is assumed that such plan will specifically address long-term capacity issues of the I-94 / Manning Avenue interchange. The City of Afton formally requests an opportunity to collaborate with the City of Lake Elmo, MnDot and other affected communities in this effort.

Beyond the I-94 / Manning Avenue interchange area impacts, the City of Afton also has concerns that new commercial use destinations near the interchange may result in increased traffic volumes within the City's internal transportation network (business patrons who travel through Afton to and from new commercial destinations located in Lake Elmo - along the Interstate corridor). Information related to resulting volumes and likely transportation routes will assist the City of Afton in its future planning efforts.

Water Supply. The City of Afton also has concerns related to the impact which planned urban development along the Interstate 94 corridor will have upon the area's water supply.

It does not appear that the provided draft Lake Elmo Comprehensive Plan includes a water supply plan chapter. It is expected that such a plan includes or will include an examination of the impacts which future urban development is expected have upon groundwater resources in the area.

Recognizing that land use planning decisions play an important role in protecting water resources, additional information related to water supply impacts is requested.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald J. Moorse". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ronald J. Moorse
City Administrator



Board of Commissioners

Fran Miron, District 1

Stan Karwoski, District 2

Gary Kriesel, Chair, District 3

Jack Lavold, District 4

Lisa Weik, District 5

August 14, 2018

Emily Becker, Planning Director
3880 Laverne Avenue North, Suite 100
Lake Elmo, MN 55042

RE: Review of the draft Lake Elmo Comprehensive Plan

Dear Ms. Becker,

Washington County appreciates the opportunity to review the draft Lake Elmo Comprehensive Plan. These comments are intended to be supportive and constructive in nature. The county recognizes the city's authority to adopt its plan and commends the city on the work performed to-date.

County staff from the departments of Administration, Public Health and Environment, and Public Works, and staff from the Washington County Community Development Agency have reviewed the draft plan. Comments are included as an attachment to this letter.

The comments provided are intended to identify opportunities to improve the draft plan, and provide additional information or context. The comments should be construed as suggestions for the city to consider as it works to finalize its comprehensive plan.

Again, we appreciate the opportunity to review the draft Lake Elmo Comprehensive Plan and look forward to working with the city to create a common vision for the future of the county.

Sincerely,

A handwritten signature in blue ink that reads "Gary Kriesel".

Commissioner Gary Kriesel
Washington County Board Chair

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Washington County Comments Draft Lake Elmo Comprehensive Plan

Chapter 2: Vision, Goals and Strategies

- Page 12, Housing: The county supports the main ideas behind Goals #1 and #2 that seek to expand the range of housing options as a way to meet resident housing needs at all stages of life and affordability levels.

Chapter 3: Land Use

- The county supports the city's approach to developing the plan, including:
 - Updating the comprehensive plan for compliance with the Metropolitan Council's minimum requirements, while tailoring the plan to meet the city's long-term vision and aspirations.
 - Simplifying and synthesizing the city's existing adopted plan to make it easier to read, understand and implement for policy makers, staff, residents, stakeholders and developers.
 - Engaging the public early and often, and providing them with opportunities to help guide the development of this plan update.
 - Incorporating goals to provide a mix of housing opportunities
- Page 32: The county is encouraged by Lake Elmo's support of solar resources through the city's adopted ordinances and official controls. The county looks forward to partnering with Lake Elmo when opportunities arise to create a more sustainable region.

Chapter 5: Housing

- Page 4, Housing Principles: The county values the inclusion of this section that describes the benefits of a diverse and affordable housing supply for residents and local businesses.
- Page 21, Implementation Table: The county appreciates the inclusion of several Community Development Agency (CDA) housing programs and initiatives.
- Page 21, Implementation Table, "Protect and Reserve Housing Stock" Goal: The county encourages the city to consider including the CDA's Septic Loan and Grant Program as one of the tools.
- Page 21, Implementation Table, "Explore Ways to Integrate Lifecycle Housing" Goal: The county encourages the city to consider including the CDA's GROW Program and Low Income Housing Tax Credit Program among the tools in the table.

Chapter 6: Parks, Trails and Open Space

- Lake Elmo Regional Park Reserve can be referred to as Lake Elmo Park Reserve.
 - Park Reserves, as the Metropolitan Council defines them, are regional by default.
- Page 129: Lake Elmo Park Reserve is currently 2,178.9 acres
- Page 137:
 - Inwood Avenue N should say south of CSAH 6, not CSAH 14
 - Lake Elmo Avenue N (recently installed sidewalk through Old Village District)
 - Minnesota State Law prohibits biking on sidewalks in a business district, this bullet point should specify where biking is allowed on Lake Elmo Avenue
- Pages 141 - 142: Text and map is showing a "Special Use" Park facility to provide access to Lake Elmo Park Reserve south of Lake Elmo. Access at this location is not in the Lake Elmo Park Reserve Master Plan.

= make changes

- The county is encouraged by the city's commitment to maintain current parks and trails and in exploring new opportunities for parks and trails and enhancing their connectivity. To align with the Washington County Waste Management Master Plan 2018-2036 "in creating away-from-home recycling opportunities based on best practices in parks, athletic fields, arenas, and recreation centers" consider collaborating with the county to potentially plan for and include waste and recycling stations in various areas throughout park and trail systems. *-add to implementation chapter*

Chapter 7: Transportation

- Page 22: The city proposes County State Aid Highway (CSAH) 17's designation to be changed from a B-Minor Arterial to a Major Collector. This is not part of Washington County's Comprehensive Plan as the county has no plans to change the designation of CSAH 17.
- Page 29, Table 7-6, Access Management Guidelines: Consider matching the Washington County Access Spacing Guidelines found on page 5-41 of the Washington County draft 2040 Comprehensive Plan.

Chapter 8: Surface Water Management

- The county is encouraged by the city's water resources goals that recognize the preservation and protection of groundwater resources. The county is also encouraged to see reference to the county Groundwater Plan.
- With regard to the title of this chapter, the city's plan covers preservation and protection of groundwater *and* surface water, therefore the county recommends the city remove the word "Surface" from the name of the plan and title it "Local Water Management Plan" as it is defined in Minnesota Statute 103b.235. This would require changing the wording throughout the plan to be inclusive of all water resources where appropriate.

Chapter 9: Wastewater Services

- Consider adding the following statement which describes the county's Subsurface Sewage Treatment System (SSTS) program:
 - All systems must be installed and maintained to meet the standards of the Washington County Subsurface Sewage Treatment System (SSTS) ordinance, and Minnesota Rules Chapter 7080-7083. The county SSTS Ordinance is codified in the Development Code as Chapter 4, Ordinance # 206. The county is responsible for implementing the ordinance in the city of Lake Elmo, including requirements for: Compliance Inspections of existing systems, permitting and inspection of new and replacement systems, site review, maintenance requirements, and operating permits for Type IV Advanced Sewage Treatment Systems.
- The SSTS agreement referenced in the city's comp plan as Appendix C in Chapter 9 is no longer in effect and is replaced by Ordinance #206, administered by the County Department of Public Health and Environment.

Healthy Communities *Please note: The city does not specifically include a Healthy Communities component in its draft comprehensive plan, but it is a component of the Resiliency and Sustainability chapter of the draft Washington County Comprehensive Plan.*

- The county is encouraged by the city's goals and objectives to support the health of their community in numerous ways. The following efforts are of particular note in supporting healthy communities:
 - Recognizing the need for affordable housing and plans to support the development of life-cycle housing for older and low income residents.

- Efforts to engage community members throughout the comprehensive planning process through public input and open houses.
- Endorsing residential developments that integrate pedestrian, bikeway and transit connections to services, commerce and recreational opportunities.
- Preservation and continued support of rural residential landscape, parks, and open space system.
- Providing accessible options to purchase healthy and fresh foods and products.
- Not addressed in plan:
 - Chapter 6: Parks, Trails & Open Space: Consideration for Americans with Disabilities Act (ADA) accessibility in planning, adaptive playground equipment and tobacco free recreation space;
- The county appreciates the inclusion of the following statement on page 28 of Chapter 3: "As part of the 2040 Comprehensive Plan Update process, the City obtained a grant from Washington County Health Services through the State Health and Improvement Program (SHIP) to incorporate living healthy principles into this Comprehensive Plan."
 - We respectfully ask that the wording is updated as follows: "the City obtained a grant from Washington County Department of Public Health and Environment through the Statewide Health Improvement Partnership (SHIP)..."



