

# J Community Development Committee Environment Committee

For the Metropolitan Council meeting of March 24, 2010

## ADVISORY INFORMATION

**Subject:** Lake Elmo 2030 Comprehensive Plan Update  
Review File No. 20599-1  
Tier II Comprehensive Sewer Plan

### Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

### Recommendations of the Community Development Committee:

1. Authorize the City of Lake Elmo to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
  - a. Revise the Land Use element of the Update upon the City's selection of a development scenario for the Village Area and to submit a comprehensive plan amendment to the Metropolitan Council for review of the land use revision.
  - b. Revise the Update, when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, to guide the inholdings in Lake Elmo Park Reserve as parks and open space, or a comparable land use designation, on the City's 2030 Land Use Plan map.
  - c. Implement the advisory comments in the Review Record for Transportation, Aviation, Surface Water Management, Housing, and Community and Individual Sewage Treatment Systems.

### Recommendation of the Environment Committee:

Approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee.

### Summary of Committee Discussion / Questions:

#### Community Development Committee

Senior Planner LisaBeth Barajas presented the staff's report and proposed actions to the Community Development Committee. Barajas introduced City representatives Mayor Dean Johnston, City Administrator Bruce Messelt, City Planner Kyle Klatt, and City Engineer Jack Griffin.

Chair Steffen asked for clarification on Environment Committee action, which would be reviewed at the full Metropolitan Council meeting on the same day as the action on the comprehensive plan update. Steffen indicated the need to have the Environment Committee action occur prior to the Council's action on the City's Update.

Chair Steffen asked whether the City is considering amending their development plans to develop in the I-94 corridor rather than the Village Area first, especially given current economic conditions. Barajas clarified that the City has not made changes to the land use or staging at this time, but indicated that the City has been having those discussions internally.

Chair Steffen asked for confirmation on the time frame for the City to put into plan their comprehensive plan and make the changes indicated in the proposed actions. Barajas indicated that State statute requires a plan to be put into effect within 9 months of the Council's final action on the plan, including the required changes. Barajas explained, however, that the proposed actions indicate that the City should make some of those changes when their land use element is updated upon selection of a development scenario for the Village Area, which is expected to occur this year.

Chair Steffen asked whether a time element should be included in the proposed actions. Legal counsel Dave Theisen indicates that the Council may include a time element if they choose, but that it is in statute. Chair Steffen stressed the importance of this issue due to past court action on the comprehensive plan.

Committee member Sanda asked City representatives to speak on these matters. Chair Steffen asked for clarification on whether development of Old Village will happen first or if they intend on changing their land plan to start by I-94 instead. Mayor Johnston indicated that they may not change their land plan because their first 5-year increment was in the Village Area through 2010, with their second along the I-94 corridor starting in 2010. They will be playing catch-up in the current time increment and start in the corridor, but will also pursue development in the Village Area.

Steffen asked about the parks conformance issue. The Mayor indicated that it's a housekeeping issue that will be addressed. The Mayor also discussed affordable the housing needs issue. The Mayor discussed a stipulation in the MOU that allows the City to direct the types of housing to occur within the community, including housing for lifecycle housing, but the words "low income housing" are not well received in his community. It is the City's plan to include lifecycle housing in the Village plan and that they expect to further define that later this year. Steffen discusses the federal definition of affordable housing, which requires a healthy salary to afford the housing, and is not necessarily low-income.

Committee member Bowles asked about the City's planning grant. Barajas confirmed that the City did receive a planning grant and that the second half of that grant is payable upon the City's final adoption of the plan and submittal of a City resolution adopting the plan and a report detailing how the grant dollars were spent.

Committee member Pistilli asked about changes in the land use designations and whether total acreages are consistent with what they were previously. It appears that there are more land use categories than there were previously. Barajas clarified that the City has not made changes to the land use plan, but that there are differences in the number of categories between the existing and future land use categories due to the addition of land use categories for future growth in the Village Area and the I-94 corridor. Those categories were included in the City's 2006 plan and have not changed since the Council's previous review.

Committee member Pistilli asked whether there is an agreement that details that the City develop at a certain rate by a certain time. Chair Steffen confirmed and further explained that that is the case with the MOU and the legal agreement between the Council and the City. Development will be pushed out, but the end date and the final requirements for growth are not changing.

Committee member Pistilli asked whether the Council has held other communities to the 5-year milestones. Chair Steffen explained that due to the past litigation with the City, these items were negotiated with the City, including the 5-year milestones. Pistilli asks if this is similar to LCA grant extensions that were granted due to economic downturn. Steffen confirms that due to the economic downturn, they are similar, but that the City has other development options to pursue.

Messelt added that they are also faced with the 3M contamination issue in the I-94 corridor where they do not currently have sewer infrastructure, while the Village Area has water, but no sewer. As such, they intend on developing those areas concurrently. It is the City's intent to honor the terms of the MOU.

Committee member Broecker and Committee member Wulff thank City staff hard work and good faith efforts.

Motion to approve the proposed actions was made and seconded. The Committee unanimously passed the motion.

#### Environment Committee

Council member Leppik commented that the advisory comments indicate that the City's parks plan does not conform to the regional systems plan, and that its affordable housing section is not consistent with Council policy. Lisa Barajas, Sector Representative, explained that these items can be corrected. She highlighted the conformance issue with parks, which is a mapping recognition in their land use section. She explained that the City did not revise its land use section because it already planned through 2030, but the City had updated its parks element, which recognizes the full extent of the Lake Elmo Park Reserve. The 2030 Land Use Map needs to guide inholding parcels as parks and open space.

