

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

ORDINANCE NO. 2022-08

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY

**ESTABLISHING A 40-FOOT SETBACK FOR NEW RESIDENTIAL DEVELOPMENT ABUTTING A
PUBLIC STREET IN THE AREA SOUTH OF 10TH STREET N.**

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105: Article XV Commercial Districts is hereby amended by changing the following sections (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

105.12.930 Lot Dimensions And Building Bulk Requirements

Lot area and setback requirements shall be as specified in Table 12-2 Lot Dimension and Setback Requirements, Commercial Districts.

Table 12-2: Lot Dimension and Setback Requirements, Commercial Districts

	<i>LC</i>	<i>CC</i>	<i>C</i>	<i>BP</i>
Minimum lot area (square feet)	3.5 acres	12,000	20,000	2 acres
Minimum lot width (feet)	300	75	100	200
Minimum lot depth (feet)	400	-	-	-
Maximum height (feet/stories) ^d	35	35	45	50 ^a
Maximum impervious coverage	40 percent	60 percent	75 percent	75 percent
Building Setback Requirements (feet): ^d				
Front yard	100	30	30	50
Interior side yard	50	20	10	30
Corner side yard	100	25 ^c	25 ^c	30
Rear yard	50	30 ^b	30 ^b	30
Residential zones	150	50	50	150
Parking Setback Requirements (feet):				
Front yard	50	15	15	30
Interior side yard	50	10	10	15
Corner side yard	50	15	15	30
Rear yard	50	10	10	15

Residential zones	100	35	35	100
Minimum building floor size (square feet)	4,000	-	-	5,000
Notes to Table 12-2:				
a. Buildings higher than 50 feet may be allowed through a conditional use permit and would be subject to a separate technical and planning evaluation.				
b. Accessory buildings must be set back ten feet from property lines.				
c. Corner properties. The side facade 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.				
d. 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 LEC 105.12.570.				
e. For all residential uses, the minimum structure setback from public street shall be 40 feet.				

105.12.720 Lot Dimensions And Building Bulk Requirements

Lot area and setback requirements shall be as specified in Table 10-2, Lot Dimension and Setback Requirements.

Table 10-2: Lot Dimension and Setback Requirements, Residential Districts

	<i>GCC</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>
Minimum Lot Area (square feet)				
Single-family detached dwelling	9,000	8,000	7,000	5,000
Two-family dwelling (per unit) ^a	-	5,000	4,000	3,000
Single-family attached (per unit) ^b	-	-	1,750	1,750
Multifamily dwelling (per unit)	-	-	3,000	1,800
Secondary dwelling	See LEC 105.12.740(c)	See LEC 105.12.740(c)	See LEC 105.12.740(c)	See LEC 105.12.740(c)
Live-work unit	-	-	-	3,600
Congregate housing	-	-	See LEC 105.12.500(c)	See LEC 105.12.500(c)
Manufactured home park	-	-	See LEC 105.12.170- - LEC 105.12.340	See LEC 105.12.170-- LEC 105.12.340
Minimum Lot Width (feet)				
Single-family detached dwelling	70	60	50	50
Two-family dwelling (per unit) ^a	-	35	30	20
Single-family attached (per unit) ^b	-	-	25	20

Multifamily dwelling (per building)	-	-	75	60
Live-work unit	-	-	-	25
Maximum Height (feet)	35	35	35	50
Maximum Impervious Coverage	30 percent	40 percent	50 percent	75 percent
Minimum Building Setbacks (feet)				
Front yard	25	25 ^c	25 ^c	20 ^c
Interior side yard ^e				
Principal Buildings ^{f, g}	10	10	10	10 ^d
Minimum Building Setbacks (feet)				
Interior side yard				
Attached garage or accessory structures ^{f, g}	5	5	5	10 ^d
Corner side yard ^{g, h}	15	15	15	15
Rear yard	20	20	20	20

Notes to Urban Residential Districts Table:

- a. Common open space areas may be used in the 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., one unit per 2,500 square feet. This standard is also used for multifamily dwellings.
- d. Single-family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.
- e. 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.
- f. In situations where a garage or accessory building is set back less than seven 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 LEC 105.12.200) will be two feet.
- g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.
- h. Corner properties: The side facade 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.
- i. For all residential uses, the minimum structure setback from a public street shall be 40 feet.

105.12.880 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 (square feet): ^{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 LEC 105.12.740(c)	
Live-work unit	3,000	3,000
Nonresidential 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
Nonresidential uses	100	200
Maximum Height (feet) ⁱ	50	50
Maximum impervious coverage (non-shoreland areas)	75 percent	75 percent
Building Setback Requirements (feet):		
Residential uses:		
Front yard ^d	20	20
Interior Side Yard: ^f		
Principal buildings	7	7
Attached garage or accessory structures ^{e,f}	5	5
Corner side yard ^g	10	10
Rear yard	20	20
Nonresidential Uses:		

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., one 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 seven 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 LEC 105.12.200) will be two feet.
- f. Side yard setbacks shall apply to the ends of attached or two-family dwellings.
- g. Corner properties. The side facade 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
- h. Attached garages and accessory structures on parcels on which single-family homes are located may have a side yard setback of five 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 nonresidential uses must be set back at least ten 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 LEC


105.12.560(b).

I. For All residential uses, the minimum structure setback shall be 40 feet.

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 2022-08 was adopted on this 6th day of Sept., 2022.

LAKE ELMO CITY COUNCIL



Charles Cadenhead, Mayor

ATTEST:

