

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-033

AN ORDINANCE AMENDING THE HOLDING DISTRICTS TO PERMIT
THOSE USES PREVIOUSLY IDENTIFIED AS CONDITIONAL USES TO
BE PERMITTED AS INTERIM USES

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by amending the following language:

§ 154.034 HD-A-BP - AGRICULTURAL BUSINESS PARK HOLDING DISTRICT.

(A) *Purpose.* The Agricultural Business Park Holding District (HD-A-BP) is intended to regulate land use within agricultural areas planned and staged for business park development with access to regional sewer service. ~~Areas zoned HD-A-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.~~ The future zoning classification for areas zoned HD-A-BP and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-A-BP will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

(B) *General regulation.* All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Business Park Holding District (HD-A-BP) except as outlined in this section.

(C) *Permitted uses.* The permitted uses in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

~~—(D) *Uses permitted by conditional use permit.* The uses permitted by conditional use permit in the HD-A-BP zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.~~

~~—(E)~~ (D) *Use permitted by interim use permit.* The following uses may ~~apply for~~ be permitted by an interim use permit in the HD-A-BP zoning district:

- (1) Non-agricultural low impact uses under the same regulations as in the Agricultural (A) district with the following requirements:
 - a. ~~with the exception that~~ The Non-Ag Area shall not exceed 5% of the property owner's contiguous agricultural zone gross lot area.

- b. A non-agricultural low impact use as ~~permitted under this section~~ may include bus/truck terminal provided the use is located on a parcel within 1,000 feet of Interstate Highway 94.

- (2) Those uses identified as permitted by Conditional Use Permit in the Agricultural (A) zoning district, except that Open Space Development Projects shall be prohibited.

~~(F)~~ (E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD- A-BP zoning district shall be the same as in the Agricultural (A) zoning district.

~~(G)~~ (F) *Minimum district requirements.* The minimum district requirements in the Agricultural Business Park Holding District (HD-A-BP) shall be the same as in the Agricultural (A) zoning district.

~~(H)~~ (G) *Cluster development.* Cluster development in the HD-A-BP zoning district is prohibited.

~~(I)~~ (H) *Non-agricultural low impact use standards.* Regulations governing non-agricultural low impact use standards in the HD-A-BP zoning district shall be the same as the Agricultural (A) zoning district.

§ 154.035 HD-A-SRD - AGRICULTURAL SEWERED RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The Agricultural Sewered Residential Holding District (HD-A-SRD) is intended to regulate land use within agricultural areas planned and staged for residential development with access to regional sewer service. ~~Areas zoned HD-A-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-A-SRD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-A-SRD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.~~

(B) *General regulation.* All regulations governing the Agricultural (A) zoning district shall also apply to properties zoned Agricultural Sewered Residential Holding District (HD-A-SRD) except as outlined in this section.

(C) *Permitted uses.* The permitted uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that non-farm dwellings shall be prohibited.

~~—(D)— *Uses permitted by conditional use permit.* The uses permitted by conditional use permit in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district except that Open Space Development Projects shall be prohibited.~~

(D) *Use permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-A-BP zoning district:

- (1) *Those uses identified as permitted by Conditional Use Permit in the Agricultural (A) zoning district, except that Open Space Development Projects shall be prohibited.*

(E) *Accessory uses.* The accessory uses in the HD-A-SRD zoning district shall be the same as in the Agricultural (A) zoning district.

(F) *Minimum district requirements.* The minimum district requirements in the Agricultural Sewered Residential Holding District (HD-A-SRD) shall be the same as in the Agricultural (A) zoning district.

(G) *Cluster development.* Cluster development in the HD-A-SRD zoning district is prohibited.

(H) *Non-agricultural low impact use standards.* Regulations governing non-agricultural low impact use standards shall be the same as the Agricultural (A) zoning district.

§ 154.037 HD-RR-BP - RURAL RESIDENTIAL BUSINESS PARK HOLDING DISTRICT.

(A) *Purpose.* The Rural Residential Business Park Holding District (HD-RR-BP) is intended to regulate land use within rural residential areas planned and staged for business park development. ~~Areas zoned HD-RR-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.~~ The future zoning classification for areas zoned HD-RR-BP and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-RR-BP will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

(B) *General regulation.* All regulations governing the Rural Residential (RR) Zoning District shall also apply to properties zoned Rural Residential Business Park Holding District (HD-RR-BP) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-RR-BP zoning district shall be the same as in the Rural Residential (RR) Zoning District.

~~—(D)— *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-RR-BP Zoning District shall be the same as in the Rural~~

~~Residential (RR) Zoning District except that open space development projects shall be prohibited.~~

(D) Uses permitted by interim use permit. The following uses may be permitted by an interim use permit in the HD-RR-BP zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Rural Residential (RR) zoning district except that open space development projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-RR-BP Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Rural Residential Business Park Holding District (HD-RR-BP) shall be the same as in the Rural Residential (RR) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Special requirements.* All building permits applications in the Rural Residential Business Park Holding District (HD-RR-BP) shall, prior to the issuance of such a building permit, ~~provide~~ include a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

(H) *Cluster development.* Cluster development in the ~~HD 1-HD-RR-BP~~ Zoning District is prohibited.

§ 154.038 HD-RR-LB — RURAL RESIDENTIAL LIMITED BUSINESS HOLDING DISTRICT.

(A) *Purpose.* The Rural Residential Limited Business Holding District (HD-RR-LB) is intended to regulate land use within rural residential areas planned and staged for limited business development. ~~Areas zoned HD-RR-LB will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-RR-LB and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-RR-LB will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~ The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Limited Business use.

(B) *General regulation.* All regulations governing the Rural Residential (RR) Zoning District shall also apply to properties zoned Rural Residential Limited Business Holding District (HD-RR-LB) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-RR-LB Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-RR-LB Zoning District shall be the same as in the Rural Residential (RR) Zoning District except that open space development projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-RR-LB zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Rural Residential (RR) zoning district except that Open Space Development Projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-RR-LB Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Rural Residential Limited Business Holding District (HD-RR-LB) shall be the same as in the Rural Residential (RR) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Special requirements.* All building permits applications in the Rural Residential Limited Business Holding District (HD-RR-LB) shall, prior to the issuance of such a building permit, ~~provide~~ include a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

(H) *Cluster development.* Cluster development in the HD-RR-LB Zoning District is prohibited.

§ 154.039 HD-RR-RAD – RURAL RESIDENTIAL AG DENSITY HOLDING DISTRICT.

(A) *Purpose.* The Rural Residential Ag Density Holding District (HD-RR-RAD) is intended to regulate land use within rural residential areas planned and staged for Rural Agricultural Density development. ~~Areas zoned HD-RR-RAD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas~~

zoned HD-RR-RAD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-RR-RAD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Rural Agricultural use.

(B) *General regulation.* All regulations governing the Rural Residential (RR) Zoning District shall also apply to properties zoned Rural Residential Ag Density Holding District (HD-RR-RAD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-RR-RAD Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-RR-RAD Zoning District shall be the same as in the Rural Residential (RR) Zoning District except that open space development projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-RR-RAD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Rural Residential (RR) zoning district except that open space development projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-RR-RAD Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall be the same as in the Rural Residential (RR) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Special requirements.* All building permits applications in the Rural Residential Ag Density Holding District (HD-RR-RAD) shall, prior to the issuance of such a building permit, ~~provide~~ include a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

(H) *Cluster development.* Cluster development in the HD-RR-RAD Zoning District is prohibited.