Motion to approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee was made, seconded, and passed unanimously.

**C** Community Development Committee  
Meeting date: March 15, 2010

**E** Environment Committee  
Meeting date: March 9, 2010

**ADVISORY INFORMATION**

<b>Subject:</b>	Lake Elmo 2030 Comprehensive Plan Update Review File No. 20599-1 Tier II Comprehensive Sewer Plan
<b>District(s), Member(s):</b>	District 12, Council Member Sherry Broecker
<b>Policy/Legal Reference:</b>	Minnesota Statutes Section 473.175
<b>Staff Prepared/Presented:</b>	LisaBeth Barajas, Principal Reviewer, 651-602-1895 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566 Kyle Colvin, Engineering Services Asst. Manager, 651-602-1151
<b>Division/Department:</b>	Community Development / Planning & Growth Management Environmental Services / Engineering Services

**Proposed Action**

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

**Recommendations of the Community Development Committee:**

1. Authorize the City of Lake Elmo to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
  - a. Revise the Land Use element of the Update upon the City's selection of a development scenario for the Village Area and to submit a comprehensive plan amendment to the Metropolitan Council for review of the land use revision.
  - b. Revise the Update, when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, to guide the inholdings in Lake Elmo Park Reserve as parks and open space, or a comparable land use designation, on the City's 2030 Land Use Plan map.
  - c. Implement the advisory comments in the Review Record for Transportation, Aviation, Surface Water Management, Housing, and Community and Individual Sewage Treatment Systems.

**Recommendation of the Environment Committee:**

Approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee.

## ADVISORY COMMENTS

### City of Lake Elmo 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20599-1 – Council Business Item No. 2010-89

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update (“Update”) and approving the City’s Tier II Comprehensive Sewer Plan:

#### Community Development Committee

1. The Council-adopted *Local Planning Handbook* states that the City must take the following steps:
  - a. Adopt the Update in final form after considering the Council’s review recommendations; and
  - b. Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.
  - c. Submit to the Council a copy of the City Council resolution evidencing final approval of the Update.
2. The Council’s *Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council’s final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the plan or respond to the Council before “final approval” of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governmental units must adopt official controls as described in their adopted comprehensive plans and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1)
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council’s metropolitan system plans (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

#### Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update also receives final approval from the City’s governing body. After the Update receives final approval from the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand, or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

## **Background**

The City of Lake Elmo is located in central Washington County. The City is bounded by the City of Grant to the north, the City of Stillwater and the City of Oak Park Heights to the northeast, Baytown Township and West Lakeland Township to the east, the City of Afton to the southeast, the City of Woodbury to the south, and the City of Oakdale to the west. The *2030 Regional Development Framework* (RDF) identifies the City as both Developing and Rural Residential planning areas (see Figure 2).

### Applicable Planning History

In September 2002, the Metropolitan Council completed its review of the City's 1998 Comprehensive Plan and found that the City's plan was not consistent with the Council's Regional Growth Strategy and that the plan may substantially depart from and may have a substantial impact on metropolitan system plans. Consequently, the Council required the City to make modifications to its plan. After the City exhausted the administrative law judge and appellate court processes, the Minnesota Supreme Court in August 2004 affirmed prior legal decisions finding that the Metropolitan Council has the statutory authority to require the City to modify its plan.

Subsequently, the City and the Council entered into a Memorandum of Understanding (MOU) in January 2005. The MOU established a framework for the City comprehensive plan revision that focused on planning future urban development that would conform with metropolitan system plans. In June 2005, the City requested an extension of time for submitting its modified 1998 comprehensive plan. Metropolitan Council Resolution 2005-20 granted the requested extension and included numerous requirements and conditions further defining the terms for an acceptable 1998 comprehensive plan.

In September 2005, the Council issued the System Statement for Lake Elmo for the 2008 decennial comprehensive plan update. The City incorporated much of the updated information in their 1998 plan, including wastewater, forecasts through 2030, and land use. In April 2006, the Council reviewed and accepted the City's 1998 comprehensive plan (Business Item 2006-88, Review File No. 18608-1), finding that the plan satisfied the requirements of Council Resolution 2005-20 and the January 2005 MOU.

The MOU and Resolution 2005-20 detail forecasted growth for the City through 2030. The Council's System Statement for the City was revised pursuant to the Council's final action on the City's 1998 comprehensive plan, which included planning through 2030. The revisions included amending the City's geographic planning area to reflect designation of the City's rural area as Rural Residential rather than Diversified Rural; expected splits in flow between the two regional wastewater treatment plants serving the City, but still equaling the totals shown in the MOU and the City's approved 1998 comprehensive plan; and ensuring that forecasts are consistent with those shown in the MOU and the City's 1998 plan.

Because the City's Wastewater and Land Use Chapters plan through the year 2030 and were reviewed against the MOU, Resolution 2005-20, and the regional systems plans in the Council's 2006 review, these items have not been updated for the 2008 decennial review. The City submitted its Comprehensive Plan Update (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. State. 473.175) and the Council's 2005 System Statement requirements.

## **Rationale**

1. Does the proposed Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?

3. Is the Update compatible with the plans of adjacent governmental units and plans of affected special districts and school districts?

