

# Comprehensive Plan Amendment

## Option #1

# Creation of a Village Transitional District

### Summary:

**Option #1 follows the directive of Council coming out of the Royal Golf Club PUD Concept Plan Review. This option would create the “Village Transition Area” in-between the old Village and 10<sup>th</sup> Street within which an extension of sewer would be considered in two scenarios:**

- 1. Individual parcels (or a group of parcels) could request an extension of services if they had a failing septic and doing so was necessary to protect health, safety, and welfare; or an extension could also be made with the successful petition of an entire neighborhood following standard City practices.**
- 2. Land could be DEVELOPED utilizing municipal services if (and only if) there was a minimum of 40 acres of land planned for development, at least half of said land was subject to Shoreland regulations which could be successfully met, development was completed as a PUD, and the development picked up 100% of the utility extension costs.**

### Relation to the Proposed Royal Golf Project:

This option would allow Royal Golf to move forward as a PUD much like the other single family developments that have recently been approved around the Old Village. As part of the development, the City would link the golf course and the residential areas as integral components of the overall PUD. Findings for the PUD would conclude that but for the golf course/open space, the proposed residential densities would not have been approved. Any proposal to change the use of the golf course in the future would then require an amendment to the PUD, and it would be hard for a future council to approve such an amendment when the stated foundation of the PUD IS maintaining the golf course/open space. To strengthen things further, we would also update the

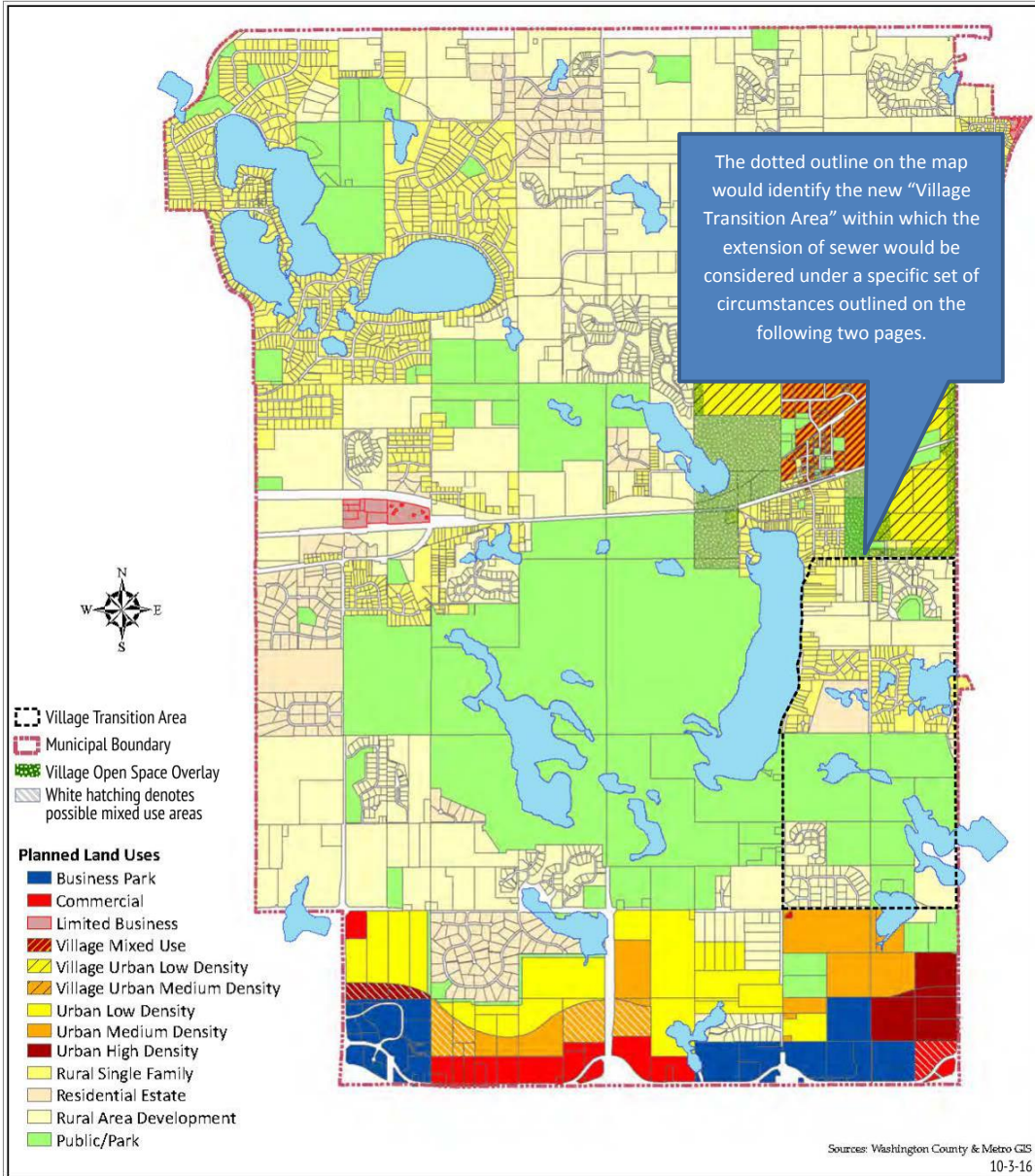
future land use map (in conjunction with the PUD approval) to show the underlying land use of the residential areas as Village Urban Low Density, and the underlying land use of the golf course remaining Public/Park. Under this Comp Plan amendment option, the VTA district on the land use map is simply a polygon that identifies where special provisions apply. The underlying land use guidances are still visible and applicable, so we will maintain the higher standard of a comp plan amendment for future golf course changes as well.

