COTTAGE GROVE PLANNING COMMISSION July 24, 2023

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Open Forum
5. Chairs Explanation of Hearing Process
6. Public Hearings and Applications
   - 6.1 Zoning Definition Text Amendment - Case TA2023-014
     Discussion: The City of Cottage Grove has applied for a text amendment to remove bees from the Agricultural Use definition in City Code Title 11-1-3.
   - 6.2 Water Resource Chapter Comp Plan Amendment - Case CP2023-015
     Discussion: The City of Cottage Grove has applied for a text and map amendment to the Wastewater Management section of Chapter 7 in the 2040 Comprehensive Plan. The amendment includes the most recent calculations of future wastewater flow into the Metropolitan Council's South Washington County Interceptor and a map update showing additional sewer connections to the interceptor within the city.
7. Approval of Planning Commission Minutes
   - 7.1 Approve 2023-06-26 Planning Commission Minutes
8. Reports
9. Adjournment

STAFF REPORT CASE: TA2023-014

ITEM: 6.1

PUBLIC MEETING DATE: 7/24/23 TENTATIVE COUNCIL REVIEW DATE: 8/16/23

APPLICATION

APPLICANT: City of Cottage Grove

REQUEST: A text amendment to remove bees from the Agricultural Use definition in City Code Title 11-1-3.

SITE DATA

LOCATION: N/A

ZONING: N/A

GUIDED LAND USE: N/A

LAND USE OF ADJACENT PROPERTIES:	CURRENT	GUIDED
NORTH:		
EAST:	N/A	
SOUTH:		
WEST:		

SIZE: N/A

DENSITY: N/A

RECOMMENDATION

Approval.

COTTAGE GROVE PLANNING DIVISION

Planning Staff Contact: Conner Jakes, Associate Planner; 651-458-2868; cjakes@cottagegrovemn.gov

Application Accepted: N/A 60-Day Review Deadline: N/A

Planning Staff Report
Zoning Definition Text Amendment
Planning Case No. TA2023-014
July 24, 2023

Proposal

The City of Cottage Grove has applied for a Zoning Text Amendment to City Code Title 11-1-3 to remove “bees” from the Agricultural Use, Livestock definition.

Background

The City’s 2040 Comprehensive Plan states the City should investigate the policy and ordinance opportunities for residential animal keeping, such as chickens and bees, to promote healthy food at home (Chapter 9, Goal 2, Policy 9.9). Given this, the City Council has requested staff to further research ordinance opportunities relating to bee keeping on lots zoned Agriculture and Residential (single-family lots).

In order to adopt a bee keeping ordinance that allows the activity to occur on lots within the desired zoning districts, staff is proposing to remove “bees” from the current Agricultural Use, Livestock definition where “bees” are currently defined. Due to how “bees” are currently defined, the keeping of “bees” is permitted on parcels greater than five acres. However, the current code does not adequately and effectively address many of the factors related specifically to bee keeping and only provides standards for a wide range of livestock animals. The current definition is provided below.

AGRICULTURAL USE: The use of land for the growing and/or production of field crops, livestock, and livestock products, including but not limited to the following:

1. Field crops, including: barley, soybeans, alfalfa, corn, hay, oats, potatoes, rye, sorghum, and sunflowers.
2. Livestock, including: alpacas, bees, dairy and beef cattle, deer, donkeys, goats, horses and ponies, llamas, mules, sheep, pigs, hogs, chickens, turkeys, ducks and other poultry, fish, mink, and game birds.
3. Livestock products, including: dairy, eggs, meat, feathers and honey.
4. Tree farms.

A new ordinance specific to beekeeping would be added to City Code Title 5-4, Animal Control, which is where the recently adopted (2022) Chicken and Duck Ordinance was placed.

Proposed Change

Staff is proposing to remove “bees” from the Agricultural Use, Livestock definition. Removal of “bees” from the current definition is proposed in order to allow for the adoption of a new ordinance that will effectively address the many specific factors related to bee keeping.

The current definition is included below with the strikethrough indicating the removal of “bees” from the definition and honey from the livestock products definition.

AGRICULTURAL USE: The use of land for the growing and/or production of field crops, livestock, and livestock products, including but not limited to the following:

1. Field crops, including: barley, soybeans, alfalfa, corn, hay, oats, potatoes, rye, sorghum, and sunflowers.
2. Livestock, including: alpacas, ~~bees,~~ dairy and beef cattle, deer, donkeys, goats, horses and ponies, llamas, mules, sheep, pigs, hogs, chickens, turkeys, ducks and other poultry, fish, mink, and game birds.
3. Livestock products, including: dairy, eggs, meat, and feathers ~~and honey~~.
4. Tree farms.

Public Hearing Notice

The public hearing notice for the July 24, 2023 Planning Commission meeting was published in the *Saint Paul Pioneer Press* on July 13, 2023. Staff has not received any comments at the time of writing the report.

Recommendation

That the Planning Commission recommend that the City Council approve the text amendment to remove “bees” from the Agricultural Use, Livestock definition in City Code Title 11-1-3.

Prepared by
Conner Jakes
Associate Planner

Attachments
Proposed Zoning Text Amendment

CITY OF COTTAGE GROVE, MINNESOTA
ORDINANCE NO. XXX

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA AMENDING CITY CODE TITLE 11, CHAPTER 1 REGARDING PURPOSE AND DEFINITIONS

The City Council of the City of Cottage Grove, Washington County, Minnesota, does ordain as follows:

SECTION 1. AMENDMENT. The Code of the City of Cottage Grove, County of Washington, State of Minnesota, Title 11, Chapter 1, Section 3 shall be amended as followed:

AGRICULTURAL USE: The use of land for the growing and/or production of field crops, livestock, and livestock products, including but not limited to the following:

1. Field crops, including: barley, soybeans, alfalfa, corn, hay, oats, potatoes, rye, sorghum, and sunflowers.

2. Livestock, including: alpacas, ~~bees,~~ dairy and beef cattle, deer, donkeys, goats, horses and ponies, llamas, mules, sheep, pigs, hogs, chickens, turkeys, ducks and other poultry, fish, mink, and game birds.

3. Livestock products, including: dairy, eggs, meat, and feathers~~, and honey~~.

4. Tree farms.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire Official Zoning ordinance:

> The City of Cottage Grove's City Code Title 11-1-3 shall be amended by removing bees from the Livestock definition under Agricultural Use.

SECTION 3. EFFECTIVE DATE. This ordinance amendment shall be in full force and effective from and after adoption and publication according to law.

Passed this _____ day of _____, 2023.

_____
Myron Bailey, Mayor

Attest:

_____
Tamara Anderson, City Clerk

STAFF REPORT CASE: CP2023-015

ITEM: 6.2

PUBLIC MEETING DATE: 7/24/23 TENTATIVE COUNCIL REVIEW DATE: 8/16/23

APPLICATION

APPLICANT: City of Cottage Grove

REQUEST: A text and map amendment to the Wastewater Management section of Chapter 7 in the 2040 Comprehensive Plan. The amendment includes the most recent calculations of future wastewater flow into the Metropolitan Council's South Washington County Interceptor and a map update showing additional sewer connections to the interceptor within the city.

SITE DATA

LOCATION: N/A

ZONING: N/A

GUIDED LAND USE: N/A

LAND USE OF ADJACENT PROPERTIES:	**CURRENT**	**GUIDED**
NORTH:		
EAST:	N/A	
SOUTH:		
WEST:		

SIZE: N/A

DENSITY: N/A

RECOMMENDATION

Approval.

COTTAGE GROVE PLANNING DIVISION

Planning Staff Contact: Mike Mrosla, Senior Planner; 651-458-2825; mmrosla@cottagegrovemn.gov

Application Accepted: N/A 60-Day Review Deadline: N/A

Planning Staff Report
2040 Comprehensive Plan
Water Resources Chapter Amendment
Planning Case No. CP2023-015
July 24, 2023

Proposal

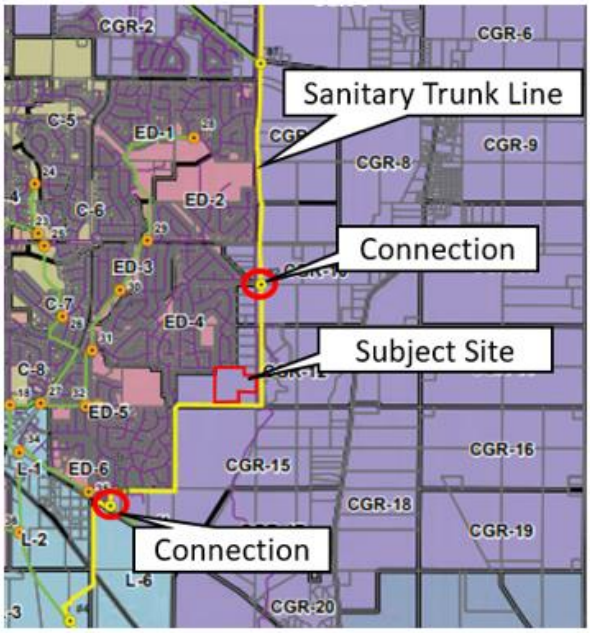
The City of Cottage Grove is proposing an amendment to the Wastewater Management section of Chapter 7, Water Resources, of the adopted 2040 Comprehensive Plan. The amendment updates the sanitary sewer map to show additional connections to the Metropolitan Council Environmental Services (MCES) sanitary trunk line and updates supporting text and tables.

Comprehensive Plan Requirements

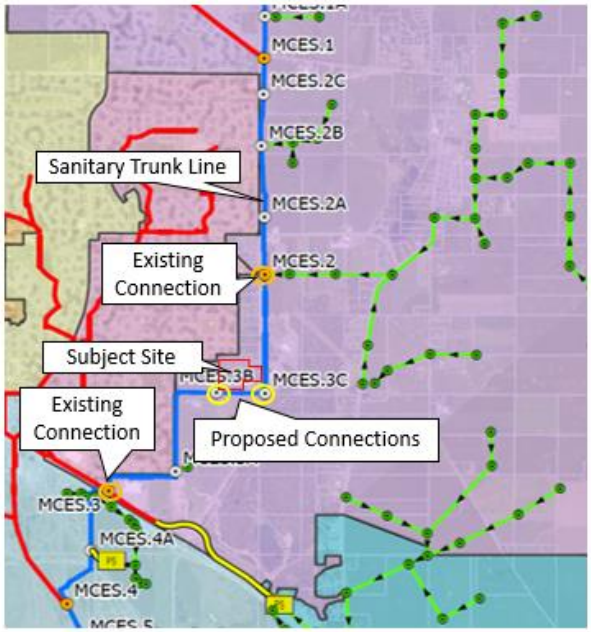
Cottage Grove's sanitary sewer system consists of sewer pipes that serve neighborhoods and businesses that then feed into to larger trunk sewer pipes that ultimately connect to the MCES Metropolitan Disposal System (MDS) pipes that lead to treatment facilities. Given our sewerage system feeds into the MDS, the Metropolitan Land Planning Act requires all Comprehensive Plans to include a sanitary sewer element covering the collection and disposal of wastewater generated by the community. The wastewater section in the 2040 Comprehensive Plan describes these demands out to 2040.

Background

At its May 17, 2022, meeting the City Council approved the final plat, development agreement, construction plans and specifications for Ravine Crossing located at the northwest corner of Keats Avenue and 90th Street. As part of the construction permitting process, the developer was required to obtain a sewer extension permit from the MCES. At that time, the MCES notified staff that the 2040 Comprehensive Plan did not show a sanitary sewer connection in the location where the developer was proposing to connect. MCES requested that the City update the Sanitary Sewer section of the 2040 Comprehensive Plan to show a connection at the proposed location. Staff, in coordination with the Metropolitan Council, are not only adding the Ravine Crossing connection but also taking this opportunity to add additional planned connection points throughout the City and update associated tables and text.



Existing Sanitary Sewer Map



Amended Sanitary Sewer Map

Notice and Public Comments
Notice was published in the *Pioneer Press* on *July 13, 2023*. At the time of writing this report, City staff has not received any comment letters, e-mails, or telephone calls from property owners or residents in regard to this planning case.