**Conformance with Regional Systems Plans**

- |   |     |
|---|-----|
| 1. Regional Parks   | No  |
| 2. Transportation, including Aviation   | Yes |
| 3. Water Resources Management<br>(Wastewater Services and Surface Water Management) | Yes |

**Consistent with Council Policy Requirements**

- |  |     |
|--|-----|
| 1. Forecasts   | Yes |
| 2. Housing   | No  |
| 3. <i>2030 Regional Development Framework</i> and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program      | Yes |
| 5. Water Supply  | Yes |

**Compatible with the Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts**

- |                             |     |
|-----------------------------|-----|
| Compatible with other plans | Yes |
|-----------------------------|-----|

**Funding**

The City has received the first half of a \$20,000 planning grant from the Council to facilitate the completion of the Update. The second half will be payable upon successful completion of the Update planning process.

**Known Support / Opposition**

There is no known opposition.

## REVIEW RECORD

### Review of the City of Lake Elmo 2030 Comprehensive Plan Update

#### STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans (plans) and plan amendments to the Council for review and comment (Minn. Stat. § 473.864, Subd. 2). The Council reviews plans to determine:

- *Conformance with metropolitan system plans,*
- *Consistency with other adopted Plans of the Council, and*
- *Compatibility with the Plans of other local jurisdictions in the Metropolitan Area.*

The Council may require a local governmental unit to modify any plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes that the Update is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans (Minn. Stat. § 473.175, Subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

#### CONFORMANCE WITH REGIONAL SYSTEMS

##### Regional Parks

*Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)*

The Update does not conform to the *2030 Regional Parks Policy Plan (RPPP)*.

The regional parks system facilities in the City include Lake Elmo Park Reserve and the proposed Washington County Central Greenway Regional Trail, which will connect Big Marine Park Reserve, Lake Elmo Park Reserve, and Cottage Grove Ravine Regional Park. The Comprehensive Parks and Recreation Plan of the Update acknowledges these regional parks system elements.

In order to conform to the RPPP, when the City updates its land use element, the future land use guiding for inholding parcels at Lake Elmo Park Reserve must be guided as park and open space, or a comparable land use designation on the 2030 Land Use Map. Inholdings are parcels that are within the boundaries of the park reserve that have not yet been acquired by Washington County, and are shown in red on the attached Figure 6.

##### Transportation

###### *Roads and Transit*

*Reviewer: Ann Braden, MTS – Systems Planning, (651-602-1705)*

The Update conforms to the *2030 Transportation Policy Plan (TPP)*, adopted in 2004, and addresses all the applicable transportation and transit requirements of a comprehensive plan.

The City is served by elements of two metropolitan highways: I-94 along the City's southern border with the City of Woodbury, and TH 36 along its northern border with the City of Grant. Lake Elmo is within the Metropolitan Transit Taxing District. The western portion of the City is within Transit Market Area III, and the eastern portion is in Market



Area IV. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing.

#### Advisory Comments

Prior to final adoption by the City, the transit element of the Update should incorporate the following revisions:

1. The Transportation Plan references the Laverne Avenue and 34<sup>th</sup> Street/Stillwater Boulevard (TH 5) Park and Ride. This Park and Ride was closed due to low usage and should be removed from the description and from the Figure 11 map.
2. The Guardian Angels Park and Ride was expanded from 150 spaces to 425 spaces, and usage stands around 300 cars.
3. In the description of existing transit facilities, the summary should also include the Christ Episcopal Church Park and Ride next to Woodbury Lutheran Church Park and Ride. This facility has space for 90 cars and a daily usage of 25 cars.
4. The TH 36 Transit Corridor summary should remove the reference to a proposed park and ride at TH 36 and I-694. Although this site had been included in previous plans, it has been deleted in the current Park and Ride Plan.
5. The I-94 Transit Corridor summary describes the location of the planned park and ride on the south side of I-94 in Woodbury between Keats and Manning Avenue. The location of the new park and ride is proposed to be at I-94 and Manning Avenue.

#### **Aviation**

*Reviewer: Chauncey Case, MTS – Systems Planning (651-602-1724)*

The Update conforms to the TPP and is consistent with Council aviation policy.

#### Advisory Comments

The City is advised that the Council has approved the MAC 2025 Long-term Comprehensive Plan (LTCP) preferred alternative for the Lake Elmo Airport. Once the joint airport zoning board airport zoning ordinance is approved by MnDOT, the City will need to revise the Update to reference that ordinance.

### **Water Resources Management**

#### **Wastewater Service**

*Reviewer: Kyle Colvin, ES – Engineering Services, (651-602-1151)*

The Update conforms to the *2030 Water Resources Management Policy Plan (WRMPP)*. The Update summarizes the City's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

The City is currently being provided with wastewater services via Metropolitan Council Environmental Services (MCES) interceptor 1-WO-500 with treatment provided at the Metropolitan Wastewater Treatment Plan in St. Paul. This service point provides service to those areas of the City served through the southwest corner of the community.

Central and southern Lake Elmo will be provided service through interceptor 806300 which is located near Lake Elmo Avenue North and I-94, and extends into Woodbury. Wastewater from this portion of the City will be conveyed to and treated at the Eagles Point Wastewater Treatment Plan in Cottage Grove. The Metropolitan Disposal System will have adequate capacity for the long-term growth needs of the City as identified in the Update. The Update projects that the City will have 5,200 sewered households and 13,000 sewered employees by 2030.

The Update provides sanitary flow projections in 5-year increments. The rationale for the projections is given in the Update and determined appropriate for planning for local services.

The City is not currently identified as a community impacted by wet weather occurrences. The Update, however, does include a description of an I/I reduction plan which includes televised inspection and cleaning of the sanitary sewer system. Homes and businesses will be checked for sump pump discharge into the sanitary sewer system prior to being issued a Certificate of Occupancy. Should excessive inflow and infiltration be a concern in the future, the City will adopt additional policies to remedy the situation.