**Relation to other lands in the Corridor:**

This option proactively recognizes that the city will receive requests for municipal services from properties in the Lake Elmo Avenue corridor over time, and sets up criteria by which those requests will be judged:

- 1) Must be necessary to address an eminent environmental threat against the health, safety, or welfare of the community (i.e. a failing septic site with no reasonable on-site options for replacement); or
- 2) A neighborhood must successfully petition the City for an extension of services, and assume all costs as may be required by City policy.

Map 3-3



## Planned Land Use

Lake Elmo Comprehensive Plan 2030



### Design Standards

Following completion of the Comprehensive Plan, the City will adopt design standards to ensure the look and feel of future development is compatible with the community vision of a small town within a rural setting. Standards for building materials, building articulation, design variety and other requirements should be upheld to ensure the quality of the built environment is distinctly Lake Elmo.

### Preservation of Rural Character

One of the main benefits of the official land use plan is that the long range planning objective to retain a permanent rural identity is achieved. Under the memorandum of understanding with the Metropolitan Council, a vast majority of the City will be allowed to maintain its rural character and existing land uses. Furthermore, concentrating urbanization adjacent to I-94 and within the Old Village will result in clear boundaries between the urban and rural portions of the community. Beyond that, the City's desire to protect its sensitive park lands is also achieved. Both Lake Elmo Regional Park and Sunfish Lake Park will continue to be surrounded by agricultural lands and will not be impacted by encroaching urbanization.

### Future Land Use Boundaries

The curved lines separating future land uses on Map 3-3 midway between I-94 and 10<sup>th</sup> Street indicate one possible alignment of a future east/west collector roadway envisioned to serve the new development in this area of the City. Future development proposals and their associated engineering studies will ultimately determine the exact alignment of this collector roadway. The final boundary between the proposed different land uses shall ultimately be set by the final location of the east/west collector roadway, whether or not this roadway deviates from the approximate location shown.

### Buffering/Land Use Transitions

The City's Land Use Plan calls for a diverse range of development types, from very low density agricultural and rural residential uses to high density urban residential and commercial development. In order to provide for a transition between the existing and planned rural development and future urban development, the Land Use Plan creates a lower density urban residential district. This low density urban district is planned for areas near existing rural development areas, and will provide for an area of transition between higher density residential development and either existing or planned rural development areas.

Certain areas designated as Public/Park on the Future Land Use Map (Map 3-3) have been established to provide a green belt/buffer between areas developed under a previous Comprehensive Plan at rural development densities and areas planned for residential development at higher densities. This green belt will be incorporated as part of any development plans for new development with a minimum width of 100 feet. The green belt may be incorporated as part of the greenway envisioned in the Lake Elmo Comprehensive Park and Recreation Plan (Chapter IX).