§ 154.040 HD-RR-SRD - RURAL RESIDENTIAL SEWERED RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The Rural Residential Sewered Residential Holding District (HD-RR-SRD) is intended to regulate land use within rural residential areas planned and staged for sewer residential development. ~~Areas zoned HD-RR-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-RR-SRD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-RR-SRD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.~~

(B) *General regulation.* All regulations governing the Rural Residential (RR) Zoning District shall also apply to properties zoned Rural Residential Sewered Residential Holding District (HD-RR-SRD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-RR-SRD Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-RR-SRD Zoning District shall be the same as in the Rural Residential (RR) Zoning District except that open space development projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-RR-SRD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Rural Residential (RR) zoning district except that open space development projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-RR-SRD Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall be the same as in the Rural Residential (RR) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Special requirements.* All building permits applications in the Rural Residential Sewered Residential Holding District (HD-RR-SRD) shall, prior to the issuance of such a building permit, ~~provide~~ include a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

(H) *Cluster development.* Cluster development in the HD-RR-SRD Zoning District is prohibited.

§ 154.042 HD-R1-RAD - ONE FAMILY AG DENSITY HOLDING DISTRICT.

(A) *Purpose.* The One Family Ag Density Holding District (HD-R1-RAD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. ~~Areas zoned HD-R1-RAD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-R1-RAD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-R1-RAD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~ The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Rural Agricultural use.

(B) *General regulation.* All regulations governing the One Family Residential (R-1) zoning district shall also apply to properties zoned One Family Ag Density Holding District (HD-R1-RAD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) Zoning District.

~~—(D)— *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-R1-RAD zoning district shall be the same as in the One Family Residential (R-1) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-R1-RAD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the One Family Residential (R-1) zoning district.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-R1-RAD Zoning District shall be the same as in the One Family Residential (R-1) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the One Family Ag Density Holding District (HD-R1-RAD) shall be the same as in the One Family Residential (R-1) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner

or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Rural Residential (RR) Zoning District shall be viewed as conforming to minimum lot size.

§ 154.043 HD-R1-SRD - ONE-FAMILY SEWERED RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The One-Family Sewered Residential Holding District (HD-R1-SRD) is intended to regulate land use within single family residential areas planned and staged for sewer residential development. ~~Areas zoned HD-R1-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-R1-SRD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-R1-SRD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~ The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Sewered Residential use.

(B) *General regulation.* All regulations governing the One-Family Residential (R-1) Zoning District shall also apply to properties zoned One-Family Sewered Residential Holding District (HD-R1- SRD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-R1-SRD Zoning District shall be the same as in the One-Family Residential (R-1) Zoning District.

~~—(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-R1- SRD Zoning District shall be the same as in the One Family Residential (R-1) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-R1-SRD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the One-Family Residential (R-1) zoning district.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-R1-SRD Zoning District shall be the same as in the One-Family Residential (R-1) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the One-Family Sewered Residential Holding District (HD-R1-SRD) shall be the same as in the One-Family Residential (R-1) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-

way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One Family Residential (R-1) Zoning District shall be viewed as conforming to minimum lot size.

§ 154.046 MANUFACTURED HOME PARK URBAN RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The Manufactured Home Park Urban Residential Holding District (HD-R3-URD) is intended to regulate land use within manufactured home park areas planned and staged for sewer urban residential development. ~~Areas zoned HD-R3-URD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.~~ The future zoning classification for areas zoned HD-R3-URD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-R3-URD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Urban Residential use.

(B) *General regulation.* All regulations governing the Manufactured Home Park (R-3) Zoning District shall also apply to properties zoned Manufactured Home Park Urban Residential Holding District (HD-R3-URD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-R3-URD Zoning District shall be the same as in the Manufactured Home Park (R-3) Zoning District. Connection to the municipal sanitary sewer system and municipal water supply shall be required.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-R3-URD Zoning District shall be the same as in the Manufactured Home Park (R-3) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-R3-URD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Manufactured Home Park (R-3) Zoning District.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-R3-URD Zoning District shall be the same as in the Manufactured Home Park (R-3) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Manufactured Home Park Urban Residential Holding District (HD-R3-URD) shall be the same as in the Manufactured Home Park (R-3) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more

than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Manufactured Home Park (R-3) Zoning District shall be viewed as conforming to minimum lot size.