#### Memorandum of Understanding & Resolution

In 2005, the Council and the City entered into a Memorandum of Understanding (MOU), which outlined the City's commitment to construct, connect, and put into service a local wastewater collection system to support forecasted growth through 2030. Later in 2005, the Council passed a resolution (Resolution 2005-20) that established for the City Residential Equivalent Connections (RECs) milestones in 5-year increments through 2030.

The Resolution granted the City a time extension for completion of its comprehensive plan (1998 decennial review), and added a provision for the Council to assess Wastewater Inefficiency Fees (WIFs) to the City for not meeting the pre-established RECs milestones. The Resolution also contained a provision that allowed the City to petition the Council for relief of WIF assessment due to a "protracted downturn in the economy or a long term recession." The City has made this petition to the Council.

Under separate concurrent action, the Council will act on a Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee, and requiring the City to enter into a binding Memorandum of Understanding consistent with the Resolution.

#### ***Tier II Comments***

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developing (Developing, Rural Residential) communities. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the City, the action of the Council to approve the Tier II Plan becomes effective. At that time, the City may implement its Update to alter, expand, or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting its Update needs to be submitted to the Metropolitan Council for its records.

#### ***Surface Water Management***

*Reviewer: Judy Sventek, ES – Water Resources Assessment, 651-602-1156*

The Update conforms to the WRMPP for local surface water management. The City lies within the South Washington, Browns Creek, and Valley Branch watersheds. The Board of Water and Soil Resources (BWSR) approved the South Washington and Browns Creek District's latest watershed management plans in 2007. BWSR approved Valley Branch Watershed District's watershed management plan in 2005.

The City prepared a local surface water management plan (LSWMP) in March 2009 that was reviewed under separate cover. Council staff found the LSWMP to be consistent with Council policy and with the Council's WRMPP.

#### Advisory Comments

The City needs to send to the Council the dates that the watershed district approved the LSWMP, the date that the City adopts the final plan, and a copy of the final LSWMP.

## CONSISTENCY WITH COUNCIL POLICY

### Forecasts

Reviewer: Todd Graham, CD - Research, (651-602-1322)

The forecast-related content in the Update is consistent with the Council's forecasts and with regional policies. The Update uses the forecasts from the Systems Statement issued (revised) by the Council on January 3, 2007, and are presented in Table 1 below.

**Table 1. Lake Elmo System Statement Forecasts**

	2000	2010	2020	2030
Population – Unsewered	6,863	8,536	9,673	9,700
Population – Metro Sewered	0	1,416	8,730	14,300
Population – TOTAL	6,863	9,952	18,403	24,000
Households – Unsewered	2,347	3,104	3,324	3,527
Households – Metro Sewered	0	515	3,000	5,200
Households – TOTAL	2,347	3,619	6,324	8,727
Employment – Unsewered	1,682	1,250	1,250	1,000
Employment – Metro Sewered	0	1,000	5,950	13,000
Employment – TOTAL	1,682	2,250	7,200	14,000

### 2030 Regional Development Framework and Land Use

Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)

The Update is consistent with the *2030 Regional Development Framework* and consistent with Council policy for land use. As reviewed in 2006 (Business Item 2006-88, Review File No. 18608-1), the City's land use plan corresponds to the Council requirements detailed in Resolution 2005-20, the MOU, and the *2030 Regional Development Framework*.

The City is continuing to plan to accommodate growth on sanitary sewer services in the Village Area and the Area South of 10<sup>th</sup> Street North, which is located in the southern part of the City in the I-94 corridor. Both areas include a mix of residential, commercial, and public uses. Residential densities are proposed to be at least 3.5 units per acre in the Area South of 10<sup>th</sup> Street North and up to 14.5 units per acre in the Village Area. Interim densities prior to the provisions of regional wastewater services will be held at one unit per 20 acres.

#### Advisory Comments

The City has completed the Village Area Alternative Urban Areawide Review (AUAR), which assesses development scenarios for the Village area upon extension of sanitary sewer services. Council staff reviewed the Village Area AUAR and concluded that the AUAR was complete and accurate with respect to regional concerns (Phyllis Hanson letter, April 8, 2009).

As indicated in that and other correspondence, the City is advised that, upon selection of a development scenario for the Village Area, the Land Use section of the Update will need to be revised, and the City will need to submit a comprehensive plan amendment for that revision to the Metropolitan Council for review.

## **Housing**

*Reviewer: Linda Milashius, CD – Livable Communities, (651-602-1541)*

Because the Council has agreed that this Comprehensive Plan Update need not include a revised Land Use element until and at such time of the adoption of a redevelopment scenario for the City's Village Area, and because the City does not at present have Metropolitan Disposal System service, the Update does not need to include acknowledgement of the City's share of the region's affordable housing need between 2010 and 2020.

### Advisory Comments

The City is advised that when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, given current sewer household growth forecasts for the City between 2010 and 2020, the Update will need to include the City's share of the affordable housing needs, which is 661 new units. At that time, the Update implementation section will also need to be revised to identify the programs, fiscal devices and official controls, including the guiding of land at medium and high densities for sewer development, to accommodate this need through 2020.

## **Community and Individual Sewage Treatment Systems (ISTS)**

*Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)*

The Update is consistent with the *2030 Water Resources Management Policy Plan* (WRMPP) for ISTS. The Update indicates that there are 2,071 ISTS, 12 community wetland treatment systems, and seven "201" community septic treatment systems operating in the City. The City's "Individual and Community Wastewater Treatment System" Code Chapter 51 is consistent with MPACA Rules and with Council policy requirements.

### Advisory Comments

As noted in the Implementation Chapter of the Update, the City will need to revise its ISTS Ordinance by February 2011 to incorporate recent MPCA 7080-7081 Rule revisions (consistent with Minn. Stat. 115.55).

## **Water Supply**

*Reviewer: Sara Smith, ES – Water Supply Planning, (651-602-1035)*

The Update is consistent with the WRMPP for water supply planning. The Council encourages the City to continue to implement water conservation programs in an effort to promote the efficient use of water.

## **Resource Protection**

### **Historic Preservation**

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update addresses historic preservation in the community as required by the MLPA. The Update describes existing historic resources and indicates that the City will work with the Oakdale Lake Elmo Historical Society and the Washington County Historical Society to further protect and preserve historic resources in the community.

### **Solar Access Protection**

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update appropriately addresses the protection of access to solar energy as required by the MLPA in the Resource Protection section of the plan. The Update indicates the goal of updating their ordinances and regulations to allow the integration of solar equipment, wind energy, and other similar technologies into development in the community.

### **Aggregate Resources Protection**

*Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)*

The Update addresses aggregate resources protection as required by the Metropolitan Land Planning Act. Consistent with *Minnesota Geological Survey Information Circular 46* (Circular), the Update acknowledges that there are aggregate resource deposits present in the community. Two primary deposit areas identified in the Circular inventory are the sites of two existing mining operations in the City. The remainder of the identified resource areas have either already been mined or have been urbanized.

## **PLAN IMPLEMENTATION**

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update includes a description of and schedule for any necessary changes to:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- ISTS Code Yes
- Housing Implementation Program Yes

The Update contains an Implementation Program, which describes the official controls and fiscal devices that the City will employ to implement the Update, with a schedule for implementation priorities and a description of special studies undertaken by the City. Detailed implementation strategies are contained in individual chapters of the Update and are reiterated in the Implementation Section.

## **COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS**

The City submitted its Update to the adjacent communities, Washington County, affected school districts, affected watershed districts, and other special districts for comment on May 29, 2009. There do not appear to be any conflicts with the plans of adjacent and affected jurisdictions.

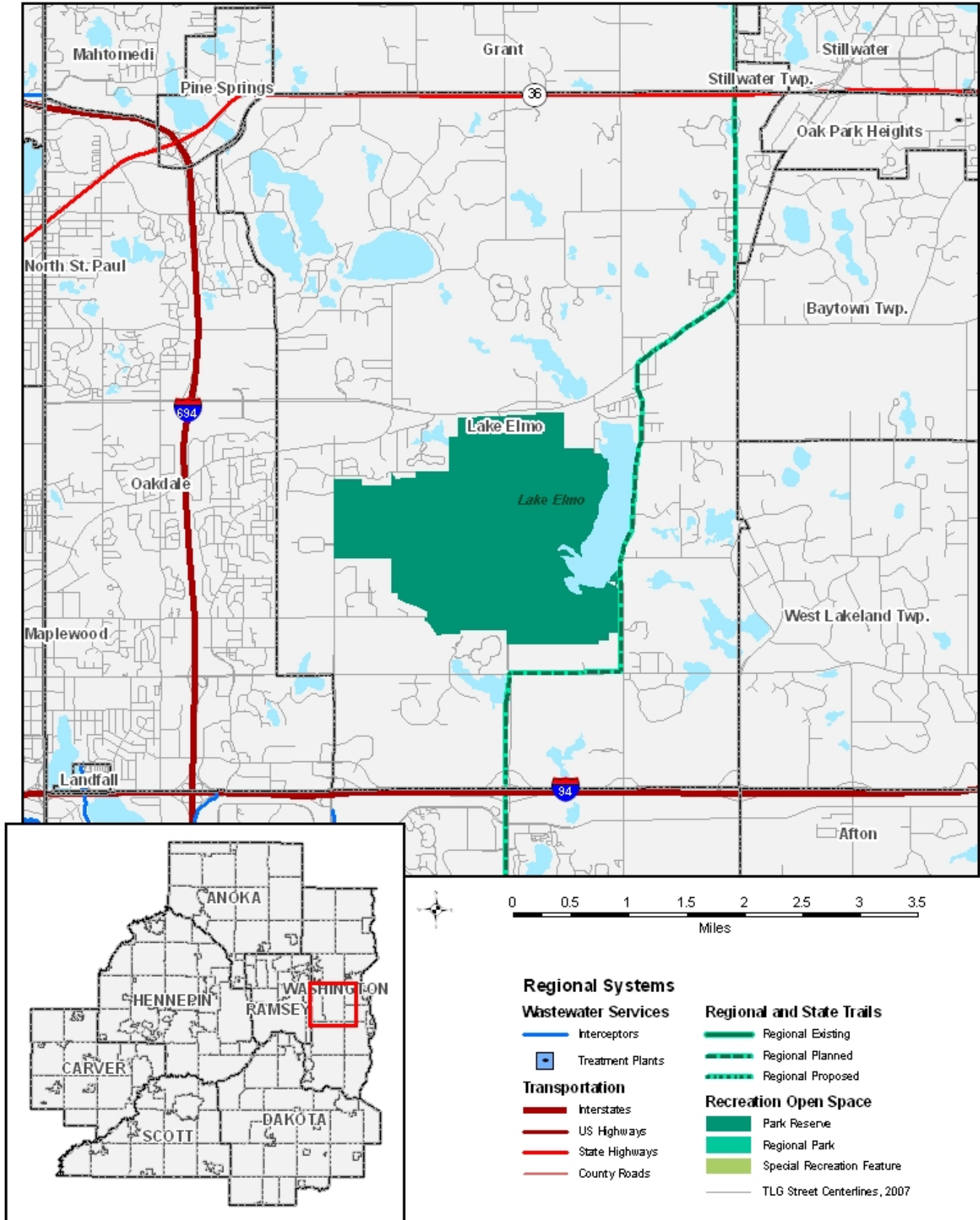
## **DOCUMENTS SUBMITTED FOR REVIEW**

- City of Lake Elmo Comprehensive Plan Update (May 29, 2009)
- Supplemental information for community and individual treatment systems, housing and implementation (December 21, 2009)
- Jurisdictional review comments received and capital improvement program (January 19, 2010)

