

**CITY OF LAKE ELMO**  
**RESOLUTION NO. 2008-45**

**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, 2008; 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 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, 2008, for the following reasons:

- 1) One of the primary reasons for the delay in these elements was the time and thought that went into creating the current 2030 comprehensive plan and getting Metropolitan Council approval of it. This plan encompasses most of the required information for this update, as well as the work that is going into implementing the first phase of sewer development. In addition, the city, under the leadership of the planning commission, brought the two areas in the city planned for future sewer development into conformance with the zoning code through holding districts.
- 2) The comprehensive required the city to proceed with sewer development with the Village as the highest priority for this work according to both the MOU requirements and the 2030 Comprehensive Plan. This effort requires land use planning, environmental, financial and engineering studies to gather information that will allow the city to make the associated decisions to accomplish these required goals. This work has been a priority since the adoption of the 2030 plan in 2006
- 3) A major environmental review process (AUA) involving the Village is underway at this time. The outcome of this analysis will provide important information related to water, surface water and transportation needs for the city to incorporate into its future plan elements.
- 4) The city undertook a water plan in 2005, but put the plan on hold until the outcome of the PFC contamination work on health based values that was done by the Minnesota Department of Health and released in the spring of 2008. The city is now working on the water plan.
- 5) The city was functioning without a planning director from December, 2006 through December, 2007. Once hired, the new planning director requires getting acquainted with the community and land use actions and history;
- 6) It was important to determine the true status of the city's financial resources before proceeding with major studies in surface water and transportation without confidence that the city had the resources to pay for this work since fund balances at year end were in the negative for these


funds. Between January 2008 and June 2008 upon the advice of the city auditor, the city worked with a financial consultant to bring the city's financial records into conformance with best practices in local government.

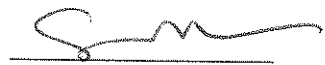
- 7) The city is committed to an open public process including opportunities for public input throughout these studies. This requires coordinating the activities so that there is time for input on all of the systems in a meaningful way.

**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 November 1, 2008, an application requesting an extension to December 2010.
2. The Planning Director must include with the request a reasonably detailed timetable and plan for completing: (a) the review and amendment by December 2010 and (b) the review and amendment of the City's fiscal devices and official controls.

  
Mayor Dean Johnston

  
Susan Hoyt, City Administrator

9-16-08  
Date

9-16-08  
Date

For:

Johnson  
Johnson  
Parker  
Smith

Against:

DeLapra