

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

ORDINANCE NO. 08-246

**AN ORDINANCE AMENDING SECTION 154.402 and 154.406 of THE LAKE ELMO CITY
CODE OF ORDINANCES to allow accessory buildings to be located closer to the front lot
line than the principle structure on lots identified as being Riparian WITHIN THE CITY OF
LAKE ELMO.**

**SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV Land Use:
Chapter 154 Zoning Code; Article IV. Additional Regulations and Modifications: by
amending Section 154.402 table 9-2; (Amended language is underlined> to represent added
language and ~~strikethrough~~ represents deleted language):**

Minimum Principal Building Setbacks (feet)^{h,i}					
Front Yard	30	200	30	30	100
Interior Side Yard	10	200	10	10	50
Corner Side Yard ^g	25	200	25	25	80
Rear Yard	40	200	40	40	100
Minimum Accessory Building Setbacks (feet)^{h,i,j}					
Front Yard	30	200	30	30	100
Interior Side Yard	10	200	10	10	15
Corner Side Yard	25	200	25	25	30
Rear Yard	40	200	40	10	15
Minimum Agricultural Related Setbacks (Animal buildings, feedlots or manure storage sites)					
Any Property Line	200	200	200	-	-
Any Existing Well or Residential Structure	50	50	50	-	-
Any Body of Seasonal or Year-round Surface Water	200	200	200	-	-

Notes to Rural Districts Table 9-2

- a. 1 dwelling unit per 40 acres applies to all non-farm dwellings. In addition to non-farm dwellings (1 per 40 acres), each farm is allowed one farm dwelling per farm.
- b. Nominal 40 acres: a 40-acre parcel not reduced by more than 10% due to road rights-of-way and survey variations.
- c. Nominal 10 acres: a 10-acre parcel not reduced by more than 10% and/or a 10-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road rights-of-way and survey variations.
- d. The minimum lot size for lots served by public sanitary sewer shall be 24,000 square feet per residential unit.
- e. A minimum of 1.25 acres of land above the flood plain or free of any drainage easements is required.

- f. Lots must be configured to contain a circle with a diameter of 250 feet minimum; the ratio of lot length to width shall be a maximum of 3:1 – Flag lots are prohibited.
- 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. Setback standards do not apply to solar farms. 154.915 should be referenced for these specific standards.
- i. Ground-mounted wind generators may exceed the allowable height restriction designated in all rural districts and are subject to different setback requirements as identified in section 154.308.
- j. *On properties that are identified as a Riparian Lot, Accessory structures may be placed between the principle structure and the public right-of-way. (See also section 154.406 C.)*

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV Land Use: Chapter 154 Zoning Code; Article IV. Additional Regulations and Modifications: by amending Section 154.406; (Amended language is underlined to represent added language and ~~strikethrough~~ represents deleted language):

k. 154.406 ACCESSORY STRUCTURES, RURAL DISTRICTS.

A. *Size and Number.* The maximum number and size of accessory buildings permitted in rural zoning districts are outlined in Table 9-3:

1. Table 9-3: Accessory Buildings, Rural Zoning Districts

Lot Size	Maximum Structure Size ^{a, c} (square feet)	No. of Permitted Bldgs
under 1 acre	1,200	1
1 – 1.99 acres	1,500	1
2 – 4.99 acres	1,750	1
5 – 9.99 acres	2,000	2
10 – 14.99 acres	2,500	2 ^b
15 – 19.99 acres	3,000	2 ^b
20 – 39.99 acres	4,000	2 ^b
40+ acres	Unregulated ^c	Unregulated ^c

Notes to Table 9-3

- a. Maximum structure size accounts for the total maximum area allowed for all permitted accessory structures combined.
 - b. One agricultural building, as defined in §154.213, is allowed in addition to the permitted number and size of accessory structures.
 - c. Agricultural buildings, as defined in §154.213, are allowed on properties 40 acres or more in addition to two permitted accessory structures which total 4,000 square feet and are not classified as agricultural.
- B. *Structure Height, Rural Districts.*
- 1. No accessory building shall exceed the height of the principal structure, with the exception of agricultural buildings, as defined in §154.213. Building projections or

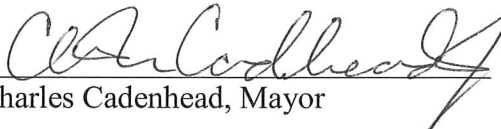
features on accessory structures that are not agricultural buildings as defined in §154.213, such as chimneys, cupolas, and similar decorations are permitted in rural districts.

2. Riparian Lots, when accessory buildings are allowed between the principle structure and the public right-of-way the accessory building shall not exceed one story in height or the height of the principle structure, whichever is less.
- C. *Structure Location, Rural Districts. Except for Riparian Lots*, No detached garages or other accessory buildings shall be located nearer the front lot line than the principal building on that lot (See notes to Table 9-2.)
- D. *Exterior Design and Color*. The exterior building materials, design and color of all accessory building or structures shall be similar to or compatible with the principal building, with the exception of the following accessory building or structures:
 1. Detached domesticated farm animal buildings
 2. Agricultural buildings
 3. Pole buildings, as defined and regulated in §154.214.
 4. Gazebos
 5. Swimming pools
 6. Other structures in which the required design is integral to the intended use, such as a greenhouse.
- E. *Attached Garages, Size*. Attached garages must not exceed the footprint size of the principal building.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 4. Adoption Date. This Ordinance 08-246 was adopted on this 20th day of July 2021, by a vote of 5 Ayes and 0 Nays.

LAKE ELMO CITY COUNCIL


Charles Cadenhead, Mayor

ATTEST:


Julie Johnson, City Clerk

This Ordinance 08-246 was published on the ____ day of _____, 2021.