

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA  
ORDINANCE 80-72**

**AN ORDINANCE ADDING SECTION 301.070 D. 14 "LIMITED BUSINESS"  
TO THE 1979 LAKE ELMO MUNICIPAL CODE**

**The City council of the City of Lake Elmo ordains:**

**SECTION 1. AMENDMENT:** Section 301.070 D. 14 "LIMITED BUSINESS" of the 1979 Municipal Code of the City of Lake Elmo is hereby adopted: to wit:

**301.070 D. 14. LB - LIMITED BUSINESS DISTRICT**

**301.070 D. 14 A. PURPOSE:**

The purpose of the Limited Business District is to establish a comprehensive planned framework for development along I-94 where municipal sanitary sewer does not exist. The City has determined that it is in the best interest of the City and the region to responsibly manage growth in this district. It is the intent of this district to promote a high quality of business design and development that produces a positive visual image and minimizes adverse impacts from traffic congestion, noise, odor, glare, and similar problems. Specific development goals within the district include the following:

- 1) To encourage a high quality development standard for structures within the district.
- 2) To protect the natural environment, in accordance with City Ordinances.
- 3) To allow development to comply with the capacity of regional and local road systems.
- 4) To guide development by setting requirements for on-site sewer systems.
- 5) To establish permitted, accessory and conditional uses in order to stimulate local economic prosperity along the interstate corridor and within the Metropolitan Rural Service Area while closely monitoring the magnitude of development so not to prematurely demand the expansion of local governmental services.

**301.070 D. 14. B. PERMITTED USES - Permitted Uses are as follows:**

- 1) Offices for administrative, executive, professional, and management functions.
- 2) Clinics, medical offices.
- 3) Financial institutions such as banks.
- 4) Business and professional schools, private trade schools.

### **301.070 D. 14. C. CONDITIONAL USES**

- 1) Medical, dental, and research laboratories.
- 2) Business service uses normally associated with office developments (photocopy and printing shops, travel agencies, etc.) and containing limited retail activity.
- 3) Limited retail uses including:
  - (a) Retail sales clearly accessory to the permitted principal use of the land, for example: the compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or optometric offices.
  - (b) The retail sale of commodities marketed to the local area such as:
    - (1) Greenhouses and nurseries, landscaping services, flowers and floral accessories.
    - (2) Art sale and gallery.
    - (3) Furniture, home furnishings and related equipment.
    - (4) Vineyard and winery produce and sales.
    - (5) Sporting goods, skiing, bicycles, motorcycles, snowmobiles, boats and fishing gear (all storage restricted to inside).
- 4) Veterinary clinics with no crematorium, outdoor kennels or storage.
- 5) Restaurants and cafeterias incorporated within a principal structure and oriented predominantly towards serving the needs of employees of the surrounding area, but excluding drive-up and exterior walk-up facilities.
- 6) Licensed dependent care centers and preschool facilities.
- 7) Transmission facilities for tele-conferencing, which are not free-standing and which do not extend more than 20 feet above the building to which they are attached.
- 8) Other uses similar to those permitted by this section, as determined by the City Council.

### **301.070 D. 14. D. ACCESSORY USES:**

Within the Limited Business District, the following are allowed provided they are subordinate to and associated with a permitted use:

- 1) Satellite dish antennas to permit tele-conferencing.
- 2) Landscaped buffers, wildlife areas, internal picnicking areas, and walking-jogging trails.
- 3) Internal privately owned and maintained roads for off street parking and loading areas, between buildings within a single platted lot.

(301.070 D. 14 D.)

- 4) Other uses customarily associated with, and clearly incidental to a permitted use, as determined by the City Council.

NOTE: Facilities for the operation of helicopters and STOL aircraft are expressly forbidden.

**301.070 D. 14. E. MINIMUM DISTRICT REQUIREMENTS:**

**Minimum Lot Requirements:**

1. Lot Area: 3.5 Acres
2. Minimum Lot Width: 300 feet
3. Minimum Lot Depth: 400 feet
4. Building Setback from Property Lines:
  - a. Front 100 feet
  - b. Side 50 feet
  - c. Side (street) 100 feet
  - d. Rear 50 feet
  - e. any line adjacent to a residential zone 150 feet
5. Parking Setback from property lines:
  - a. Front 50 feet
  - b. Side 50 feet
  - c. Side (street) 50 feet
  - d. Rear 50 feet
  - e. any line adjacent to a residential zone 100 feet
6. Maximum Building Height: 35 feet
7. Maximum coverage by all structures: 25%
8. Maximum area to be covered by buildings, parking lots, driveways and other hard surfaces: 40%
9. Sewer Discharge: No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land, whichever is more restrictive. For the purpose of this regulation, net acres equals the total area of the lot minus wetlands, open water and dedicated public or street right-of-ways. No one single on site sewer system shall be designed to handle more than 5,000 gallons per day. Each parcel must dedicate areas for primary and secondary on site sewer treatment areas.
10. Minimum Building Floor Size: 4,000 square feet

## **301.070 D. 14. F. PERFORMANCE STANDARDS**

### **301.070 D. 14. F. 1. Minimum Architectural Standards:**

It is in the best interest of the City to promote high standards of architectural design. New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum: 1) elevations of all sides of the buildings, 2) type and color of exterior building materials, 3) typical general floor plans, 4) dimensions of all structures, 5) location of trash containers, heating, cooling and ventilation equipment and systems, 6) description of unique architectural features specific to the particular request.

The exterior surfaces of all buildings shall be faced with brick, stone, glass or equivalent. The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel, corrugated aluminum, or similar products, these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement.

Underground utilities shall be provided for all structures.

### **301.070 D. 14. F. 2. PARKING:**

Each building site shall be provided with such off street automobile parking as may be approved by the City. No parking shall be permitted on any street, driveway, or any place other than in approved parking spaces.

Construction - all drives and parking lots shall be constructed with concrete or blacktop, and with concrete curb and gutters. Where appropriate, sidewalks may be required. Parking lot landscape areas, including landscape islands shall be reasonably distributed throughout the parking lot area so as to break up expanses of paved areas.

Ratio - Unless otherwise approved by the City, parking shall be provided as follows: a) The minimum ratio of one permanently-paved off-street automobile parking space for each 2000 square feet of warehouse building area, and for each 250 square feet of office building area, and for each 150 square feet of retail area, and a ratio of one for three in seating for full service restaurants. b) The minimum ratio of one permanently-paved off-street automobile parking space for every two employees, whichever ratio shall result in the greater number of parking spaces.

Screening - All parking area shall be screened from the public view in a manner approved by the City prior to the construction or alteration of any building or building site.

Location - Unless otherwise approved by the City prior to construction or alteration, parking will not be permitted within 30 feet of the front property lines (those facing any dedicated street) of the building site, nor within 10 feet of its side property lines, nor within 10 feet of its rear property line.

#### **301.070 D. 14. F. 3. LANDSCAPING:**

All yard area shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan. Where areas abut residential districts, a buffer area of a minimum depth of 100 feet will be required. Such a buffer area shall be completely defined and designed, and approved by the City prior to all final City inspections for construction on site. Prior to the issuance of a building permit or commencement of any improvements on site, the owner shall provide the City with a financial security for a minimum of 24 months, approved by the City Attorney, to assure construction of the buffer area. All landscaping shall comply with Section 504.040 of the Lake Elmo Municipal Code.

#### **301.070 D. 14. F. 4. SIGNAGE:**

All signs shall be of a design and material approved by the City. Unless otherwise approved by the City, all signs must be attached to a building, parallel to and contiguous with, its walls, and not projecting above its roof line. All signs shall comply with Chapter 505 of the Lake Elmo Municipal Code.

#### **301.070 D. 14 F. 5. CITY FACILITY EXPANSION IMPACT FEE:**

The City may assess a Public Facilities Impact Fee on a proposed development within the LB Zoning District in those cases where it can demonstrate that:

- a. The expansion of public facilities is reasonably required as a result of the approval of the development; and
- b. The Impact Fee does not exceed the development's pro-rata share of the reasonably anticipated public facilities expansion cost.

Impact Fees shall be placed in a restrictive fund and may only be used to finance the cost of the public facilities expansion required by the development approval.

