

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2022-10

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY

ADDING THE VILLAGE MEDIUM DENSITY RESIDENTIAL DISTRICT AND THE VILLAGE HIGH
DENSITY RESIDENTIAL DISTRICT

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105: Article XIII Village Mixed-Use District is hereby amended by changing the following sections (Proposed language is underlined, deleted language is shown with ~~strike~~through):

Article XIII Village Districts

~~Article XIII Village Mixed-Use District~~

105.12.770 Purpose And District Description

Purpose. The village districts encompass the Lake Elmo Village Planning Area. The village districts provide for an area of compact development including a mix of uses made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. The mixture of uses and level of density and intensity is intended to support the level of public infrastructure planned for the area.

- (a) V-LDR Village Low Density Residential. The purpose of the V-LDR zoning district is to provide opportunity for lower density residential development within the Village Planning Area and to create a transition and connectivity between the heart of the Old Village and surrounding rural areas. Appropriate housing types in this area may include single-family detached housing. Residential development within areas zoned V-LDR will occur at a density of 1.5 to 3.0 units per acre. ~~The purpose of the V-LDR zoning district is to provide opportunity for lower density residential development within the Old Village and create a transition and connectivity between the heart of the Old Village and surrounding rural areas. Residential development within areas zoned V-LDR will occur at a density of 1.5 to 3.0 units per acre.~~
- (b) V-MDR Village Medium Density Residential. The purpose of the V-MDR is to provide an area for greater variety in housing stock and bring more people closer to living within easy access of Old Village destinations and amenities. Appropriate housing types in this area may include single-family detached, duplexes, and townhomes/villa housing types. Residential development within areas zoned V-MDR will occur at a density of 3.01 to 8 units per acre.
- (c) V-HDR Village High Density Residential. The purpose of the V-HDR is to provide an area for a variety of higher density housing types in the Village Planning Area and to bring a higher concentration of people closer to Old Village destinations and amenities. This area is intended to provide for opportunities for more housing at a wider range of price points and to provide lifecycle housing in Lake Elmo. Appropriate housing types in this area may include multi-family dwellings. First floor non-residential uses may be appropriate. Residential development within areas zoned V-HDR will occur at a density of 8.01 to 12 units per acre.
- (d) VMX Village Mixed-Use District. This district is intended to continue the traditional mixed-use development that has occurred in the Old Village by allowing retail, service, office, civic and public uses as well as

~~residential units. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. Development within areas zoned VMX will occur at a density of 5 - 10 units per acre. Senior congregate care facilities may exceed this density maximum with a range not to exceed a total of 16 units per acre, provided the facility can satisfy all zoning and applicable conditional use permit review criteria. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. The purpose of the VMX district is to provide an area for compact, mixed-use development made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. This district is intended to continue the traditional mixed-use development that has occurred in the village area by allowing retail, service, office, civic and public uses as well as residential units. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. Development within areas zoned VMX will occur at a density of six to ten units per acre. Senior congregate care facilities may exceed this density maximum with a range not to exceed a total of 16 units per acre, provided the facility can satisfy all zoning and applicable conditional use permit review criteria. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. The standards in this chapter are intended to implement and effectuate the principles and relationships established in the village master plan, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. Renovation and infill of traditional storefront type buildings is encouraged, and parking standards may be waived to recognize the availability of on-street and shared parking facilities.~~

105.12.780 Permitted And Conditional Uses

Table 11-1 lists all permitted and conditional uses allowed in the village districts ~~urban residential districts~~. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this section of specific development standards that apply to the listed use.

(a) *Combinations of uses, ~~village districts~~*. The following use types may be combined on a single parcel:

- (1) Principal and accessory uses may be combined on a single parcel.
- (2) Permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. If one or both of the uses is/are conditional, the entire development must be approved as a conditional use. A principal and secondary dwelling unit may be combined according to the standards of LEC 105.12.740 (c).

(b) *STOPPED Combination of uses, VMX district*.