STAFF REPORT

DATE: 1/14/19
BUSINESS ITEM
ITEM #: 6A
MOTION

TO: Planning Commission
FROM: Ken Roberts, Planning Director
ITEM: **Mixed Use Business Park and Mixed Use Commercial Zoning Ordinance**
REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

City staff is asking the Planning Commission to provide feedback on a proposed Mixed Use Business Park and Mixed Use Commercial zoning ordinance.

On December 10, 2018, the Planning Commission reviewed and provided staff with comments about a first draft of the proposed mixed use ordinance.

ISSUE BEFORE COMMISSION:

The Commission should provide feedback on the latest proposed Mixed Use Business Park and Mixed Use Commercial zoning ordinance.

PROPOSAL DETAILS/ANALYSIS:

Implementation Chapter of the 2040 Comprehensive Plan. The number one implementation step of the Land Use Chapter of the 2040 Comprehensive Plan was to create two new zoning designations that support the Mixed-Use Business Park and Mixed Use-Commercial land use designations. It is a requirement of the Metropolitan Council that the City adopt official controls that do not conflict with the updated 2040 Comprehensive Plan within nine months of adoption of the 2040 Comprehensive Plan update.

Proposed Ordinance. The following explains the proposed ordinance:

- *Descriptions.* Staff drafted the descriptions to align with the descriptions within the draft 2040 Comprehensive Plan of the Mixed Use Commercial and Mixed Use Business Park future land uses. The descriptions promote buffering and smooth transitions between both existing and new development of residential and commercial uses. There also is an explanation of the requirement there be at least 50% residential (with 50% commercial) land use within a development, and if that cannot be provided, the developer provide a ‘ghost’ plat that will be used as an official document to establish land use consistent with the Comprehensive Plan.
- *Additional Submittal Requirements.* The review procedures sets forth submittal requirements for development within the Mixed Use Commercial and Mixed Use Business Park zoning districts that will be required in addition to submittal requirements for a plat. These additional submittal requirements will help the City to determine if the 50% residential/50% commercial land use mixture has been met.

- *Review Procedure.* The review procedure is in addition to the Subdivision Regulations review procedure if the property is being platted. The review procedure is applicable to all development within the Mixed Use Commercial and Mixed Use Business Park district. If the property is not being platted, development must undergo the Mixed Use Development Review process, which is the same procedure as the Conditional Use Permit process, even if the proposed land use within the development is permitted. The review procedure includes the requirement that development be tracked in order to ensure that development within these areas is happening consistent with the Comprehensive Plan.
- *Permitted, Conditional and Interim Uses.* The proposed permitted and conditional (there are no interim uses proposed) uses within the Mixed Use Business Park and Mixed Use Commercial zoning districts is generally consistent with those of the current Commercial and Business Park zoning districts, except that there are additional residential uses allowed. The definitions of these uses are attached to this report.

Staff, however, wants the Planning Commission to carefully review and consider all the proposed permitted and conditional uses in each of the proposed zoning districts. For example, staff is recommending that the city not allow manufacturing uses in the MU-BP zoning district (see page 8) and we are proposing to not allow self-service storage or trade shops, motor vehicle service or motor vehicle sales and storage lots in either zoning district. The reason for not allowing these types of land uses is to help promote and ensure higher-level types of development and to help ensure the commercial and other land uses will be compatible with expected residential land uses in these two zoning districts.

- *Lot Dimensions and Building Bulk Requirements.* An explanation of the proposed lot dimension and bulk requirements is below:
 - *Multi-Family Dwelling Minimum Lot Area.* This is the same as the minimum lot size for HDR. This allows enough area per unit assuming the highest density divided by two in order to allow for additional uses within the development (i.e. pool, clubhouse, recreational facilities for the apartment) while still meeting density requirements.
 - *Live Work Unit Minimum Lot Area.* This is consistent with the VMX standards.
 - *Non-Residential Uses Minimum Lot Area.* This is consistent with Commercial and Business Park requirements
 - *Minimum Lot Width for Residential Uses.* These are consistent with HDR standards.
 - *Maximum Height.* This is consistent with Urban Residential and Commercial/Business Park districts.
 - *Building Setback Requirements.* Residential uses are consistent with the Urban Residential districts, and non-residential uses are consistent with the Commercial and Business Park zoning districts.
- *General Site Design Considerations.*
 - *Location of Residential and Commercial Development.* Staff is proposing that it be a standard that residential development be located adjacent to existing residential development in order to provide a transition to commercial development unless sufficient buffering is provided as determined by the City. This will help to ensure that major commercial uses are not proposed adjacent to existing residential development (i.e. Savona, the Forest).
 - *Design.* Commercial and Business Park development is to be designed to reflect the general scale and character of existing buildings on surrounding blocks.
 - *Other Standards.* The other proposed standards were carried over from the existing Commercial Districts standards.

- *Standards.* Current standards for a number of uses are attached to this report. Note that a number of uses do not currently have separate standards, and the reader is referred to the definition for any standards it may set forth (this is indicated when the standards refer to Section 154.012). Additional standards for specific uses within the MU-C and MU-BP zoning district are being proposed. Brief explanations of why these unique standards are proposed are below.
 - *Single Family Detached Dwelling.* This is a standard that has been carried over from the standards within other districts.
 - *Single Family Attached Dwelling.* These standards have been carried over from the HDR standard for this use.
 - *Secondary Dwelling.* These standards have been carried over from the Urban District standards for this use.
 - *Public Assembly.* There are currently no existing standards for this use, and these standards would be unique to these zoning districts. The standards are meant to prevent the use from becoming too overcrowded and noisy, creating a nuisance to surrounding residential properties.
 - *Educational Services.* These are in addition to existing standards for such use and are also meant to prevent the use from becoming too overcrowded and noisy.
 - *Funeral Home.* There currently are no standards for a funeral home. Because these uses often attract large gatherings of people, standards are proposed that would help mitigate the effect of this use near residential properties. We also are recommending that the city prohibit crematoriums.
 - *Medical Facilities.* Because of the intensity of this use, it is recommended that structures, primary vehicular access points, and helicopter landing pads be located at least 1,500 feet away from a residential property.
 - *Standard Restaurant and Restaurant with Drive-Through; and Retail Trade within the MU-BP district.* These are limited to those incorporated as part of a larger business center or lodging use in order to keep with the general feel of the MU-BP district, which is to provide for general business and business park uses as opposed to services. Restaurants as a primary use are more appropriate for the MU-C district.
 - *Garden Center.* These standards were carried over from the VMX and Commercial districts.
 - *Car Washes.* There are currently standards for car washes within the Zoning Code, but since the use could be proposed near or to adjacent properties, Staff would recommend additional performance standards including required distance from residential structures, screening, and provisions for circulation and stacking.
 - *Gasoline Station.* There currently exist standards for gasoline (motor fuel) stations within the Zoning Code, and the proposed ordinance proposes a minimum 200 foot setback of fuel pumps and structures from residential uses and the possible requirement of additional screening.
 - *Parking Facility.* The standards set forth are for a parking facility within a mixed use building, parking facility as an accessory use, and parking facility as a principal use. These are set forth in order to help ensure that the parking facility is cohesive in design to the surrounding residential neighborhood.
 - *Sales and Storage Lots.* There are standards for sales and storage lots elsewhere in the City Code, however staff is not recommending the city include these uses in these two zoning districts. The Planning Commission discussed this use during their December 10 meeting and as such we are showing this use ~~erossed-out~~ (on page 7 of the ordinance). If the City wants to include these uses in these two zoning districts, then

staff would recommend including additional standards (as shown) to require additional screening.

- *Outdoor Recreation Facility.* There are existing standards for this use, and additional standards are proposed to minimize noise and light.
- *Indoor Recreation Facility.* There are existing standards for this use and additional standards are proposed to increase the required setback from residential properties and require noise reduction.
- *Outdoor Dining as an Accessory Use.* These standards are carried over from the Commercial and VMX districts in addition to the requirement that the outdoor dining areas be located at least 200 feet from residential districts and that outdoor speakers and lighting be designed to limit impacts on adjacent property or right-of-way.
- *Outdoor Storage.* There are two different sets of standards for outdoor storage: one for display of goods in conjunction with a permitted or conditional use and one of materials and inventory.

Since the Planning Commission meeting on December 10, 2018, staff has further researched mixed use ordinances and the possibilities for their use in Lake Elmo. Based on the comments and discussion during the Planning Commission meeting on December 10, 2018, and from my own additional research and understanding of the goals and interests of Lake Elmo, I am proposing several changes to the draft mixed use ordinance. I have used the underline/strike-through method for showing the areas in the draft ordinance with proposed changes. The changes include clarification about the 50 percent residential rule, additional language about ghost plats and the removal of some of the proposed land uses in the table.