Next Steps
If approved by the Planning Commission and City Council, City staff will then submit the amendment to the Metropolitan Council for formal review and approval. The City has worked closely with Metropolitan Council staff to ensure compliance with their policies and forecasting; however, the Met Council has up to 120 days per State Statute to review proposed amendments.

Recommendation

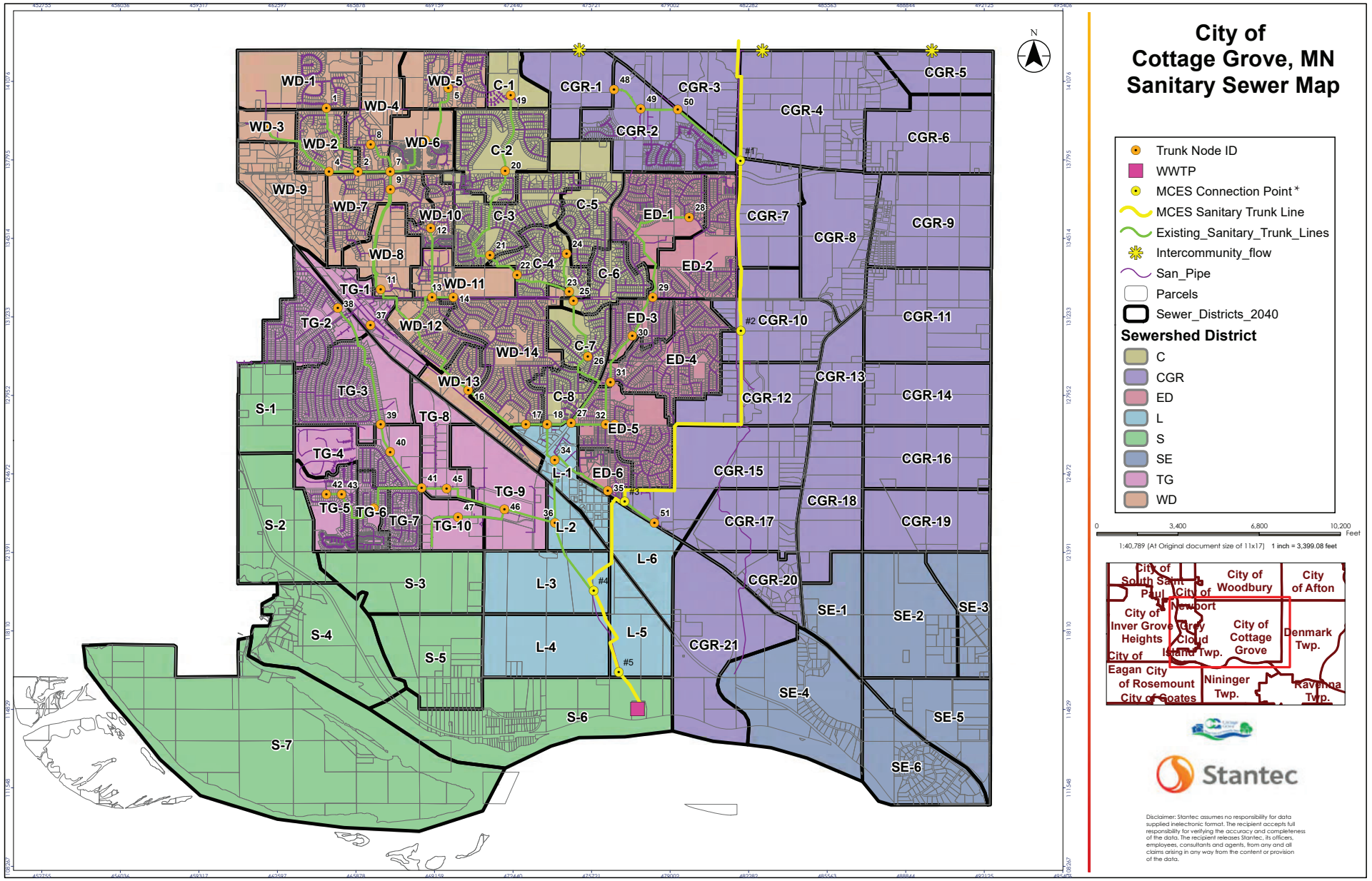
That the Planning Commission recommend to the City Council approval of the 2040 Comprehensive Plan map and text amendment to Chapter 7, Water Resources and subject to modifications as requested by the Metropolitan Council.

Prepared by:

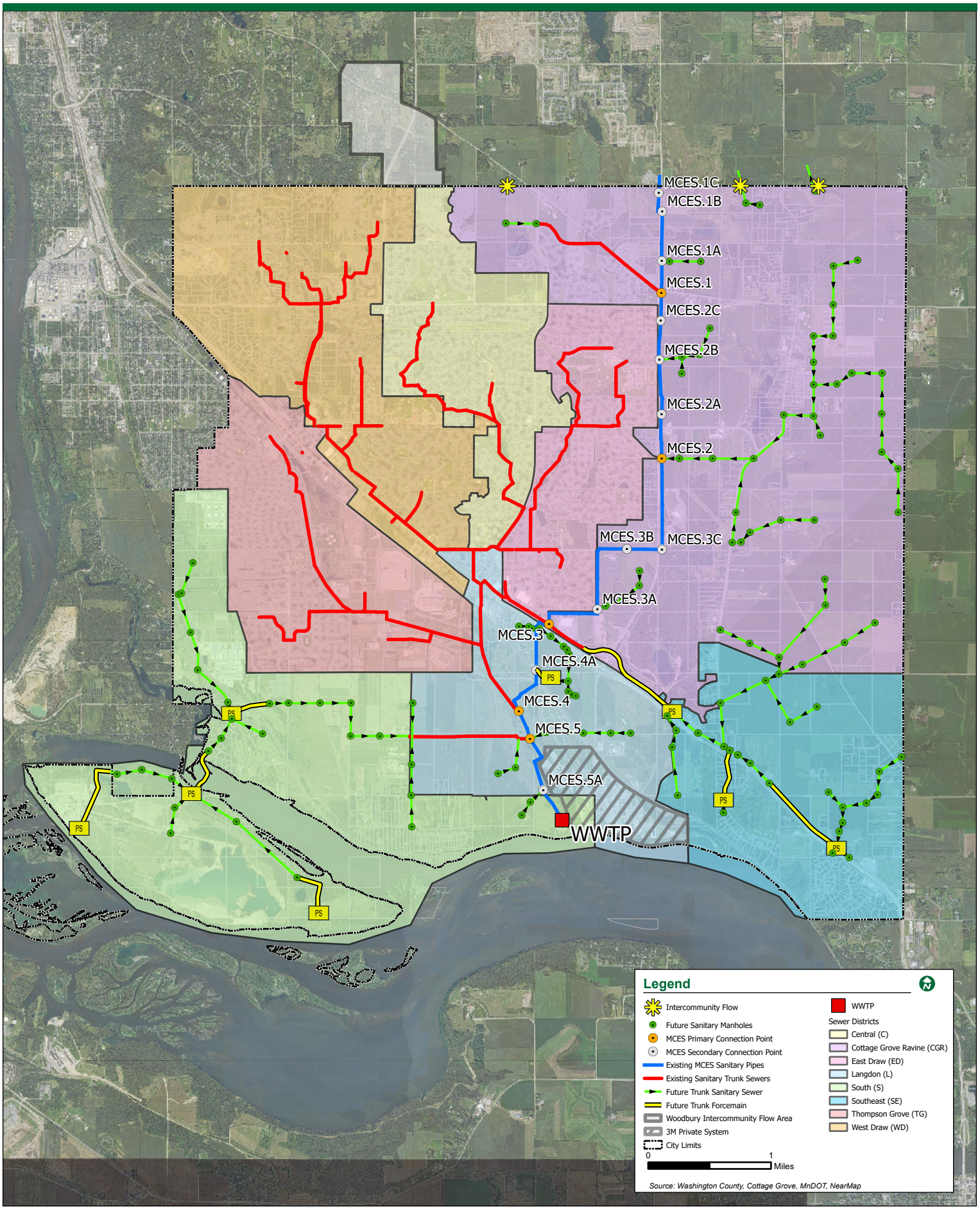
Mike Mrosla
Senior Planner

Attachments:
A. Existing Sanitary Sewer Map
B. Amended Sanitary Sewer Map
C. 2040 Comprehensive Plan Chapter 7, Water Resources Redline

Figure 7-2: City of Cottage Grove, MN Sanitary Sewer Map



*The Connection Points to the Met Council System shown (MCES Interceptors #1 through #5) are current and future connection points (when future development occurs).

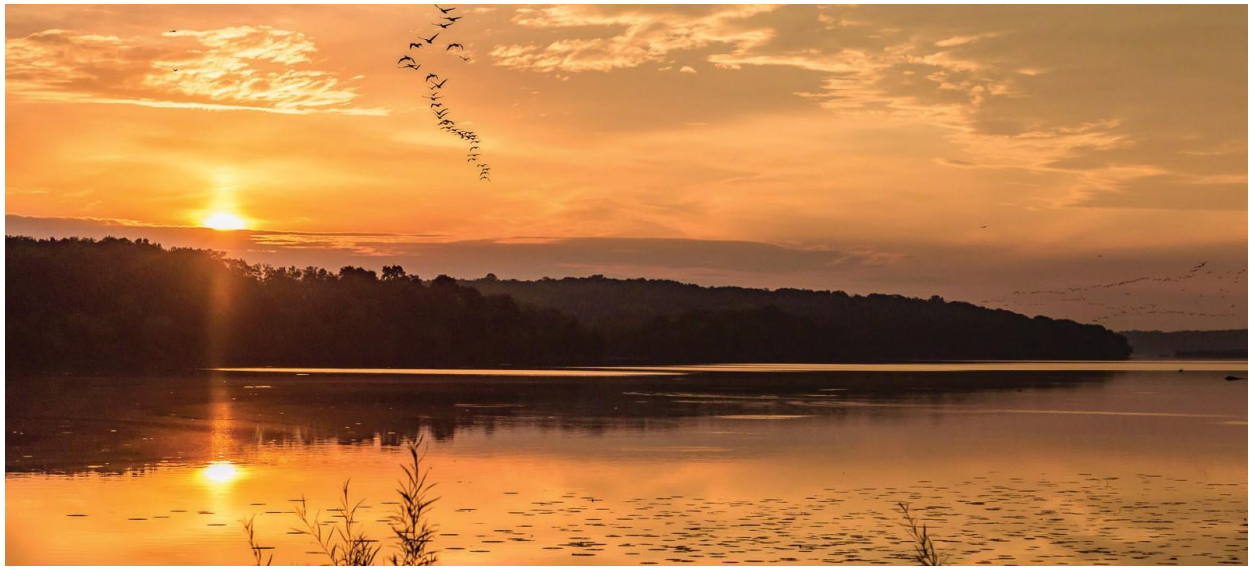

MCES.1C
MCES.1B
MCES.1A
MCES.1
MCES.2C
MCES.2B
MCES.2A
MCES.2
MCES.3B
MCES.3C
MCES.3A
MCES.3
MCES.4A
MCES.4
MCES.5
MCES.5A
WWTP
PS
Legend
Intercommunity Flow
Future Sanitary Manholes
MCES Primary Connection Point
MCES Secondary Connection Point
Existing MCES Sanitary Pipes
Existing Sanitary Trunk Sewers
Future Trunk Sanitary Sewer
Future Trunk Forcemain
Woodbury Intercommunity Flow Area
3M Private System
City Limits
0
1
Miles
WWTP
Sewer Districts
Central (C)
Cottage Grove Ravine (CGR)
East Draw (ED)
Langdon (L)
South (S)
Southeast (SE)
Thompson Grove (TG)
West Draw (WD)
Source: Washington County, Cottage Grove, MnDOT, NearMap

7

WATER RESOURCES

Water is critical to the health and vitality of a community. This chapter describes three elements of water resources in Cottage Grove:

- Water Supply
- Waste Water and Sanitary Sewer
- Surface Water Resources and Stormwater



WATER SUPPLY

Introduction

The Metropolitan Land Planning Act (amended 1995) requires local governments to prepare comprehensive plans and submit them to the Metropolitan Council to determine their consistency with metropolitan system plans. One element of these plans must address municipal water systems. Minnesota Statute 473.859 requires Water Supply Plans to be completed for all local units of government in the seven-county Metropolitan Area as part of the local comprehensive planning process. Additionally, Minnesota Statute 103G.291 requires all public water suppliers that serve more than 1000 people to have a Water Supply Plan approved by the Minnesota Department of Natural Resources (DNR). An approved Water Supply Plan is also a requirement to obtain a Water Appropriations Permit Amendment from the DNR.