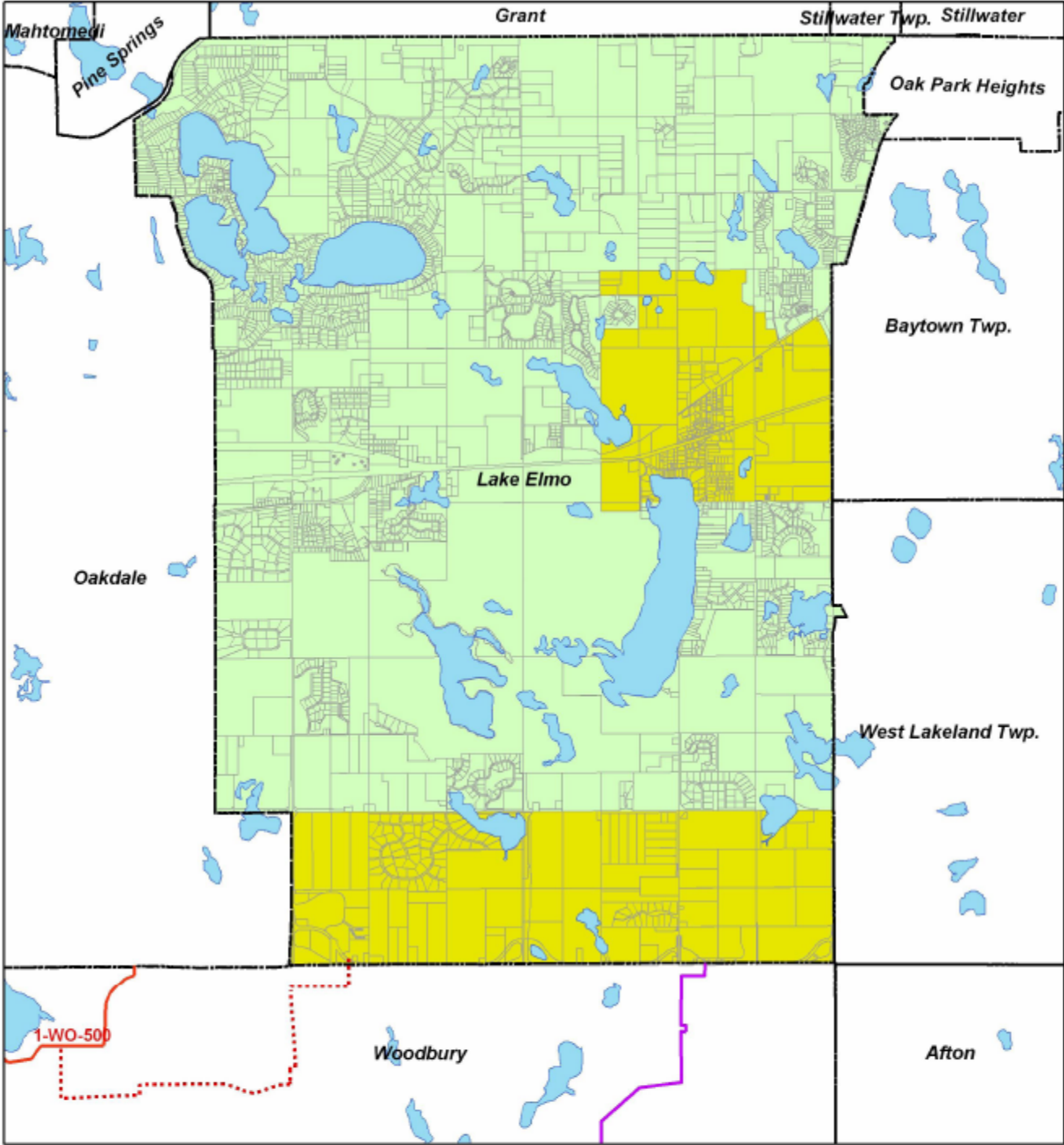
## **ATTACHMENTS**

- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing and Future Land Use Tables
- Figure 4: Existing Land Use
- Figure 5: 2030 Future Land Use
- Figure 6: Inholdings at Lake Elmo Park Reserve

**Figure 1. Location Map with Regional Systems**  
 City of Lake Elmo



**Figure 2. 2030 Regional Development Framework and Planning Areas**  
 City of Lake Elmo



- |                      |                       |
|----------------------|-----------------------|
| — MCES Interceptor   | <b>Framework 2030</b> |
| ⋯ Proposed Forcemain | ■ Developing Area     |
| — Proposed Gravity   | ■ Rural Residential   |

