



PLANNING COMMISSION  
DATE: 6/13/16  
AGENDA ITEM: 4D – PUBLIC HEARING  
CASE # 2016-19

ITEM: Comprehensive Plan Text Amendment to Rural Single Family Land Use Designation

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Emily Becker, City Planner  
Lisa Barajas, Metropolitan Council

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#### **SUMMARY AND ACTION REQUESTED:**

The Planning Commission is requested to review a Comprehensive Plan Text Amendment to bring the planned official land use plan category, Rural Single Family, into compliance with the Comprehensive Plan's Wastewater Facilities Plan as recently amended. Staff is recommending the Planning Commission recommend approval of the Comprehensive Plan Text Amendment.

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#### **GENERAL INFORMATION**

*Applicant:* City of Lake Elmo

*Location:* Areas guided as Rural Single Family

*Request:* A Comprehensive Plan Text Amendment to bring the planned official land use plan category, Rural Single Family, into compliance with the Comprehensive Plan's Wastewater Facilities Plan as recently amended.

*History:* On 4/19/16, the City Council approved an amendment to the Village MUSA to add three properties. The Metropolitan Council requested that the Rural Single Family land use designation be amended to be in compliance with areas guided for sewer.

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#### **REQUEST DETAILS:**

The Lake Elmo City Council, on April 19, 2016, approved a Comprehensive Plan Text Amendment to the City's Wastewater Facilities Plan by adding three properties to the Village MUSA. The Metropolitan Council, upon reviewing the amendment, requested that the Rural Single Family land use designation be amended to be in compliance with areas guided for sewer. Presently, there are two areas where properties guided for Rural Single Family are within a MUSA area; the Old Village and in the Tri-Lakes area near Oakdale.

The current Rural Single Family planned land use category reads:

**RURAL SINGLE FAMILY** – This category defines a large portion of the City that was historically platted for conventional subdivision prior to 2005, but has been and will continue to be serviced by private on-site well and septic systems. Limited locations within this classification are allowed to have two-family dwellings based on zoning. [Corresponding Zoning District(s): R-1, R-2]

The category as defined is served by private on-site well and septic systems. In addition, the definition references zoning districts that are no longer in existence. The corresponding zoning district is RS - Rural Single Family. The proposed definition will allow on-site well and septic systems, unless the City Council considers connection to the sanitary sewer practicable. The corresponding zoning district is RS - Rural Single Family. The proposed Rural Single Family planned land use category reads (inserted text is underlined):

**RURAL SINGLE FAMILY** – This category defines a large portion of the City that was historically platted for conventional subdivision prior to 2005, but has been and will continue to be serviced by private on-site well and septic systems unless within a Metropolitan Urban Service Area (MUSA). If within a MUSA, the City Council may consider connection to the sanitary sewer system where practical. Limited locations within this classification are allowed to have two-family dwellings based on zoning. [Corresponding Zoning District(s): RS – Rural Single Family]

**ANALYSIS:**

The RS-Zoning District as defined in City Code Section 154.400, D. reads:

*RS Rural Single Family District.* The RS District is established for lands that have already been platted as conventional residential subdivisions prior to the 2005 adoption of the Comprehensive Land Use Plan. This district provides an environment of predominantly single-family detached dwellings on moderately sized lots in areas that have typically not been provided with public sanitary sewer services.

Staff believes the definition of RS - Rural Single Family suggests on-site septic systems, but does not preclude them from connecting to public sewer. No change to the RS Rural Single Family definition is needed and the proposed Comprehensive Plan Text Amendment will bring the Land Use Plan in compliance with the Wastewater Facilities Plan without changing existing densities, setbacks, etc.

**DRAFT FINDINGS:**

The City Code does not require specific findings for comprehensive plan amendments, however, Staff is suggesting the following findings in support of the amendment:

1. The comprehensive plan text amendment will bring the Lake Elmo Comprehensive Land Use Plan into conformity with the Comprehensive Wastewater Facilities Plan.
2. The comprehensive plan text amendment will not affect underlying density or zoning code regulations.

- 3. The Metropolitan Council has administratively reviewed the amendment, has no objection, and had waived adjacent jurisdictional review.

**RECOMMENDATION:**

Staff is recommending the Planning Commission recommend approval of the Comprehensive Plan Text Amendment with the following motion:

***“Move to recommend the City Council approve the comprehensive plan text amendment to amend the planned land use category in the Comprehensive Land Use Plan to read:***

**RURAL SINGLE FAMILY** – This category defines a large portion of the City that was historically platted for conventional subdivision prior to 2005, but has been and will continue to be serviced by private on-site well and septic systems unless within a Metropolitan Urban Service Area (MUSA). If within a MUSA, the City Council may consider connection to the sanitary sewer system where practical. Limited locations within this classification are allowed to have two-family dwellings based on zoning. [Corresponding Zoning District(s): RS – Rural Single Family]

**ATTACHMENTS:**

- None

**ORDER OF BUSINESS:**

- Introduction .....Planning Staff
- Report by Staff .....Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Open the Public Hearing .....Chair
- Close the Public Hearing.....Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission..... Chair & Commission Members