- (1) A mixed-use building that combines permitted or conditionally permitted uses may be developed meeting the form standards of this subchapter.
- ~~(1) Single-family attached or multifamily complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.~~
- ~~(2) Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. If one or both of the uses is/are conditional, the entire development must be approved as a conditional use.~~
- ~~(3) 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 are encouraged.~~

(c) *Non-Residential Uses:*

- (1) On property zoned V-HDR, permitted on the street level (first floor) only. Such use shall have its primary entrance from the front or side of the building.

Table 11-1: Permitted and Conditional Uses, Village Districts

	V-LDR	V-MDR	V-HDR	VMX	Standard
<i>Residential Uses:</i>					
Household Living:					
Single-family detached dwelling	P	<u>P</u>	-	C	LEC 105.12.830(a)
Two-family dwelling	-	<u>P*</u>	-	C*	
Single-family attached dwelling	-	<u>C</u>	<u>C</u>	C	LEC 105.12.830(a)
Multifamily dwelling	-	<u>C</u>	<u>C</u>	C	LEC 105.12.830(a)
Secondary dwelling	C	<u>C</u>	-	C	LEC 105.12.830(a)
Live-work unit	-	<u>C</u>	-	C	LEC 105.12.830(b)
Group Living:					
Group home	P	<u>C</u>	-	P	LEC 105.12.500
Group residential facility	-	<u>C</u>	-	C	LEC 105.12.500
Congregate housing	-	<u>C</u>	-	C	LEC 105.12.500
Semi-transient accommodations	-	-	-	C	LEC 105.12.500
<i>Public and Civic Uses:</i>					
Community services	-	-	-	P	LEC 105.12.110
Day care center	-	<u>C</u>	-	P	LEC 105.12.110
Public assembly	-	-	-	C	LEC 105.12.110
Religious institutions	-	-	-	C	LEC 105.12.110
Schools, public and private	-	-	-	C	LEC 105.12.110
<i>Services:</i>					
Business services	-	-	<u>C</u>	P	LEC 105.12.110
Business center	-	-	-	P	LEC 105.12.110
Offices	-	-	<u>C</u>	P	LEC 105.12.110
Communications services	-	-	-	P	LEC 105.12.110
Education services	-	-	<u>C</u>	P	LEC 105.12.110
Financial institution	-	-	<u>C</u>	P	LEC 105.12.110, <u>V-HDR First floor only and drive-thru prohibited. VMX Drive-thru by Conditional Use Permit.</u>

Funeral home	-	=	=	C	LEC 105.12.110
Lodging	-	=	<u>C</u>	C	154.302(d)
Medical facility	-	=	<u>C</u>	C	LEC 105.12.510
Membership organization	-	=	=	C	
Nursing and personal care	-	=	=	C	LEC 105.12.510
Personal services	-	=	<u>C</u>	P	
Repair and maintenance shop	-	=	=	C	LEC 105.12.830
Trade shop	-	=	=	C	
Veterinary services	-	=	=	C	
<i>Food Services:</i>					
Standard restaurant	-	=	<u>C</u>	P	
Restaurant with drive-through	-	=	<u>C</u>	<u>C-P</u>	<u>In VMX drive through shall be located in rear yard.</u>
Drinking and entertainment	-	=	=	P	LEC 105.12.520
<i>Sales of Merchandise:</i>					
Retail trade ¹	-	=	=	P	
Farmer's market	-	=	=	C	
Garden center	-	=	=	C	LEC 105.12.960(g)
Neighborhood convenience store	-	<u>C</u>	<u>P</u>	P	
Shopping center	-	=	=	C	
Wayside stand	P	=	=	P	LEC 105.12.750(d)
<i>Automotive/Vehicular Uses:</i>					
Automobile maintenance service	-	=	=	C	LEC 105.12.830
Automobile parts/supply	-	=	=	C	LEC 105.12.830
Gasoline station	-	=	=	C	LEC 105.12.530(b)
Parking facility	-	<u>C</u>	<u>C</u>	C	LEC 105.12.830(b)
Sales and storage lots	-	=	=	C	LEC 105.12.530(c)
<i>Outdoor Recreation:</i>					
Outdoor recreation facility	-	<u>C</u>	=	C	LEC 105.12.550(c)
Parks and open areas	P	<u>P</u>	<u>P</u>	P	On public property or as an accessory use to serve residents of a primary use.