I also researched the office warehouse, light industrial and mixed use ordinances of several area cities including Woodbury, Cottage Grove, Oakdale and Maplewood. I have attached selected parts of each of their ordinances to help the Planning Commission better understand how other cities regulate and plan for these type of land uses. (I have included the selected ordinances after the draft mixed use ordinance – see pages 21-29). Each of these selected ordinances has language that could be helpful to the City of Lake Elmo – especially if the city determines the draft ordinance needs further clarification or additional performance standards for selected land uses. As we know, there is no correct or perfect way to craft an ordinance but the city needs to decide what the goals and purpose of the mixed use ordinance are and then the type of ordinance (with uses and standards) that it wants for mixed use areas in Lake Elmo.

I also have attached to this report information about light manufacturing/light industrial businesses in the area that Commissioner Weeks compiled for your reference.

RECOMMENDATION:

Staff recommends that the Planning Commission review the proposed Mixed Use Commercial and Mixed Use Business Park ordinances and provide staff feedback. Staff will make changes to the proposed ordinance and then bring the proposed ordinance back to a future Planning Commission meeting before scheduling a public hearing.

ATTACHMENTS:

1. Proposed Mixed Use Ordinance
2. Area business information from Kathy Weeks (3 pages)

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 09-__

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title XV: Land Usage; Chapter 154: Zoning Code is hereby amended by adding the following:

****Please note that City staff prepared this draft ordinance to solicit feedback from the Planning Commission and it is in the early stages of development. ****

**ARTICLE XIV. MIXED USE COMMERCIAL AND MIXED USE BUSINESS
PARK DISTRICTS**

§ 154.508 PURPOSE AND DISTRICT DESCRIPTIONS.

A. MU-C Mixed Use Commercial. The purpose of the mixed use commercial district is to provide areas in the city for and promote mixed use development that supports a sustainable mix of retail, commercial and residential uses that will benefit from proximity and adjacency to one another. The mixed use commercial district will serve as a transitional district between more intense highway-oriented development and less intense rural or medium density residential uses. The intent of the mixed use commercial district is to permit flexibility in the use of the land, while providing a set of minimum development standards in site design, spatial relationships, building architecture and landscape design that will allow property owners to design and construct development projects that respond both to market needs and to City goals and policies. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The transitional aspect of development in this district requires-projects that are designed with a special focus on mitigating any negative impacts on existing and future development in the area. The city will evaluate new development proposals for their consistency with this goal and the City may require developers to amend or change development proposals. The city may deny proposals when the City finds them to be inconsistent with the goals and policies of the City.

The district promotes attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes. Development shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50% of the net developable area of a proposed mixed use commercial development is to be residential,

and residential development within these areas will occur at a density of 10-15 units per acre. If a proposed development does not include at least 50% of the net developable land area in residential development, the City will require the applicant to provide a 'ghost' plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50% of the project site with residential land use(s). ~~/50% commercial requirement.~~ This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the Comprehensive Plan.

B. *MU-BP Mixed Use Business Park.* The purpose of the mixed use business park district is to provide areas in the city that will have a mix of general business, business park and residential uses. Having a mixture of land uses within the district allows for better integration of uses and more flexibility to respond to market demands. The district promotes high standards of site design, spatial relationships, building architecture and landscape design that will foster compact developments with pedestrian convenience and human scale and will preserve and strengthen existing businesses and land uses. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. **?? The City does not allow manufacturing in this district. (See p.8)** All business activities and storage in this district are to be conducted inside buildings that are of high quality and attractive. The city will require developers and builders in the district to provide open space, quality landscaping and berming as part of their projects. Development in this district shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50% of the net developable area of a proposed mixed use business park development is to be residential, and residential development within these areas will occur at a density of 6-10 units per acre. If a proposed development does not include at least 50% of the net developable land area in residential development, the City will require the applicant to provide a 'ghost' plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50% of the project site with residential land use(s). ~~/50% commercial requirement.~~ This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the Comprehensive Plan.

§ 154.509 MIXED USE COMMERCIAL AND MIXED USE BUSINESS PARK REVIEW PROCEDURE

All development within the Mixed Use Commercial and Mixed Use Business Park zoning districts shall follow the review and approval process outlined in this section. No development in the MU-C or MU-BP will be permitted prior to the completion of all stages of review, nor with the submission of all required documents, including any additional documents that may be required by the City in the review of the proposed MU-C or MU-BP development.

- A. *Submittal Requirements.* In general, the submittal requirements outlined in the City's Subdivision Regulations shall apply in addition to the application requirements outlined below. If the development is proposed to be a Planned Unit Development, the application requirements outlined in the City's Planned Unit Development process also shall apply. These submittal requirements shall be submitted for the Sketch Plan and Preliminary Stages of any development. If the property has already been platted, the development shall still be subject to the following submittal requirements, and the development shall be subject to Mixed Use Development Review. The submittal requirements for a Mixed Use Development Review shall be the same as those required for a Conditional Use Permit as outlined in this Code regardless if the proposed use(s) is (are) permitted.

The following outlines the minimum application requirements applicable for a proposed development within the MU-C and MU-BP districts:

1. A narrative description of the mixed use project, including how the project fulfills the purposes of the MU-C or MU-BP district.
2. Identification of minimum required land area to be devoted for residential uses based on Zoning Ordinance and Comprehensive Plan documents governing land use on the subject property or properties.
3. Clear demonstration and documentation that the project or development can achieve the required residential densities.
4. For all business and/or commercial areas, a sketch plan illustrating the proposed layout of commercial buildings and related improvements; alternatively, where business or commercial areas not proposed to be developed immediately, the applicant may submit an estimate of the commercial development capacity of the property in square feet of commercial building space.
5. A statement identifying the minimum and maximum development capacity, by land use category, for future phases of the project.
6. If a proposed development does not include at least 50% of the developable land area in residential development, the applicant will be required to provide a 'ghost' plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the 50% residential/50% commercial requirement. If an adjacent parcel is included in this 'ghost' plat, the adjacent property owner must sign off on the application or the City

will determine that the request does not meet the minimum residential requirements of this code and will deny the development application or proposal.

B. *Mixed Use Commercial and Mixed Use Business Park Review and Approval Procedures.* The review procedures outlined in the City's Subdivision Regulations shall apply as applicable, in addition to the review procedures outlined below. If the development is proposed to be a Planned Unit Development, the review procedures outlined in the City's Planned Unit Development process shall also apply. If the property has already been platted, the development shall be subject to Mixed Use Development Review. The process for approval of a Mixed Use Development Review of a previously platted property shall be the same as that required for a Conditional Use Permit as outlined in this Code regardless if the proposed use(s) is (are) permitted. Expansion of existing permitted uses on the same parcel on which they exist will not require a Mixed Use Development Review.

1. *'Ghost' Plat as an Official Document.*

If a 'ghost' plat submitted with the Mixed Use Development Review because the proposed development could not meet the required mix of having at least 50% of the site in residential land uses or 50% commercial development requirement, the City will use the 'ghost' as an official document to establish a land use mix consistent with the Comprehensive Plan. The ghost plat or build-out plan shall show a realistic future urban-style lot and block layout and street system, taking into consideration existing streets and access points, utilities, topography, natural features (water bodies, wetlands, etc.) and shall show how the proposed development will not isolate the adjacent land or property making them undevelopable.

2. *Rules and Regulations.*

No requirement outlined in the Mixed Use Development Review process shall restrict the City Council from taking action on an application if necessary to meet state mandated time deadlines.

3. *Preconstruction.*

No building permit shall be granted for any structure within the MU-C or MU-BP districts without approval from the City of the Mixed Use Development Review unless the proposed building is part of an existing development.

4. *Effect on Conveyed Property*

In the event that any real property in an approved Mixed Use Development Review is conveyed in total, or in part, the new owners thereof shall be bound by the provisions of the Mixed Use Development Review and approvals.

5. *Tracking of Required 50% Residential/50% Commercial Requirement.*

The City shall create a database to track residential units and associated density and the acreages of residential and other land uses associated with each development ~~proposal~~ to be considered and approved by the City ~~with~~ during the Mixed Use Development Review process.

6. *Changes or Modifications.*

Requests for changes or modifications of an approved mixed use development shall be made in writing to the city and shall be submitted to the Planning Director. The determination of whether a proposed modification is minor or major shall be made at the discretion of the Planning Director.

§ 154.510 PERMITTED, CONDITIONAL AND INTERIM USES

Table 14-1 lists all permitted and conditional uses allowed in the commercial areas of the MU-C and MU-BP zoning districts. “P” indicates a permitted use, “C” a conditional use and “I” an interim use. Uses not so indicated are prohibited. Cross-references listed in the table under “Standards” indicate the location within this chapter of specific development standards that apply to the listed use.

A. *Combinations of Uses.* The following use types may be combined on a single parcel.

1. Principal and accessory uses.
2. Single-family attached or multi-family complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.
3. Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided the city approves a unified and integrated site plan. The City must approve the entire development as a conditional use.
4. A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this subchapter. Office or studio uses on upper stories of such buildings are encouraged.
5. **Compatible Uses??:** (See language on page 21 for example).

Table 14-1: Permitted, Conditional and Interim Uses, Mixed Use Commercial and Mixed Use Business Park Districts

	<i>MU-C</i>	<i>MU-BP</i>	<i>Standard</i>
<i>Residential Uses</i>			
Household Living			
Single-family detached dwelling	P	P	154.513 (A)
Single-family attached dwelling	P	P	154.513 (B)

Multifamily residential dwelling	P	P	154.513 (C)
Secondary dwelling	C	C	154.513 (D)
Live-work unit	C	C	154.513 (E)
Group Living			
Group Home	P	P	154.301 (A)
Group Residential Facility	C	C	154.301 (B)
Congregate Housing	C	C	154.301 (C)
Semi-transient accommodations	C	C	154.301 (D)
<i>Public and Civic Uses</i>			
Community Services	C	C	154.513 (F)
Day Care Center	C	C	154.012 (B)
Public Assembly	C	C	154.513 (F)
<i>Services</i>			
Business Center	P	P	154.012 (B)
Business Services	P	P	154.012 (B)
Offices	P	P	154.012 (B)
Communication Services	P	P	154.012 (B)
Educational Services	P	P	154.303 (A); 154.513 (G)
Financial Institution	P	P	154.012 (B)
Funeral Home	C	-	154.513 (H)
Lodging (Transient Accommodations)	C	C	154.302 (D)
Medical Facility	C	C	154.303 (B); 154.513 (I)
Nursing and Personal Care	C	C	154.303 (C)

Personal Services	P	P	154.012 (B)
Repair and Maintenance Shop	P	P	154.513 (J)
Self-service Storage	€	-	154.303 (D)
Trade Shop	€	€	154.513 (K)
Transportation Services	C	C	154.012 (B)
Veterinary Services (including kennels)	C	C	154.513 (L)
<i>Food Services</i>			
Standard Restaurant	P	P	
Restaurant with Drive-Through	C	C*	154.304 (A); 154.513 (M); *154.513 (N)
Drinking and Entertainment	C	C	154.304 (B)
<i>Sales of Merchandise</i>			
Garden Center	P	-	154.513 (P)
Neighborhood Convenience Store	P	-	154.012 (B)(5)
Retail Trade	C	C*	*154.012(B) (5)
Shopping Center	C	-	154.012 (B)(5)
Wholesaling	C	C	
<i>Automotive/Vehicular Uses</i>			
(Automobile) Maintenance Service	€	€	154.505 (B) (5)
Motor Vehicle (Automobile) Parts/Supply	C	-	154.505 (B) (5)
Vehicle (Car) Wash	C	-	
Motor Fuel (Gasoline) Station	C	-	154.505 (B)
Parking Facility	C	C	154.505 (B) (7)
Sales and Storage Lots	€	-	154.306 (C)

<i>Outdoor Recreation</i>			
Outdoor Recreation Facility	C	-	154.306 (C)
Parks and Open Areas	P	P	154.012
<i>Indoor Recreation/Entertainment</i>			
Indoor Athletic Facility	C	C	154.307
Indoor Recreation	C	C	154.307
<i>Industrial and Extractive Uses</i>			
Light Industrial	-C		154.012
?? Non-Production Industrial (no manufacturing) (this could be contractor's yards, for example)	-	C	(See Note X on page 19).
Motor Freight and Warehousing	-	E	
Research and Testing	C	C	154.012
<i>Transportation and Communications</i>			
Broadcasting or Communications Facility	C	C	
<i>Accessory Uses</i>			
Home Occupation	P	P	154.012 (B) (13) and 154.310 (E)
Bed and Breakfast	P	P	154.310 (A)
Family Day Care	P	P	154.012 (12) (d)
Group Family Day Care	P	P	
Temporary Sales	P	P	154.509 (G)
Parking Facility	P	P	
Outdoor Storage	C	-	
Outdoor Display	C	-	

Solar Energy System	P	P	154.310 (C)
Wind Generator – Ground Mounted	C	C	154.308 (B)
Wind Generator – Roof/Structure Mounted	C	C	154.308 (B)
Swimming Pools, Hot Tubs, Etc.	P	P	
Other Structure Typically Incidental and Clearly Subordinate to Permitted Uses	P	P	

For reference and consideration, the Lake Elmo City Code currently has the following definitions:

Manufacturing, Limited: All compounding, processing, packaging, treating or assembling of goods and materials, provided the use will not constitute a nuisance because of offensive odors, glare, smoke, dust, noise vibrations or other pollution extending beyond the lot on which the use is located. Uses include, but are not limited to, the following: machine shops, product assembly, sheet metal shops, plastics, electronics, general vehicle repair (repair garage), body work and painting, contractor shops and storage yards, food and non-alcoholic beverages, signs and displays, printing, publishing, fabricated metal parts, appliances, clothing, text tiles, used auto parts, warehousing and wholesale business. (See Note X on page 19.)

Warehousing: The storage, packing and crating of materials or equipment within and enclosed building or structure.

§ 154.511 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 14-2: Lot Dimension and Setback Requirements, Mixed Use-Commercial and Mixed Use-Business Park Districts.

Table 14-2: Lot Dimension and Setback Requirements, Mixed Use-Commercial and Mixed Use-Business Park Districts.

	<i>MU-C</i>	<i>MU-BP</i>
Minimum Lot Area (sq. ft.)^{a,c}		
Single-family detached dwelling	4,000	5,000
Two-family dwelling (per unit)	3,000	4,000
Single-family attached dwelling (per unit) ^b	3,000	4,000
Multifamily dwelling (per unit)	1,500	2,200
Secondary dwelling	See Section 154.454 (C)	
Live-work unit	3,000	3,000
Non-residential uses	20,000	85,000
Minimum Lot Width (feet)		
Single-family detached dwelling	50	50
Two-family dwelling (per unit)	20	20
Single-family attached dwelling (per unit) ^b	20	20
Multifamily dwelling (per building)	60	60
Live-work unit	25	25
Non-residential uses	100	200
Maximum Height (feet)ⁱ	50	50
Maximum impervious coverage (non-shoreland areas)	75%	75%
Building setback requirements (feet)		

<i>Residential uses</i>		
Front yard ^d	20	20
Interior side yard ^f		
Principal Buildings	<u>7</u> 40	<u>7</u> 40
Attached Garage or Accessory Structures ^{e,f}	<u>5</u> 40	<u>5</u> 40
Corner side yard ^g	<u>10</u> 45	<u>10</u> 45
Rear yard	20	20
<i>Non-residential uses</i>		
Front yard ^d	30	50
Interior side yard ^j	10	30
Corner side yard ^g	25	30
Rear yard	30	30
From Residential zones	50	150
Parking setback requirements (feet)		
Front yard	15	30
Interior side yard	10	15
Corner side yard	15	30
Rear yard	10	15
From Residential zones	35	50

Notes to Mixed Use Commercial and Mixed Use Business Park Districts Table

- a. Common open space areas may be used in determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.
- b. Two-family units may be side-by-side with a party wall between them (“twin”) or located on separate floors in a building on a single lot (“duplex”). The per-unit measurements in this table apply to “twin” units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a “duplex” containing two vertically-separated units on a single lot.

- c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard also is used for multifamily dwellings.
- d. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.
- e. In situations where a garage or accessory building is set back less than 7 feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in Section 154.081) will be two (2) feet.
- f. Side yard setbacks shall apply to the ends of attached or two-family dwellings.
- g. Corner properties: The side façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.
- h. Attached garages and accessory structures on parcels on which single family homes are located may have a side yard setback of 5 feet.
- i. Buildings higher than 50 feet may be allowed through a Conditional Use Permit and would be subject to a separate technical and planning evaluation.
- j. All accessory buildings for non-residential uses must be set back at least 10 feet from property lines.
- k. Ground mounted wind generators may exceed the allowable height restriction designated in all commercial districts and are subject to different setback requirements as identified in section 154.308 (B).

