

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 97-205

AN ORDINANCE AMENDING REGULATIONS GOVERNING NON-
AGRICULTURAL LOW IMPACT USES

Section 1. The City Council of the City of Lake Elmo hereby ordains that Section 154.033 subd (F) is hereby amended to read as follows:

(F) *Non-agricultural low impact use standards.*

(1) (a) The city desires to maintain and preserve open space and agricultural land within the city. The city recognizes the monetary regards that may be enjoyed by a farmer or larger property owner who sells his or her land for development. The city further recognizes that allowing non- agricultural low impact uses, strictly controlled and regulated by conditional use permit, might allow a farmer or large property owner an economical use of his or her property that is zoned for agriculture. The following standards shall apply to these types of uses.

(b) It is also the intent of the city to preserve the appearance of rural character within the community by establishing standards for the setback and screening from adjacent property and public roadways by natural features of any open storage as may be associated with the non-agricultural use.

(Am. Ord. 97-76, passed 3-6-2001)

(2) (a) All of the property owner's real estate that is contiguous to the non-agricultural low impact use must be zoned Agricultural and remain so zoned while the conditional use permit is in effect.

(b) The area where the non-agricultural low impact use is located shall be legally defined as approved by the City and is hereafter known as the "Non-Ag Area." "CUP Area." ~~The "Non-Ag Area." CUP Area~~ shall not exceed 4% of the property owner's contiguous agricultural zone gross lot area. The building footprints and asphalt and concrete surfaces within the Non-Ag Area CUP Area ~~impervious surface coverage~~ shall not exceed 1.5% of the property owner's contiguous agricultural zone gross lot area. Landscaping, berms, ponds, gravel driveways, and other improvements that would otherwise be permitted in the Agricultural zone may be located outside of the Non-Ag Area.

Section 2. The City Council of the City of Lake Elmo hereby ordains that Section 154.034 is hereby amended to read as follows:

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

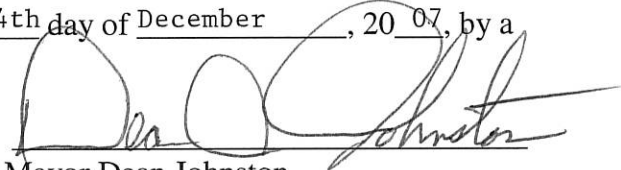
- | (A) *Purpose.* The Agricultural Business Park Holding District (HD-A-BP) is intended to regulate land use within agricultural areas planned and staged for business park development with access to regional sewer service. Areas zoned HD-A-BP will be rezoned upon the availability of sewer service and when consistent with the "Development Staging Plan" contained in the Lake Elmo Comprehensive Plan. The future zoning 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) *Uses permitted by interim use permit. The following uses may apply for 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 exception that the Non-Ag area shall not exceed 5% of the property owner's contiguous agricultural zone gross lot area.
- | ~~(E)~~(F) *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.
- | ~~(F)~~(G) *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.
- | ~~(G)~~(H) *Cluster development.* Cluster development in the HD-A-BP zoning district is prohibited.

(H)(I) *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.


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. 97-205 was adopted on this 4th day of December, 2007, by a vote of 4 Ayes and 1 Nays.


Mayor Dean Johnston

ATTEST:



Susan Hoyt
Administrator

This Ordinance No. 97-205 was published on the 20th day of Dec, 2007.

This ordinance was adopted by the City Council of the City of Lake Elmo on the 4th day of December 2007, by a vote of 4 Ayes and 1 Nays.

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