

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

ORDINANCE NO. 97-123

**AN ORDINANCE RELATING TO A
DEVELOPMENT MORATORIUM IN THE VILLAGE AREA**

The Lake Elmo City Council ordains that Section 301.150 and its subdivisions shall be added to the Lake Elmo Municipal Code to read as follows:

301.150 Development Moratorium.

- A. The City of Lake Elmo is in the process of studying planning concepts relating to the Village Area as shown on Exhibit "A", and authorized and directed by the City Council. A Village Plan for the area will be prepared in order to guide land use, design and capital improvements in the Village area.
- B. The City will be conducting informational meetings with the Public, Planning Commission and City Council, as drafted plan documents are prepared. The City will conduct public hearings in order to obtain public input prior to the adoption of any required changes to its Comprehensive Plan and Official Controls.
- C. Pending the completion of the public hearings and the adoption of amendments to its Comprehensive Plan and Official Controls, the Lake Elmo City Council has determined that it would be in the public interest to impose a rezoning and development moratorium on those parcels of land which will be impacted by the proposed amendments.
- D. In order to achieve the above objectives, there is hereby imposed, except as hereinafter provided, the following limited rezoning and development moratorium, pursuant to the provision of M.S. 462.355, Subd. 4, on all property in the Village area as defined on Exhibit "A".
 - 1. No Village area property may be rezoned except land zoned to (AG) Agricultural and those lands within the Railroad right-of-way. As an example; no property may be rezoned from one residential use category to another residential use category or from one commercial category to another commercial category or from a residential category to a commercial category.
 - 2. No applications shall be accepted for processing by the City including any land within the moratorium area, including, but not limited to rezoning, subdivision into parcels of less than 10 acres, Conditional Use Permit, Open Space Development Project, Site Plan, and Zoning Variances.

3. Property may not be further subdivided, except as specifically provided below hereafter.
 4. Vacant lots in a residential subdivision, which has already been approved by the City Council, may be developed consistent with the City's current zoning and building regulations.
 5. In Residential Zoning Districts, new construction and additions to existing structures may occur.
 6. No expansion of existing structures or new construction which would require a variance will be permitted.
- E. This moratorium shall not apply to subdivisions resulting in parcels of ten acres or greater; nor shall it apply to subdivisions where necessary to allow for minor lot line adjustments.
- F. This moratorium will be in effect for 120 days from the date of publication unless terminated by City Council action.
- G. The City Council may, by amendment to this Ordinance, remove specific parcels from the area of this moratorium, or repeal the 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 21st day of October, 2003.



Lee Hunt, Mayor

ATTEST:

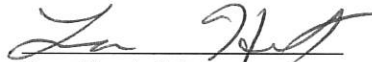


Charles E. Dillerud, Acting City Administrator

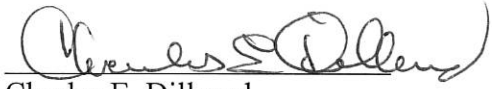
Publication Date. This Ordinance or an approved Summary thereof was published on the 27th of October, 2003 in the Stillwater Gazette.

3. The applicant should include additional parking lot interior landscaping (per Code) and rainwater garden parking lot surface water treatment (per Valley Branch) in subsequent Site Plan designs.
4. Compliance with the recommendations of the City Engineer, and City Attorney.

ADOPTED, by the Lake Elmo City Council on October 7, 2003.


Lee Hunt, Mayor

ATTEST:


Charles E. Dillerud
Acting City Administrator