

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 97-197

AN ORDINANCE RELATING TO THE ADOPTION OF A DEVELOPMENT MORATORIUM OVER PROPERTY TO
THE SOUTHEAST OF THE INTERSECTION OF 39TH STREET NORTH AND LAKE ELMO AVENUE

The Lake Elmo City Council ordains that Section 301.170 and its subdivisions shall be added to the Lake Elmo Municipal Code to read as follows:

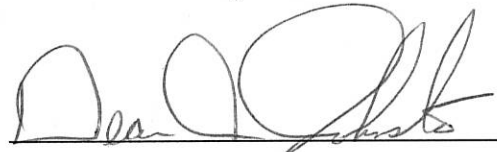
301.170 Development Moratorium

- A. The Village – B Area of the City of Lake Elmo (The “City”) is designated on EXHIBIT A attached (the “Village – B Area”).
- B. The City has commissioned various studies to determine development impacts and infrastructure requirements for future development of the Village – B Area and surrounding parcels which are already under a development moratorium created by ordinance 97-190.
- C. The City has received reports relating to street layouts, waste water treatment facilities, and the provision of City Water to the Village – B Area and surrounding parcels.
- D. The City needs to complete its review of surface water drainage and sanitary sewer issues related to the Village – B Area and surrounding parcels.
- E. Upon completion of the various contracted studies regarding the Village – B Area, including sanitary sewer and surface water drainage, the City will be in a position to amend its comprehensive plan and official controls to guide and facilitate orderly development in the Village – B Area and on surrounding parcels.
- F. In order to protect the planning process and the health, safety and welfare of its citizens, a Development Moratorium is hereby adopted pursuant to the provisions of Minn. Stat. 462.355, Subd 4, as amended, for the Village – B Area subject to the following conditions which shall be applicable during the term of the Development Moratorium:
 - 1. Property may only be rezoned to an agricultural use.
 - 2. Property may not be further subdivided except in connection with an approved lot line adjustment.
 - 3. Vacant platted residential lots which have already been approved by the City may be developed consistent with the City’s current zoning and building regulations and any conditional use permit which may apply to such property.
 - 4. Additions to existing construction shall be allowed subject to the issuance of appropriate permits.
 - 5. Additions to existing structures or new construction which would require a variance shall not be permitted.
- G. This Development Moratorium shall remain in effect for up to twelve (12) months from the date of publication of this Ordinance unless terminated or extended by action of the City Council.

- H. The City Council may, by amendment to this Ordinance following the adoption of specific findings, remove specific parcels from the area of this Development Moratorium; or repeal the Development Moratorium in its entirety.

Effective Date: This Ordinance shall be effective the day following its publication.

Adoption Date: Passed by the City Council of Lake Elmo the 7th day of Aug, 2007.

A handwritten signature in black ink, appearing to read "Dean Johnston", written over a horizontal line.

Dean A. Johnston, Mayor

A handwritten signature in black ink, appearing to read "Susan Hoyt", written over a horizontal line.

Susan Hoyt, City Administrator

Publication Date: This ordinance was published in the Lake Elmo Leader on August 16, 2007.