



MAYOR AND COUNCIL COMMUNICATION

DATE: 03/02/16
REGULAR
ITEM #: 20
MOTION

AGENDA ITEM: Planning Commission to Review Land Use
SUBMITTED BY: Mike Pearson
THROUGH: Clark Schroeder
REVIEWED BY: Clark Schroeder

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item.....Staff
- Report/PresentationStaff
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

PUBLIC POLICY STATEMENT Council can set policy of land use after the moratorium is lifted

SUMMARY AND ACTION REQUESTED:

Staff requests the City Council to provide guidance to the Planning Commission as to the land use issues needing to be studied for the moratorium to be lifted.

BACKGROUND AND STAFF REPORT:

On July 7th 2015, an interim ordinance declaring a moratorium for a period of 12 months on residential development within the stage one development area and all development activity within the stage two or three development areas as described by the Lake Elmo Comprehensive plan was adopted. The city council needs to produce a statement of finding by July 7th stating what was addressed and/or changed during the moratorium period, or state findings and institute another 6 month period with stated goals for the additional extension. For clarification purposes, this moratorium does **NOT** apply to Stage one development as follows

- a) projects that have been granted concept, preliminary, or final plan and/or plat approval; or
- b) projects that have paid advance water service committee fees.
- c) any project that would benefit the community by the installation of essential services like sewer, water, storm sewer, or other public safety mechanisms.

Nor does the moratorium apply to state 2 and 3 development as follows.

- a) projects that have been granted concept, preliminary, or final plan and/or plat approval; or
- b) projects that have paid advance water service committee fees.
- c) commercial development in cases where the City Council determines that the project provides sufficient incremental tax value to the community and the developer would bear the whole cost of infrastructure development.

The Moratorium also does not apply to Planned Unit Development applications that meet the requirements of reduced density per the Met Council's Thrive 2040 numbers, open space preservation, public infrastructure efficiency, and other considerations deemed to be in the community's best interests.

In short, the moratorium applies to sewerred residential development along the I94 corridor.

Given that the moratorium was instituted to study and make possible changes to the Comp Plan for residential development, the City Council should direct the Planning Commission to address the issue with Council direction.

RECOMMENDATION:

Staff requests the City Council to provide guidance to the Planning Commission as to the land use issues needing to be studied for the moratorium to be lifted.

“Move to have the Planning Commission study possible comp plan amendments for the Stage 1,2 and 3 sewerred areas following council direction before the moratorium is lifted.”

ATTACHMENT(S):

Ordinance 08-123 Interim Moratorium

Staging Map