<i>Indoor Recreation/Entertainment:</i>					
Indoor athletic facility	-	<u>C</u>	<u>C</u>	C	LEC 105.12.560
Indoor recreation	-	=	=	C	LEC 105.12.560
<i>Transportation and Communications:</i>					
Broadcasting or communications facility	-	=	=	C	
<i>Accessory Uses:</i>					
Home occupation	P	<u>P</u>	<u>P</u>	P	LEC 105.12.110
Bed and breakfast	P	=	=	P	LEC 105.04.220(a)
Family day care	P	<u>P</u>	=	P	LEC 105.12.110
Group family day care	-	=	=	C	
Temporary sales	P	<u>P</u>	=	P	LEC 105.12.870(g)
Parking facility	-	=	=	P	LEC 105.12.830
Solar equipment	P	<u>P</u>	<u>P</u>	P	<u>Roof mounted only</u>

¹Retail Trade in the VMX District includes all uses and activities defined as Retail Trade in LEC 105.12.110(b) (5) with the exception of building supplies sales and warehouse club sales.

105.12.790 Lot Dimensions And Building Bulk Requirements

Lot area and setback requirements shall be as specified in Table 11-2, Lot Dimension and Setback Requirements.

Table 11-2: Lot Dimension and Setback Requirements, Villages Districts

	<i>V-LDR</i>	<i>V-MDR</i>	<i>V-HDR</i>	<i>VMX</i>
Minimum Lot Area (square feet): ^a				
Nonresidential use	-	=	=	None
Single-family detached dwelling	9,000	<u>7,000</u>	=	9,000
Two-family dwelling (per unit) ^b	-	<u>4,000</u>	=	<u>4,000</u> 3,000
Single-family attached (per unit) ^c	-	<u>2,500</u>	=	<u>3,000</u> See notes a and h
Multifamily dwelling (per unit)	-	<u>3,000</u>	<u>1,800</u>	2,800 See notes a and h
Secondary dwelling	See LEC 105.12.740 (c)	=	=	See LEC 105.12.740 (c)

Congregate housing	-	=	=	LEC 105.12.500(c)
Minimum Lot Width (feet):				
Single-family detached dwelling	70	<u>50</u>	=	<u>70</u> <u>50</u>
Two-family dwelling (per unit) ^b	-	<u>30</u>	=	30
Single-family attached per unit (per unit) ^c	-	<u>25</u>	=	25
Multifamily dwelling (per building)	-	<u>75</u>	<u>60</u>	75
Live-work unit	-	<u>25</u>	=	25
Maximum height (feet/stories)	35	<u>35/3</u> ^d	<u>50</u>	35/3 ^d
Maximum Impervious Coverage:				
Residential lots	35 percent	<u>50 percent</u>	<u>75 percent</u>	75 percent
Other	-	=	=	No Limit
Minimum Building Setbacks (feet):				
Front yard	25	<u>25</u>	<u>25</u>	<u>Single-Family Detached and attached - 25</u> Multifamily Dwellings: LEC 105.12.830(a)(6)a Non-Residential Uses: LEC 105.12.830(b) Single-Family Detached, Two-Family, and Single-Family-Attached: See LDR standards of LEC 105.12.730 All Other Residential Uses: LEC 105.12.830(a)(7)
Interior Side Yard:				
Principal building	10	<u>10</u>	<u>10</u>	10 ^e
Attached garage or accessory structure	5	<u>5</u>	<u>5</u>	5
Corner side yard	15	<u>15</u>	<u>15</u>	0 ^f
Rear yard	20	<u>20</u>	<u>20</u>	10 ^g
Notes to Village Districts Table:				

a. No development may exceed the residential density range as specified in the comprehensive plan for the corresponding land use category.
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. Buildings up to 45 feet in height may be permitted as part of a PUD in the VMX and V-MDR districts.
e. Side yard setbacks in the VMX district apply only along lot lines abutting residentially zoned parcels or those parcels with residential uses as the sole use.
f. Corner properties. The side yard 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, and provided required setbacks are not otherwise stated herein, the setback shall be shown in the table.
g. Properties zoned V-LDR abutting Stillwater Boulevard North (CSAH 14), Lake Elmo Avenue North (CSAH 17) north of Stillwater Blvd (CSAH 14), and Manning Avenue North (CSAH 15) shall have a minimum structure setback of 50 feet.