Cottage Grove's Water Supply Plan as submitted to the DNR prior to the December 31, 2016 deadline. The Water Supply Plan was updated per comments from DNR and Metropolitan Council and resubmitted in June 2018. The Water Supply Plan consists of three main parts:

- Part 1: Water supply system description and evaluation
- Part 2: Emergency preparedness procedures
- Part 3: Water conservation plan

The City of Cottage Grove also regularly prepares a Water Supply and Distribution Plan (WSDP). This more detailed and comprehensive engineering analysis of the existing and proposed trunk water system serves as a planning document to guide Cottage Grove as it extends city water to urbanizing areas. The WSDP performs a more exhaustive engineering analysis of the water system than is required to meet the minimum Metropolitan Council and DNR requirements. The most recent WSDP was prepared in 2006. The previous WSDP was prepared in 1995. A new WSDP is planned within the next few years.

The purpose of this chapter of the comprehensive plan is to provide a summary of the water system and the Water Supply Plan. The Water Supply Plan is included as an appendix to this 2040 Comprehensive Plan.

Past Usage

In order to establish future water usage within the City, it is first necessary to look at past usage. The usage for the past five years has been examined to determine how residential, commercial and industrial growth has impacted the overall water use in the City. This past usage also serves as a benchmark for evaluating the effectiveness of previous conservation practices. As shown in Table 7-1, water usage has remained relatively steady during the last five years, until water demands dropped in 2017 due to a temporary outdoor water use ban. Between 2013 and 2016, the City of Cottage Grove pumped an average of 1.2 billion gallons of water into the system each year. The highest peak day water demand in the last 5 years was 10.2 million gallons per day (MGD). Cottage Grove's Water Supply PIan contains a detailed analysis of existing water usage, including historic water demand and high volume users. The water use for the last five years is shown in Table 7-1.

Table 7-1: Past Water Usage

Year	Population Served	Average Demand (MG/day)	Maximum Demand (MG/day)	Annual Demand (MG/year)
2013	35,500	3.6	10.2	1,323
2014	35,669	3.3	9.7	1,201
2015	36,615	3.2	7.2	1,187
2016	35,596	3.2	7.3	1,139
2017	36,492	2.6	5.8	938

Source: Annual DNR Water Usage Reporting, 2011-2015

Forecasts

Past water usage within the City has been relatively steady, but the population has increased slightly from 35,105 to 36,615, or four percent. It is expected that this growth will continue to accelerate as the economy continues to recover from the housing crisis and recession. Housing starts are up in the City and it is expected that water usage will continue to increase accordingly. The projected water demand for 2040 is a daily average of 4.7 MGD with an estimated daily maximum of 14.1 MGD as shown in Table 7-2. Water conservation is discussed later in this chapter.

Table 7-2: Projected Water Usage

Year	Population Served	Average Demand (MG/day)	Maximum Demand (MG/day)	Annual Demand (MG/year)
2020	38,400	3.8	11.5	1,400
2030	42,200	4.2	12.7	1,540
2040	47,000	4.7	14.1	1,715

Source: Stantec

Water Supply, Storage and Distribution System

The existing water supply and distribution system has served Cottage Grove's needs well. Previous studies have identified cost-effective and timely improvements for the system. The existing trunk distribution system is presented as part of the Existing and Future Trunk Water Supply and Distribution System Map (Figure 7-1). The system operates under three pressure zones. This approach provides satisfactory pressure to all customers.

The City presently obtains its raw water supply from twelve wells in two well fields. All wells obtain water from the Jordan-Prairie du Chien aquifer. The total well supply capacity is 17.7 MGD and the firm well capacity is 13.0 MGD. Firm capacity is defined as the amount supplied with one out of every 7 wells out of service.

In May of 2017, the Minnesota Department of Health (MDH) issued new, lower health based recommendations for two industrial chemicals Perfluorooctanoic acid (PFOA) and Perfluorooctanesulfonic acid (PFOS). In addition, MDH established a hazard index (HI) related to the accumulative concentrations of PFCs found in drinking water. As a result of the new standards, eight of Cottage Grove's 11 wells exceeded the new established HI values. Cottage Grove well testing have not detected any PFOS in the drinking water. In late May, Cottage Grove utilized only 3 wells to provide water for the community to ensure full compliance with the new standards. However, these 3 wells could not meet the community's peak water demand and the City instituted a watering ban until more capacity could be brought online.

An action plan was established with an interim solution to resolve the City's water quality concerns for five years, thus allowing time for a permanent solution to be developed. Ongoing coordination with MDH and MPCA was necessary to meet requirements of the emergency response. The interim plan involved blending water from various wells and treatment of water at critical wells. A carbon filtration system for Well 3 and Well 10 was identified as the approved treatment option and was placed online within two months of groundbreaking.

Several storage facilities stabilize pressures during peak water demand and also serve as a source of water during fires or power outages. There is a total existing usable storage volume of 4.65 million gallons.

Other Water Supply Issues

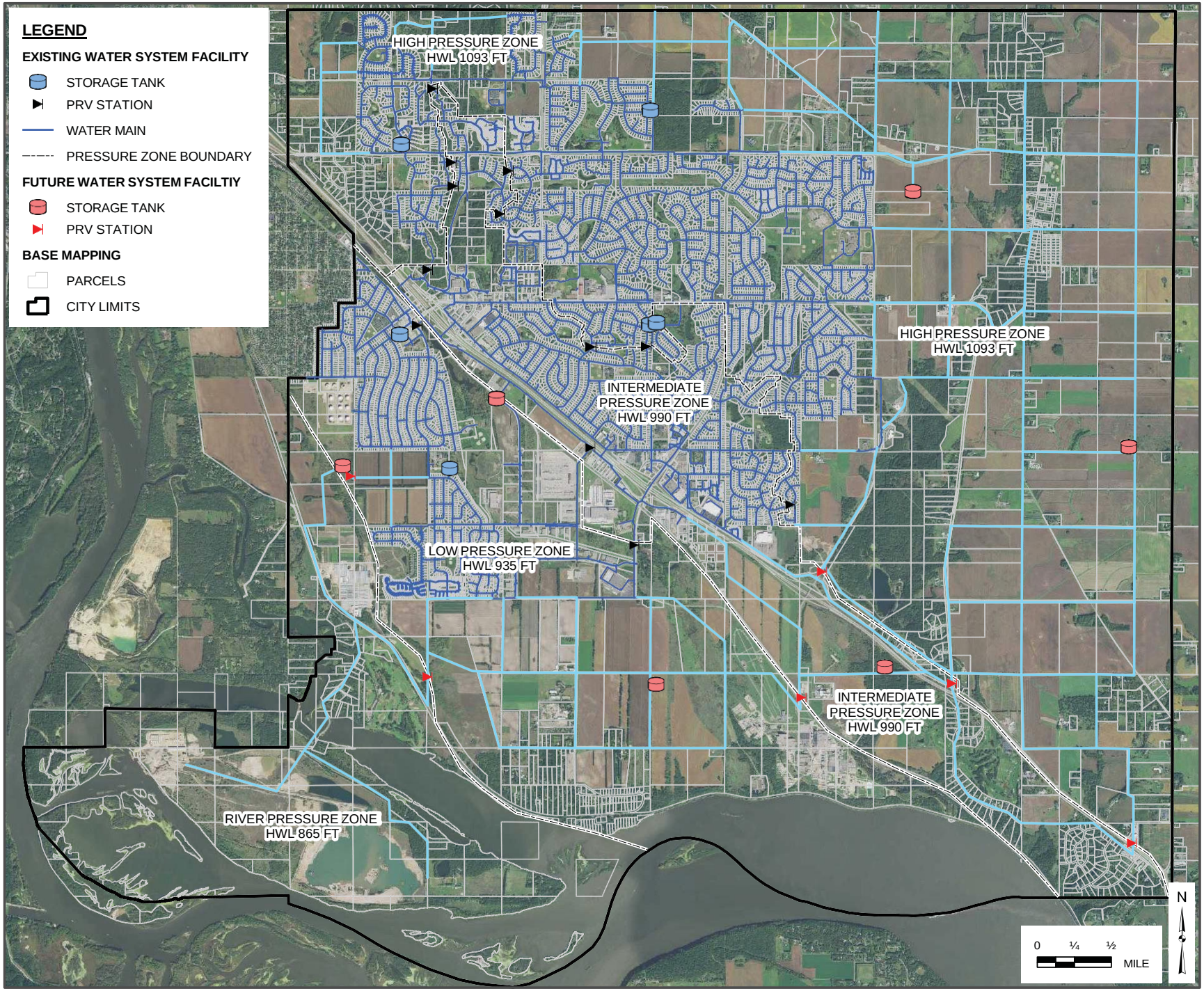
Emergency Response Procedures
Cottage Grove prepared a water system vulnerability assessment and emergency response plan in accordance with the Safe Drinking Water Act, as modified by the Bioterrorism Preparedness and Response Act of 2002. These documents identify contacts for emergency situations, outline emergency response procedures, describe water sources and services areas, and provide procedures for augmenting water supplies in the event of an emergency.

The Water Supply Plan identifies triggers for implementing demand reduction procedures in the event of a water system emergency. Water use is rationed in accordance with water use priorities established by state statute. These triggers and water use priorities are regularly reviewed and adjusted as needed. Demand reduction measures are instituted by the City Administrator or City Emergency Management Director.

Water Conservation Plan
Water conservation programs are intended to reduce the demand for water, improve the efficiency in use and reduce loss and waste of water. Conserving water protects the region's water supply and is a cost-effective way to reduce the need to construct and operate additional water supply facilities. As shown by recent water usage rates, the current water conservation efforts are having an effect. Both the average day demand and the maximum day demands have been decreasing in relation to the population served.

Water conservation planning is a relatively new concept in the metropolitan area compared with some of the drier regions of the country. Cottage Grove's first water conservation plan was a component of the 1995 WSDP. Since 1995, Cottage Grove has expanded existing conservation practices and implemented new water conservation measures. In 2016, Cottage Grove developed a stand along Water Conservation Plan which detailed existing and proposed conservation programs.

Figure 7-1: Future Trunk Water System



With the latest Water Supply Plan, DNR has established target conservation requirements to work toward over the next ten years; these targets include:

- The reduction of unaccounted water loss to less than 10%
- The reduction of residential use to less than 75 gallons per capita per day
- The reduction of peak demand water usage to less than 2.6 times the average demand
- The implementation of a water conservation rate structure; and
- The reduction of institutional, industrial, commercial, and agricultural water use by 1.5%.

Cottage Grove's water conservation work to date means the City has already exceeded most of these conservation targets. The City established the following recommendations for further conservation measures in the 2016 Water Conservation Plan:

- Voluntary Water Audits
- Creating Commercial and Industrial Billing Structures
- Pilot program for Pressure reducing valves
- Adjust ordinance to require separate irrigation meters
- Water Reuse for Public Irrigation and Commercial/Industrial Purposes
- More Proactive Enforcement

Cottage Grove annually reviews the effectiveness of its existing water conservation programs. Adjustments to existing programs and new and innovative programs are evaluated regularly.

Ground Water Health

As this plan was bring written, the state of Minnesota settled its lawsuit against 3M Company, filed in 2010, in return for a grant of $850 million. The settlement depicts the top two priorities being: ensure safe drinking water and enhance natural resources. Nine cities, including Cottage Grove, and two townships in the east metro were named in the settlement as the communities damaged. The Minnesota Pollution Control Agency and Department of Natural Resources were granted the funds with the intent that the state departments will work with the eleven communities to accomplish the priorities of the settlement.