§ 154.049 HD-RE-LB - RESIDENTIAL ESTATES LIMITED BUSINESS HOLDING DISTRICT.

(A) *Purpose.* The Residential Estates Limited Business Holding District (HD-RE-LB) is intended to regulate land use within residential estate areas planned and staged for sewer limited business development. ~~Areas zoned HD-RE-LB will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.~~ The future zoning classification for areas zoned HD-RE-LB and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-RE-LB will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer Limited Business use.

(B) *General regulation.* All regulations governing the Residential Estates (RE) Zoning District shall also apply to properties zoned Residential Estates Limited Business Holding District (HD-RE-LB) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-RE-LB Zoning District shall be the same as in the Residential Estates (RE) Zoning District.

~~—(D)— *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-RE-LB Zoning District shall be the same as in the Residential Estates (RE) Zoning District except that open space development projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-RE-LB zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Residential Estates (RE) zoning district except that Open Space Development Projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-RE-LB Zoning District shall be the same as in the Residential Estates (RE) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Residential Estates Limited Business Holding District (HD-RE-LB) shall be the same as in the Residential Estates (RE) Zoning District except for the following:

(1) Minimum lot size shall be a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced

by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Residential Estates (RE) Zoning District shall be viewed as conforming to minimum lot size.

(2) Subdivision density shall be based on a 20 acres average, and no outlots are to remain in the subdivision.

§ 154.050 HD-RE-SRD - RESIDENTIAL ESTATES SEWERED RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The Residential Estates Sewered Residential Holding District (HD-RE-SRD) is intended to regulate land use within residential estate areas planned and staged for sewer residential development. ~~Areas zoned HD-RE-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan.~~ The future zoning classification for areas zoned HD-RE-SRD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-RE-SRD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer residential use.

(B) *General regulation.* All regulations governing the Residential Estates (RE) Zoning District shall also apply to properties zoned Residential Estates Sewered Residential Holding District (HD-RE-SRD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-RE-SRD Zoning District shall be the same as in the Residential Estates (RE) Zoning District.

~~—(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-RE-SRD Zoning District shall be the same as in the Residential Estates (RE) Zoning District except that open space development projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-RE-SRD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Residential Estates (RE) zoning district except that open space development projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the HD-RE-SRD Zoning District shall be the same as in the Residential Estates (RE) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Residential Estates Sewered Residential Holding District (HD-RE-SRD) shall be the same as in the Residential Estates (RE) Zoning District except for the following;

(1) Minimum lot size shall be a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the Residential Estates (RE) Zoning District shall be viewed as conforming to minimum lot size.

(2) Subdivision density shall be based on a 20 acres average, and no outlots are to remain in the subdivision.

§ 154.052 HD-GB-BP - GENERAL BUSINESS - BUSINESS PARK HOLDING DISTRICT.

(A) *Purpose.* The General Business – Business Park Holding District (HD-GB-BP) is intended to regulate land use within general business areas planned and staged for sewer business park development. ~~Areas zoned HD-GB-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-GB-BP and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-GB-BP will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~ The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Business Park use.

(B) *General regulation.* All regulations governing the General Business (GB) Zoning District shall also apply to properties zoned General Business – Business Park Holding District (HD-GB-BP) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-GB-BP Zoning District shall be the same as in the General Business (GB) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-GB-BE Zoning District shall be the same as in the General Business (GB) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-GB-BP zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the General Business (GB) Zoning District.

