

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-211

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
EXEMPTING SOLAR ENERGY SYSTEMS AND STORAGE OR TOOL SHEDS FROM
THE SIZE AND NUMBER REQUIREMENTS IN RESIDENTIAL DISTRICTS AND
SPECIFYING DEFINITION OF AND ALLOWANCES FOR AGRICULTURAL
BUILDINGS

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Article VII: General Regulations; Section 154.213: Accessory Buildings and Structures, Generally; Subd. (B) and (G) by amending the following:

B. *Agricultural ~~Farm~~ Building.* An accessory building means a structure that is on agricultural land as determined by the governing assessor of the City under section 273.13, subdivision 23 and meets all other requirements of State Statute 362B.103. ~~used or intended for use on an active commercial food-producing farm operation of more than 20 acres.~~ A Minnesota Pollution Control Agency permit may be required.

~~F. *Storage or Tool Sheds.* One storage or tool shed as defined in this section may be placed on any lot in addition to the permitted number of accessory buildings, provided it complies with the maximum area requirements of the zoning district, and a principal structure exists on the lot.~~

G. *Exempt Structures.* The following residential improvements shall be exempt from the maximum allowed structure size and number requirements in residential districts:

1. Unenclosed playhouses
2. Gazebos up to a total of 120 square feet in size and a maximum of twelve (12) feet in overall height
3. Detached decks over thirty (30) inches in height up to a total of 120 square feet in size
4. Outdoor swimming pools
5. Patios
6. Tennis and sport courts
7. Structures, sheds or coops up to a total of two hundred (200) square feet in size used to house permitted animals, such as chickens, horses, or other livestock. These structures must not exceed twelve (12) feet in height and must meet all required setbacks per MPCA guidelines and the City's animal ordinances.
8. Water oriented accessory structures as permitted in accordance with the City's Shoreland Ordinance.

9. Storage or Tool Sheds as defined in this section.

10. Ground-mount solar energy systems

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Article II; Section 154.406: Accessory Structures, Rural Districts; Subd. (A), (B), and (C) (12) by amending the following:

§ 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:

Table 9-3: Accessory Buildings, Rural Zoning Districts Lot Size	Maximum Structure Size (square feet)	No. of Permitted Bldgs
under 1 acre	1,200 ^b	1
1 - 2 acres	1,200	1
2 – 5 acres	1,300	1
5 – 10 acres	2,000	2
10-15 acres	2,500	2 ^c
15-20 acres	3,000	2 ^c
20-40 acres	4,000	2 ^c
40+ acres	Unregulated ^{ed}	Unregulated ^{ed}

Notes to Table 9-3

- a. Maximum structure size accounts for the total maximum area allowed for all permitted accessory structures combined.
- b. The 1,200 square foot allowance is for the combined area of the attached and detached accessory structure or residential garage.
- c. ~~To be allowed~~ One agricultural building, as defined in §154.213, is allowed in addition to the permitted number of accessory structures. additional accessory buildings beyond two total buildings, the buildings must be agricultural buildings as defined in §154.213 or clearly serve an agricultural purpose in the judgment of the City.
- d. Agricultural buildings, as defined in §154.213, are allowed in addition to two permitted accessory structures.


~~B. Additional Accessory Buildings. Allowances for additional accessory buildings in A and RR zones may be considered via a conditional use permit.~~

C. *Structure Height, Rural Districts.* No accessory building shall exceed twenty-two (22) feet in height or the height of the principal structure, with the exception of ~~buildings that are intended for a farming or other agricultural use in the judgment of the City~~ 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 that do not exceed twenty-five (25) feet in height are permitted in rural districts.

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 08-210 was adopted on this 15th day of May 2018 by a vote of 4 Ayes and 0 Nays.

LAKE ELMO CITY COUNCIL



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk

This Ordinance 08-210 was published on the 30th day of May, 2018.