Perfluorochemicals (PFC) contamination treatment strategies:

- Continue to track and monitor PFC levels and contaminants of emerging concern in City wells, in partnership with MDH.
- Investigate further treatment options to remove PFCs from drinking water.
- Work to ensure no, or limited, decrease in service for water utility customers.
- Partner with neighboring communities to treat water, if feasible.

WASTEWATER MANAGEMENT

According to the Metropolitan Land Planning Act, a Local Comprehensive Plan is required to include a sanitary sewer element covering the collection and disposal of wastewater generated by the community. Similarly, the Metropolitan Sewer Act requires local governments to submit a Comprehensive Sewer Plan (CSP) which describes the current and future service needs required from Metropolitan Council Environmental Services (MCES). The Comprehensive Sewer Plan is attached to the 2018 Comprehensive Plan as an appendix.

GOALS AND POLICIES

Goal 1: Effective and efficient operation and maintenance of the city's sanitary sewer system.

- POLICY 7.1 Cottage Grove will construct its system to facilitate operation and maintenance and prevent inflow and infiltration.
- POLICY 7.2 Cottage Grove will maintain a detailed inventory of its sanitary sewer system including an up-to-date electronic map including location and specifications of all pipes, structures, and lift stations.
- POLICY 7.3 Cottage Grove will clean a portion of its sanitary sewer system every year.
- POLICY 7.4 Cottage Grove will regularly televise and clean its sanitary sewer system to determine whether it is performing adequately.
- POLICY 7.5 During major street reconstruction projects, Cottage Grove will assess the system within the project area and makes improvements as needed.
- POLICY 7.6 Cottage Grove is committed to training those responsible for managing its sanitary sewer system and ensures that staff has the equipment necessary to properly maintain the system.
- POLICY 7.7 Cottage Grove will maintain an organizational chart of its sewer maintenance department and ensure that each staff member has a job description.
- POLICY 7.8 Cottage Grove will rehabilitate sewers before their deterioration negatively affects residents, businesses, or the Metropolitan Disposal System.
- POLICY 7.9 Cottage Grove will maintain a general emergency response plan that pertains to sanitary sewer overflows.
- POLICY 7.10 The City will coordinate sanitary sewer utility services and development with surrounding communities, Washington County, the Minnesota Pollution Control Agency, and the Metropolitan Council.

Goal 2: To provide sanitary sewer service that is adequate to meet current and future development needs.

- POLICY 7.11 The extension of sanitary sewers shall be programmed so as to achieve maximum benefit from the existing utilities.
- POLICY 7.12 The sanitary sewer system shall be constructed to accommodate the proposed land use densities and uses identified in the future land use plan.
- POLICY 7.13 Cottage Grove will provide a system reserve capacity in all trunk designs so that local occurrences of higher sewage generating uses or higher densities can be accommodated.
- POLICY 7.14 When in-fill development or redevelopment occurs, Cottage Grove will evaluate existing sanitary sewer systems as to their capacity.
- POLICY 7.15 Cottage Grove develops and regularly updates its sanitary sewer system Capital Improvement Plan (CIP).
- POLICY 7.16 The City will encourage development densities that maximize the use of the existing sanitary system. Where existing facilities do not have capacities to accommodate the maximum allowable densities, the City reserves the right to restrict development to average density.

- POLICY 7.17 For properties in the rural service area, subsurface sewage treatment systems (SSTS) shall be allowed provided such systems conform to all local, state and federal requirements.
- POLICY 7.18 When feasible, maintain sanitary sewer depth to provide maximum flexibility related to future development.
- POLICY 7.19 When installing new sanitary sewer adjacent to properties on private well and septic, sanitary sewer services will be installed to allow for cost effective connection it the future.

Goal 3: Cottage Grove provides a cost effective sanitary sewer system that is equitably financed.

- POLICY 7.20 Cottage Grove finances new sanitary sewer trunks for new development through area and connection charges.
- POLICY 7.21 Cottage Grove finances its existing system operation and maintenance through utility billings.
- POLICY 7.22 Cottage Grove prepares for replacement of its sanitary sewer system by incorporating replacement costs into its utility billing rates.
- POLICY 7.23 The extension of sanitary sewers shall be programmed so as to achieve maximum benefit from the existing utilities. This staging program will result in the most efficient expenditure of public funds while maintaining the City's growth pattern.

COTTAGE GROVE COMPREHENSIVE SANITARY SEWER PLAN

Introduction

According to the Metropolitan Land Planning Act, a Local Comprehensive Plan is required to include a sanitary sewer element covering the collection and disposal of wastewater generated by the community. Similarly, the Metropolitan Sewer Act requires local governments to submit a Comprehensive Sewer Plan (CSP) which describes the current and future service needs required from Metropolitan Council Environmental Services (MCES). This sanitary sewer section will serve as both the sanitary sewer element of the City's Comprehensive Plan and the City's CSPP document.

In May 2015 the Metropolitan Council adopted the 2040 Water Resources Management Policy Plan (WRMPP). The 2040 WRMPP includes the metropolitan wastewater system plan with which local comprehensive plans must conform. Cottage Grove will prepare this sewer element chapter of its Comprehensive Plan to demonstrate its conformance to the regional plan. This chapter will update previous sewer planning efforts and describe in detail the expansion of the City's sanitary sewer system to serve urban development. This sanitary sewer section provides the specific information needed to meet the 2040 WRMPP requirements.

Cottage Grove's 2030 Comprehensive Plan included a wastewater section describing the expansion of the City's trunk system through 2030 and the demands this expansion would place on the Metropolitan Disposal System (MDS) operated by MCES. The wastewater section in the 2040 Comprehensive Plan will describe these demands out to 2040. MCES also uses this section to determine whether capacity upgrades will be needed at the Eagles Point Wastewater Treatment Plant (WWTP), which services all of Cottage Grove.

Cottage Grove's sanitary sewer system is designed to carry wastewater from homes to the MDS, which is owned and operated by MCES. The MDS consists of interceptors and wastewater treatment plants and appurtenances to these including lift stations, siphons, valves and tunnels. Cottage Grove's sanitary sewer system consists of lateral sewer pipes that serve neighborhoods and businesses, trunk sewer pipes (larger than 10-inch diameter) that collect wastewater from laterals, and lift stations that pump wastewater from lower areas of the City.

Municipal sanitary sewer service was initially provided within Cottage Grove in 1961 as a replacement for the individual septic tank systems that were serving the Thompson Grove plats. The first stage of the Cottage Grove WWTP was constructed in 1962 in conjunction with this original municipal sewer installation. This

plant continued to serve the wastewater treatment needs of Cottage Grove until it was replaced by the Eagles Point WWTP in 2002. The new treatment plant has a wastewater capacity of 10 Million Gallons per Day (MGD) to serve Cottage Grove and portions of Woodbury via the South Washington County Interceptor (SWCI) through approximately 2020, at which time it could be expanded to 20 MGD for added service capacity. Ultimately, the Eagles Point WWTP discharges effluent to the Mississippi River.

Sanitary Sewer System

The Sanitary Sewer System Map (Figure 7-2) identifies the ultimate service area, represented by sewer district delineations, delivering wastewater to the Eagles Point WWTP via the SWCI. The Sanitary Sewer System Map provides a detailed inventory of the City's existing trunk facilities, including: trunk sanitary sewer pipe, lift stations, forcemains, and MCES Interceptors. The location of lateral sanitary sewer pipe is also identified. All ~~five~~ 15 existing and future connection points to the MDS (i.e. connections to the SWCI) are identified and numbered ~~one through five~~. The Sanitary Sewer System Map also identifies the intercommunity wastewater flow connection points.

The only existing private treatment facility in Cottage Grove is located at the 3M Cottage Grove Center industrial complex. Because 3M is a high-volume facility, it is inspected annually by either the Environmental Protection Agency or the MPCA to determine compliance with their National Pollution Discharge Elimination System permit. The City of Cottage Grove oversees proper operation of the 3M facility by maintaining contact with the MPCA representative responsible for this plant and reviewing the annual inspection report. The location of the 3M treatment facility is identified on Figure 7-2.

Forecasts

The Metropolitan Council requires municipalities to include adopted forecasts for population, households, and employment in ten-year increments to 2040 in their comprehensive plans. Table 7-3 includes the forecast figures directly from the Metropolitan Local Planning Handbook for the City of Cottage Grove. These forecast numbers are confirmed in the WRPP revised forecasts adopted in May of 2015. The City of Cottage Grove has reviewed and concurs with these projections.

Table 7-3: Cottage Grove Population, Household, and Employment Forecasts

Year	Population	Households	Employment
Census 2010	34,589	11,719	6,484
2020	38,400	13,300	7,700
2030	42,200	15,200	8,400
2040	47,000	17,300	9,000

Source: Metropolitan Council

The Metropolitan Council uses these forecasts to plan all wastewater infrastructure. Table ~~7-3~~7-4 presents projected average flow data from two sources:

- Flows identified in the Metropolitan Council Water Resources Policy Plan dated May of 2015 and amended in May of 2018.
- City flow projections are calculated by a spreadsheet sewer models (existing and ultimate). Projected flows were determined by multiplying the ratio of increase in flow from 2020 to 2040 to roughly match the projected growth forecasts for the City.

Table 7-4: Wastewater Flow Projections

Year	MCES Projected Average Flow (MGD)	City Projected Average Flow (MGD)
2010	2.03	2.76
2020	2.28	3.86
2030	2.49	~~4.49~~ 6.38
2040	2.70	~~5.20~~ 7.76

The City-wide average flows presented in Table 7-4 are further divided into the projected average wastewater flow to each MDS connection point in 10-year increments through 2040. Figure 7-2 identifies the ~~five~~ 15 connection points to the MDS from Cottage Grove ~~and the area tributary to each of these five connection points~~. This information is provided in Table 7-5.

Table 7-5: Projected Wastewater Flows by Connection Point to the MDS

~~Stage Year~~	~~#1 (MGD)~~	~~#2 (MGD)~~	~~#3 (MGD)~~	~~#4 (MGD)~~	~~#5 (MGD)~~	~~Total~~
~~2010~~	~~0.00~~	~~0.00~~	~~0.00~~	~~2.72~~	~~0.00~~	~~2.72~~
~~2020~~	~~0.12~~	~~0.03~~	~~0.03~~	~~3.68~~	~~0.00~~	~~3.86~~
~~2030~~	~~0.24~~	~~0.03~~	~~0.29~~	~~3.90~~	~~0.03~~	~~4.49~~
~~2040~~	~~0.28~~	~~0.04~~	~~0.32~~	~~4.36~~	~~0.20~~	~~5.20~~
~~Ultimate~~	~~1.07~~	~~0.28~~	~~1.33~~	~~4.51~~	~~2.57~~	~~9.76~~

Connection Point	Stage Year				
	2010	2020	2030	2040	Ultimate
MCES.1C	0.00	0.00	0.03	0.05	0.32 (1)
MCES.1B	0.00	0.00	0.02	0.03	0.03
MCES.1A	0.00	0.00	0.15	0.23	0.23
MCES.1	0.00	0.12	0.32	0.41	0.41
Subtotal #1	0.00	0.12	0.52	0.72	0.99
MCES.2C	0.00	0.00	0.03	0.05	0.05
MCES.2B	0.00	0.00	0.26	0.39	0.39
MCES.2A	0.00	0.00	0.05	0.06	0.06
MCES.2	0.00	0.03	0.05	0.07	1.98
Subtotal #2	0.00	0.03	0.39	0.57	2.48
MCES.3C	0.00	0.00	0.01	0.01	0.01

MCES.3B	0.00	0.00	0.03	0.05	0.05
MCES.3A	0.00	0.00	0.14	0.21	0.21
MCES.3	0.00	0.03	0.09	0.16	2.47
Subtotal #3	0.00	0.03	0.27	0.43	2.74
MCES.4A	0.00	0.00	0.16	0.24	0.39
MCES.4	2.72	3.68	4.09	4.29	4.51
Subtotal #4	2.72	3.68	4.25	4.53	4.90
MCES.5A	0.00	0.00	0.00	0.00	0.20
MCES.5	0.00	0.00	0.95	1.42	3.06
Subtotal #5	0.00	0.00	0.95	1.42	3.26
Total	2.72	3.86	6.38	7.67	14.37

Table 7-6 presents the capacity and design flows of the future trunk sanitary sewer pipes. The trunk system is summarized from node to node, as identified on Figure 7-2. For the purposes of this narrative, a node is identified within trunk sewer system at the following locations:

- Upstream end of a trunk (generally considered 10” pipe and larger) sewer pipe
- Where new flows from the sewershed are introduced into the system
- Trunk sewer junction points
- Trunk sewer pipe size changes

The design flows presented in Table 7-6 on the next page are calculated from the summation of the average flow values of the sewer districts tributary to a trunk pipe segment, multiplied by the appropriate peak flow factor. In the next ten years, development may occur in the southern portion of the City, which could be served by Metropolitan Council Interceptor #4 or #5. Capacity evaluations for the City’s wastewater system must be evaluated before development can occur. However, at this time, given known development that is intended to occur, there is sufficient capacity in these areas of the City system to convey future wastewater flows.

