

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

**ORDINANCE NO. 97-158
AN ORDINANCE RELATING TO THE ADOPTION OF A DEVELOPMENT MORATORIUM**

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) Recitals.

- 1.0 WHEREAS, the Lake Elmo Planning Commission has conducted approximately ten (10) workshops and held a public hearing in order to review and recommend changes to the Lake Elmo Comprehensive Plan
- 2.0 WHEREAS, the Lake Elmo Planning Commission submitted its recommendations to the Lake Elmo City Council as it completed its review of each section of the proposed Comprehensive Plan.
- 3.0 WHEREAS, the Lake Elmo City Council has conducted approximately ten (10) workshops to review the recommendations of the Lake Elmo Planning Commission.
- 4.0 WHEREAS, on May 10, 2005, the Lake Elmo City Council tentatively approved the policy and land use elements of the proposed Comprehensive Plan.
- 5.0 WHEREAS, the Lake Elmo City Planner and the Lake Elmo City's Consulting Engineering, concurrently with the actions taken by the Lake Elmo Planning Commission and the Lake Elmo City Council have been reviewing the City of Lake Elmo's transportation, waste water treatment, water, surface water drainage and parks and trails plans to recommend revisions to such plans, as necessary, to bring them into compliance with the changes to the proposed Comprehensive Plan.
- 6.0 WHEREAS, the Lake Elmo City Council has submitted its current recommendations to the Metropolitan Council for review and comment.

- 7.0 WHEREAS, the Metropolitan Council staff has advised the Lake Elmo City Administrator that additional changes to the proposed Comprehensive Plan are necessary.
- 8.0 WHEREAS, after final approval of an amended Comprehensive Plan, it will be necessary for the City of Lake Elmo to draft, review at public hearings and adopt official controls to implement the policies of a newly approved Comprehensive Plan.
- 9.0 WHEREAS, the City of Lake Elmo anticipates that the area of the City of Lake Elmo located west of Manning Avenue; east of County Road 13; north of Interstate 94; and south of 10th Street, except that part thereof included within the Eagle Point Business Park, which is already served by public sanitary sewer and is subject to the development restrictions contained in a planned unit development permit ("I-94 Corridor Area") will experience intense development pressure as sanitary sewer becomes available to serve the area.
- 10.0 WHEREAS, it is critical for the City of Lake Elmo to complete its planning process in advance of development within the I-94 Corridor Area.

(B) **Imposition of Moratorium.** Now, therefore, 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 Minnesota Statutes 462.355, Subd. 4, as amended, for all property within the I-94 Corridor Area.

(C) **Duration.** The development moratorium shall remain in effect for twelve (12) months from the effective date of this Ordinance, unless extended or terminated by action of the Lake Elmo City Council.

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

Adoption Date. Passed by the Lake Elmo City Council on the 7th day of June, 2005.

Dean Johnston, Mayor

Martin Rafferty, City Administrator

Publication Date: This Ordinance was published in the June 17, 2005 Lake Elmo Leader

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