

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 97-204

AN ORDINANCE TO ALLOW HORSES AS AN INTERIM PERMITTED USE
ASSOCIATED WITH CHURCHES IN THE PUBLIC FACILITIES ZONING
DISTRICT

Section 1. The City Council of the City of Lake Elmo hereby makes the following findings on Ordinance 97-204 which amends city code to allow horses as an interim permitted use associated with churches in the public facilities zoning district:

- Horses are appropriate on church properties as staff & congregation members are on site daily (including weekends) to watch over and care for horses; a congregation provides for a natural volunteer pool to administer a horse ministry; and church lands are not owned by the public, nor are they maintained with public dollars.
- Horses are not appropriate in conjunction with cemeteries as such facilities typically do not have a permanent presence on the site to continually oversee horses.
- Horses are not appropriate in conjunction with facilities for Local, County, and State Government as their lands are owned and maintained through public dollars meaning that issues created by horses have the potential for creating unexpected public expenditures. Furthermore, government agencies typically do not have staff to oversee a horse pasturing facility.
- Horses are not appropriate in conjunction with libraries and museums as such facilities are typically not located in a rural setting conducive to horses; are not open every day of the week to provide a permanent presence on the site; and may have public affiliations thereby creating a potential for public expenditures.
- Horses are not appropriate in conjunction with schools as the land and facilities are funded through public dollars meaning that issues created by horses have the potential for creating unexpected public expenditures. Additionally, schools typically do not have staff to oversee a horse pasture facility, and are not open every day of the week or during the time of year most suitable for horse pasturing.
- Horses are not appropriate in conjunction with historic sites & interpretive centers as such lands are typically owned and maintained with public dollars meaning that issues created by horses have the potential for creating unexpected public expenditures. Additionally, the pasturing horses on such sites would detract from the historic or interpretive characteristics of the site.

Section 2. The City Council of the City of Lake Elmo hereby ordains that Section 300.07 subdivision 4(M) is hereby amended to read as follows:

Section 300.07 subd. 4(M)(1) is restated and incorporated herein unchanged.

Subd 2. Uses allowed by conditional use permit:

In addition to the specific standards and criteria which may be cited below for respective uses, each application shall be evaluated based on the standards and criteria set forth in Chapter 300.06 of the Lake Elmo City Code. Uses allowed herein that are in existence within the city at the effective date of this Ordinance may continue such use as a permitted use. The following uses are conditionally permitted in the PF Zoning District:

Subdivision 2(a) is restated and incorporated herein unchanged.

Subdivision 2(b) is restated and incorporated herein unchanged.

Subdivision 2(c) is restated and incorporated herein unchanged.

Subdivision 2(d) is restated and incorporated herein unchanged.

Subdivision 2(e) is restated and incorporated herein unchanged.

Subdivision 2(f) is restated and incorporated herein unchanged.

Subd 3. Uses allowed by interim use permit:

a) The keeping of horses in conjunction with Churches provided that:

1. The keeping of horses does not constitute a feedlot per Minnesota Rules.
2. The property is directly adjacent to only Agricultural (A) and Rural Residential (RR) zoned properties that are not developed as open space preservation subdivisions. Roadways shall be considered an adequate buffer.
3. Evidence is provided to show adherence to all livestock and horse regulations in Lake Elmo City code.

Current Section 300.07 subd. 4(M)(3) and its subdivisions are restated and incorporated herein as Section 300.07 subd. 4(M)(4).

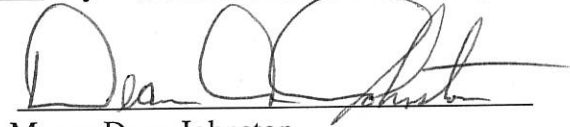
Current Section 300.07 subd. 4(M)(4) and its subdivisions are restated and incorporated herein as Section 300.07 subd. 4(M)(5).

Current Section 300.07 subd. 4(M)(5) and its subdivisions are restated and incorporated herein as Section 300.07 subd. 4(M)(6).


Section 3. Adoption Date

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

This Ordinance No. 97-204 was adopted on this 11th day of December, 2007, by a vote of 3 Ayes and 2 Nays.


Mayor Dean Johnston

ATTEST:



Susan Hoyt
Administrator

This Ordinance No. 97-204 was published on the 27th day of Dec, 2007.

This ordinance was adopted by the City Council of the City of Lake Elmo on this 11th day of December, 2007, by a vote of 3 Ayes and 2 Nays.

Mayor Johnson - Aye
Council Member DeLapp - Nay
Council Member Johnson - Nay
Council Member Park - Aye
Council Member Smith - Aye