Table 7-6: Design Flows (MDG) for the Ultimate System

From Point	To Point	Area Added	Average Flow Added (MGD)	Total Average Flow (MGD)	Peak Flow Factor (PFF)	Design Flow (MGD)
To MCES Connection Point #1						
48	49	CGR-1	0.105	0.105	4	0.419
49	50	CGR-2	0.166	0.271	3.7	1.001
50	#1	CGR-3	0.146	0.417	3.5	1.458
To MCES Connection Point #3						
51	#3	CGR-15	0.287	0.287	3.7	1.062
To MCES Connection Point #4						
1	2	WD-1	0.119	0.119	4	0.478
3	4	WD-3	0.044	0.164	3.9	0.638
4	2	WD-2	0.057	0.221	3.8	0.839
2	7			0.221	3.8	0.839
5	6	WD-5	0.090	0.090	4	0.360
6	7	WD-6	0.128	0.218	3.8	0.830
8	7	WD-4	0.093	0.093	4	0.371
7	9			0.532	3.4	1.809
9	10	WD-7	0.064	0.596	3.4	2.028
10	11	WD-8	0.117	0.713	3.3	2.353
11	15	WD-9	0.016	0.729	3.3	2.405
12	13	WD-10	0.046	0.046	4	0.184
14	13	WD-11	0.151	0.151	3.9	0.588
13	15			0.197	3.8	0.748
15	16	WD-12	0.122	1.047	3.1	3.246
16	17	WD-13	0.107	1.154	3.1	3.579
17	18	WD-14	0.218	1.372	3	4.116
19	20	C-1	0.055	0.055	4	0.219
20	21	C-2	0.108	0.163	3.9	0.634
21	22	C-3	0.133	0.296	3.7	1.095
22	23	C-4	0.072	0.367	3.6	1.323
24	23	C-5	0.069	0.069	4	0.275
23	25			0.436	3.5	1.527
25	26	C-6	0.063	0.499	3.5	1.748
26	27	C-7	0.052	0.552	3.4	1.876
28	29	ED-1	0.131	0.131	3.9	0.512
29	30	ED-2	0.167	0.299	3.7	1.105
30	31	ED-3	0.065	0.364	3.6	1.310
31	32	ED-4	0.153	0.517	3.4	1.758
33	32	ED-5	0.135	0.135	3.9	0.528
32	27			0.652	3.3	2.153
27	18	C-8	0.066	1.270	3	3.810
18	34			2.642	2.7	7.134
35	34	ED-6	0.086	0.086	4	0.343
34	36	L-1	0.231	2.959	2.6	7.693
37	38	TG-1	0.110	0.110	4	0.442
38	39	TG-2	0.134	0.245	3.7	0.906
39	40	TG-3	0.165	0.410	3.5	1.435
40	41	TG-4	0.146	0.556	3.4	1.889
42	43	TG-5	0.086	0.086	4	0.345
43	44			0.086	4	0.345
44	41	TG-6	0.061	0.148	3.9	0.576
41	45	TG-7	0.062	0.765	3.3	2.525
45	46	TG-8	0.176	0.941	3.2	3.012
47	46	TG-10	0.146	0.146	3.9	0.571
46	36	TG-9	0.353	1.441	3	4.322
36	#4	L-2	0.108	4.508	2.4	10.819

Infiltration and Inflow

The Metropolitan Council has continued its Inflow/Infiltration (I/I) Surcharge Program. The fundamental policy statement summarizing this program is that the Metropolitan Council "will not provide additional capacity within its interceptor system to serve excessive inflow and infiltration." The Council establishes inflow and infiltration thresholds for each of the communities that use its system. Communities that exceed this threshold are required to eliminate this excess flow within a reasonable timeframe. The Metropolitan Council has not identified Cottage Grove as a community with observed excess I/I. Cottage Grove's sanitary sewer system is relatively new and I/I has not been a significant issue to date. Comparing the MCES flow meter (M600A) data and daily rainfall data over the past few years, no consistent correlation is observed between rainfall events and higher average flow values, indicating I/I problems. The City has identified the Thompson Grove trunk sanitary sewer through subdistricts TG-1 and TG-3 as a potential I/I contributor and is diligent in inspecting this trunk sanitary sewer frequently to identify cracks or joint separations and performing crack grouting or joint repair as necessary.

An outline of the City's proactive implementation program directed at identifying and correcting I/I, is as follows:

- City Ordinance 8-1-13A prohibits roof and foundation drains to be connected to the sanitary sewer system. The ordinance states that "No owner, occupant or user of any premises shall direct into or allow any storm water or surface water to drain into the sanitary system of the City."
- Cottage Grove conducts sewer line televising for a portion of the system annually in conjunction with the sewer cleaning schedule, making repairs where potential I/I problems are indicated. All new City facilities are also televised before being placed in service. Additionally, after major street reconstruction projects, sanitary sewer pipe in the project area are televised to ensure that no damage occurred.
- Continue regular monitoring and maintenance activities on trunk sanitary sewer lines suspected of contributing to I/I.
- Communication with the MCES regarding above average flow readings at meter number M600 indicating a potential I/I problem

The City has a robust program of televising sanitary sewer pipes on a five-year rotation plan and any I/I problems identified are corrected when work is done in that area under the City's pavement management program. The City has no current I/I issues, and does not anticipate issues in the future. The City will continue to monitor on a regular basis. Regarding inflow & infiltration from private properties, the City works to identify and address this issue in several ways. When conducting water meter replacements, the City is able to identify if a sump pump is discharging to the sanitary sewer. If this is the case, the City will work with the resident to correct the situation. This would also be the case if a connection of roof drainage to a sanitary sewer is identified. Finally, when completing televising of public sanitary sewers, the City is able to observe the flows from private connections to the public sewer. If flow into the public pipe suggesting I/I is observed, the City will reach out to the property to further inspect the issue.

An analysis was completed to determine the percentage of pre-1970 housing stock within the City. Using parcel data, it was determined that roughly 23% of the City's housing stock was built prior to 1970. The City will televise its older trunk sanitary sewers between 2019 and 2021. The City also has a major slip lining project scheduled for 2020 ($350,000) on a large portion of trunk sanitary sewer. Table 7-7 presents a summary of budgeted implementation costs to address I/I in the City's system. Since the City does not have a significant issue with I/I, these costs will be incurred annually on an as needed basis.

Table 7-7: Estimated I/I Implementation Costs

I/I Implementation Activity	Activity Cost and Frequency	Duration
Televise and inspect sewer facilities for leaks	$20,000 per year	In perpetuity
Inspect sewer facilities in response to backups and in coordination with street reconstruction program	$50,000 per year	As needed, in perpetuity
Perform repairs or rehabilitation of sewers	$150,000 per year	As needed, in perpetuity
Disconnect prohibited/unused connections to sewer	$5,000 per year	As needed, in perpetuity

The EPA Guide for Estimating Infiltration and inflow (June 2014) was used to estimate the proportion of I/I contribution in the City's wastewater system. Monthly flow data were obtained from MCES, for the period of 2010 to 2017. Monthly average flows for the five-year period (2010-2014) from March to November (representative of a wet portion of the year) and December to February (representative of a dry portion of the year) were calculated. It was determined that the wet monthly average flow (March-November) was 62.48 mg, and that the dry monthly average flow (December-February) was 60.67 mg. Thus, on average, I/I contributes roughly 1.81 mg monthly (roughly 3% of base flows). The peak flow for the City is 66.20 mg in March 2014, which is roughly 9% of base flows.

Subsurface Sewage Treatment Systems (SSTS)

According to estimates provided by Washington County, there are approximately 808 SSTS in operation within the City of Cottage Grove. In August 1999, Cottage Grove turned administrative responsibility for SSTS over to Washington County. The transfer of authority was conducted under the premise that Washington County can more easily keep up-to-date on evolving regulation regarding these systems. Chapter 4 of the Washington County Individual Sewage Treatment System Regulations (Ordinance 206) states:

> *"The owner of an individual sewage treatment system or the owner's agent shall regularly, but in no case less frequently than every three years, have the tank or tanks pumped. As an alternative, the owner may inspect and measure the accumulations of scum, which includes grease and other floating materials at the top of each septic tank and compartment along with the sludge, which includes the solids denser than water."*

The following is a comparison of Washington County regulations versus those contained in Minnesota Rules 7080:

- The Washington County regulations establish a 30-day time frame to correct failing systems which pose an imminent threat to the public health, safety and welfare, whereas Chapter 7080 establishes a 10 month time frame.
- The Washington County ordinance establishes a 90 day time frame for correcting failing systems that do not pose an imminent threat to public health, safety and welfare, whereas there is no time frame listed in Chapter 7080.
- The Washington County regulations require percolation tests and four soil borings for proposed sites, while Minnesota Rules 7080 has no such requirements.
- Under the Washington County regulations, a minimum of 12 inches of rock layer is required, while Minnesota Rules 7080 requires 6 inches.
- The Washington County regulations require that homeowners have tanks pumped every three years or be inspected, while Chapter 7080 requires a homeowner inspection every three years

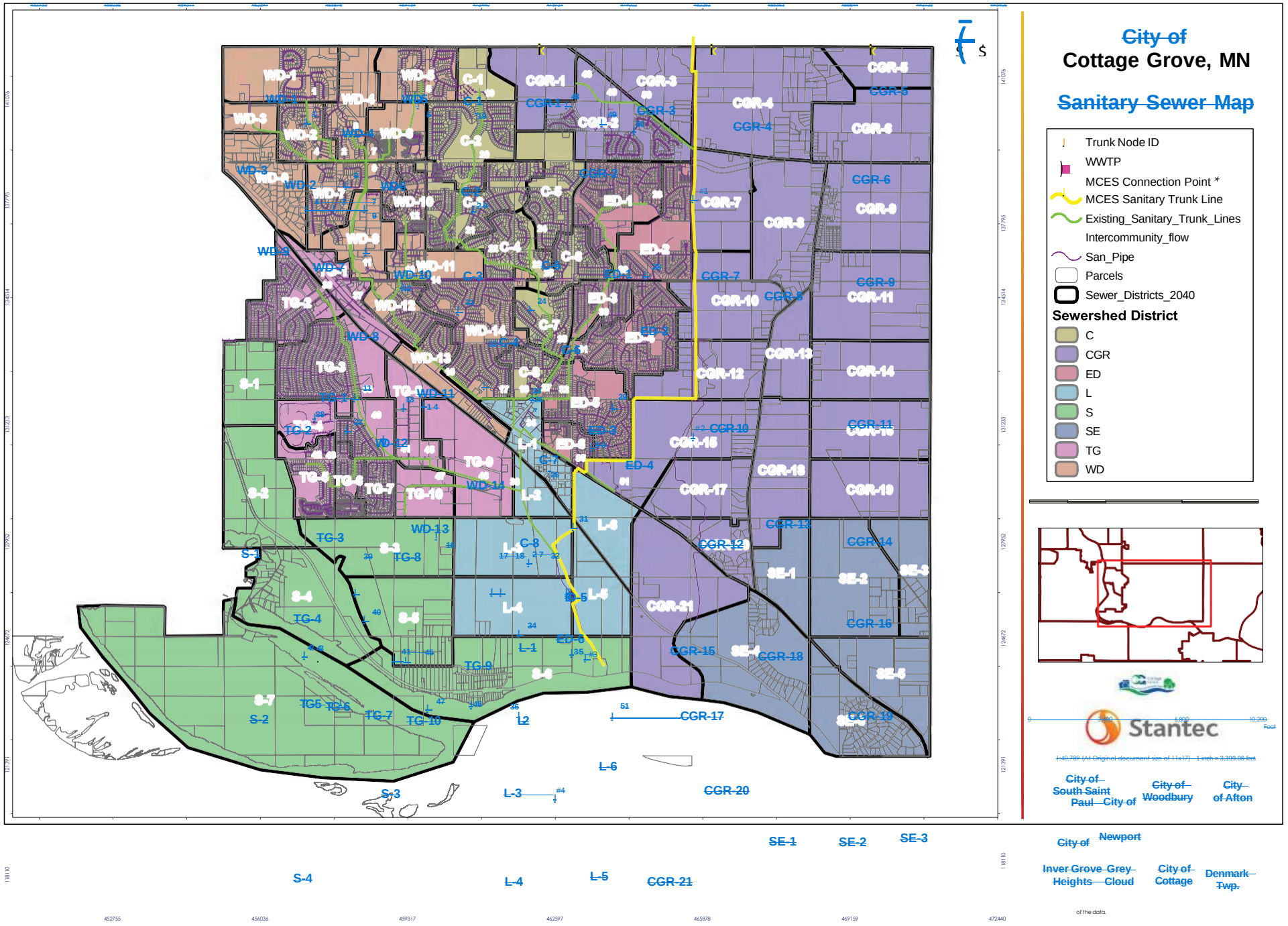
The City of Cottage Grove does not currently have an ordinance regulating or prohibiting privately owned community wastewater treatment systems.