(E) *Accessory uses.* Accessory uses and the general requirements of such in the HD-GB-BP Zoning District shall be the same as in the General Business (GB) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) Zoning District except for minimum lot size which shall be a minimum of a

nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Performance standards.* Performance standards governing construction and development in the General Business – Business Park Holding District (HD-GB-BP) shall be the same as in the General Business (GB) Zoning District. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

§ 154.053 HD-GB-C - GENERAL BUSINESS COMMERCIAL HOLDING DISTRICT.

(A) *Purpose.* The General Business Commercial Holding District (HD-GB-C) is intended to regulate land use within general business areas planned and staged for sewer service and development. ~~Areas zoned HD-GB-C will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-GB-C and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-GB-C will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~ The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for Commercial use.

(B) *General regulation.* All regulations governing the General Business (GB) Zoning District shall also apply to properties zoned General Business Commercial Holding District (HD-GB-C) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-GB-C Zoning District shall be the same as in the General Business (GB) Zoning District,

~~—(D)— *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-GB-C Zoning District shall be the same as the General Business (GB) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use in the HD-GB-C zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the General Business (GB) zoning district.

(E) *Accessory uses.* Accessory uses and the general requirements of such in the HD-GB-C Zoning District shall be the same as in the General Business (GB) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business

(GB) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Performance standards.* Performance standards governing construction and development in the General Business Commercial Holding District (HD-GB-C) shall be the same as in the General Business (GB) Zoning District. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

§ 154.054 HD-GB-SRD - GENERAL BUSINESS SEWERED RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The General Business Sewered Residential Holding District (HD-GB-SRD) is intended to regulate land use within general business areas planned and staged for sewer residential development ~~Areas zoned HD-GB-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning classification for areas zoned HD-GB-SRD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-GB-SRD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~ The future zoning district regulations will be consistent with the comprehensive plan guidance of the property for sewer residential use.

(B) *General regulation.* All regulations governing the General Business (GB) Zoning District shall also apply to properties zoned General Business Sewered Residential Holding District (HD-GB-SRD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-GB-SRD Zoning District shall be the same as in the General Business (GB) Zoning District.

~~—(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-GB-SRD Zoning District shall be the same as in the General Business (GB) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-GB-SRD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the General Business (GB) zoning district.

(E) *Accessory uses.* Accessory uses and the general requirements of such in the HD-GB-SRD Zoning District shall be the same as in the General Business (GB) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Performance standards.* Performance standards governing construction and development in the General Business Sewered Residential Holding District (HD-GB-SRD) shall be the same as in the General Business (GB) Zoning District. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

§ 154.059 VR-A - VILLAGE RESIDENTIAL AGRICULTURE HOLDING DISTRICT.

(A) *Purpose.* The Village Residential Agriculture District (VR-A) is intended to regulate land use within agricultural areas planned and staged for development in accordance with the Village Plan. ~~Areas zoned VR-A will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.~~ The future zoning classification for areas zoned VR-A and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned VR-A will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.

(B) *General regulation.* All regulations governing the Agricultural (A) Zoning District shall also apply to properties zoned Village Residential Agriculture District (VR-A) except as outlined in this section.

(C) *Permitted uses.* The permitted uses in the VR-A Zoning District shall be the same as in the Agricultural (A) Zoning District except that non-farm dwellings shall be prohibited.

~~—(D) *Uses permitted by conditional use permit.* The uses permitted by conditional use permit in the VR-A Zoning District shall be the same as in the Agricultural (A) Zoning District except that Open Space Development Projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the VR-A zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Agricultural (A) zoning district, except that Open Space Development Projects shall be prohibited.

(E) *Accessory uses.* The accessory uses in the VR-A Zoning District shall be the same as in the Agricultural (A) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Village Residential Agriculture District (VR-A) shall be the same as in the Agricultural (A) Zoning District.

(G) *Cluster development.* Cluster development in the VR-A Zoning District is prohibited.