#### **301.070 D. 14. F. 6. LIGHTING:**


Plans for new developments shall include a lighting plan denoting the location, type and height of lighting fixtures and the illumination patterns shown on a site plan. Glare whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line. The source of lights shall be hooded and controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. All lighting shall comply with Chapter 1508 of the Lake Elmo Municipal Code.

#### **301.070 D. 14. F. 7. TRAFFIC:**

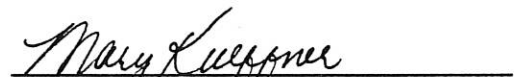
No use shall be allowed unless the property owner provides a road plan acceptable to the City, which shall demonstrate, at a minimum, that the proposed use and resulting traffic will not adversely affect the then existing traffic of the City. All private roads must comply with existing City regulations, with construction and maintenance being the sole responsibility of the property owner.

**SECTION 2. EFFECTIVE DATE:** This ordinance shall become effective the day following its publication.

**Adopted** by the City Council of the City of Lake Elmo this 6th day of October, 1992.

  
\_\_\_\_\_  
David Johnson, Mayor

**Attest:**

  
\_\_\_\_\_  
Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the 21<sup>st</sup> day of October, 1992.

CITY OF LAKE ELMO  
WASHINGTON COUNTY  
SUMMARY OF ORDINANCE 8072 RELATING TO  
SECTION 301.070 D. 14. "LIMITED BUSINESS ZONING DISTRICT"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-72 adopting the "Limited Business District" Zoning Ordinance.


On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-72 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

Section 301.070 D. 14	Limited Business District
Section 301.070 D. 14A	Purpose
Section 301.070 D. 14B	Permitted Uses
Section 301.070 D. 14C	Conditional Uses
Section 301.070 D. 14D	Accessory Uses
Section 301.070 D. 14E	Minimum District Requirements
Section 301.070 D. 14F	Performance Standards
Section 301.070 D. 14F1	Minimum Architectural Standards
Section 301.070 D. 14F2	Parking
Section 301.070 D. 14F3	Landscaping
Section 301.070 D. 14F4	Signage
Section 301.070 D. 14F5	City Facility Expansion Impact Fee
Section 301.070 D. 14F6	Lighting
Section 301.070 D. 14F7	Traffic

A complete copy of Ordinance 80-72 "Limited Business District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:

  
David Johnson, Mayor

Attest:

  
Mary Kueffner, City Administrator





CITY OF LAKE ELMO  
WASHINGTON COUNTY  
SUMMARY OF ORDINANCE 8072 RELATING TO  
SECTION 301.070 D. 14. "LIMITED BUSINESS ZONING DISTRICT"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-72 adopting the "Limited Business District" Zoning Ordinance.

On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-72 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

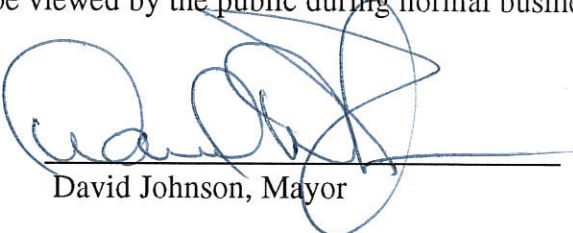
THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

*WRONG - 518.070*

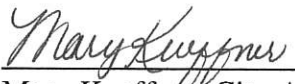
Section 301.050 D. 14	Limited Business District
Section 301.050 D. 14A	Purpose
Section 301.050 D. 14B	Permitted Uses
Section 301.050 D. 14C	Conditional Uses
Section 301.050 D. 14D	Accessory Uses
Section 301.050 D. 14E	Minimum District Requirements
Section 301.050 D. 14F	Performance Standards
Section 301.050 D. 14F1	Minimum Architectural Standards
Section 301.050 D. 14F2	Parking
Section 301.050 D. 14F3	Landscaping
Section 301.050 D. 14F4	Signage
Section 301.050 D. 14F5	City Facility Expansion Impact Fee
Section 301.050 D. 14F6	Lighting
Section 301.050 D. 14F7	Traffic

A complete copy of Ordinance 80-72 "Limited Business District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:

  
David Johnson, Mayor

Attest:

  
Mary Kueffner, City Administrator