105.12.800 Dimensional Requirements and Preservation Of Open Space

- (a) *Averaging of lot area.* When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.
- (b) *Lot dimension reductions.* Other reductions in dimensional standards may be considered as part of a planned unit development if these reductions provide for common open space within a development.
- (c) ~~*Village open space overlay district.* Development of areas within the village open space overlay district, as designated by the comprehensive plan, is not allowed. Residential lots shall not encroach on the areas designated as open space per this overlay district, unless berming or screening protected by a landscape easement is provided as an alternative approved by council.~~

105.12.810 General Site & Building Design Considerations; Village Districts

Development of land within the village districts shall follow established standards for traffic circulation, landscape design, and other considerations as specified in the Lake Elmo City Code LEC 105.12, arts V, VI and VII.

- (a) The Lake Elmo Design Guidelines and Standards shall govern site design and building design.
- (b) *Circulation.*
 - (1) New access points to County State Aid Highway 14 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.
 - (2) 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.
- (c) Screening of existing residential structures. When a new more intensive residential or non-residential development is proposed adjacent to an existing single-family residential structure, screening shall be provided in accordance with LEC 105.12.480(f). The city may require buffering or screening above and beyond this section in cases where the required screening will not provide an adequate separation between

the uses.

- (d) *Sidewalks and/or trails.* Where cul-de-sacs are permitted by the city, sidewalks or trails are required to connect the bulb of the cul-de-sac with the nearest through-road or trail.
- (e) *Lake Elmo Theming Study.* Elements of the Lake Elmo Theming Study not herein described must be incorporated in to development within village districts where applicable.

~~b) Fencing and screening.~~ Fencing and screening walls visible from the public right of way shall be constructed of materials compatible with the principle structure.

~~e) 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 pedestrians, and shall comply with LEC 105.04.050 et seq.

~~d) 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 a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from view at eye level (measured at six feet above ground level) on the adjacent street or property.

105.12.820 Development Standards For Specific Uses

Development of land within the village districts shall follow established standards for traffic circulation, landscape design, and other considerations as specified by the Lake Elmo City Code in LEC 105.12, arts. V, VI and VII. The following standards apply to specific uses. ; other standards related to design and building type may be found at LEC 105.12.830.

(a) *Residential units, village districts.*

(1) *Single-family detached dwellings, village districts.*

- a. No parking shall be located in the front yard or between the front façade and the street except on a permitted driveway.
- b. Primary entrances are required to be along the front facade.
- c. Dwelling units shall be at least 24 feet in width, at least 960 square feet in area, and be placed on a permanent foundation.

~~1) All residential units, village districts.~~ Residential housing units shall be designed to reflect the general scale and character of the village, including front yard depth, height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(2) *Secondary dwellings, village district.* Restricted to lots occupied by single-family detached dwellings, and must meet the standards for secondary dwellings in residential districts, LEC 105.12.740(c) and, in the VMX, must be located within the primary structure.

(3) *Single-family attached and two-family dwellings, VMX district.*

- a. The primary entrance to each unit shall be located on the facade fronting a public street.
- b. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise of a minimum of 300 square feet in the V-HDR and VMX, and 500 square feet per unit in the V-MDR.
- c. Unless otherwise specified in this article, single-family attached dwellings in the VMX and V-MDR shall adhere to the MDR district setbacks as specified in LEC 105.12.730.