And finally, it is recognized that land north of 10<sup>th</sup> Street, east of Lake Elmo Avenue, and south of the Old Village is uniquely situated between the City's two main urban centers. This area has been identified as the Village Transition Area (see Map 3-3) in recognition of the area's varied residential lot sizes (ranging from 0.31 acres to 57.22 acres), and the fact that all properties in this area have (or will likely have)

**Commented [BGA1]:** This first paragraph identifies *why* the City is establishing a Village Transition District: it's an area uniquely situated between the City's two urbanizing areas that will, over time, have affordable and easy access to sewer. Accordingly, it is in the City's best interest to acknowledge that hook up requests will be made, and to establish the criteria under which such extensions may be granted.

direct access to municipal sewer services over time. Within the Village Transition Area, the City may treat a parcel (or grouping of parcels) as being guided for Village Urban Low Density if at least one of the following criteria are satisfied and no further development of the property is proposed:

1. The land in question is subject to a failing septic system, and extension of the sanitary sewer system is deemed necessary to protect the health, safety, or welfare of adjacent properties.
2. The parcel (or parcels) in question have petitioned the City requesting an extension of municipal services, and the extension project has been approved by the City Council.

Additionally within the Village Transition Area, the City may treat a parcel (or group of contiguous parcels) as being guided for Village Urban Low Density for the purpose of development if ALL of the following criteria are satisfied:

1. A minimum of forty (40) contiguous acres is considered for development at one time or is planned for phased development;
2. A minimum of one-half of the gross acres proposed for residential development is within a Shoreland District;
3. All Shoreland district requirements for development can be successfully met without variances;
4. Development is completed as a Planned Unit Development that conforms with the allowable density range established for the Village Urban Low Density land use classification;
5. The development incurs all costs for the extension of municipal services, the cost for oversizing as may be needed for further extensions into the Village Transition Area, and/or for upgrades to the existing municipal system as may be needed to service the proposed development.

**Open Space Preservation**

The City will encourage the preservation of open space within new developments through the dedication of public parkland and the clustering of lots within urban residential districts. The specific zoning development standards for the City’s urban residential districts will allow the platting of smaller lots that will allow open space to be set aside in each development while still achieving the overall minimum density guidance for each land use area.

**Staging Plan/Memorandum of Understanding**

The City of Lake Elmo entered into a Memorandum of Understanding (MOU) with the Metropolitan Council prior to the preparation of its 2005 Land Use Plan and this MOU remains in effect to ensure the City’s conformance to metropolitan system statements as required by state law. This MOU has since been revised; however, to take into account a severe downturn in the housing market and to grant the City of Lake Elmo additional flexibility in meeting the population, household, and employment targets from the original MOU. **Table 3-C** summarizes the updated development staging plan that will be used to measure conformance to the MOU. This table is broken down into five year increments starting in 2010 and continuing forward to the end of the planning period in 2030.

**Commented [BGA2]:** This first component of the district recognizes that parcels (or neighborhoods) over time may be near existing sewer, and may request the ability to hook up to the municipal system. In such an event, the landowners would follow the City’s standard process to petition for (and pay for) improvements, and if approved, the City could complete the public improvements without having to amend the comprehensive plan to change the underlying land use guidance.

The two criteria before sewer could be extended are the need to address health/safety/welfare concerns, OR addressing a legal petition brought forward by an individual land owner or neighborhood. Both of these scenarios WILL arise in the coming years as landowners and neighborhoods weigh the cost of replacing aging septic systems against the cost of municipal services. This language will ensure the City can consider their requests.

**Commented [BGA3]:** The second component of the proposed language acknowledges that some land within the Transition Area is developable, and that sewer development is in the City’s best interest when certain criteria exists:

- Given the City’s history with communal septic systems, larger developments (i.e. in excess of 40 acres) should be considered for sewer if/when available;
- Protecting the City’s shorelands is a major priority of the City, so a minimum of one-half of the gross area proposed for residential development must be within the Shoreland district, and all Shoreland provisions must be met;
- Development could only occur via a PUD within the allowed density range established for the Village Urban Low Density land use category;
- All costs for extending municipal services would be born by the developer