

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

Armstrong
COP

AN ORDINANCE AMENDING THE 1979 MUNICIPAL CODE OF LAKE ELMO

The City Council of the City of Lake Elmo ordains:

Section 1. Amendment. Section 301.070 D. 1 of the 1979 Municipal Code of Lake Elmo adopted October 16, 1979, is hereby amended to read as follows:

D. Districts.

1. Ag - Agriculture.

a. Permitted Uses and Structures.

- (1) Commercial agriculture and horticulture
- (2) Poultry facilities meeting state and federal regulations.
- (3) Farm buildings.
- (4) Farm drainage and irrigation systems.
- (5) Forestry meeting state and federal regulations.
- (6) One farm dwelling per farm.
- (7) One non-farm dwelling per each forty (40) acres, or part thereof on a prorated basis, not already containing a farm or non-farm dwelling provided:

The dwelling unit is located on a separate lot of the County Recorder and/or County Assessor at least one-and-one-half (1½) acres in size.

(b) The parcel on which the dwelling unit is located must have at least one hundred twenty-five (125) feet of frontage along a public street, be rectangular in shape and no dimension to be greater than three times the other.

(c) The dwelling is separated by at least three hundred (300) feet from the nearest farm building.

(8) Seasonal open sales lots for agricultural and horticultural products produced on the premises.

(9) Pick-your-own or cut-your-own type sales operations for products grown on the premises.

(10) Joint ownership of property or ownership by association or rental for the purpose of providing private gardens or forest plots to its members or lessees.

b. Uses Permitted by Conditional Use Permit.

(1) Greenhouses

(2) Kennels

(3) Stables

(4) Commercial recreation of a rural nature, including outdoor target ranges.

(5) Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services on a fee or contract basis including sorting, grading and packing fruits and vegetables for the owner, lessee or sublessee; agricultural produce milling and processing for the owner, lessee, or sublessee; horticultural services; fruit picking; grain cleaning; veterinary services; boarding and training of horses.

(6) Alternative Uses.

The City Council may, at its discretion, allow nontraditional agricultural uses and nonagricultural uses by CUP. The purpose of the CUP shall be to allow the landowner to obtain a reasonable return from the agricultural land and still maintain the open spaces and preservation of agricultural use.

The following requirements shall be applicable for all alternative conditional use permits:

(a) All of the landowner's contiguous real estate within the city must be zoned agricultural and be included within the granted CUP.

(b) No nonagricultural business use shall exceed an area of one and a half acres per forty acres. Transfer of density for this one and a half acres shall only be allowed on up to four contiguous forty-acre parcels under the same ownership and the total area of nonagricultural usage shall not be larger than six acres.

(c) An alternative use shall only be allowed on a parcel 40 acres or larger.

(d) The landowner shall be the owner and operator of any nonagricultural use and must reside on the contiguous real estate.

(e) A rural appearance shall be maintained for any nonagricultural business usage. There shall be no signs, no paved parking areas, no exterior lighting and only agricultural style buildings shall be erected or used.

(f) Any use involving the outside storage of

vehicles or goods shall be limited to one vehicle or one hundred fifty (150) square feet of occupied space for every 2.5 acres of landowner's contiguous real estate. Any outside storage area shall be a minimum of 200 feet from any public roadway.

(g) There shall be a landscape plan for the nonagricultural use area and this landscaping plan shall be adequate to screen said use within the time period specified by the City.

(h) No use shall require public sewer or public water.

(i) No use shall be of a type which may create pollution or other health hazards.

(j) Each use shall comply with all other City ordinances unless specifically exempted.

(k) The landowner shall be required to maintain his remaining land or farm his remaining land in accordance with the required practices of the Soil and Water Conservation District.

(l) The City shall have the sole discretion as to the granting of any use. Any other requirements which are necessary in order to maintain open spaces, a rural atmosphere, protect local neighborhoods and the public health and welfare may be added as additional terms, although not specifically required in this ordinance.

7. All uses permitted by a CUP shall be setback a minimum horizontal distance of 660 feet from R-1, R-2, R-4, R-4 zoning district.

c. Accessory Uses and Structures.

(1) Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted uses and structures.

(2) Private garages, carports, screen houses, conservatories, playhouses, swimming pools and storage buildings for use by occupants of the principal structure.

(3) Home occupations.

Section 2. Effective Date. This ordinance shall become effective upon its passage and publication.

Adopted by the City Council this 18th day of November, 1986

David A. Morgan

David A. Morgan, Mayor

ATTEST:

Robert Lee Overby
City Administrator