(4) *Multifamily dwelling units, VMX district.*

- a. Dwelling units (~~both condominium and rental~~) within a mixed-use building are restricted to

the upper floors or rear or side ground floors.

- b. Setback standards for multifamily dwellings not within a mixed-use development shall be determined through the conditional use process.
- c. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise of a minimum of 300 square feet per unit in the V-MDR and 200 square feet per unit in the V-HDR.

(b) *Nonresidential uses, ~~VMX district.~~*

- (1) *Setbacks, generally.* The front yard setback of a new nonresidential building within the VMX district shall maintain the prevailing front yard setback of that block, or a maximum setback of 20 feet, whichever is less.
- (2) *Repair and maintenance shop.* No outdoor storage is permitted unless fully screened from public view.
- (3) *Trade shop.* Exterior materials storage must be 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.
- (4) *Veterinary services.*
 - a. All activities must be conducted within an enclosed building.
 - b. Specific veterinary practices shall be limited to veterinary medicine, surgery, dentistry, and related service for small domestic household pets.
- (5) *Garden center.*
 - a. The storage or display of any materials or products shall meet all 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 LEC 105.12.470(f).
 - ~~b. All loading and parking shall be provided off street.~~
 - b. The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses
- (6) *Automobile maintenance service and automobile parts/supply.*
 - a. All vehicle repairs shall be conducted in a completely enclosed building.
 - b. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.
- (7) *Live-work unit.* The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise, ~~and to provide neighborhood-oriented commercial services,~~ while maintaining a generally residential character in which the work space is subordinate to the residential use and the effects of the work space are compatible with a residential use.
 - a. The work space component shall be located on the first floor or basement of the building.
 - b. The dwelling unit component shall maintain a separate entrance.
 - c. The work space component of the unit shall not exceed ~~30~~ 50 percent of the total gross floor area of the unit.

- d. 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/enclosed.
- e. 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.~~
- f. The business component of the building may include offices, small service establishments, crafts considered accessory to a dwelling unit, limited retailing (by appointment only), or personal services. It may not include a large scale wholesale business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

~~fThe business component of the building may include offices, small service establishments, home crafts which 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 commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.~~

- g. 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 two workers on-site at any one time who live outside of the live-work unit.

(8) *Parking facility.* Structured parking is permitted as a ground floor use within a mixed-use building, provided that the entrance is located on side or rear facades, not facing the primary abutting street. The primary street-facing facade shall be designed for retail, office or residential use.

(9) *Outdoor dining accessory to food services.* Outdoor dining is allowed as an accessory use provided that tables do not block the required sidewalk.

~~9. *Outdoor dining accessory to food services.* Outdoor dining is allowed as an accessory use in the commercial districts, provided that tables do not block the sidewalk. A minimum of five feet of sidewalk must remain open.~~

105.12.830 Accessory Uses And Structures

~~105.12.840 Accessory Uses and Structures~~

Accessory uses are listed in Table 11-1 as permitted or conditional accessory uses. Accessory uses and structures in the village districts shall comply with the following standards and all other applicable regulations of this article:

- (a) *Phasing.* No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.
- (b) *Incidental to principal use.* The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.
- (c) *Subordinate to principal use.* The accessory use or structure shall be subordinate in the area, extent, and purpose to the principal use or structure served.
- (d) *Function.* The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.
- (e) *Location.* The accessory use or structure shall be located on the same zoning lot as the principal use or structure.
- (f) *Residential accessory structures.*

(1) *Design compatibility.* On parcels used for residential structures within the village districts, the design

and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

(2) *Attached structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

- a. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
- b. The structure shall not exceed the height of the principal building to which it is attached.

(3) *Attached garages.*

a. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:

1. The front facade of the garage shall be offset from the principal structure by a minimum of two feet from the plane of the public right-of-way.
2. The width of the attached garage shall not exceed 40 percent of the width of the entire principal building facade (including garage) fronting the primary street except that within the V-LDR district where it shall not exceed 60 percent of the width of entire principal building facade (including garage) fronting the primary street.