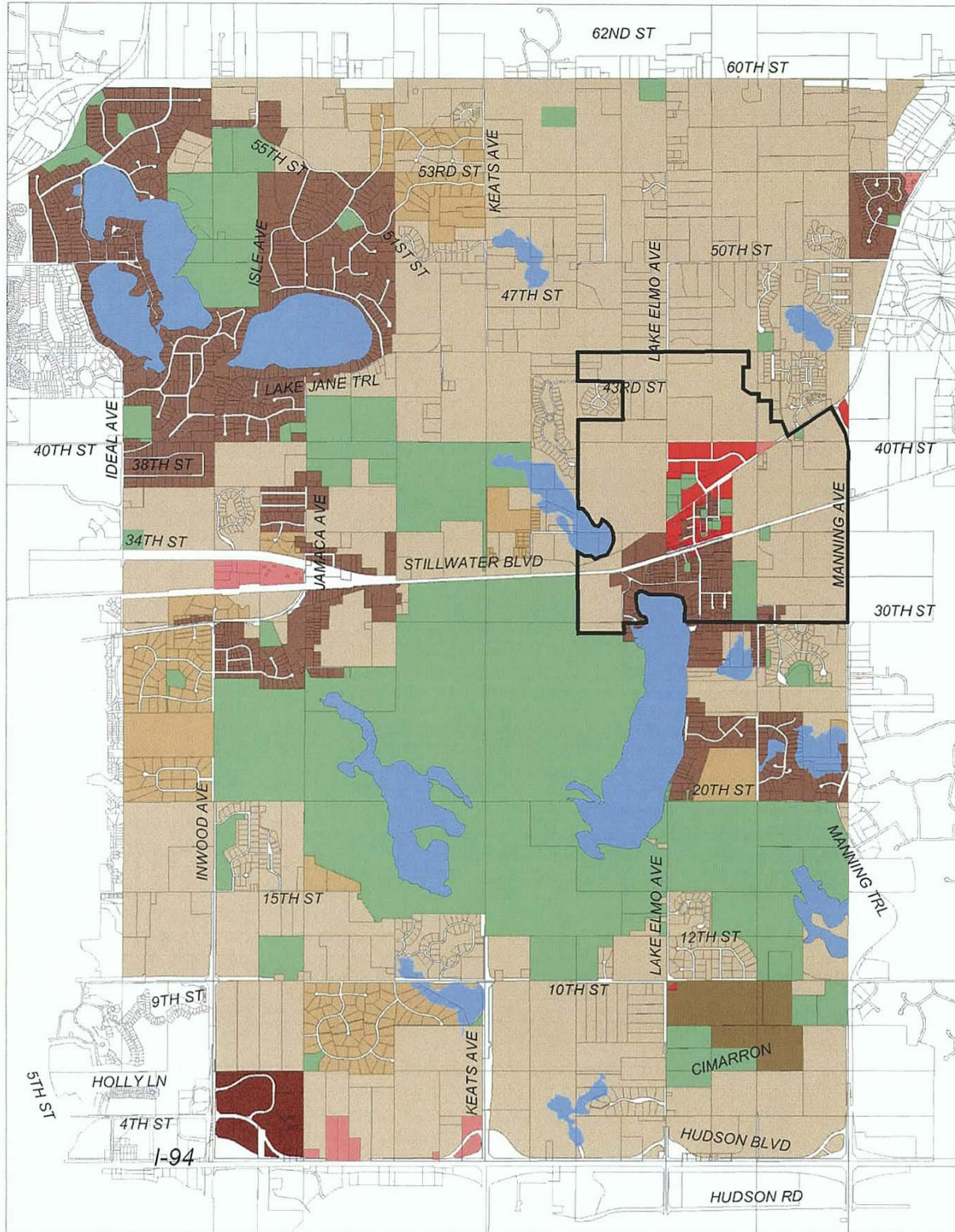
**Figure 3. Existing and Future Land Use Tables**  
 City of Lake Elmo

Existing Land Uses	Land Use Descriptions	Area (Acres)
BP	Business Park	121
C	Commercial	114
LB	Limited Business	243
PF	Public/Semi-Public Facilities	3450
RAD	Rural Agricultural Density	7020
RED	Residential Estates Density	760
ROW	Right-of-Way	509
SRD	Single-family Residential Density	1709
URD	Urban Residential Density	169
WAT	Water	1155
<b>TOTAL</b>		<b>15250</b>

Future Land Uses	Total Area (Acres)	Village Area (Acres)	South of 10th (Acres)
BP	362		362
C	58	54	1
LB Future sewer	16		16
LB Non-sewer	45		
NC	1658	116	
PF	3381	23	122
RAD	5029		74
RAD2	142		
RED	691		153
ROW	545	45	161
SRD3.5	1069		1069
URD	169		169
WAT	1155		25
VR-HD	7	7	
VR-LD	77	77	
VR-MU/MD	86	86	
VR-P/S	43	43	
VR-GB	717	717	
<b>TOTAL</b>	<b>15,250</b>	<b>1,168</b>	<b>2,152</b>



**Figure 4. Existing Land Use**  
City of Lake Elmo



**EXISTING LAND USE**  
Lake Elmo Comprehensive Plan 2005 - 2030

**Limitation of Liability**

This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and city offices, and other sources.

