



## STAFF REPORT

DATE: 5/15/18

**REGULAR**

ITEM #: 22

**TO:** City Council  
**FROM:** Emily Becker, Planning Director  
**AGENDA ITEM:** Comprehensive Plan Extension Request Resolution  
**REVIEWED BY:** Kristina Handt, City Administrator

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### **BACKGROUND:**

**Process.** The City has been working with consultant Swanson Haskamp Consulting since February of 2017 on the 2040 Comprehensive Plan Update (Update). There have been a number of community engagement events including 4<sup>th</sup> of July Parade, Arbor Day, Tri-Lakes Ski Show, Farmers Market; Advisory Panel meetings; and two Open Houses.

**Delays.** Due to the recent number of Comprehensive Plan Amendments that have come forth that could potentially change densities within sewer areas, creating potential effect on the Land Use Plan and Wastewater Facilities chapters; closure of well #1 due to its levels of perfluorochemicals, which will require changes to the Water Supply chapter; and Staff changes, the City has experienced delays in the Update.

**Option for Extension.** The Metropolitan Council allows communities to request an extension of up to 12 months to the 2040 Comprehensive Plan Update submittal deadline. In order to do this, communities must submit an adopted resolution and a completed extension request form by May 31, 2018. The Metropolitan Council will then review these requests.

**Direction from Council.** Council discussed this extension request at its May 8, 2018 workshop and directed Staff to put together a Resolution requesting an extension as well as discussed a timeline for adoption of the Update.

### **ISSUE BEFORE COUNCIL:**

Should the City adopt a Resolution requesting additional time within which to complete Comprehensive Plan “decennial” review obligations?

### **PROPOSAL DETAILS/ANALYSIS:**

**Schedule.** A public hearing was held May 7 and will continue to May 30; and the Update is scheduled to go to Council in June for approval to be submitted to adjacent jurisdictions for review. Adjacent jurisdictions are given six months before the Update goes to Metropolitan Council for review. In order to meet the December 31, 2018 deadline for submittal to the Metropolitan Council, the Update must be submitted to adjacent jurisdictions for review by June.

Because it is a tight deadline to get the plan approved to go to adjacent jurisdictional review by June, Staff would recommend that the City adopt a resolution requesting this extension.

At its workshop, Council discussed that the extension request should not be for more than a few months, provided the amount of development within the City. It directed Staff to have the following target dates:

- Approval by Council to submit for 6-month jurisdictional review: June 4, 2018 (though this may need to be moved to June 18, 2018 if there are many changes to be made after the public hearing)
- Public hearing after 6-month jurisdictional review: February 5, 2019
- Council action: February 19, 2019
- Submittal to Metropolitan Council: February 28, 2019.

**RECOMMENDATION:**

Staff recommends that the Council adopt Resolution 2018-054 requesting additional time within which to complete Comprehensive Plan “decennial” review obligations.

*“Move to adopt Resolution 2018-054 requesting additional time within which to complete Comprehensive Plan “decennial” review obligations.”*

**ATTACHMENTS:**

1. Resolution 2018-054

**CITY OF LAKE ELMO**  
**RESOLUTION NO. 2018-054**

**RESOLUTION REQUESTING ADDITIONAL TIME WITHIN WHICH TO COMPLETE  
COMPREHENSIVE PLAN “DECENNIAL” REVIEW OBLIGATIONS**

**WHEREAS**, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and

**WHEREAS**, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and

**WHEREAS**, Minnesota Statutes section 473.864 authorizes the Metropolitan Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete the “decennial” review and amendments; and

**WHEREAS**, any extensions granted by the Metropolitan Council must be submitted by May 31, 2018, and must include a timetable and plan for completing the review and amendment; and

**WHEREAS**, the City will not be able to complete its “decennial” review by December 31, 2018, for the following reasons: a recent number of Comprehensive Plan Amendments that have come forth that could potentially change densities within sewered areas, creating potential effect on the Land Use Plan and Wastewater Facilities chapters; closure of well #1 due to its levels of perfluorochemicals, which will require changes to the Water Supply chapter; and Staff changes.

**WHEREAS**, the City Council finds it is appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAKE ELMO, MINNESOTA, AS FOLLOWS:**

1. The Planning Director is directed to submit to the Metropolitan Council no later than May 31, 2018, an application requesting an extension to February 28, 2019.
2. The Planning Director is directed to include with the request a reasonably detailed timetable and plan for completing: (a) the review and amendment by February 28, 2019; and (b) the review and amendment of the City’s fiscal devices and official controls.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE 15<sup>th</sup> DAY OF MAY, 2018**

**CITY OF LAKE ELMO**

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Michael Pearson  
Mayor

ATTEST:

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Julie Johnson  
City Clerk