

CITY OF LAKE ELMO  
ORDINANCE NO. 9735

AN ORDINANCE EXTENDING THE DEVELOPMENT MORATORIUM IN THE  
VILLAGE AREA

THE LAKE ELMO CITY COUNCIL ORDAINS:

1.0 Recitals.

- A. On November 4, 1997, the Lake Elmo City Council adopted Ordinance No. 97-21 which established a development moratorium for that portion of the City of Lake Elmo which is illustrated on Exhibit A attached ("Village Area").
- B. The development moratorium established by Ordinance No. 97-21 was effective for nine months and will terminate on August 18, 1998.
- C. The development moratorium established by Ordinance No. 97-21 was enacted to permit the City's Village Commission adequate time to study the Village Area and make recommendations for the adoption of official controls which would preserve, protect and enhance the rural and historic character of the Village Area.
- D. The City's Village Commission will soon complete its study and inventory of the character of existing parcels in the Village Area and is in the process of drafting recommendations for official controls which would apply to the Village Area.
- E. The City's Village Commission needs additional time to complete its task.

2.0 Extension of Development Moratorium. The Lake Elmo City Council hereby extends the development moratorium originally enacted by Ordinance No. 97-21 for all property within the Village Area. The extended development moratorium will commence on August 18, 1998 and will continue until and including the 31 day of MARCH, 1999, unless otherwise terminated by action of the Lake Elmo City Council. During the extended development moratorium:

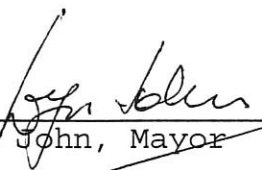
- A. No property within the Village Area may be rezoned from its current zoning classification to any other zoning classification except the agricultural (AG) zone.
- B. Any property in the Village Area which is currently zoned residential may not be further subdivided.
- C. Except as hereinafter provided, new structures or significant alterations to existing structures shall not be permitted:
  - 1. Any residential development in the Village Area which has already been approved by the City Council may be developed in a manner consistent with the City's current zoning and building regulations.
  - 2. Expansions to the rear of buildings and the addition of decks to the rear of buildings shall be permitted.
  - 3. In any of the residential zoning districts, new construction and additions to existing structures will be permitted.
  - 4. The paving and repair of existing parking lots will be permitted.
- D. Alterations to the front facades of buildings and the expansion of building floor areas which alter the architectural character of buildings in the general business (GB) zone shall not be permitted.
- E. In any event, the expansion of an existing structure or the construction of a new building which will require the granting of a variance will not be permitted.
- F. The extended development moratorium shall not apply to subdivisions resulting in parcels of 10 acres or greater; nor shall it apply to subdivisions where necessary to allow for minor lot line adjustments.

3.0 **Enforcement.** The City of Lake Elmo may enforce any provision of this ordinance by mandamus, injunction or any other appropriate civil remedy in any court of competent jurisdiction.

4.0 Separability. Every section, provision, or part of this ordinance is declared separable from every other section, provision or part of this ordinance. If any section, provision or part of this ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this ordinance.

Effective Date. This Ordinance shall be effective the day following its publication or on the day following the publication of an Ordinance Summary approved by the Lake Elmo City Council.

4<sup>th</sup> Adoption Date. Passed by the Lake Elmo City Council on the day of August, 1998.

  
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Wyn John, Mayor

ATTEST:

  
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Mary Kueffner  
City Administrator

Publication Date. Published on the 12<sup>th</sup> day of August, 1998.

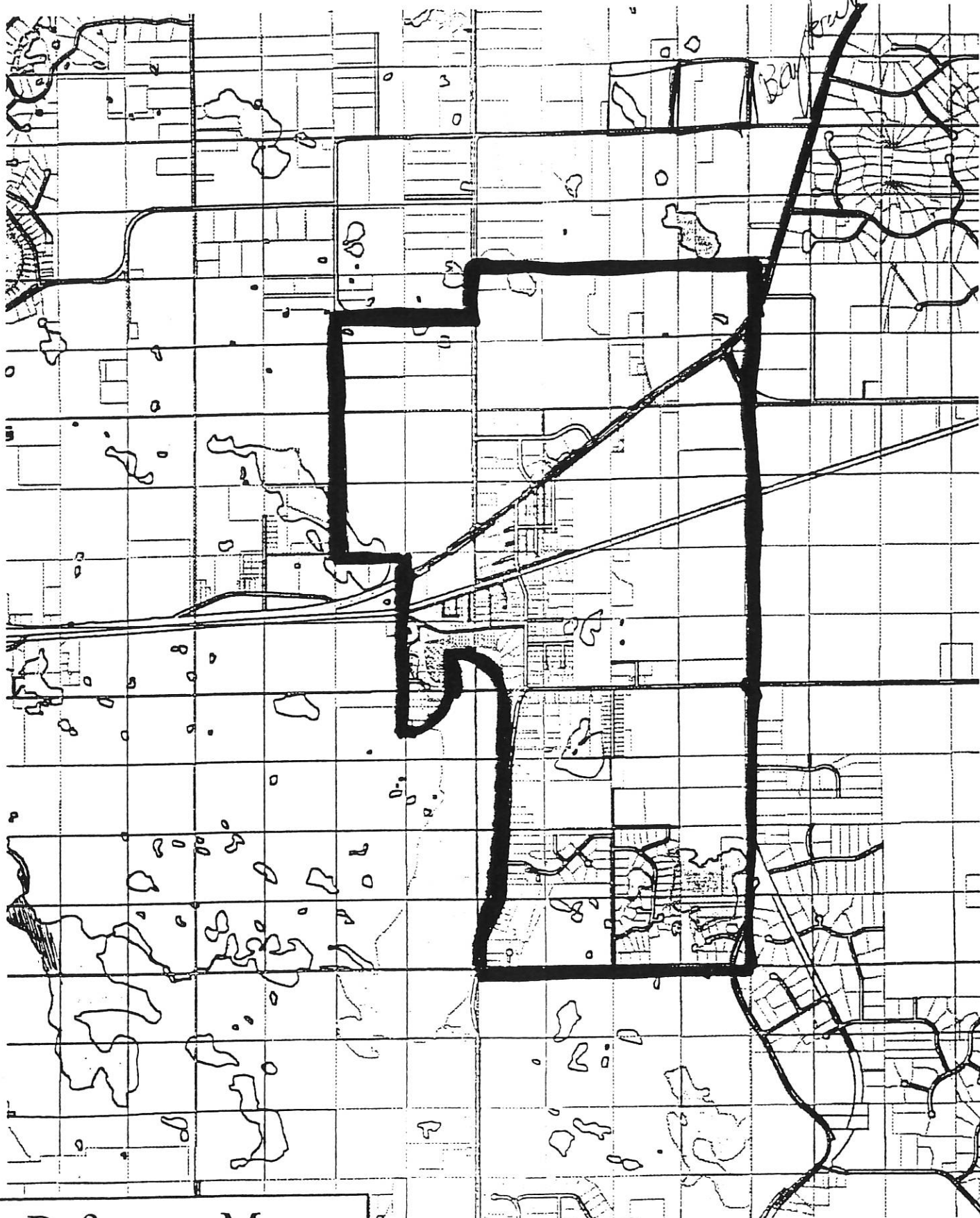
B\ORD\VILLAGE.ORD  
July 30, 1998

SET MORRIS

WICKATICKIT

FOR DEVELOPMENT

MELOV



Reference Map

STUDY AREA (AS PRESENTED BY VILLAGE CO.)