

Memorandum

DATE: 6-14-16
TO: Lake Elmo City Council
FROM: Stephen Wensman, City Planner
SUBJECT: OP Ordinance Update – Updated Draft for Discussion

PURPOSE

To update the City's OP development codes to eliminate on-going issues (i.e. allowed density, required buffers, lot design, etc) and to ensure these developments are meeting the City's expectations.

BACKGROUND

The Planning Commission reviewed an initial draft of this language in April, and Council examined a subsequent draft in early May. At Council's direction, an updated draft was then prepared integrating Council's feedback. Provided Council believes things are moving in the right direction, we would intend to use feedback from this meeting to draft a final ordinance that would go before the Planning Commission for a public hearing.

APPROACH SUMMARY REVIEW

Specific issues staff was asked to address with this update included but were not limited to:

- Continue placing a focus on proper septic site locations to determine future lot locations, but maintain the current set of options (individual and communal options);
- Give more options as to what could be done on Open Space land;
- Add criteria for what buffers will be required;
- Limit accessory structure height to 22'
- Maintain 40 acre minimum before OP can be used;
- Consider referencing new landscaping regulations;
- Consider updates to hardcover regulations;
- Change all references to an HOA to a CIC;
- Provide for a slight increase in density by right (many have received waivers for up to 20 units per 40 acres);
- Maintain open space requirements;
- Maintain 4/5 waiver voting requirement by Council;

- Update street requirements per direction of the City Engineer;
- Consider updating the process if necessary (i.e. transitioning to an overlay district rather than a CUP)
- Remove redundancy found throughout the current regulations.

WORKSHOP DIRECTION

The following issues have been addressed in this updated draft:

- The purpose statement was updated to stress the City's intent to provide flexibility through this process (pg 1).
- Options for minimum land area have been provided, and materials to assist Council with this decision have been included in the packet (pg 2).
- Required super-majority votes for deviations have been eliminated in favor of standard PUD review criteria to determine if flexibilities being sought are in line with City goals (pgs 4 & 7).
- The Comp Plan was re-examined, and staff has confirmed that a comp plan change will be necessary if Council would like to allow for greater density within open space PUDs (pg 4).
- Required buffer language was updated as directed (pg 5).
- Specific roadway standards were eliminated in favor of referencing the City's standard engineering specifications & plates. Deviations from adopted standards would need to be justified through the PUD process (pg 6).
- Minimum lot sizes have been restored to existing standards: 1 acre and ½ acre. (pg 6).
- Clarification on how "buildable areas" are determined was added (pg 6).
- All individual septic systems will now be required to be on private property outside of any easement areas (pg 8).
- Existing language on "wetland treatment systems" was eliminated as directed (pg 8).
- Optional landscaping standards that had been offered were eliminated in favor of existing standards (pg 9).
- Open Space PUD review criteria have been updated to give Council a rational way to determine whether a proposal is achieving the City's goals (pg 11).
- Sketch plan review no longer includes a public hearing in front of the planning commission (although it will still go before the Planning Commission for review and comment) (pg 13).
- Language regarding easements to be dedicated at with the Final Plan highlights that "buffers" may be something protected/created by an easement (pg 18).

UPDATED DRAFT

- The updated draft before Council continues to include comments in the margin to either explain the provisions being proposed, or highlight the changes that have been made. Comments highlighted in yellow have been updated or added since the last draft in May.
- For your reference, we have also included a draft that utilizes underlines and strikeouts to show specific changes since May.
- Note: Language in RED within the draft ordinance indicates language that must be added, amended, or still needs to be addressed.

In preparation for the meeting on the 14th, we again ask that you to read through this draft and prepare questions for discussion ahead of time. Nothing is finalized, and feedback from Council will dictate the final ordinance to be assembled by staff.

Thank you!