The Metropolitan Council seeks to understand the number of subsurface sewage treatment systems within the City by decade. According to previous correspondence with Washington County staff, there are 808 SSTS in operation within the City of Cottage Grove as of 2018. Table 7-8 provides estimates of SSTS systems in 2020, 2030, and 2040..

Table 7-8: SSTS in Cottage Grove, 2020-2040

Year	Number of SSTS
2020	787
2030	577
2040	577

Figure 7-2: City of Cottage Grove, MN Sanitary Sewer Map



475721 479002 482282 485563 488844 492125 495406

*The Connection Points to the Met Council System shown (MCES Interceptors #1 through #5) are current and future connection points (when future development occurs).

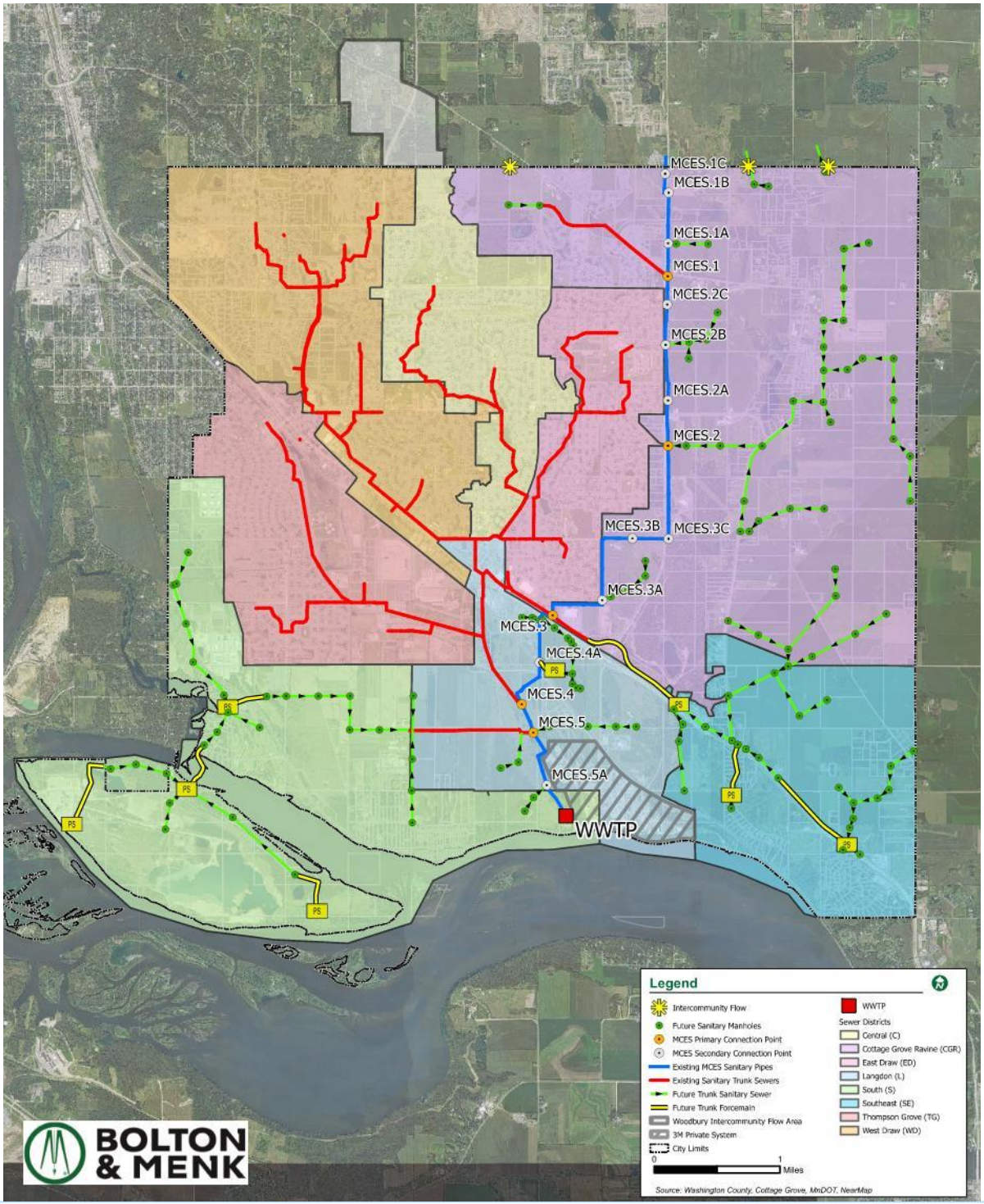
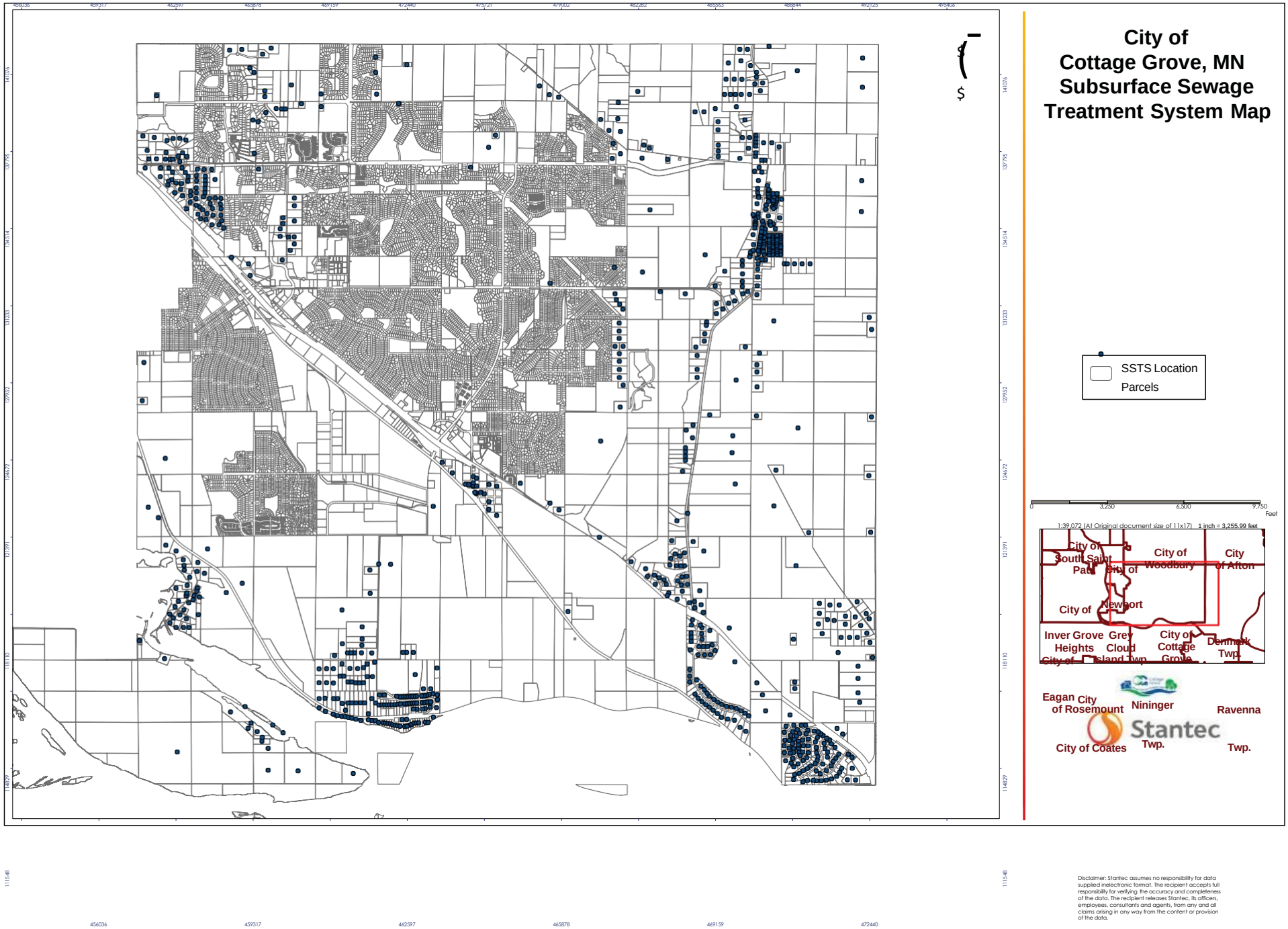

MCES.1C
MCES.1B
MCES.1A
MCES.1
MCES.2C
MCES.2B
MCES.2A
MCES.2
MCES.3B
MCES.3C
MCES.3A
MCES.3
MCES.4A
MCES.4
MCES.5
MCES.5A
WWTP
PS
Legend
Intercommunity Flow
Future Sanitary Manholes
MCES Primary Connection Point
MCES Secondary Connection Point
Existing MCES Sanitary Pipes
Existing Sanitary Trunk Sewers
Future Trunk Sanitary Sewer
Future Trunk Forcemain
Woodbury Intercommunity Flow Area
3M Private System
City Limits
0
1
Miles
WWTP
Sewer Districts
Central (C)
Cottage Grove Ravine (CGR)
East Draw (ED)
Langdon (L)
South (S)
Southeast (SE)
Thompson Grove (TG)
West Draw (WD)
Source: Washington County, Cottage Grove, MnDOT, NearMap
BOLTON & MENK

Figure 7-3: City of Cottage Grove, MN Subsurface Sewage Treatment System Map



Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

475721
479002
482282
485563
488844
492125
495406

Future Growth

The Metropolitan Council seeks to estimate proposed improvements to the sanitary sewer system. The City has provided a Utility Staging Map in the Land Use section of the Comprehensive Plan (Figure 2-11), which details expansion of the trunk sewer system within the City.

An analysis was conducted to determine future growth in the City by MCES interceptor. Using ArcGIS, Transportation Analysis Zones (TAZ) were intersected with the City's sewersheds that contribute to various MCES interceptors throughout the City. Thus, forecasted household and employment information by interceptor was calculated for the following decades: 2020, 2030, and 2040. This information is given in Table 7-9 below.

Household and employment values for each MCES interceptor sewershed were calculated using the proportion of each TAZ area within the sewershed. This method assumes that household and employment are distributed evenly throughout each TAZ area.