§ 154.512 GENERAL SITE DESIGN CONSIDERATIONS – MIXED USE COMMERCIAL AND MIXED USE BUSINESS PARK

Development of land within the Mixed Use Commercial and Mixed Use Business Park shall meet the following general standards, in addition to those standards set forth in the City’s Design Standards and the Development Standards for Specific Uses (listed below).

- a. *Design and Layout.* The design and layout of a mixed use development shall take into account the relationship of the site to the surrounding area. The perimeter of a mixed use site shall be designed and constructed to minimize undesirable impacts of the mixed use site on adjacent or nearby properties.
- b. *Location of Residential and Commercial Development, Generally.* Residential development within the mixed use development shall be located adjacent to existing residential development in order to provide a transition to commercial development unless sufficient buffering and screening, as determined by the City, is provided.

- c. *Commercial and Business Park Development, Generally.* Developers and applicants shall design additions and all new construction to reflect the general scale and character of existing buildings on surrounding blocks, including front yard depth, roof pitch, primary materials, facade detailing and size and placement of window and door openings. All commercial/business/industrial buildings and sites are expected to meet or exceed the Lake Elmo Design Guidelines and Standards.
- d. *Mitigation.* Where the industrial or commercial nature of adjacent uses would be incompatible with residential development due to noise, vibration, odor, light, glare or other disturbance, reasonable effort shall be taken to minimize such impacts. Mitigation may include, but is not limited to, increased setbacks, the planting of substantial landscaping for buffering and/or the construction of a wall, fence or earth berm between properties.
- e. *Circulation.* New access points to a County State Aid Highway may be refused or restricted to right-in right-out movement if alternatives exist. Internal connections shall be provided between parking areas on adjacent properties wherever feasible. In addition, the number and width of curb-cuts shall be minimized. To promote pedestrian circulation, existing continuous curb-cuts shall be reduced to widths necessary for vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as parcels are developed.
- f. *Fencing and Screening.* Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principle structure(s).
- g. *Lighting design.* Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security and interest to the pedestrian, and shall comply with §150.035-150.038 *Lighting, Glare Control, and Exterior Lighting Standards.*
- h. *Exterior Storage.* Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or by a screen wall constructed of the same materials as the principal structure. The City may approve other materials for the required screening if the City determines the proposed design and materials of the screening would be of a similar design and character of the principle structure. The height of the structure or screen wall must be sufficient to completely conceal the exterior stored materials from view at eye level (measured at six feet above ground level) on the adjacent street ~~or property~~.
- i. *Screening of Existing Residential Structures.* When a new development is proposed adjacent to existing single family residential homes, the developer shall provide screening in accordance with §154.258.F. The City may require buffering or screening above and

beyond this section in cases where the City determines the required screening will not provide an adequate separation between incompatible uses.

- ~~j. *Bicycle Parking.* Developments shall provide bicycle parking near the front or primary entrance of each building. Each bicycle parking space shall be sufficient size to accommodate a bicycle at least 6 feet in length and 2 feet wide and shall have some form of stable frame permanently anchored to the ground to which a bicycle may be conveniently secured with a padlock or other locking device.~~

§ 154.513 DEVELOPMENT STANDARDS FOR SPECIFIC USES

A. *Single-Family Detached Dwellings.*

1. All single-family dwellings shall be at least twenty-four (24) feet in width, at least nine hundred sixty (960) square feet in area, and be placed on a permanent foundation.
2. No parking shall be located in the front yard or between the front façade and the street except on a permitted driveway.
3. The primary entrance shall be located on the façade that fronts a public street.

B. *Single-Family Attached Dwellings*

1. A maximum of 10 units shall be allowed within a single building. Buildings with more than 10 units may be allowed as a conditional use.
2. Townhouse dwellings shall be located on lots in such a way that each individual unit has a minimum of 15 feet of street frontage. No parking shall be located in the front yard or between the front façade and the street except on a permitted driveway. Townhouses that do not meet the minimum requirements for frontage along the street or that have frontage along a private street may be allowed as a conditional use.

C. *Multi-Family Dwellings*

1. No vehicle parking shall be located in the front yard or between the front façade and the street.
2. Common open space for use by all residents or private open space adjacent to each unit (such as a courtyard or balcony or a combination of these) shall be provided. Such open space shall comprise a minimum of 300 square feet per unit.

D. *Secondary Dwellings.*

1. A secondary dwelling unit may be located within a principal structure used as a single-family detached dwelling, above a detached garage, or within a separate detached structure.
2. There shall be no more than one secondary dwelling unit on the zoning lot.
3. At least one dwelling unit on the zoning lot shall be owner-occupied.
4. The minimum lot area shall be 2,500 square feet greater than the minimum lot area required for a single-family detached dwelling in the zoning district.

5. If the secondary unit is included in the principal building, the appearance of the building shall remain that of a single-family dwelling. Any new or additional entrances must face the side or rear of the building.
6. Whether the secondary unit is an addition to an existing structure or a new detached structure, roof pitch, windows, eaves and other architectural features must be the same or visually compatible with those of the principal building. Exterior finish materials and trim must be the same or closely match in type, size and location the materials and trim of the principal building.
7. A secondary unit within the principal structure shall not contain more than 30% of the principal building's total floor area or 800 square feet, whichever is less. A detached secondary unit shall not exceed 1,000 square feet in gross floor area.

E. Live-Work Unit

1. The work space component of the unit shall be located on the first floor or basement of the building.
2. The dwelling unit component shall maintain a separate entrance located on the front or side façade and accessible from the primary abutting public street.
3. The work space component of the unit shall not exceed 30% of the total gross floor area of the unit.
4. A total of two off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit or underground or in an enclosed space.
5. The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.
6. The business component of the building may include offices, small service establishments, home crafts, etc., that are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business, small engine or power equipment repair or service or a motor vehicle service or repair facility for any motor vehicles other than those registered to residents of the property.
7. The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than 2 workers on-site at any one time who live outside of the live-work unit.

F. Public Assembly and Community Services.

1. No exterior bells or loud speakers are allowed.
2. The structure containing the use shall be no less than 100 feet from residential properties.
3. Outdoor recreation areas shall be setback a minimum of 100 feet from residential properties with adequate screening.
4. The building's meeting space seating capacity shall not exceed 500 persons.

G. *Educational Services.*

1. The structure containing the use shall be no less than 100 feet from residential properties.
2. Outdoor recreation areas shall be setback a minimum of 100 feet from residential properties with adequate screening.
3. The number of persons on-site at any given time shall not exceed 700, with the exception of larger events occurring no more than four times per year.

H. *Funeral Home*

1. The site shall have access to an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate. The site shall have a minimum of two driveways or vehicle access points. Crematoriums are not allowed.

I. *Medical Facilities.*

1. Medical facility structure(s), primary vehicular access points, and landing pads for helicopters involved in emergency transport or rescue operations shall not be located within 1,500 feet of a residential property

J. *Repair and Maintenance Shop.* No outdoor storage is permitted. All business activities (including repairs and maintenance) shall be conducted completely indoors.

K. *Trade Shop.* ~~The owner or operator shall keep all exterior materials stored outside totally screened from view from adjacent public streets and adjacent residential properties, by a wall of the principal structure or a screen wall constructed of the same materials as the principal structure.~~ (NOTE: No longer need if these are not allowed or included as a land use).

L. *Veterinary Services.* All activities and services must be conducted within an enclosed building. Crematoriums are not allowed.

M. *Restaurant with Drive-Through.*

1. All parts of the drive-through lane(s) shall be no less than 200 feet from residential properties.

N. *Standard Restaurant and Restaurant with Drive-Through, MU-BP District.* Must be incorporated as part of a larger business center or lodging use.

O. *Retail Trade, MU-BP District.* Limited to uses clearly incidental and accessory to a permitted or conditionally permitted principal use of the land.

1. The compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the permitted or conditionally permitted uses is only allowed when conducted in the building occupied primarily by medical facilities or offices.

P. *Garden Center*

1. The storage or display of any materials or products shall meet all primary building setback requirements of a structure, and shall be maintained in an orderly manner. Screening along the boundaries of adjacent residential properties may be required, meeting the standards of 154.554 (G).
2. All loading and vehicle parking associated with the business shall be provided off-street.
3. The storage of any soil, fertilizer, landscape rock, mulch or other loose, unpackaged materials shall be contained so as to prevent any negative effects on adjacent uses.

