

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

ORDINANCE NO. 08-042

**AN ORDINANCE TO EXEMPT LAND ACQUIRED FOR A MUNICIPAL
PURPOSE FROM THE LOT SIZE REQUIREMENTS OF THE ZONING
ORDINANCE**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title I: General Provisions; Chapter 11: General Code Provisions, by adding the following language:

§ 11.01 DEFINITIONS.

BUILDABLE LAND AREA. The gross land area less the unbuildable land area that includes hydric and restrictive soils, land with slopes over 25%, wetlands, ~~and~~ areas that cannot accommodate septic systems, and land that has been acquired for municipal purposes.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by amending the following language:

§ 154.080 ADDITIONS AND EXCEPTIONS TO MINIMUM AREA, HEIGHT, AND OTHER REQUIREMENTS.

(A) Existing lot. An existing lot is a lot or parcel of land in a residential district which was of record as a separate lot or parcel in the office of the County Recorder or Registrar of Titles, on or before the effective date of this chapter. Any such lot or parcel of land which is in a residential district may be used for single-family detached dwelling purposes, provided the area and width of the lot are within 60% of the minimum requirements of this chapter; provided, all setback requirements of this chapter must be maintained; and provided, it can be demonstrated safe and adequate sewage treatment systems can be installed to serve the permanent dwelling. Any 1-acre lot which was of record before October 16, 1979 may be used for single-family detached dwelling purposes regardless of ownership of adjacent parcels, provided the lot meets all other requirements of this chapter.

(B) *Reductions in Lot Size for Municipal Purposes.* Any lot that has been reduced in size due to the acquisition of property for municipal purposes that would otherwise meet the requirements for an existing lot as described in Section 154.080 (A), may be used for a single-family detached dwelling, provided that the lot is not reduced in

size by more than 10% of the minimum district requirements due to the municipal land acquisition and further provided the lot conforms to all other zoning district and subdivision standards for the district in which it is located. This provision shall apply to the subdivision of lots in existence prior to the adoption of this ordinance that would have otherwise met the zoning district standards for lot size and that meet all requirements of this section.

SECTION 3. Effective Date

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

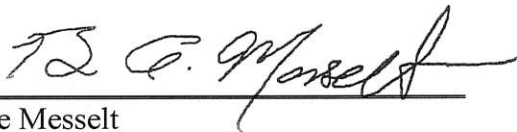
SECTION 4. Adoption Date

This Ordinance No. 08-042 was adopted on this 3rd day of May, 2011, by a vote of 5 Ayes and 0 Nays.



Mayor Dean Johnston

ATTEST:



Bruce Messelt
City Administrator

This Ordinance No 08-042 was published on the 8th day of June, 2011, 2011.