Table 7-9: Housing and Employment Forecasts ~~by MCES Interceptor~~

~~Year~~	~~Population~~	~~To MCES Interceptor Connection #1~~		~~To MCES Interceptor Connection #2~~		~~To MCES Interceptor Connection #3~~		~~To MCES Interceptor Connection #4~~		~~To MCES Interceptor Connection #5~~	
		~~Households~~	~~Employment~~	~~Households~~	~~Employment~~	~~Households~~	~~Employment~~	~~Households~~	~~Employment~~	~~Households~~	~~Employment~~
~~2020~~	~~38,400~~	~~488~~	~~55~~	~~477~~	~~656~~	~~656~~	~~599~~	~~9,754~~	~~5,606~~	~~1,138~~	~~640~~
~~2030~~	~~42,200~~	~~811~~	~~75~~	~~888~~	~~941~~	~~865~~	~~633~~	~~10,408~~	~~5,769~~	~~1,651~~	~~770~~
~~2040~~	~~47,000~~	~~1,418~~	~~98~~	~~1,186~~	~~1,301~~	~~983~~	~~654~~	~~10,989~~	~~5,700~~	~~2,146~~	~~921~~

Year	Population	Households	Employment
Census 2020	38,839	13,105	8,312
2020	38,800	13,100	8,300
2030	47,800	16,900	12,700
2040	52,500	1,900	14,700

Table 7-10: Sewered Service Forecasts

Year	Population	Households	Employment
2020	36,500	12,313	7,600
2030	46,100	16,323	12,250
2040	50,800	18,423	14,250

SURFACE WATER

The City of Cottage Grove and its residents place immense value on conserving, protecting, and managing its surface water resources. Through the planning process, community stakeholders identified water resource protection and access to natural amenities as critical issues for the future development of the city.

As part of the established Community Vision, the City of Cottage Grove strives to address these key themes related to surface water:

- **Mississippi River Access** – work to provide public access to the river and appropriate development opportunities on Lower Grey Cloud Island.
- **Environmental Stewardship** – continue to protect and enhance the natural environment, including air quality, groundwater resources, stormwater management and energy usage.

GOALS AND POLICIES

Goal 1: Manage surface and groundwater resources using approaches that meet or exceed regulatory requirements by following the city's local surface water management plan, the local watershed plans, and permits administered by the MPCA, BWSR, USACE, MN DNR, and any other governing agencies that are applicable and have jurisdictional authority within the City of Cottage Grove.

- POLICY 7.1 Provide adequate flood protection for residents and structures and protect the integrity of conveyance channels and stormwater detention areas.
- POLICY 7.2 Pursue the reduction of Total Phosphorus (TP) and Total Suspended Solids (TSS) loading to water bodies by compliance, municipal management activities, and public education.
- POLICY 7.3 Pursue the reduction of Total Phosphorus (TP) and Total Suspended Solids (TSS) loading to water bodies by compliance, municipal management activities, and public education.
- POLICY 7.4 Classify and effectively manage water bodies in the community to achieve watershed management organization, state, and federal regulatory agency standards.
- POLICY 7.5 Classify, manage, and administer wetlands in the community.
- POLICY 7.6 Regulate new development and redevelopment activities within the community including erosion control at construction sites.

COTTAGE GROVE LOCAL SURFACE WATER MANAGEMENT PLAN

The City of Cottage Grove's Local Surface Water Management Plan (LSWMP) will be attached to the 2018 Comprehensive Plan as an appendix. The 2018 LWSMP serves as an update to the 2008 Plan. LSWMPs serve as a framework to manage the water resources within a city. The Local Surface Water Management Plan (LSWMP) is consistent with the Comprehensive Plan update for the City of Cottage Grove. Previously, the updates to the SWMPs and Comprehensive Plans were asynchronous, but beginning with the 2018 LSWMP update, the LSWMP will exist either as an appendix to, or as a chapter of, the Comprehensive Plan, and the two will be updated simultaneously. The executive summary and scope of the 2018 Plan are provided in the following sections.

Executive Summary

The LSWMP has been created to meet the requirements detailed in Minnesota Statutes 103B (Metropolitan Surface Water Management Act), Minnesota Rules 8410, and the requirements of the local watershed management organizations or watershed districts. The watershed district having jurisdiction in the City of Cottage Grove is South Washington Watershed District (SWWD). This document provides an inventory of water resource related information including the results of assessments conducted by other governmental units, both local and state. From this inventory and assessment, the City of Cottage Grove sets forth its goals

and policies and implementation program.

The LSWMP is organized as follows:

- **Section 1** offers an introduction to and purpose of this Plan, and includes organizational information on the location of components within this document.
- **Section 2** of this Plan provides an inventory of land and water resources within the City, including a description of the physical setting, available and pertinent water resources data, and land use maps.
- **Section 3** lists the City's goals and policies along with public agency requirements affecting surface water management in the City. This section also includes general information regarding the roles of the watershed management organizations with jurisdiction over Cottage Grove, as well as those of other state and federal regulatory agencies influencing surface water management in the City.
- **Section 4** outlines the City's approach to wetland management, in accordance with the standards and requirements of South Washington Watershed District and other agencies having jurisdiction over wetland management.
- **Section 5** presents and assessment of surface water quality issues in Cottage Grove. The section includes discussion regarding the NPDES permitting process, impaired waters and TMDL implementation, and non-degradation requirements.
- **Section 6** provides a current assessment of surface water management in Cottage Grove, including stormwater modeling, various design parameters, and identification of issues and corrective actions.
- **Section 7** covers regulatory responsibilities, priority implementation items, educational programs, operation and maintenance, and financing considerations. A plan amendment process is also identified and the distinction between major and minor amendment outlined.
- **Section 8** contains a summary of the LSWMP and makes recommendations for implementing the Plan.
- **Sections 9 and 10** include the list of reference documents and a glossary of terms, respectively.

Scope

The LSWMP serves multiple purposes including statutory and rule compliance. Minnesota Statute 103B.235 defines content for Local Surface Water Management Plans. According to the statute's text, each local plan, in degree of detail required in the watershed plan, shall:

1. Describe existing and proposed physical environment and land use;
2. Define drainage areas and the volumes, rates, and paths of stormwater runoff;
3. Identify areas and elevations for stormwater storage adequate to meet performance standards established in the watershed plan;
4. Identify regulated areas; and,
5. Set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.

Minnesota Rules 8410, administered by the Board of Water and Soil Resources, (BWSR) provide more detail on local plan content. Though the BWSR guidance applies specifically to watershed management organizations, this guidance has historically been used to frame expectations for municipal plans. According to Rules 8410, local plans must provide or address:

1. Executive summary
2. Land and water resource inventory
3. Impact on other units of government
4. Establishment of goals and policies
5. Assessment of problems
6. Implementation program
7. Implementation priorities
8. Plan contents; amendments
9. Annual reporting requirements

The reader will find that the City of Cottage Grove has structured its LSWP to provide the information required by 8410 without holding strictly to the outline contained in the rules. Through this document, the City provides signposts identifying where a statutory or rulemaking requirement might be addressed.

The City of Cottage Grove's LSWMP must address requirements of the Minnesota Pollution Control Agency's Municipal Separate Storm Sewer System (MS4) program. This program is designed to reduce the sediment and pollution that enters groundwater and surface waters to the maximum extent practicable. The MS4 program is regulated through the National Pollutant Discharge Elimination System (NPDES) permits. These NPDES permits require the development of Storm Water Pollution Prevention Programs (SWPPP).

The Cottage Grove LSWMP must also satisfy Metropolitan Council requirements as contained in their 2040 Water Resources Policy Plan. These requirements build on those of Minnesota Rules 8410.

Beyond state level requirements and those of Metropolitan Council, this plan must be consistent with those of the watershed organizations having jurisdiction in the City. Often, watershed districts outline specific content for local plans that go beyond that required by statute and rule.

City of Cottage Grove
Planning Commission
June 26, 2023

The Regular Meeting of the Planning Commission was held at Cottage Grove City Hall, 12800 Ravine Parkway South, Cottage Grove, Minnesota, on Monday, June 26, 2023, in the Council Chamber and telecast on Local Government Cable Channel 16.

Call to Order

Chair Frazier called the Planning Commission meeting to order at 7:00 p.m.

Roll Call

Members Present: Ken Brittain, Jessica Fisher, Evan Frazier, Eric Knable, Derek Rasmussen, Emily Stephens

Members Absent: None

Staff Present: Emily Schmitz, Community Development Director; Mike Mrosla, Senior Planner; Conner Jakes, Associate Planner; Amanda Meyer, City Engineer; Tony Khambata, City Council Liaison

Approval of Agenda

Rasmussen made a motion to approve the agenda. Fisher seconded. The motion was approved unanimously (6-to-0 vote).

Open Forum

Frazier opened the Open Forum and asked if anyone wished to address the Planning Commission on any non-agenda item. No one spoke. Frazier closed the Open Forum.

Chair's Explanation of the Public Hearing Process

Frazier explained the purpose of the Planning Commission, which serves in an advisory capacity to the City Council, and that the City Council makes all final decisions. In addition, he explained the process of conducting a public hearing and requested that any person wishing to speak should go to the microphone and state their full name and address for the public record.

Public Hearings and Applications

6.1 Shed Setback Variance – Case V2023-013

Peyton and Brittney Rechtzigel have applied for a variance to the side yard setback requirements in the R-3, Single Family Residential District, to allow the front corner of a 16-foot by 20-foot accessory structure to be closer than 6 feet to the side property line at 6761 93rd Bay South.

Schmitz summarized the staff report and recommended approval based on the findings of fact and subject to the conditions stipulated in the staff report.

Fisher asked if the fence belongs to the neighbor or to the Applicant; Schmitz replied it belongs to the neighbor. Rasmussen asked if the shed was clear from any utility or drainage easements, any concerns that we're aware of. Schmitz replied that the shed does not encroach on any of the City's drainage or utility easements, not does it impact any infrastructure that might be within those.

Stephens stated she would assume that this is common; she asked if this had happened previously, and if so, did the City issue a variance. Schmitz replied in her time with the City, she's not previously dealt with this issue; however, she's certain there have been previous similar instances. When they are brought to our attention, we navigate as appropriately as we can.

Fisher stated it sounds like somebody from the City granted the permit and then went out and inspected the structure; she asked if the staff did not check on the property lines. She understands we don't have a surveyor on staff, but she felt during the application and inspection process that could have been discovered. Schmitz replied we rely on the property owner or the Applicant to identify for us where the property line is because we don't have a surveyor to verify.

Frazier stated the commission received a letter from an anonymous neighbor, but the instructions he read earlier are that every person has to give their name and address for the public record; in order for this to be accurate, we need to know who is speaking and providing information. So, he told the commissioners they can take that anonymous letter for what they believe its worth, based on the fact that the letter has not been signed.

Frazier opened the public hearing.

Kristi McMahon, 6763 93rd Bay South, stated she's the owner of the property with the white fence. We actually went ahead and got a survey done, and with the overhang of the shed it's actually 20 inches too close to our property line, on the side closest to Mississippi Dunes Boulevard. Without the overhang, it would be 8 inches too close to the property line. As a homeowner, you have to do your due diligence, you have to do a survey, and they measured off of our fence line. They didn't do their job right, so, it's too close; 20 inches is a lot, considering the overhang. If you don't consider the overhang, it's still 8 inches, which is still quite a bit; an inch or two isn't, but 8 inches is quite a bit. As a homeowner, ignorance is no excuse for the law. We also have a shed in our back yard; we did our due diligence and we have a 10-foot setback, we have ours 11 feet in. We would love to have it 5 feet in, but we weren't able to, it had to be 10 feet. Additionally, our neighbor across the street from us, she believes at 6781, actually had a shed in their back yard that had to be moved. They had a concrete slab poured and a structure was beginning to be built; a neighbor complained, somebody came out, and they had to cut the concrete and move their shed. So, she doesn't see why this wouldn't be any different from that.

No one else spoke. Frazier closed the public hearing.

Brittain asked staff if the overhang setback is different from the eave; Schmitz replied typically we measure it to the side wall. Brittain stated he thought the eave was like a two-foot thing. Schmitz stated the setback isn't outlined specifically; however, typically, we allow for a two-foot

overhang on a structure. Brittain stated so the overhang doesn't count towards the ordinance measurement for the setback, which Schmitz confirmed.