Q. *Motor Vehicle Maintenance and Service and Motor Vehicle Parts/Supply*

1. The structure containing the service facility or parts supply shall be no less than 200 feet from residential properties.
- ~~2. All vehicle repairs shall be conducted in a completely indoors in an enclosed building.~~
3. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a primary structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.
4. No test driving of vehicles shall be permitted on local residential streets.
- ~~5. The City does not allow the sales, storage, or display of motor vehicles unless the city has approved a conditional use permit for such a use.~~
- ~~6. The owner or operator shall submit equipment specifications to the City. The city may require the owner or operator to implement vibration and noise reduction measures as part of their business.~~
- ~~7. The City may require additional screening may to limit sight and noise impacts of service bays.~~
- ~~8. The owner or operator shall provide adequate space and provisions for proper inside storage of all new and used tires, petroleum, chemical, liquid and other products.~~
- ~~9. Vehicle towing operations shall be allowed as an accessory use, but only if allowed as part of a conditional use permit and if clearly subordinate to the principal use. The City may apply necessary conditions and limitations on this use.~~

R. *Motor Vehicle Washes.*

1. The structure containing the vehicle wash shall be no less than 200 feet from residential properties.
2. The city may require additional screening to limit sight and noise impacts of service or wash bays.
3. The owner or operator shall submit equipment specifications to the City. The City may require the owner or operator of the vehicle wash to implement noise reduction measures to minimize potential negative impacts to nearby residential properties.
4. The developer and owner shall make adequate provisions for vehicle circulation and stacking on site. Stacking requirements shall be based on the specifications of the vehicle wash and the amount of time required to wash each vehicle.

S. Motor Vehicle Fuel Stations.

1. Fuel pumps, canopies and structures shall be no less than 200 feet from residential uses.
2. The City may require additional screening to limit the impact of headlights and noise on adjacent property.

T. Parking Facility.

1. *Within a Mixed Use Building.*

- a. Structured parking is allowed only as a ground floor use within a mixed-use building, provided that it is located on side or rear facades, not facing the primary abutting street.
- b. The primary street-facing facade shall be designed for retail, office or residential use.

2. *In General, as an Accessory Use.*

- a. The parking structure shall not exceed the height of the principal structure on the parcel.
- b. The parking structure meet the exterior building material requirements of the district and shall be consistent with the architectural design of the principal structure.

U. Sales and Storage Lots.

1. All inventory shall be stored and displayed inside of a building or within an approved outdoor storage area that shall meet the standards required herein.
2. ~~The storage or display of unlicensed vehicles or other equipment shall meet all setback requirements of a primary structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties. The outdoor storage of inoperable vehicles is prohibited. (See page 7).~~

V. Outdoor Recreation Facility

1. The City may require performance standards or conditions to minimize the impact of noise and lighting and to minimize the likelihood of the recreational activity spilling over onto adjacent property or right-of-ways. The conditions may include, but are not limited to: limiting hours of use, restricting the location of outdoor courts or rinks, and requiring the installation of fencing and/or screening.
2. Sport courts or ice rinks shall not be located in the front yard or in a side yard adjacent to a right-of-way of a residential property, and shall abide by structure setback requirements.

W. Indoor Recreation and Indoor Athletic Facility

1. Entrances for public access as well as other outdoor areas where patrons may congregate shall be no less than 200 feet from residential districts.
2. Provisions for noise reduction shall be identified and implemented based on the type of use.

X. *Non-Production and Light Industrial, MU-BP District.* Non-production industrial use shall be allowed as a principal use, and may include wholesale and off-premise sales, provided that:

1. The structure containing the use shall be no less than 200 feet from residential land uses.
2. The use shall be served by a street of sufficient capacity to handle the traffic the use will generate;
3. The use shall include a retail or office component equal to at least 25% of the floor area of the use;
4. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the area;
5. The owner or operator shall submit equipment specifications to the city. The city may require the owner or operator to implement vibration and noise reduction measures as part of their business.

Y. *Outdoor Dining Accessory to Food Services.*

1. Tables shall not block a public sidewalk or other walkway needed for pedestrian circulation. A minimum of 5 feet of sidewalk or walkway must remain open.
2. All outdoor dinner space shall be at least 200 feet from any residential property.
3. The outdoor dining area shall be directly adjacent to the principal structure and shall be clearly delineated by fencing and decorative landscaping.
4. Outdoor speakers and lighting shall be designed to limit impacts on adjacent property or rights-of-way.

Z. *Medical Facilities.*

1. Medical facility structure(s), primary vehicular access points, and landing pads for helicopters involved in emergency transport and rescue operations shall be located at least 1,500 feet from a residential property.

AA. *Outdoor Storage Yard/Facility*

1. Outdoor storage of display of goods used in conjunction with and on the same site as the permitted or conditional use:
 - a. The display area shall be directly adjacent to a structure or under a permanent canopy.
 - b. The display area shall not exceed 2% of the area of the footprint of the principal building or 400 square feet, whichever is less.
 - c. Goods in the display area shall be neatly organized and stored.
 - d. The display area shall not occupy parking/loading or landscaping areas, and shall not interfere with fire and safety access to the building.
2. Outdoor storage of materials and inventory:
 - a. Outdoor storage shall not be permitted on parcels less than three acres in size.
 - b. The area of storage shall not exceed an area equal to 10% of the gross area of the lot or 20% of the footprint area of the principal structure, whichever is less.

- c. The area of storage shall not be located within the front yard or a side yard adjacent to a right-of-way.
- d. The outdoor storage of damaged or inoperable motor vehicles or equipment is prohibited.

SECTION. Existing Articles XIV-XX are hereby renumbered as follows:

- Article XV: Commercial Districts
- Article XVI: Public and Semi-Public Districts
- Article XVII: Open Space Planned Unit Developments
- Article XVIII: Planned Unit Development Regulations
- Article XIX: Shoreland Management Overlay District
- Article XX: Closed Landfill Restricted
- Article XXI: Design and Performance Standards – Restrictions on Nuisance and Hazardous Activities
- Existing Article XVI: Reserved has been stricken.
- **Renumber if goes past § 154.550**
- **Renumber tables**

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 09-__ was adopted on this __ day of _____, 2019, by a vote of __ Ayes and __ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 09-__ was published on the ____ day of _____, 2019.

SELECTED ORDINANCE LANGUAGE FROM OTHER CITIES (TO CONSIDER)

Woodbury

B-4 Office Warehouse

Purpose: Sites for job-creating businesses requiring a mix of office, warehouse and showroom uses serving local or regional needs.

Permitted uses: Essential services, dental or medical laboratory, office use, office showroom of 5,000 square feet or less in floor area when located in a multi-tenant building, office warehouse, warehouse.

Conditional Uses: Laboratory, research and development, veterinary clinic without outdoor runs or kennels

Compatible Uses: Other uses as deemed compatible and appropriate by the Planning Director. Where a question arises as to the compatibility of a use, the Planning Director shall refer the issue to the Planning Commission. The Planning Commission shall make a recommendation about the matter to the City Council, who shall make the final determination as to whether the city will allow or not allow) a proposed use, is compatible as a permitted use or as a conditional use; is compatible as an accessory use; or is a use that may be added to a specific planned unit development within the zoning district. **(NOTE: Could possibly add this language to page 5 (uses) of the ordinance).**

I-1 Light Industrial

Purpose: The purposes of this district are to:

1. Reserve appropriately located areas for industrial land uses and related activities and to provide for the establishment of warehousing, manufacturing and office development.
2. The city intends the allowed uses in the I-1 District to include those industrial uses that require limited outside storage and truck/trailer storage and to exclude more intensive industrial uses.
3. Establish and maintain higher standards of site planning, architecture and landscape design that will create an environment attractive to the most discriminating industries and research and development establishment seeking sites in the area.

Permitted Uses:

Essential Services; Dental, medical or research and development laboratory; manufacturing, office, office warehouse; office showroom, 5,000 square feet or less in floor area when located in a multi-tenant building; warehouse

Permitted accessory uses: These are uses customarily incidental and clearly subordinate to the permitted and conditional uses as determined by the Planning Director.

Bicycle racks, off-street parking and off-street loading, refuse and recycling storage area

Trailer staging area subject to the following:

1. Trailer staging areas shall not exceed 25 percent of the footprint of the building.
2. Shall be screened from nearby residential properties or residential land uses.
3. Shall not include or mean the areas in front of loading docks.