(H) *Non-agricultural low impact use standards.* Regulations governing non-agricultural low impact use standards in the VR-A Zoning District shall be the same as the Agricultural (A) Zoning District.

§ 154.060 VR-GB - VILLAGE RESIDENTIAL GENERAL BUSINESS HOLDING DISTRICT.

(A) *Purpose.* The Village Residential General Business District (VR-GB) is intended to regulate land use within general business areas planned and staged for development in accordance with the Village Plan. ~~Areas zoned VR-GB will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property.~~ The future zoning classification for areas zoned VR-GB and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned VR-GB will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.

(B) *General regulation.* All regulations governing the General Business (GB) Zoning District shall also apply to properties zoned Village Residential General Business District (VR-GB) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the VR-GB Zoning District shall be the same as in the General Business (GB) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the VR-GB Zoning District shall be the same as in the General Business (GB) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the VR-GB zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the General Business (GB) zoning district.

(E) *Accessory uses.* Accessory uses and the general requirements of such in the VR-GB Zoning District shall be the same as in the General Business (GB) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Village Residential General Business District (VR-GB) shall be the same as in the General Business (GB) Zoning District except for minimum lot size which shall be a minimum of a nominal 20

acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the General Business (GB) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Performance standards.* Performance standards governing construction and development in the Village Residential General Business District (VR-GB) shall be the same as in the General Business (GB) Zoning District. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

§ 154.061 VR-R1 - VILLAGE RESIDENTIAL ONE-FAMILY HOLDING DISTRICT.

(A) *Purpose.* The Village Residential One-Family District (VR-R1) is intended to regulate land use within single-family residential areas planned and staged for development in accordance with the Village Plan. ~~Areas zoned VR-R1 will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property. The future zoning classification for areas zoned VR-R1 and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned VR-R1 will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~

(B) *General regulation.* All regulations governing the One-Family Residential (R-1) Zoning District shall also apply to properties zoned Village Residential One-Family District (VR-R1) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the VR-R1 Zoning District shall be the same as in the One-Family Residential (R-1) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the VR-R1 Zoning District shall be the same as in the One-Family Residential (R-1) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the VR-R1 zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the One-Family Residential (R-1) zoning district.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the VR-R1 Zoning District shall be the same as in the One-Family Residential (R-1) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Village Residential One Family District (VR-R1) shall be the same as in the One-Family Residential (R-

1) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size standard of the One-Family Residential (R-1) Zoning District shall be viewed as conforming to minimum lot size.

§ 154.062 VR-RR - VILLAGE RURAL RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The Village Rural Residential District (VR-RR) is intended to regulate land use within rural residential areas planned and staged for development in accordance with the Village Plan. ~~Areas zoned VR-RR will be rezoned in accordance with the guided land use outlined in the Village Plan at such time as regional sewer service is available to the subject property. The future zoning classification for areas zoned VR-RR and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned VR-RR will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services.~~

(B) *General regulation.* All regulations governing the Rural Residential (RR) Zoning District shall also apply to properties zoned Village Rural Residential District (VR-RR) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the VR-RR Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

~~(D) *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the VR-RR Zoning District shall be the same as in the Rural Residential (RR) Zoning District except that open space development projects shall be prohibited.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the VR-RR zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Rural Residential (RR) zoning district except that open space development projects shall be prohibited.

(E) *Accessory uses and structures.* Regulations governing accessory uses and structures in the VR-RR Zoning District shall be the same as in the Rural Residential (RR) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Village Rural Residential District (VR-RR) shall be the same as in the Rural Residential (RR) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to 7-1-07 which are conforming to the minimum lot size

standard of the Rural Residential (RR) Zoning District shall be viewed as conforming to minimum lot size.

(G) *Special requirements.* All building permits in the Village Rural Residential District (VR-RR) shall, prior to the issuance of such a building permit, provide a sketch subdivision plan which illustrates roadway and setback locations should the property be resubdivided in the future.