Frazier wanted to make sure he had it right: So, there has to be a six-foot setback from the property line. We allow, separately in the Code, for a roof to overhang by two feet; so, theoretically, the roof could be 4 feet from the property line, based on those two numbers that are separate in the Code, not talking about setback. Schmitz stated yes, generally speaking.

Fisher stated as she was reading this over the weekend, she was thinking about why we grant variances; typically, it's because the circumstances are out of the owner's control. As she read this, she felt maybe she was missing something. She feels like the people who built the shed didn't measure correctly; to her, that's not something that's out of their control. So, she is not supporting granting the variance because if we grant this one, we would be setting a precedent; she's seen other variances be denied in the past over homeowners making their own bed, making improvements or doing something that causes the variance to be necessary when it's not necessary. That's her feeling on this.

Stephens asked when somebody submits a building permit application, what does the City staff do to communicate that it's on the homeowners to clarify that property line; is it just in the paperwork so it's easily missed, or is it verbally communicated that they understand they're taking on this ownership because we don't do that. Schmitz replied that's why we also require the site plan to be provided; so, that site plan is included with that building permit and runs with the property. So, the property owner is identifying where they're going to construct their structure, so they're identifying to us that they understand where their property lines are and will construct the shed according to that proposed setback. Stephens stated the site plan we were looking at didn't look like a survey. Did City staff say this is a good picture, but we need to verify property lines. Schmitz replied we don't require a survey to be conducted; however, we indicate to Applicants that they are responsible to understand where their property lines are in order to measure from those. We typically use a lot of GIS mapping from Washington County, which of course can be off a bit here or there; however, we typically have situations where property lines are outlined in a fence, and folks are certainly utilizing those over the years. So, it's not uncommon that folks are using those landmarks.

Brittain asked staff to provide a little bit of insight into the intent of the setbacks for the side and the rear yard, as to what they're attempting to prevent or standardize. Schmitz stated the setbacks allow for a bit of a buffer, for two different reasons: 1) The DNU, avoiding any structures being placed within those; not all properties have those easements on their property lines, but it's a standard setback. 2) Creating a buffer for structures, as we're hoping to avoid structures that are crossing property lines, and it helps keep that distance between property owners and properties. Brittain asked if it was also to make sure the drainage from the roof and things along those lines are our best chance to make sure that things are going to work out; Schmitz replied that's correct. Brittain confirmed that the City went out and measured to the fence; Schmitz stated that's correct, as a part of the building permit. Brittain said they made an assumption that it was 6 feet. The homeowner didn't do their due diligence but it appears attempted to measure from the fence, what they believed was the property line; that was incorrect, but we're all human. On a portion of the shed, having it 6 inches closer, it appears to him, especially with the roof line facing 90 degrees to the fenced area, none of the water runoff is going to head in that direction; so, being 6 inches closer shouldn't really cause it. He doesn't really see noise or light pollution, no lights on the back that could cause a negative impact to the property. So, letter of

the law, you could look at it that way, but there's also the intent of the ordinance, what are we trying to protect? We don't want it to be too close, we don't want that water running off from the shed to run right off, over the fence, into the neighbor's yard. So, while errors were made, in his opinion, the intent was not there to put it too close, but just following the rules by measuring to the fence and making an assumption. So, he doesn't see this as generating a significant hardship, based on what the ordinance is; the 6 inches over a 6-foot distance doesn't appear to be enough of a violation, especially since it's not even the whole shed, to cause it to be forcibly moved.

Knable asked if the Applicant constructed the shed or if a contractor did; Schmitz replied they had a contractor construct the shed. Frazier noted that on the building permit application there is a contractor listed. Knable asked if the contractor measured to pour the cement slab. Schmitz replied typically, property owners will work with their contractors, indicating where their property lines are, and navigating that process with the contractor.

Fisher stated she agreed with what Brittain said; however, her problem with it is setting a precedent of allowing the variance. When we start to say okay, you did that, but we'll let you slide, then the next person that comes through is going to say, well, I wanted to build my shed here, and I know it's too close, but I'll just go get a variance later. To her, that's the important part about this; it's 6 inches and it really seems silly, but it's the precedent that we're setting. To her, it's not about the shed, it's about following the rules that everyone else is required to follow. So, that's why she's not supporting the variance; it's the precedent, not the 6 inches.

Frazier said he understands where both Brittain and Fisher are coming from; on the one hand, we have the variance factors that say the landowner can't create the problem, that they now have come to the City and asked for forgiveness. The other thing is the practical difficulty can't be solely economic in nature; truly, if we deny the variance, they're going to have to tear down the shed, they're going to have to move it, and that's just the cost factor, but that's kind of the practical difficulty that's baked in. On the other hand, he believes this truly is a de minimus violation if it is one; the 6 inches that we're talking about is an extremely small incursion into the setback, especially when we consider other commercial-industrial applications that we get where they're looking at 20-foot incursions into setbacks. Another one we'll have later on is asking for an incursion towards the street to have a bigger parking lot; so, this is something that the City does all the time. Yes, we have setbacks, but we move the setbacks if there's a good reason to; so, he's kind of split on that. He will tell them this: Both of you are here tonight, both of you live next to each other, and you're going to have to get along. That is the one fact that is going to be here today, you live next to each other, you both own properties, so, you have to get along. This is advice and from the City's perspective, it will make everybody's lives better if you get along.

Rasmussen mentioned he thinks it's kind of a silly mistake, a little bit foolish of whoever built their shed; if there's a 6-foot setback, and I'm going to measure off a property fence, I'd probably aim for 7 feet to make sure I'm on the safe side. We're talking very minimal, 6 inches or less, so he doesn't see any great problems with drainage or sight lines. He'd be in favor of approving this variance, as staff recommended.

Stephens said she thinks it's very difficult for both of the property owners. She can't speak for everybody, but she would agree with Fisher that rules are the rules, and it's really hard to set the precedent for the next one. She would probably be frustrated if she was the adjoining neigh-

bor, but at the same time, if she was the one who made the mistake and had to do all that work for 6 inches, that's also very painful. She just wants to say that she sees both sides, and it's challenging.

Rasmussen made a motion to approve the side yard setback variance for a shed at 6761 93rd Bay South, subject to the conditions stipulated in the staff report. Knable seconded. Motion passed on a 5-to-1 vote (Fisher voted nay).

6.2 Hohenstein's Distribution Center – SP2023-010

Gardner Builders Minneapolis, LLC, on behalf of Hohenstein's, has applied for a site plan review of a proposed 160,785 square foot distribution center to be located on the southwest corner of Jamaica Avenue and 95th Street.

Schmitz summarized the staff report and recommended approval subject to the conditions stipulated in the staff report.

Frazier opened the public hearing. No one spoke. Frazier closed the public hearing.

Knable asked if the box trucks will be delivering the product there or if there will be semi access to unload and distribute to the box trucks; how are you getting product to this distribution center. Karl Hohenstein, 2330 Ventura Drive, Woodbury, replied they get a lot of over-the-road semis that fill up their warehouse, and we use traditional 16-bay trucks to deliver to retail, both bars and liquor stores. Knable asked if we'd planned for parking of those semis on this site or do they leave as soon as they deliver; Hohenstein replied the semis come and go; as soon as we unload them, they're gone. Knable asked which exit they would be using the most to get in and out; Hohenstein replied semis would use the western access to 95th Street, by the pond.

Fisher asked if they were moving their Woodbury location to this one or if they're expanding and having two separate locations; Hohenstein replied they're moving their entire operation to Cottage Grove. Fisher asked if he had any idea when they might expand, as she noted we're earmarking an expansion site. Hohenstein replied right now, he's doubling the size of his current operation, but he doesn't want to move again for a while.

Brittain made a motion to approve the site plan review for the proposed distribution center, subject to the conditions stipulated in the staff report. Fisher seconded. Motion passed unanimously (6-to-0 vote).

6.3 Chase Bank – SP2023-011 & CUP2023-011

JP Morgan Chase Bank, NA has applied for a site plan review of a proposed 3,319 square foot freestanding retail banking center to be located in the south parking lot of Kohls, north of 80th Street, east of Culver's, and west of U.S. Bank; and a conditional use permit for an attached through-the-wall drive-up ATM lane.

Mrosla summarized the staff report and recommended approval subject to the conditions stipulated in the staff report.

Fisher asked if the drive-thru was just for the ATM or if they had drive-thru teller services, too; Mrosla replied that's just for the ATM.

Frazier opened the public hearing. No one spoke. Frazier closed the public hearing.

Rasmussen made a motion to approve the rezoning and site plan review for the proposed water treatment plant and utility building, subject to the conditions stipulated in the staff report. Knable seconded. Motion passed unanimously (6-to-0 vote).

6.4 Trellis Senior Apartments – SP2023-012 & ZA2023-012

Trellis Co. has applied for a Planned Unit Development and Site Plan Review for a proposed 52-unit affordable senior housing building located at 7601 79th Street South.

Mrosla summarized the staff report and recommended approval subject to the conditions stipulated in the staff report.

Dan Walsh of Trellis, located in Minneapolis, stated they're a nonprofit developer for affordable multifamily housing for nearly 30 years, with more than 4,000 units and 51 properties primarily in the Twin Cities metro area and others scattered throughout Minnesota. They're one of the largest nonprofit owners and developers of affordable housing in Minnesota. They have their own management company, which will have a fulltime presence at this proposed development. This is affordable senior housing, so our primary goal is fitting in with the surroundings, creating a building of which the City will be proud. They will be the long-term owner of the property, so he spoke about the parking requirement, which they take very seriously; he noted residents here will also utilize Metro Mobility to access the many nearby amenities.

Fisher asked Walsh if, in addition to the rent, they will have a monthly HOA fee; if so, what will that cover. Walsh replied there would be no HOA fee, and they're not charging for parking. He said 36 of the units have project-based rent assistance attached to them, so the residents will actually only pay 30 percent of their income; if they have no income, they won't pay rent.

Frazier opened the public hearing. No one spoke. Frazier closed the public hearing.

Rasmussen stated he's a bit concerned with the parking. They're asking for 35 stalls less than what's typically recommended. In wintertime, snow builds up, so you might lose 20 percent of those; we don't know who will reside there and if they will have cars or not. What happens if the parking becomes a problem; will they be parking at the library or on neighboring properties. He likes the project, but that's his one concern.

Frazier stated Rasmussen's comment brought up another point for him: Do we have plans as to where snow storage on site will be, especially if we're going to agree to have so little parking compared to Code; do we know where that's going to happen. Mrosla stated the Applicant had addressed that as part of the submittal package, he asked if the Applicant wished to address that; Walsh stated both he and the architect, Brett Petereck, Kaas Wilson Architects, 1301 American Boulevard East, Bloomington, will speak about snow removal. Walsh stated we would never as a business practice store snow over parking stalls. In extraordinary snow years, we have trucked snow offsite. We actually have our own snow removal division of our property management company, so it's something that we do in house and take very seriously. Petereck

stated they worked on the site map with a civil engineer, about onsite management for snow removal, and one option included storing snow in the east side of the property, into the landscape area. Mrosla noted on Page C2 of the submitted plans it states exactly what the Applicant just said, the snow shall be stored onsite, but if there are events where it cannot be stored on site, the snow shall be hauled offsite.

Brittain made a motion to approve the site plan review and planned unit development for the senior housing apartment building, subject to the conditions stipulated in the staff report. Rasmussen seconded. Motion passed unanimously (6-to-0 vote).

Approval of Planning Commission Minutes of April 24, 2023

Fisher made a motion to approve the minutes of the April 24, 2023, Planning Commission meeting. Rasmussen seconded. Motion passed unanimously (6-to-0 vote).

Reports

8.1 Recap of June 2023 City Council Meetings

Schmitz provided a summary of actions taken at the June 7 and 21, 2023 City Council meetings.

Khambata stated the Planning Commission is doing great work, as what they do isn't always easy. There are a lot of things to consider with the applications that come before you, and the Council appreciates the Planning Commission's guidance.

8.2 Response to Planning Commission Inquiries

None.

8.3 Planning Commission Requests

None.

Adjournment

Rasmussen made a motion to adjourn the meeting. Brittain seconded. Motion passed unanimously (6-to-0 vote). The meeting was adjourned at 8:07 p.m.