Conditional Uses:

Funeral home; motor vehicle sales (interior only); office showroom if greater than 5,000 square feet in floor area or located in a freestanding building

MX Mixed Use District:

Purpose and scope: The mixed use district provides flexibility to allow two or more compatible uses for properties. The City has established this zone with the following intent:

1. To promote higher residential densities and walkable, sustainable development.
2. To establish and maintain high standards of site design, spatial relationships, building architecture and landscape design to create a quality attractive, environment.

Permitted Uses:

Business service; clinic for human care; essential services; office use; personal service, other similar uses identified as part of an approved planned unit development.

Permitted accessory uses:

Bicycle racks; off-street parking and loading areas; refuse and recycling storage area; underground parking

Conditional Uses:

Assisted living facility; banks (or financial institutions) with drive-through facilities; daycare center, hotel and/or conference center

Compatible Uses: Other uses as deemed compatible and appropriate by the Planning Director. Where a question arises as to the compatibility of a use, the Planning Director shall refer the issue to the Planning Commission. The Planning Commission shall make a recommendation about the matter to the City Council, who shall make the final determination as to whether the city will allow (or not allow) a proposed use, is compatible as a permitted use or as a conditional use; is compatible as an accessory use; or is a use that may be added to a specific planned unit development within the zoning district.

Mix of Uses:

Developers and builders may mix uses vertically and/or horizontally within a project area. Proposed planned unit developments in this district shall include at least two primary land uses from two different land use categories (residential, commercial, industrial).

Architectural criteria:

1. Nonresidential structures and uses shall meet or exceed the standards in the City's Architectural and Design Standards. (Follow the City's Design Guidelines and Standards)
2. Residential structures containing office or retail or personal services shall use brick and stone in combination with other materials on at least 50 percent of the front facades of such buildings.

Other Requirements:

The City Council may apply additional requirements to projects or developments in this district as they deem necessary to implement the purpose of this zoning district, the goals and policies of the Comprehensive Plan and any other City policies or amendments thereto.

COTTAGE GROVE

Limited Industry District (I-1)

The I-1, limited industry district is intended to provide for industrial uses that may be suitably located in areas relatively close to nonindustrial development. The uses in this district include services industries and businesses and industries that manufacture, fabricate, assemble or store products where the processes not likely to create offensive or excessive noise, vibrations, dust, heat, smoke, odor, glare or other objectionable influences to other property or land uses in close proximity to the site. Generally, these uses include wholesale, service and light industries that are dependent on raw materials refined elsewhere.

Permitted Uses

Clinics; offices; restaurants; appliance repair; indoor archery ranges; essential services (public utilities); furniture repair, refinishing shops and sales; manufacture of electronic instruments; public utility installations; utility stations and substations; veterinarian hospitals/clinics (all inside the principle structure with no outside activities); warehouses and enclosed storage facilities.

Conditional Uses

Motor fuel stations

Permitted Accessory Uses

Outdoor parking of trucks and vehicles incidental to the principle use;
Off street parking, storage garages and buildings and loading areas when incidental and subordinate to any permitted or conditional use listed and approved in this section

Performance Standards

Purpose: The purpose of this section is to establish regulations and standards for the installation and operation of industrial uses, based on the consideration of the objectionable characteristics of such uses. Further, this section is intended to prescribe procedures and methods of measurement of the industrial characteristics subject to such standards.

Permit Procedures and Requirements: Any industrial use, whether such use is permitted as a principal, conditional or accessory use, shall be subject to the following requirements:

1. Before the City issues a building permit for an industrial use, the applicant shall furnish the City sufficient information to ensure that performance standards and site development standards set forth in the City Code will be met. In order to determine whether or not the applicant will meet all required standards, the City (including the Planning Director, the City Engineer or other staff persons) may require the applicant to submit the following information:
 - a. A site plan showing the location of proposed structures, drives, parking lots, waste disposal areas, bulk storage areas, streets, storm water management facilities and systems and all other significant features on or within 200 feet of the proposed site.
 - b. A description of the activity or activities to be conducted on the site including the generation and disposal of waste products and all external effects or conditions from that proposed uses that are regulated.
 - c. The type and location of abatement devices to control, or recording instruments to measure, conformance with required standards.

2. Additional performance standards information. No structure or premises within an industrial district shall be used for one or more of the following uses unless it meets the following regulations:
 - a. All business, service, storage, merchandise, display, repair, waste disposal and processing must be conducted wholly within a building, except for off-street vehicular parking and off street loading and uses specifically listed as those including outdoor storage.
 - b. Glare and heat: Any operation or process producing intense glare or heat shall be performed within an enclosure so as not to be perceptible at the property line or off-site.
 - c. Waste material:
 1. All liquid and solid waste shall be identified in all processes and operations and approved disposal methods identified. All waste discharge to the sanitary sewer shall meet the requirements of the city and the rules and regulations of the Metropolitan Council wastewater services. All proposed discharges to the public storm sewer shall be identified. Storm water drainage shall meet the requirements of state laws, rules, regulations, watershed district requirements and City requirements. The applicant and operator shall protect storm water drainage from pollution and contaminants.
 2. The owner or operator shall keep all solid waste materials, debris, rubbish, junk, refuse or garbage within a completely enclosed building or properly

contained within a closed container specifically designed for such a purpose. In no case shall an owner or operator keep noxious or odorous reuse or garbage outside of a complexly enclosed building except for when proper pickup for disposal purposes by a licensed hauler is expected.

3. The owner or operator shall keep all hazardous wastes generated from any activity or operation properly contained, label and sored for transfer to an authorized disposal or processing facility, according to the laws of and regulations of federal, state, county, and local requirements.

d. Noise:

1. Noise levels inside and outside of all buildings must meet all noise limits and standards.
2. No outdoor public address systems are permitted.

e. Dust, Dirt, Smoke, Odor, Gases: All solid and liquid particulate, smoke, gases, toxic or noxious materials and other materials emitting odors or gasses shall be regulated by the standards of the Minnesota Pollution Control Agency (MPCA).

f. Loading docks. The City does not permit loading docks along any side of a building that faces a public street.

OAKDALE

Light Manufacturing (definition): Any operation that assembles, improves, treats, compounds and/or packages goods or materials in a manner that does not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside the building in which the activity takes place, that does not requires outside storage of goods and materials. (?? and that does not generate (in the opinion of the City Council) objectionable amounts of truck traffic).

I-O (Industrial-Office District)

Purpose: The purpose of the I-O District is to provide locations for light manufacturing, office, research and development, warehousing and other uses in a functional, attractive manner that does not unduly affect the development or use of nearby properties.

Permitted Uses: Light manufacturing, processing, treatment or assembly of products or materials; offices; research and development facilities; office-warehouse; office-showrooms; hotels; restaurants.

Accessory Uses: Off-street parking and off-street loading facilities.

MAPLEWOOD

Definitions

Industrial use – means the use of land or buildings to produce, manufacture, store or transfer goods, product or commodities.

Limited production and processing – means those uses that produce minimal off-site impacts due to their limited nature and scale, are compatible with commercial and residential uses and may include wholesale and off-premises sales. Odors, noise, vibrations, glare and other potential side effects of manufacturing processes shall not be discernable beyond the property line or to other tenants in a building. Limited production and processing includes, but is not limited to, the production, processing, repair or service of the following:

1. Apparel and other finished products made from fabrics.
2. Computers and accessories, including circuit boards and software.
3. Electronic products, components, assemblies and accessories.
4. Film, video and audio production.
5. Jewelry, watches and clocks.
6. Musical instruments.
7. Precision dental, medical and optical goods.
8. Signs, including electric and neon signs and advertising displays.
9. Furniture and upholstery.

M-1 Light Manufacturing District:

Permitted Uses –

Wholesale businesses;

Custom shop for making articles or products sold on the premises;

Manufacturing, assembly or processing of:

1. Electrical equipment, appliances and supplies, except heavy electrical machinery.
2. Jewelry, clocks or watches.
3. Medical or dental equipment, optical goods.
4. Musical Instruments.

Laboratory, research, experimental or testing

Warehouse

M-U Mixed Use District

The purpose of the mixed-use zoning district is to provide areas in the city with a mixture of land uses, made mutually compatible through land use controls and high-quality design standards. With this district, the city intends to promote the redevelopment or development of an area into a mixed-use urban center with compact, pedestrian-oriented commercial and residential land uses. The intent of the mixed-use zoning district is to enhance viability within an area and foster more opportunities for employment and residential development. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating pedestrian-friendly and livable environment in a mixed-use area. To ensure these elements are achieved, minimum design standards are included in this district.

Permitted Uses

Residential – Single-family, double dwelling, multiple dwelling

Mixed Commercial-Residential Uses

Commercial Uses – Bakery/candy/catering that produces goods for on-premises retail sale, banks, credit unions or financial services facilities, medical, dental or health-related clinic, veterinary clinic (with no exterior kennels), fitness studio, health/sports club, indoor athletic facility, indoor recreation, indoor theater, limited production and processing (with less than 5,000 square feet of gross floor area), office, restaurant, retail sales, small appliance and electronic component or equipment repair

Conditional Uses

Drive-through sales and services, drive-up food or beverage window

Maximum Density

The density of the mixed-use zoning district shall not exceed the maximum density permitted by the land use classification in the city's Comprehensive Plan. In addition, the net acreage for calculating density may be increased by 300 square feet for each affordable housing units in the development, as defined by Metropolitan Council guidelines.

Design Standards

The City is striving for attractive, cohesive development design in the mixed use district. As such the City (Lake Elmo Design Guidelines and Standards) shall apply to developments or projects in the mixed-use zoning district unless specified differently below:

Note: The following is a list of topics and design elements also included in their mixed use ordinance. If the Commission determines they need more information about these, staff will bring more information about any or all of these back to the Commission at a later meeting.

Awnings, Building façade, Exterior building materials, windows

Fences

First Floor Height

Landscaping (including landscaping requirements within the site, along the perimeter, etc.)

Material change

Remodeling/additions/alterations

Model variety

Non-conforming buildings and developments

One-story buildings

Parks/playgrounds

Pedestrian access

Porches and entries

Residential garages

Setbacks

Storage/service/loading

DATE: 12/20/18
TO: Ken Roberts
Ben Prchal
FROM: Kathy Weeks (Planning Commissioner)

Hi Ken and Ben - At our 12-10-18 Planning Commission meeting while discussing the Mixed Use Business Park and Commercial ordinance, I suggested light manufacturing be a permitted or permitted by condition use.

Since I made the suggestion, I should at least offer suggestions to you to help you understand my interpretation of light manufacturing.

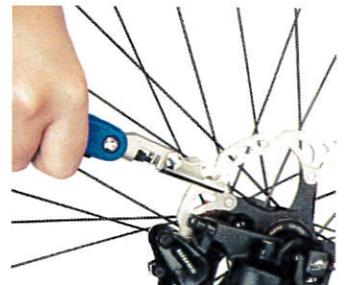
I did a search - Googled "manufacturing near me", and found several Lake Elmo and local businesses. I believe some of these businesses could be considered light manufacturing, or even light industrial.

Here's some research I did, and find some of these businesses acceptable for our Mixed Use I-94 area, and at least one that we should consider undesirable for this area:

Park Tool (Oakdale) - own their own building parktool.com



Produce bicycle tools - International



Smiths Medical (Oakdale) - I believe they rent/own space in this office park building

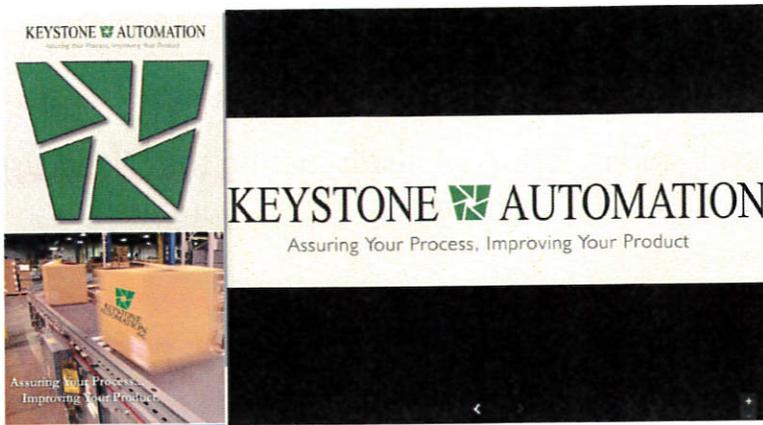


Produce medical devices

smith-medical.com



Keystone Automation (Lake Elmo) - Rent space in Brookfield Bldg



keystoneautomation.com

DiAcro Metal Fabrication(Oakpark Heights - next to Carriage Station in Lake Elmo) - Rent space in business park

diacro.com



Produce small metal fabrication machines, such as metal brakes (shear) and punch presses



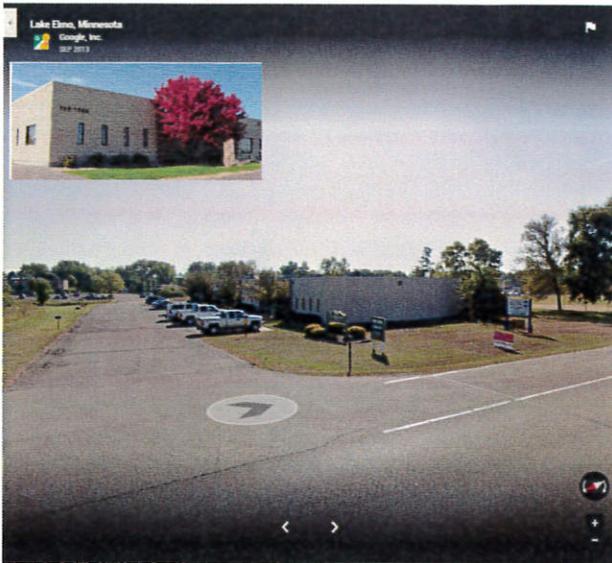
Compaction Technologies Inc. - Brooklyn Park - rents space in mixed use business park.

Compactiontechnologies.com

Produce commercial trash compactors for use in fast food restaurants, hotels, college campuses, and Veterans home cafeterias



Yes-Tech (Rents or owns suite) Lake Elmo (Next to City Hall)



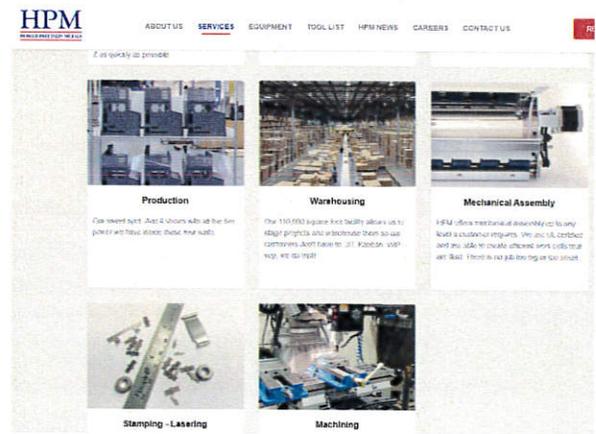
yes-tech.com



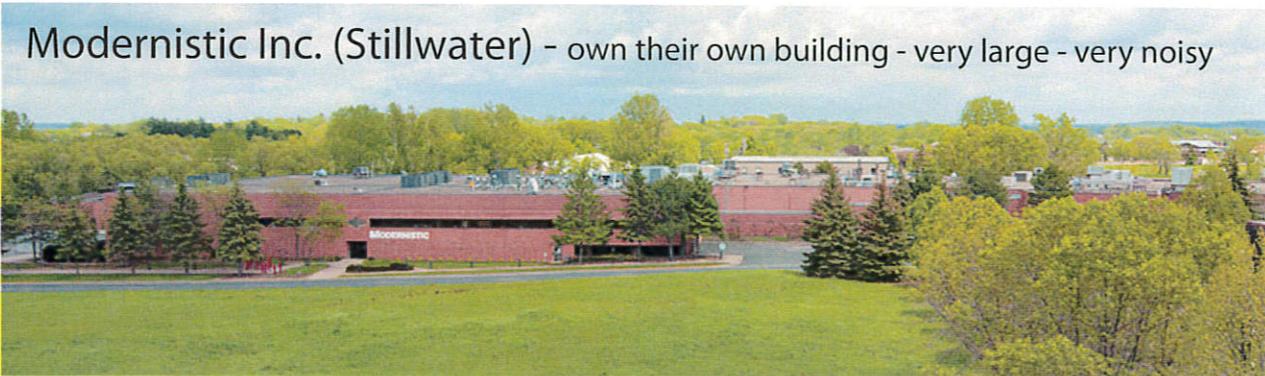
Herold Precision Metal (White Bear Lake Twshp) - own their own building - very large



heroldprecision.com



Modernistic Inc. (Stillwater) - own their own building - very large - very noisy



Produce point of purchase displays, signs, graphics, commercial vehicle wraps

modprint.com