Map Date: January 24, 2006

Created By: **TKDA**  
WORKERS ARCHITECTS PLANNERS

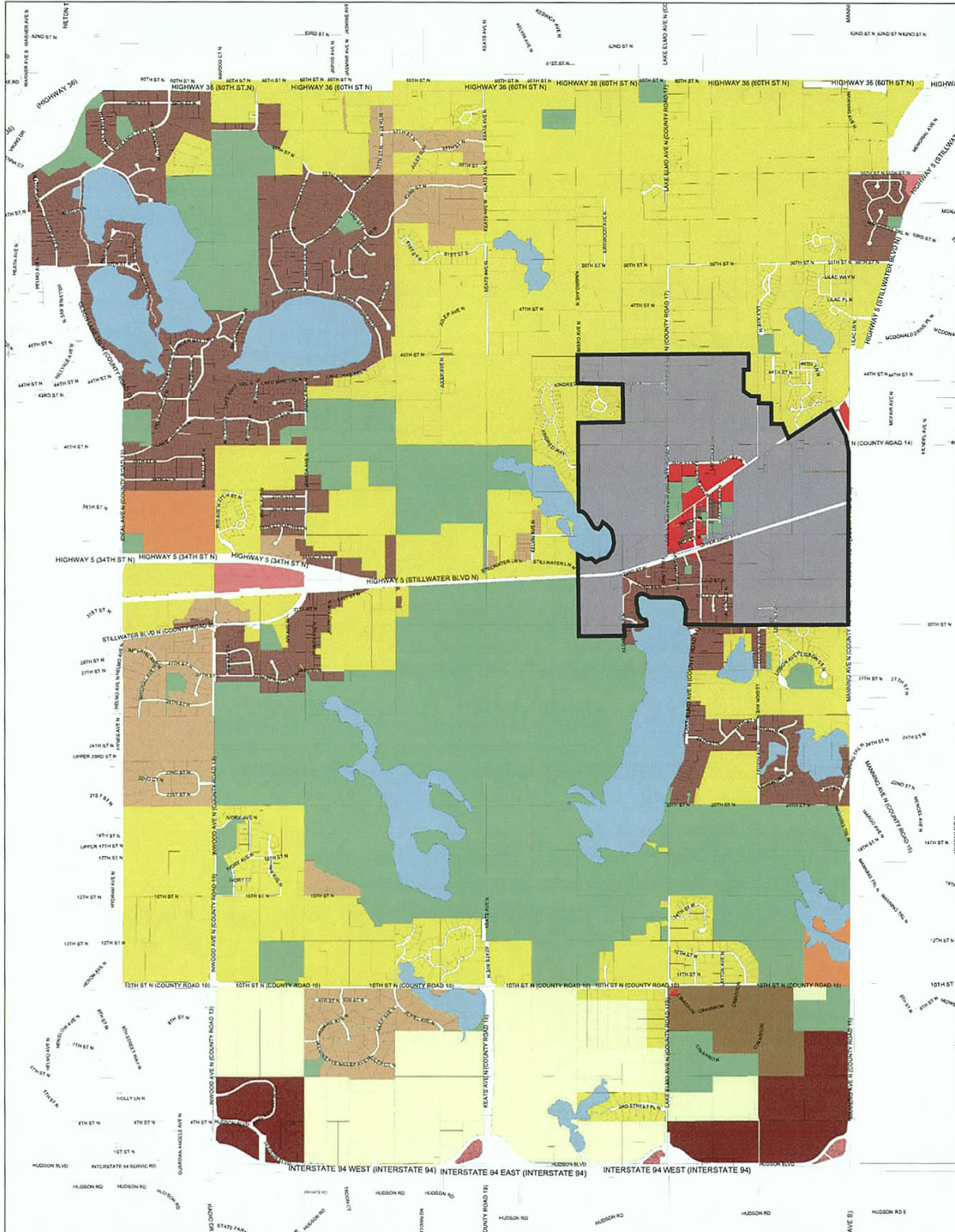


0 600 1,200 2,400 3,600  
Feet

**Land Use**

- |  |  |
|--|--|
| <span style="display:inline-block; width:10px; height:10px; background-color:red; border:1px solid black;"></span> C         | <span style="display:inline-block; width:10px; height:10px; background-color:tan; border:1px solid black;"></span> RED       |
| <span style="display:inline-block; width:10px; height:10px; background-color:darkred; border:1px solid black;"></span> BP    | <span style="display:inline-block; width:10px; height:10px; background-color:darkbrown; border:1px solid black;"></span> URD |
| <span style="display:inline-block; width:10px; height:10px; background-color:lightcoral; border:1px solid black;"></span> LB | <span style="display:inline-block; width:10px; height:10px; background-color:lightgrey; border:1px solid black;"></span> SRD |
| <span style="display:inline-block; width:10px; height:10px; background-color:green; border:1px solid black;"></span> PF      | <span style="display:inline-block; width:10px; height:10px; background-color:white; border:1px solid black;"></span> ROW     |
| <span style="display:inline-block; width:10px; height:10px; background-color:tan; border:1px solid black;"></span> RAD       | <span style="display:inline-block; width:10px; height:10px; background-color:blue; border:1px solid black;"></span> WAT      |
| <span style="display:inline-block; width:10px; height:10px; border:2px solid black;"></span> Old Village                     |  |

**Figure 5. 2030 Future Land Use**  
 City of Lake Elmo



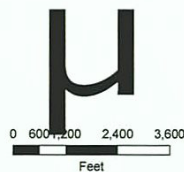
**FUTURE LAND USE**  
 Lake Elmo Comprehensive Plan 2005 - 2030

**Limitation of Liability**  
 This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and city offices, and other sources.

Map Date: January 31, 2006

Created By: TKDA

ENGINEERS ARCHITECTS PLANNERS



**Land Use**

- C
- BP - 40 Employees/Acre
- PF
- RAD - 0.45 DU/Acre
- RAD - 2 DU/Acre
- URD - Cimarron
- SRD - 3.5 DU/Acre
- LB Future sewer - 40 Employees/Acre
- LB Non-sewer
- RED
- NC
- ROW
- WAT
- VR

**Figure 6. Inholdings at Lake Elmo Park Reserve**  
City of Lake Elmo