(H) *Cluster development.* Cluster development in the VR-RR Zoning District is prohibited.

§ 154.066 HD-LB-SRD LIMITED BUSINESS SEWERED RESIDENTIAL HOLDING DISTRICT.

(A) *Purpose.* The Limited Business Sewered Residential Holding District (HD-LBSRD) is intended to regulate land use within limited business areas planned and staged for sewer residential development. ~~Areas zoned HD-LB-SRD will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Comprehensive Plan.~~ The future zoning classification for areas zoned HD-LB-SRD and the timing for any zoning map amendments to rezone said holding district will be determined by the City Council upon the extension of public sanitary sewer and water services to these areas. Areas zoned HD-LB-SRD will be rezoned before any new connections from individual sites will be allowed to public sanitary and water services. The future zoning district regulations will be consistent with the Comprehensive Plan guidance of the property for sewer residential use.

(B) *General regulation.* All regulations governing the Limited Business (LB) Zoning District shall also apply to properties zoned Limited Business Sewered Residential Holding District (HD-LB-SRD) except as outlined in this section.

(C) *Permitted uses.* Permitted uses and the general requirements of such in the HD-LB-SRD Zoning District shall be the same as in the Limited Business (LB) Zoning District.

~~—(D)— *Uses permitted by conditional use permit.* Conditionally permitted uses and the general requirements of such in the HD-LB-SRD Zoning District shall be the same as in the Limited Business (LB) Zoning District.~~

(D) *Uses permitted by interim use permit.* The following uses may be permitted by an interim use permit in the HD-LB-SRD zoning district:

(1) Those uses identified as permitted by Conditional Use Permit in the Limited Business (LB) zoning district.

(E) *Accessory uses.* Accessory uses and the general requirements of such in the HD-LB-SRD Zoning District shall be the same as in the Limited Business (LB) Zoning District.

(F) *Minimum district requirements.* The minimum district requirements in the Limited Business Sewered Residential Holding District (HD-LB-SRD) shall be the same as in the

Limited Business (LB) Zoning District except for minimum lot size which shall be a minimum of a nominal 20 acres (a 20-acre parcel not reduced by more than 10% and/or a 20-acre parcel located on a corner or abutting a street on 2 sides not reduced by more than 15% due to road right-of-way and survey variations). Lots that were in existence prior to July 1, 2007 which are conforming to the minimum lot size standard of the Limited Business (LB) Zoning District shall be viewed as conforming to minimum lot size.

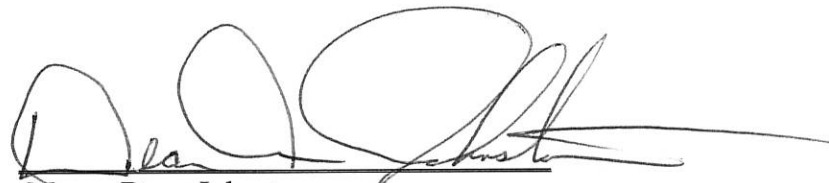
(G) *Performance standards.* Performance standards governing construction and development in the Limited Business Sewered Residential Holding District (HD-LB-SRD) shall be the same as in the Limited Business (GB) Zoning District. Further development shall conform with all standards necessary to facilitate a future hook up to the regional sewer system.

SECTION 2. Effective Date

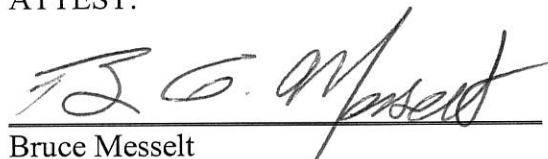
This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date

This Ordinance No. 08-032 was adopted on this 19th day of October 2010, by a vote of 4 Ayes and 0 Nays.


Mayor Dean Johnston

ATTEST:


Bruce Messelt
City Administrator

This Ordinance No 08-033 was published on the 3rd day of February, 2010.