~~2The width of the attached garage shall not exceed 40 percent of the width of the entire principal building facade (including garage) fronting the primary street within the VMX district and 60 percent of the width of entire principal building facade (including garage) fronting the primary street within the V-LDR district.~~

- b. Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.
- c. Garage doors or openings shall not exceed 14 feet in height.

(4) *Detached structures.* Detached accessory structures for permitted residential structures in the village districts must be in accordance with the following requirements:

- a. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
- b. Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
- c. Pole barns shall be prohibited.
- d. No more than 30 percent of the rear yard area may be covered by accessory structures.
- e. Garage doors or openings shall not exceed 14 feet in height.

(g) *Exterior storage on residential parcels.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

- (1) Laundry drying.
- (2) Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six months shall be screened or stored out of view of the primary street on which the house fronts.
- (3) Agricultural equipment and materials, if these are used or intended for use on the premises.

- (4) Off-street parking and storage of vehicles and accessory equipment, as regulated in LEC 105.12.410.
- (5) Storage of firewood shall be kept at least ten feet from any habitable structure and screened from view of adjacent properties.
- (6) Outdoor parking.
- (h) *Temporary sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two per calendar year per residence, not to exceed four days in length for each event.
- (i) ~~*Accessory uses and structures not listed.*~~ Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in LEC 105.12, art. VII, specific development standards. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

105.12.840 Village Districts Design Review

105.12.830 VMX District Design and Demolition Review

- (a) *Review of design.* For certain development activity, as specified in the Lake Elmo Design Standards Manual, design review is required as part of the approval process for a building permit, conditional use permit, or certificate of zoning compliance under this section. All projects subject to design review shall be reviewed for conformance with the Lake Elmo Design Standards Manual. A separate process for design review is not established.

- (1) *Review authority and process.* Design review shall be facilitated by the planning department and the review shall be conducted by the body or individual authorized to approve the development activity. Design review shall be incorporated in the established review of the development activity. For those applications under this section that require review by the planning commission (i.e., conditional use permits), the planning commission shall consider the standards in the Lake Elmo Design Standards Manual in its recommendation to the city council.

~~1-Review authority and process.~~ Design review shall be the responsibility of the individual or body authorizing the permit or certificate and shall be incorporated in the established review of the applicable building permit, conditional use permit, or certificate of zoning compliance. For those applications under this section that require review by the planning commission (i.e., conditional use permits), the planning commission shall consider the standards in the Lake Elmo Design Standards Manual as part of its recommendation to the city council.

- (2) *Review by professional.* The authorizing body may request review by a design professional of the proposed design or demolition. The cost of review by such design professional shall be the responsibility of the applicant, and shall not exceed \$1,000.00 unless otherwise agreed to by the applicant.

- (3) *Development activity defined.*

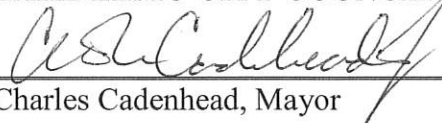
- a. Development activity consists of new construction and redevelopment activities, including remodeling that expands the footprint of a structure, altering, or repairing a structure in a manner that will change the exterior appearance of said structure. Development activity also includes the construction of a new parking lot and installation of signage.
- b. Exempt activities. The following activities shall be exempt from review under review of this section:
 - 1. Ordinary repairs and maintenance that will not change the exterior appearance of a structure;
 - 2. Removal of existing signage without replacement unless said signs are an integral part of the building;
 - 3. Emergency repairs ordered by the director of planning in order to protect public

- health and safety;
4. Exterior alteration, addition, or repair of a structure used as a single-family residence, duplex, or two-family residence;
 5. Temporary signage, installed in accordance with the sign regulations of the City Code~~LEC 105.12.430~~, or during which time an application for permanent signage is pending under this section;
 6. Maintenance of existing signage advertising an on-site business;
 7. Alterations only to the interior of a structure.

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 2022-10 was adopted on this 21st day of June, 2022, by a vote of 4 Ayes and 1 Nays.

LAKE ELMO CITY COUNCIL



Charles Cadenhead, Mayor

ATTEST:

