

**AGENDA
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
JULY 9, 2024
7:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action may be deferred to staff for research and future Planning Commission Agendas if appropriate. You will be limited to two (2) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for June 11, 2024.

SCHEDULED PUBLIC HEARINGS:

2. Interim Conditional Use Permit for a Residential Kennel: I-24-003
Location: 24567 Elmcrest Avenue
Applicant: Alexander Kabalan
Property ID Number: 21.10624.30

NEW BUSINESS:

OLD BUSINESS:

3. Rezoning of undeveloped parcels to match the Comprehensive Plan.

COMMUNICATIONS:

UPDATES:

ADJOURN

UPCOMING:

**UNAPPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
JUNE 11, 2024
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for June 11, 2024 to order at 7:00 PM

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Mark Lobermeier, Katie West, Dan Iverson, Mark Holl, and Chris Ortwerth

Also Present: Fred Weck Zoning Administrator and Council Liaison Lisa Iverson

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM: NONE

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for May 14, 2024

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER HOLL, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MAY 14, 2024, AS SUBMITTED.

<i>Voting Aye:</i>	<i>Ortwerth, West, Holl, Iverson, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>None</i>

SCHEDULED PUBLIC HEARINGS: NONE

NEW BUSINESS

2. Sketch Plan D-24-001: Witzel Estates
Location: Northeast corner of Hamlet Avenue & Lake Boulevard/Highway 8
Applicant: Steve Witzel
Property ID Number: 21.10674.02

Steve Witzel explained that he had originally applied for a split on this property back when it was still with the township. He stated that it was approved, but the economy wasn't very good at the time, so he decided to wait. He stated that he now feels that it may be in his best interests to split it and split the costs at the same time. He noted that he has two businesses that he had planned to move to this property. He explained that the first one is currently located in Fridley for manufactured home dealership and the other is Mobile Maintenance that services manufactured homes. He noted that he also owns a few acres behind this parcel that is a rental property.

Chair Lobermeier asked if the intent was to utilize both parcels for his two businesses.

Mr. Witzel confirmed that was his hope. He stated that he has heard that there has been talk of closing Hamlet Avenue and noted that for his businesses as well as the community, he feels they would be better served to have a turn lane there for people going towards Taylors Falls.

Chair Lobermeier stated that he was not sure what the current design is because it has evolved over time but explained that MnDot and the County would be the ones that would dictate its design.

Mr. Witzel stated that he understood that and would just encourage the Commission to pass along this insight to the proper parties. He stated that before the 35W Bridge collapsed, there was supposed to be an intersection there with lights, but after the bridge collapsed, it ended up sucking up all the funding for other projects throughout the State, so it never happened.

Chair Lobermeier stated that he felt the design for Highway 8 has been about access control in order to limit access points rather than enhancing access points.

Zoning Administrator Weck stated that the applicant was proposing to subdivide the existing parcel into two parcels that have a combined area of 5.51 acres. He noted that the staff report had a mistake and clarified that the minimum lot size for the commercial district is 2.5 acres. He noted that the northern lot size is currently shown at 2.48 acres, so that line will have to be shifted a bit in order to meet the minimum lot size standard. He stated that Mr. Witzel has had a wetland delineation completed which was currently being reviewed. He explained that because this would create a new lot there will need to be a \$1,500 park dedication fee and a \$300 trail dedication fee paid to the City.

Chair Lobermeier explained to Mr. Witzel that the Sketch Plan phase was just to give the opportunity to the City to talk a look at what he was thinking of doing on these parcels. He stated that the next steps would be a Preliminary Plat/public hearing, and also a Final Plat.

Mr. Witzel explained that part of his concern was spending \$50,000 on various things and then finding out that his plans will not work.

Chair Lobermeier assured Mr. Witzel that the City did not want him to spend money and then come back and say that he didn't know he couldn't do certain things. He reiterated that the whole purpose of the sketch plan process is for him to be able to tell the City what he was thinking about doing and have dialogue with staff about the plans as well. He stated that the idea would be that when he returns with the Preliminary Plat it will meet the City's requirements because of those conversations.

OLD BUSINESS: NONE

COMMUNICATIONS:

The Witzel rezoning application and the Kaphing Home Occupation Interim Use Permit was approved.

UPDATES:

Zoning Administrator Weck stated that there will not be a Planning Commission meeting on June 25, 2024.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER ORTWERTH, TO ADJOURN THE JUNE 11, 2024 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 7:15 PM.

<i>Voting Aye:</i>	<i>Ortwerth, West, Holl, Iverson, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>None</i>

CITY OF WYOMING Planning Commission

TO: Planning Commission
FROM: Colette Baumgardner, WSB
Fred Weck, Zoning Administrator
HEARING DATE: July 9, 2024
APPLICANTS: Alexander Kabalan
REQUEST: To allow the operation of a residential dog kennel. The request is for up to six (6) dogs over four (4) months of age.
LOCATION: 24567 Elmcrest Ave
FILE NO.: I-24-003

Specific Request

Mr. Kabalan has applied for an Interim Use Permit (IUP) to operate a residential dog kennel on his property at 24567 Elmcrest Ave. The property is zoned Agricultural (A) with its principal use as residential developed with a single-family dwelling. The City of Wyoming Animal Ordinance Section 8 - 7 and Zoning Ordinance Section 40 – 173 (1), allow for residential dog kennels in the agricultural zone with the issuance of an Interim Use Permit. City Code Section 40-40 (57) defines a residential dog kennel as any place where four (4) or more dogs or domestic pets, over four (4) months of age are kept. The applicant has requested to operate a kennel for up to six (6) dogs. This permit is not for a commercial business but rather for ownership of several dogs. The Interim Use Permit would terminate upon the sale of the property or when the applicant vacates the property.

Site Plan Review

The 4.8-acre property is improved with a single-family dwelling and a pole building. The property is bordered to the north, east, and south by agricultural lots of similar size. The property is bordered in the west by the City of Columbus with lots zoned rural residential, but an overall similar size and use as single-family residential.

The entire parcel is intended to be used as roaming area for the dogs, and the applicant recently installed a permitted, chain-link fence. The fence runs along the property line on the north, east, and south. To the west, fence is outside of the front yard setback area, but it is located in the front yard area of the parcel. The chain-link area of the fence is 6 feet in height with approximately 1 foot of wire around the top of the chain-link area. The fence is limited to 6 feet in height when located on the property line. The fence will need to come into compliance with City Code either by removing the top wire area or moving the fence to inside the buildable area of the lot. The applicant has indicated that they will remove the top wire area of the fence.

Zoning Ordinance Requirements

Sec. 40 – 112 (2) of the Zoning Ordinance sets forth the general standards that shall be met in order to grant an Interim Conditional Use permit. These standards are as follows:

1. The use is in conformity with the Comprehensive Plan and development policies of the City. *Dog kennels are an Interim Conditional Use in the A District (Sec 40 – 173, (1)). This standard has been met.*
2. The use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities, which serve or are proposed to serve the area. *There should be no impact to public services. This standard has been met.*
3. The use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and there will be no deterrence to development of vacant land. *The surrounding land uses are generally agricultural and large lot residential, where the keeping of animals is permitted. The proposed kennel is generally compatible with the permitted uses. The City has received a complaint regarding the height of the fence, and a condition of approval requires bring the fence into compliance with the City Cod. It is understood that the top wire of the fence will be removed. When the fence comes into compliance with the Zoning Ordinance, this standard will be met.*
4. The structure and site will have an appearance that will not have an adverse effect upon adjacent properties. *When the fence comes into compliance with the Zoning Ordinance, this standard will be met.*
5. The use in the opinion of the City is reasonably related to the overall needs of the City and to the existing land use. *Residential dog kennels are an Interim Conditional Use in the A District. This standard has been met.*
6. The use will be consistent with the purpose of this and other City Ordinances. *Dog kennels are an Interim Conditional Use in the A District. This standard has been met.*
7. The use will be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located. *With compliance with the Animal Ordinance Sections 8 -1 (8) and 8 – 5 (8), and Noise Section 16 – 91 (3) of the City Code, this standard will be met.*
8. The use will generate only minimal vehicular traffic on local streets and shall not create traffic hazards or unsafe access or parking needs. *No traffic over and above that of a single-family home is anticipated as a result of this use. This standard has been met.*
9. Existing businesses nearby will not be adversely affected because of the curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness. *This standard has been met.*
10. The establishment or maintenance of the use shall not be detrimental to the public, health, safety or general welfare. *Additional conditions are recommended as part of the IUP to protect against potential nuisances for noise or animal waste. Subject to adherence to the conditions of approval, this standard will be met.*
11. The use will not be hazardous, detrimental, or disturbing to present and potential surrounding land use due to water pollution, odor, fumes, general unsightliness or other nuisances. *With proper disposal of animal waste and compliance with Public Nuisance Animals Section of the City Code, this standard will be met.*

12. The use will preserve and incorporate the site's important natural and scenic features into the development design. *When the fence comes into compliance with the Zoning Ordinance, this standard will be met.*

13. The use will cause minimal adverse environmental effects. *With proper disposal of animal waste, this standard will be met.*

In addition, the following factors must be considered for Interim uses:

- Whether the use conforms to the zoning regulation. *The use conforms to the zoning regulation.*
- Whether a date or event for the termination of the use can be identified with certainty. *Staff recommends that the use will terminate upon the sale of the property, or when the applicant vacates the property.*
- Whether the permission of the use will impose additional costs on the public if it is necessary for the public to take the property in the future. *There should be no additional cost to the public.*
- Whether the landowner will agree to the conditions that the City Council deems appropriate for permission of the use. *This is to be determined.*

Staff Recommendation

Staff recommends the Interim Use Permit be granted based on the findings that the standards of Sec. 40 – 112 of the Zoning Ordinance have been met and subject to the following conditions:

1. That the Interim Use Permit is subject to continual compliance with the standards for Conditional Uses as contained in the City of Wyoming Zoning Ordinance.
2. That the Interim Use Permit is subject to continual compliance with The City of Wyoming's Animal Ordinance.
3. That no more than six (6) dogs over four (4) months of age may be kept on the property.
4. That the fence on the property comes into compliance with the City of Wyoming Zoning Ordinance within 1 months of granting of the Interim Use Permit.
5. That animal waste is properly disposed so as not to become a nuisance.
6. That animal noise is not excessively disturbing such that it becomes a nuisance.
7. That no dogs are kept that have been determined to be a dangerous dog or a potentially dangerous dog as set out by the Chisago County Dangerous Dog Ordinance.
8. That the dogs are contained in the fenced area of the property or are kept on a leash.
9. That all dogs kept on the property shall be under the ownership of the property owner and not used for commercial purposes.
10. That the Interim Use Permit will expire upon the sale of the property or when the applicants vacate the property.



City Of Wyoming
26885 Forest Blvd, PO Box 188
Wyoming, MN 55092
Phone (651) 462-4947
permits@wyomingmn.org

Residential
IUP Kennel

LAND USE APPLICATION: INTERIM USE PERMIT FOR A HOME OCCUPATION

An Interim Use Permit application requests a conditional use permitted in a particular zoning district, but regulated and controlled through conditions placed upon it by the City Council after review by the Planning Commission.

Applicant(s)/Owner(s):

Name(s) Alexander Kaban
Address 24567 GINCEST Ave
City Wyoming State MN Zip 55025
Phone Number 612-876-7177 Email Zeina.Alec@gmail.com

Legal description of property: NORTH 330 FEET OF THE SOUTH 66 FT OF THE SW 1/4 OF THE NW 1/4 OF SECTION 31
Property Identification Number: R.21 10624.30 Present zoning of property: A Township 33 Range 21 County CHISAGO

Present use of property: PRIVATE HOME
Proposed Home Occupation: None Residential Kennel

On what date, or upon what event, would the applicant desire the interim use to expire? 1 year / upon sale of the property

This application and the following attachments must be submitted to be considered a complete application:

- A detailed site plan showing the following information from Sec. 40 - 111, 5, (a - k):
 - Site plan drawn at scale showing parcel and building dimensions and their square footages
 - Curb cuts, driveways, access roads, parking spaces and off-street loading areas
 - Type of business or activity and proposed number of employees
 - Proposed floor plan of any building and use indicated
 - A location map showing the general location of the proposed use within the City and showing all principal land uses within 250 feet of the parcel for which application is being made
 - Any other information deemed necessary by the Zoning Administrator or Planning Commission
- A letter explaining the proposed home occupation and how it will be operated
- A completed Home Occupation Worksheet
- A completed Conditional / Interim Use Permit Worksheet
- The application fee and escrow must be paid at the time of application - The fee is **not** refundable and the unused portion of the escrow will be returned to the applicant.
- Any other information deemed necessary by the Zoning Administrator or Planning Commission
- An application for a property in a Shoreland District must include a valid Septic System Certificate of Compliance

Applicant(s) Signature(s) [Signature] Date 6-5-24

As the applicant for this request, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. This may include the replenishment of any escrow funds as required as part of this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. All of Article V, Division 6, Conditional Use Permits, and Article VII, Division 13, Home Occupations are attached to this application and by signing this application, the Applicant acknowledges that they have been read and understood.

A public hearing can be scheduled only after a complete application has been received.

OFFICE USE ONLY

Application # I-24-003

Date Complete Application Received 6/17/24

Fee: \$220.00 + Escrow \$750.00

Revised 01/24/23

Date Application Received 6/17/24

60 Days 8/16/24

Date Paid 6/17/24

By: [Signature]
Official

Check # VCC

800-20825

HOME OCCUPATION WORKSHEET

Applicant: ALEXANDER KABALAN

Address: 24567 ELMCREST AVE WYOMING, NN 55025

Type of Business: _____

Business name: _____

Answer the following questions based on the standards contained in Article VII, Division 13, of the City of Wyoming Zoning Ordinance for home occupations. If needed, use a separate page. **All questions must be answered.**

Sec. 40 – 543, Performance Standards; Items 1-10. **All home occupations shall conform to the following standards:**

1. Conduct of the home occupation does not require alterations to the exterior of the residence which substantially alters the appearance of the dwelling as a residence.

Are any alterations to the exterior of the home proposed? ☐ Yes ☒ No

If yes, what is proposed? _____

2. Only those persons residing in the home and one other person may be employed on the site or report to the site on any one day.

How many employees will the business have? _____

3. Signage consists of no more than one (1) single or double-faced sign with a maximum area of nine (9) square feet per side in the R1, R2, R3, R4, R5, R6 and MXD (residential uses) Districts and sixteen (16) square feet per side in the Agricultural (A) District.

Are any signs proposed for the business? ☐ Yes ☒ No

Has a sign permit been applied for? ☐ Yes ☒ No

4. No outdoor display of goods.

Will any goods be displayed outdoors? ☐ Yes ☒ No

5. Any additional need for parking generated by the home occupation shall be met by off-street parking. Said parking area shall be limited to three (3) spaces.

Will there be any off-street parking? ☐ Yes ☒ No (If yes, show the location of parking on the site plan)

6. Should the occupation be teaching, classes shall not exceed ten (10) students at any one time.

Is the business teaching? ☐ Yes ☒ No If yes, how many students per class? _____

7. Should the home occupation be repair, the items repaired shall be of a size or nature that repair can occur within the home, or an accessory structure to the principal use as allowed by this Ordinance.

Is the business repair? ☐ Yes ☒ No If yes, where will the items be repaired? _____

8. No outside storage is permitted.

Where will items be stored? _____

9. An accessory structure may be utilized in conjunction with the home occupation only for the purpose of holding equipment used off the site, repair (as conditionally permitted pursuant to Sec. 40 – 543, 7), and/or for the storage of goods or articles produced or used by the occupant of the principle structure.

Will an accessory building be used for the business? ☐ Yes ☐ No

If yes, what will the building be used for? _____

10. The home occupation shall not generate sewage of a nature or type that cannot be treated by a standard onsite sewage system, or the municipal sewer system, or hazardous wastes without an approved plan for offsite disposal.

Will the business generate sewage that cannot be treated? ☐ Yes ☒ No (If yes, attach plan for offsite disposal)

Will hazardous wastes be generated? ☐ Yes ☐ No (If yes, attach plan for offsite disposal)

Application # _____

Revised 01/24/23

CONDITIONAL & INTERIM USE PERMIT WORKSHEET

Applicant: _____

Address: _____

Type of Business: _____

Business name: _____

Answer the following questions based on the standards contained in Sec. 40 – 112 of the City of Wyoming Zoning Ordinance for Conditional and Interim Use Permits. If needed, use a separate page. **All questions must be answered.**

1. Is your proposed use in conformity with the Comprehensive Plan and development policies of the City?
☐ Yes ☒ No Explain: _____
2. Will your proposed use create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?
☐ Yes ☒ No Explain: _____
3. Will your proposed use be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and so there will be no deterrence to development of vacant land?
☐ Yes ☒ No Explain: _____
4. Will the structure and site have an appearance that will not have an adverse effect upon adjacent properties?
☐ Yes ☒ No Explain: _____
5. Is the proposed use reasonably related to the overall needs of the City and to the existing land use?
☐ Yes ☒ No Explain: _____
6. Will the proposed use be consistent with the purpose of the Zoning Ordinance and other City Ordinances?
☐ Yes ☒ No Explain: _____
7. Will the proposed use be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located?
☐ Yes ☒ No Explain: _____
8. Will the proposed use generate only minimal vehicular traffic on local streets?
☐ Yes ☒ No Explain: _____
9. Will the proposed use create traffic hazards or unsafe access or parking needs?
☐ Yes ☒ No Explain: _____
10. Will existing businesses nearby be adversely affected by your proposed use because of the curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness?
☐ Yes ☒ No Explain: _____
11. Will the establishment or maintenance of the proposed use be detrimental to the public health, safety or general welfare?
☐ Yes ☒ No Explain: _____
12. Will the proposed use be hazardous, detrimental, or disturbing to present and potential surrounding land uses due to water pollution, odor, fumes, and general unsightliness or other nuisances?
☐ Yes ☒ No Explain: _____
13. How will the proposed use preserve and incorporate the site's important natural and scenic features into the development design?
☐ Yes ☒ No Explain: _____
14. Will the proposed use cause adverse environmental effects?
☐ Yes ☒ No Explain: _____

Application # _____

Revised 01/24/23

6/10/24

To whom it may concern,

Attached is an application for my dogs permit, I currently have 6 dogs and they are my pets/family. Any questions or concerns feel free to contact me at 612-876-9177.

BEST REGARDS,

ALEXANDER KABALAN



A vertical scale bar with markings at 0, 25, 50, and 100 ft. The bar is oriented vertically with the 0 mark at the top and the 100 ft mark at the bottom. There are tick marks every 10 units, with labels at 0, 25, 50, and 100 ft.

217036712



2022 Comprehensive Plan

City Council Members, 2022

Lisa Iverson, Mayor
Claire Luger, Linda Nanko/Yeager, Brett Ohnstad, Dennis Schilling,

Planning Commission, 2022

Roger Carr, Mark Lobermeier, Bryan Murdock, Kevin Teel, Katie West,

City Staff

Robb Linwood, City Administrator
Fred Weck, Zoning Administrator

Technical Consultants

WSB & Associates – Planning & Engineering

City of Wyoming
26885 Forest Boulevard
Wyoming, Minnesota 55092-0188
651-462-0575
<https://www.wyomingmn.org/>

Adopted – December 20, 2022

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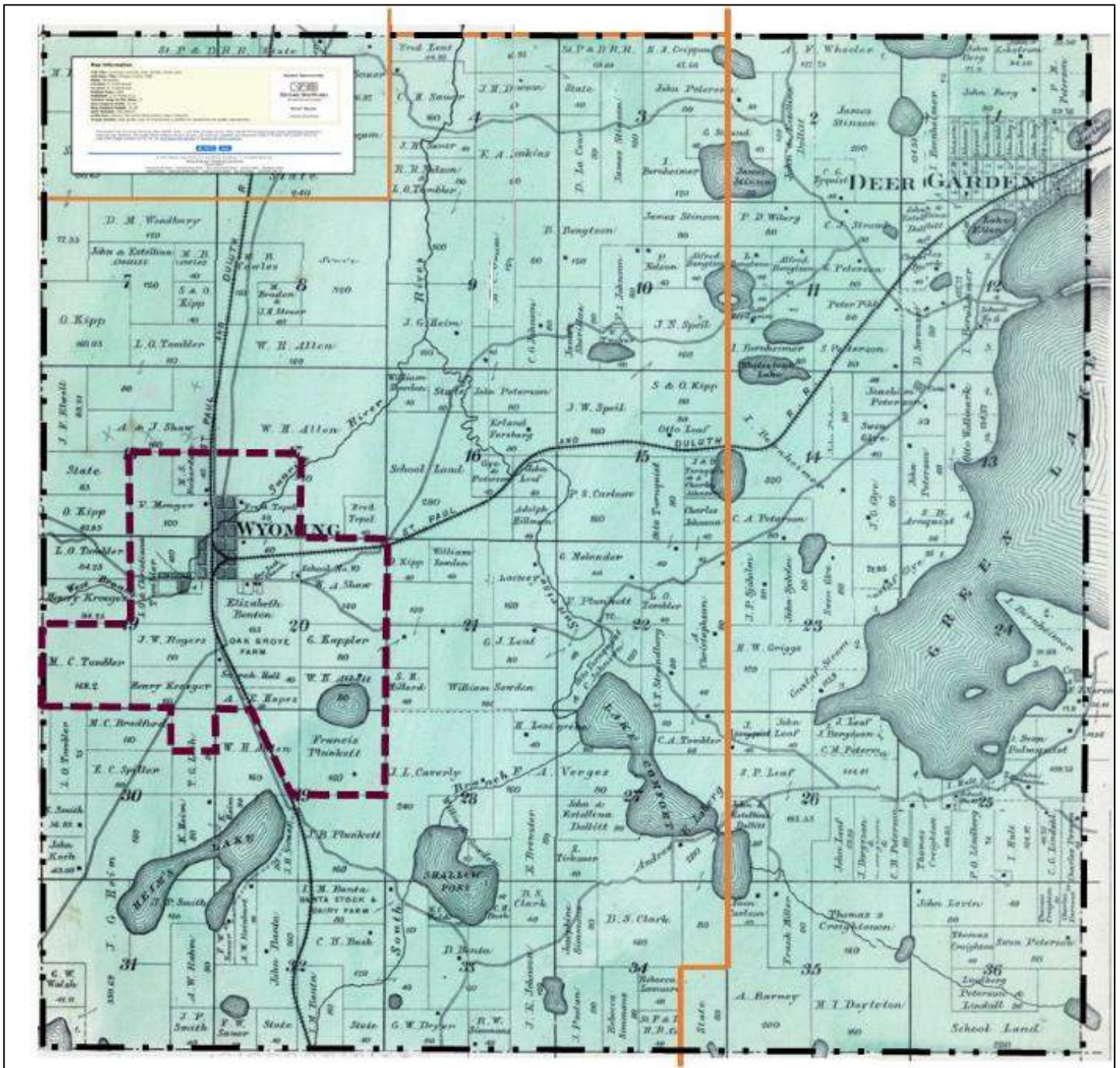
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Source: Chisago Historical Society. Gold line illustrates current City Boundary. The Red line depicts the City boundary prior to the merger with the Township.

Figure 1 - 1888 Map of Wyoming Township

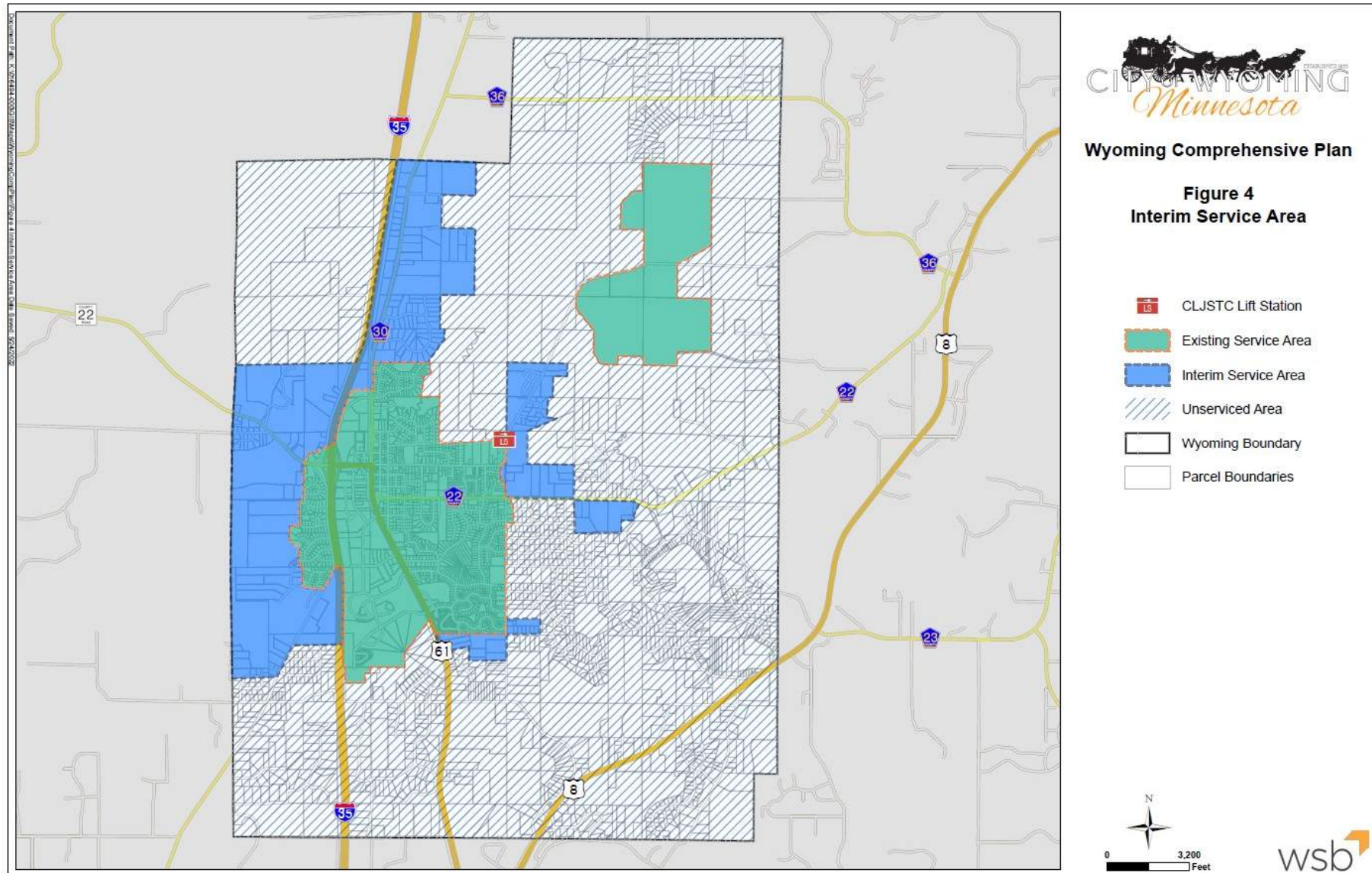


Figure 4 - Interim Service Area

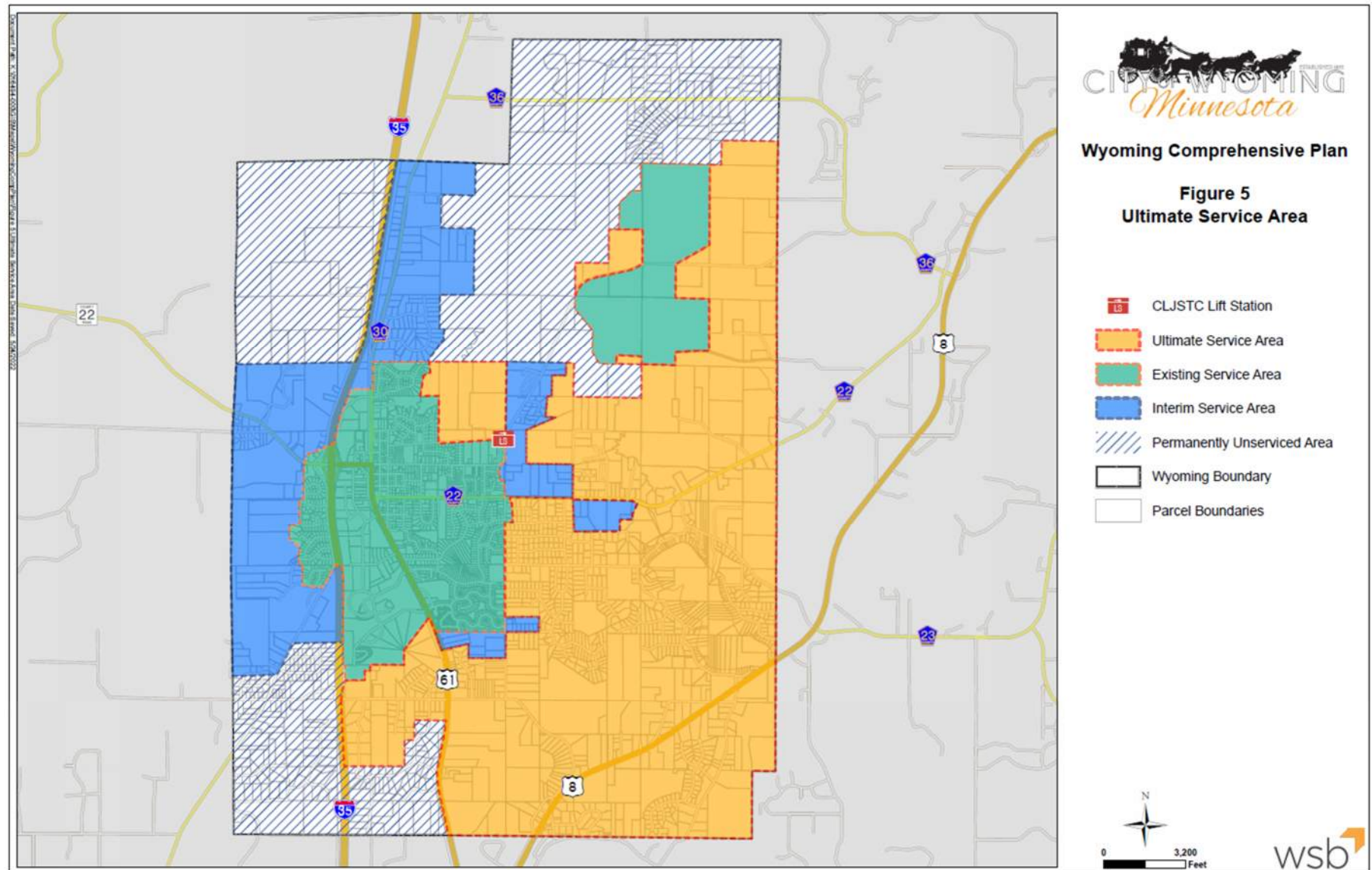


Figure 5 - Ultimate Service Area

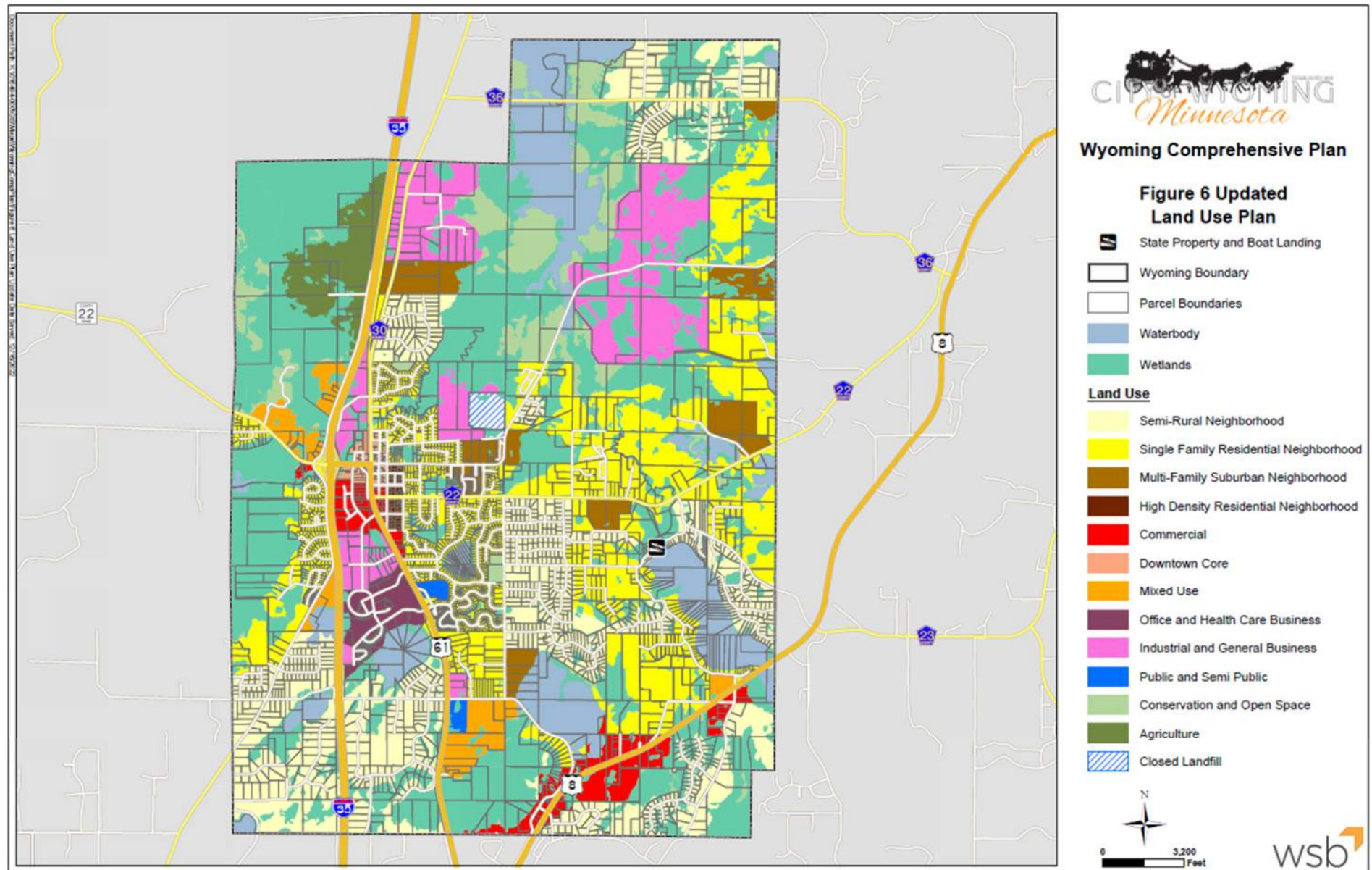


Figure 6 - Updated Land Use Plan

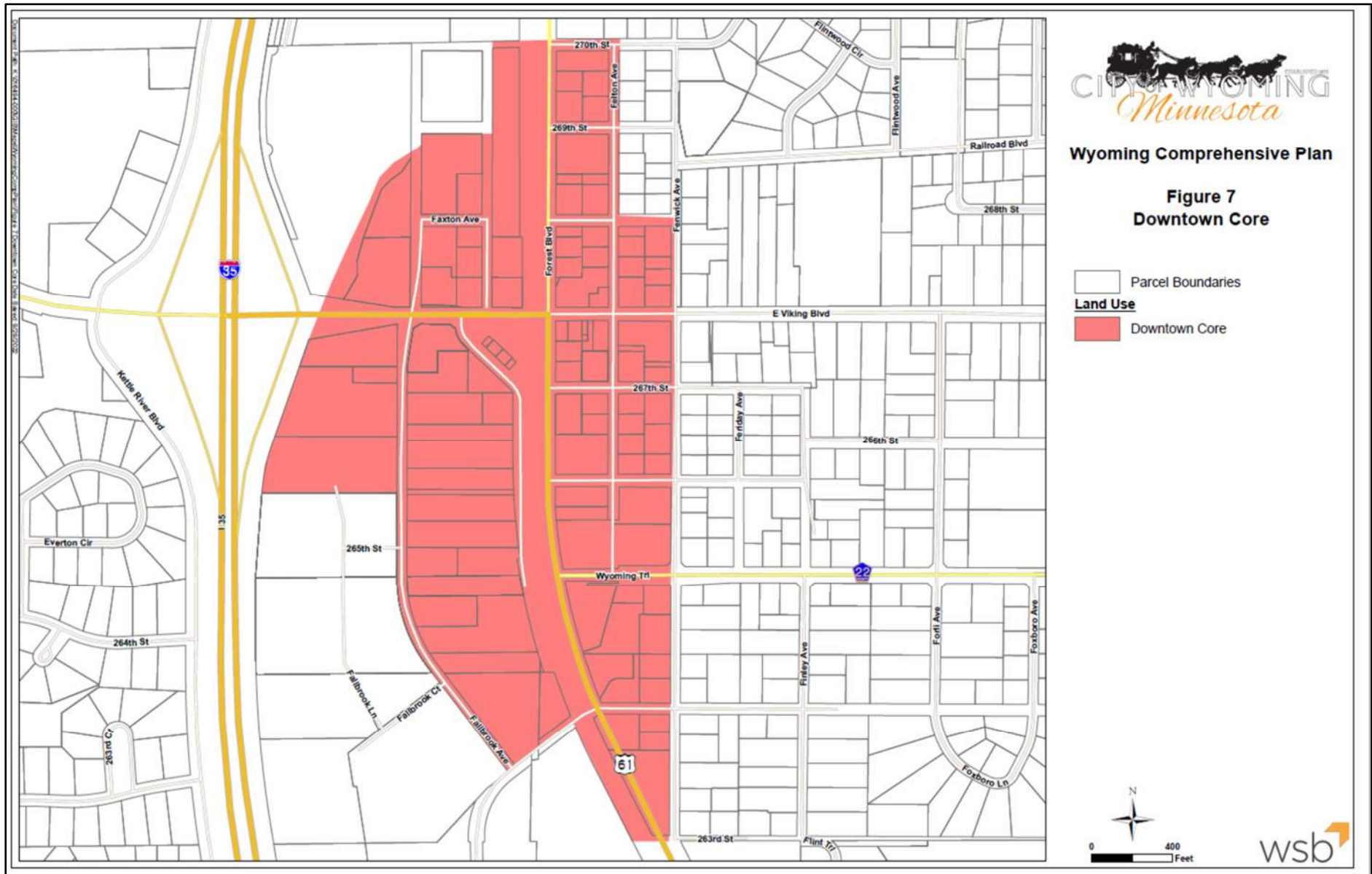


Figure 7 - Central Business District

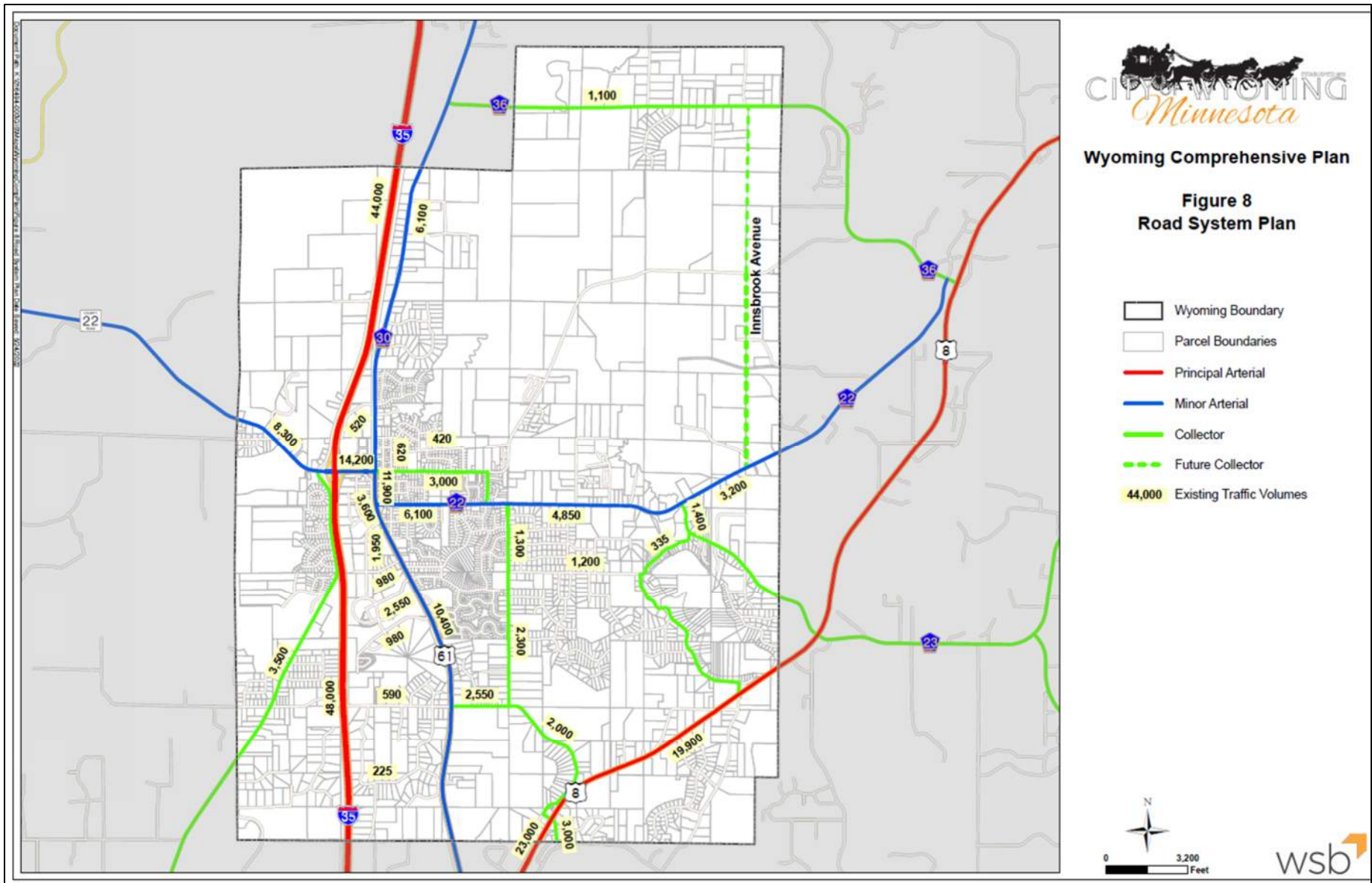


Figure 8 - Road System Plan

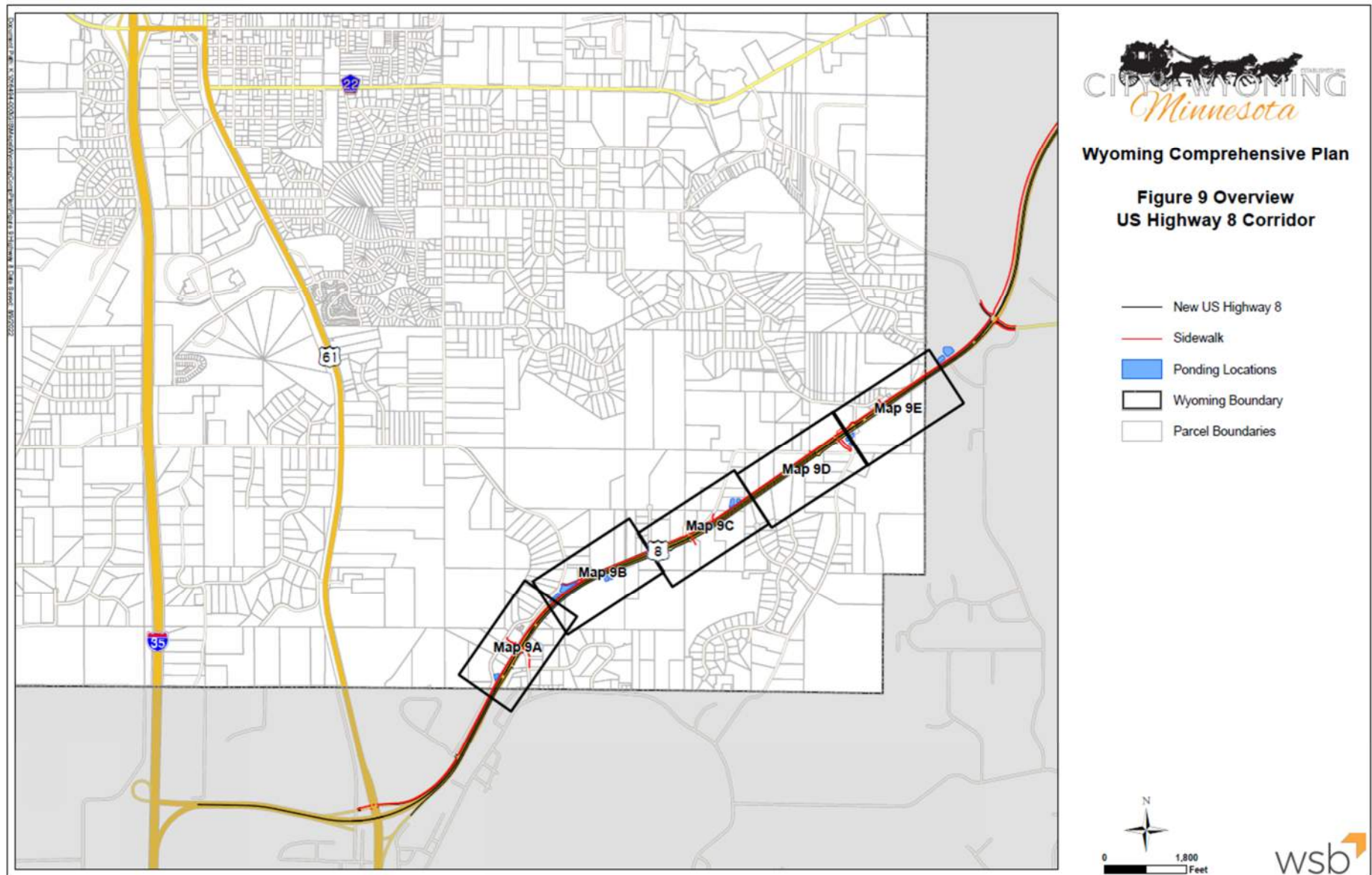
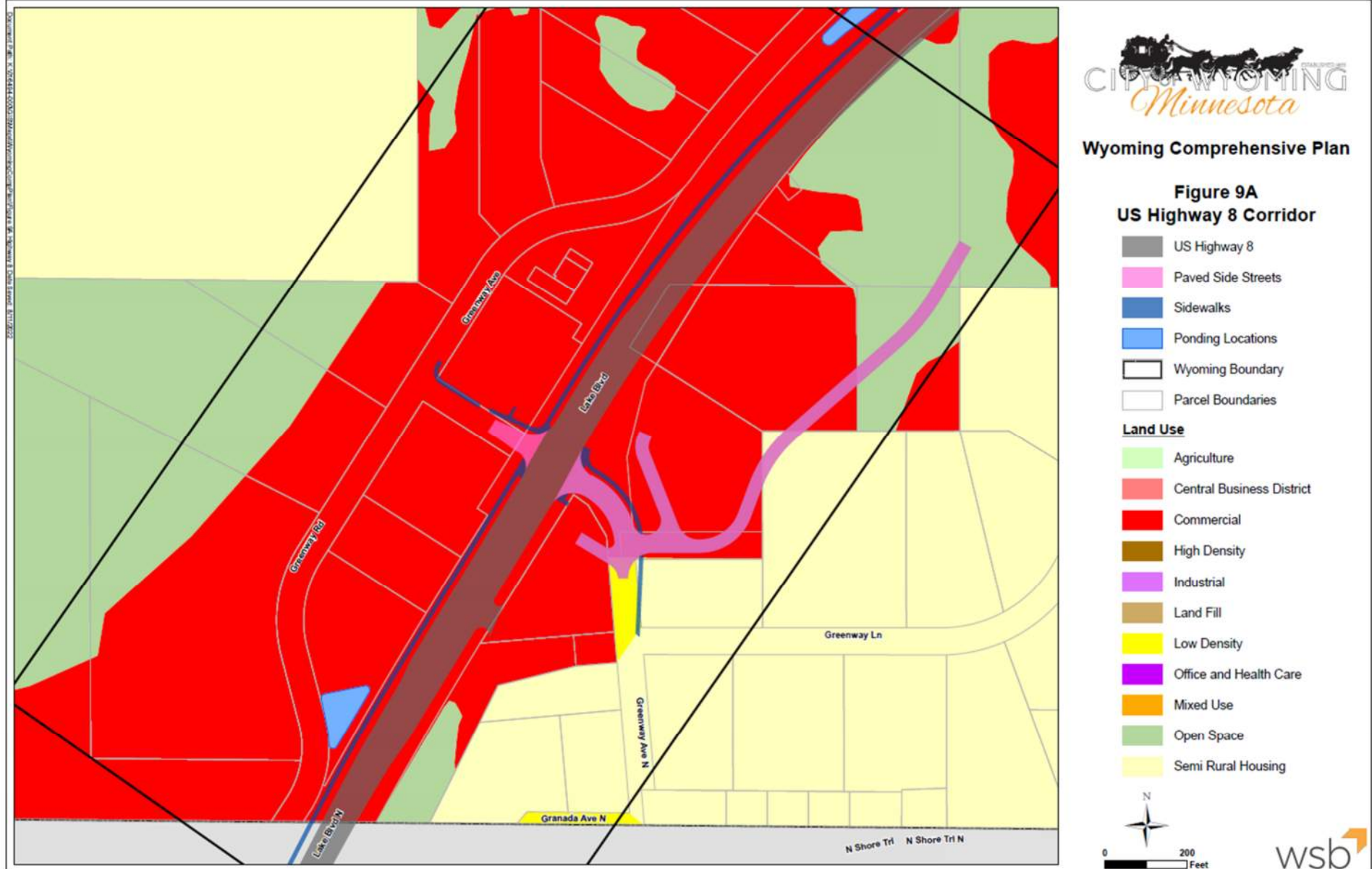
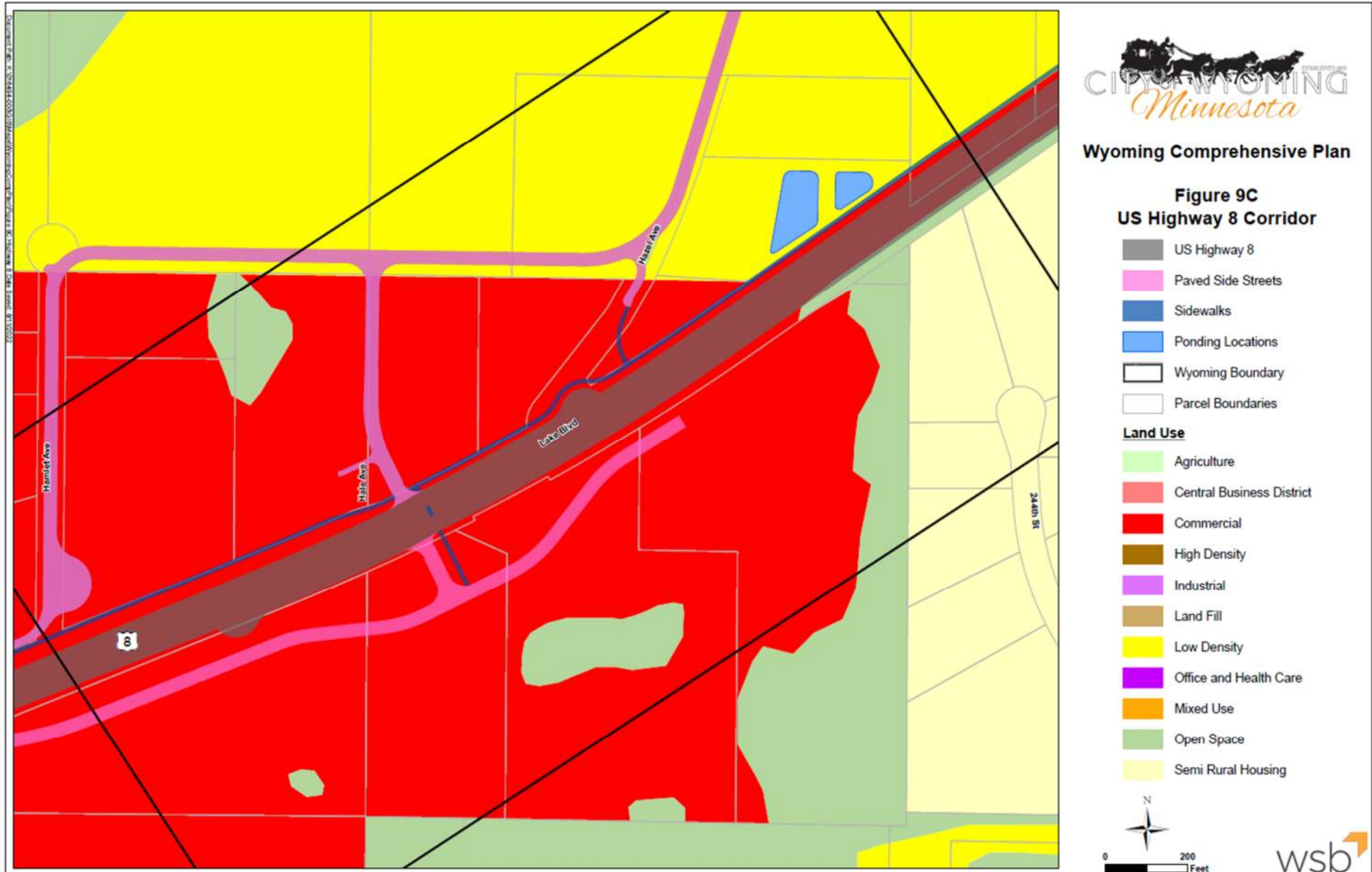
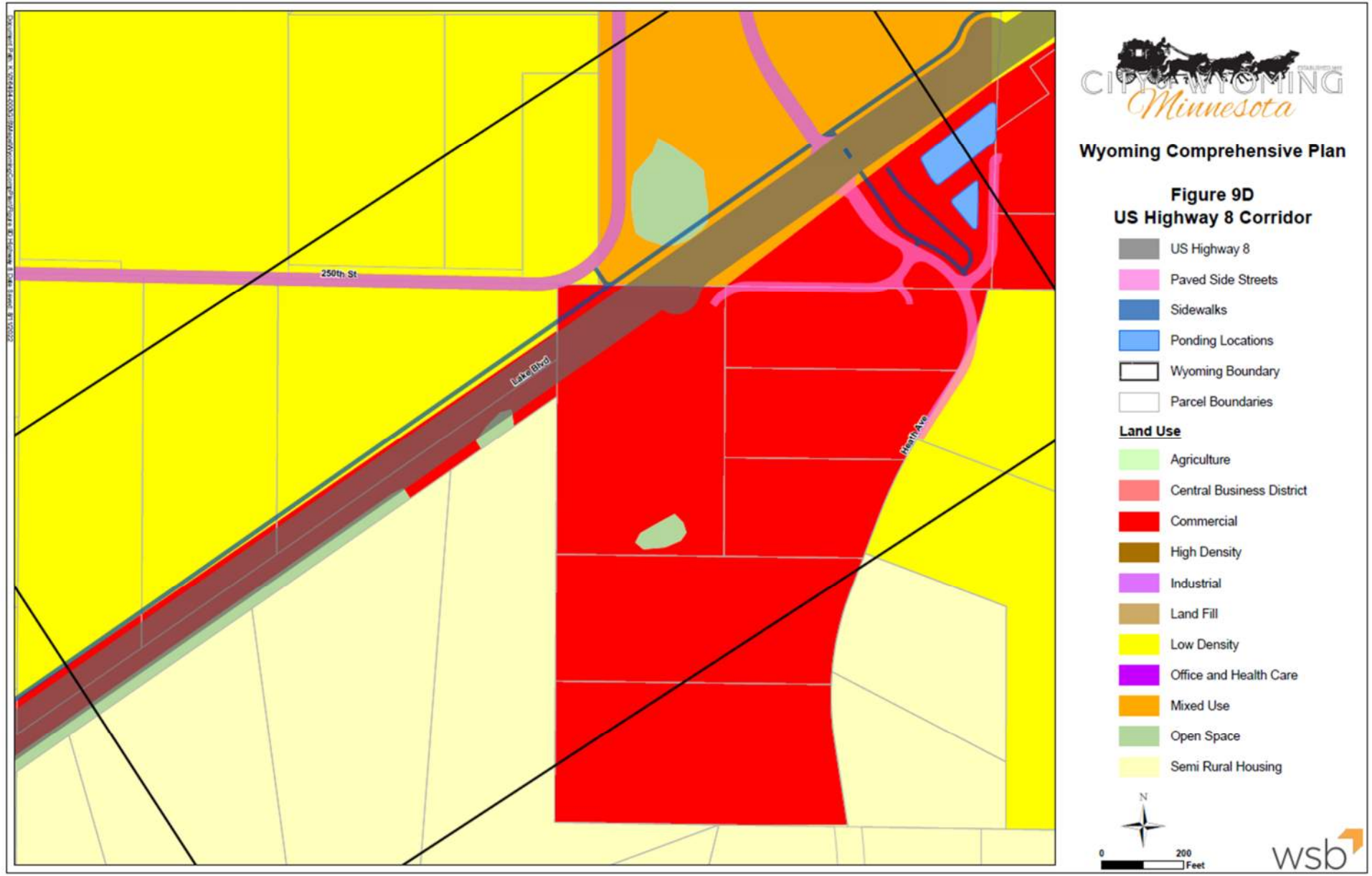


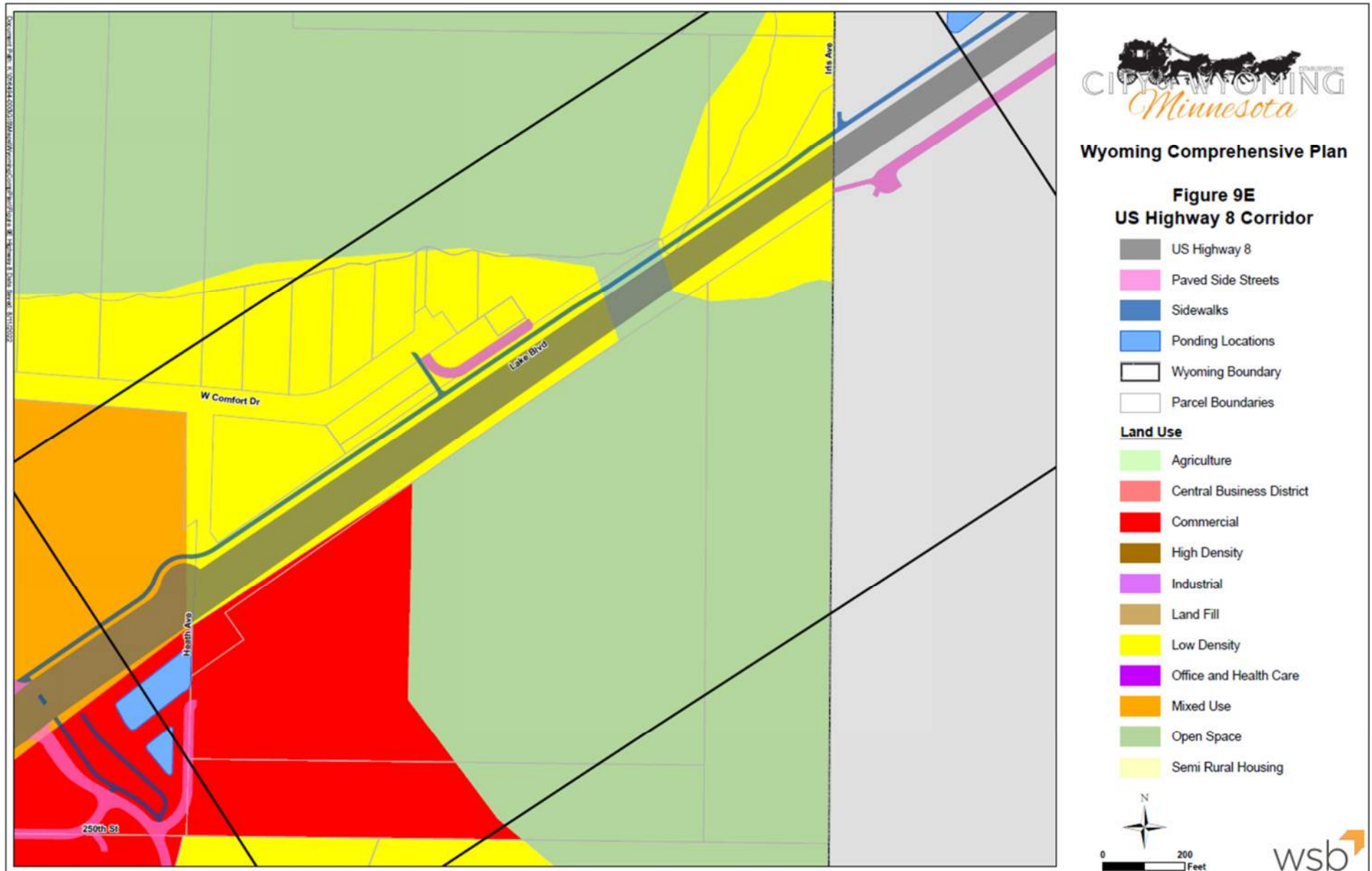
Figure 9 - US Highway 8 Corridor (also includes Figures 9A-9E)











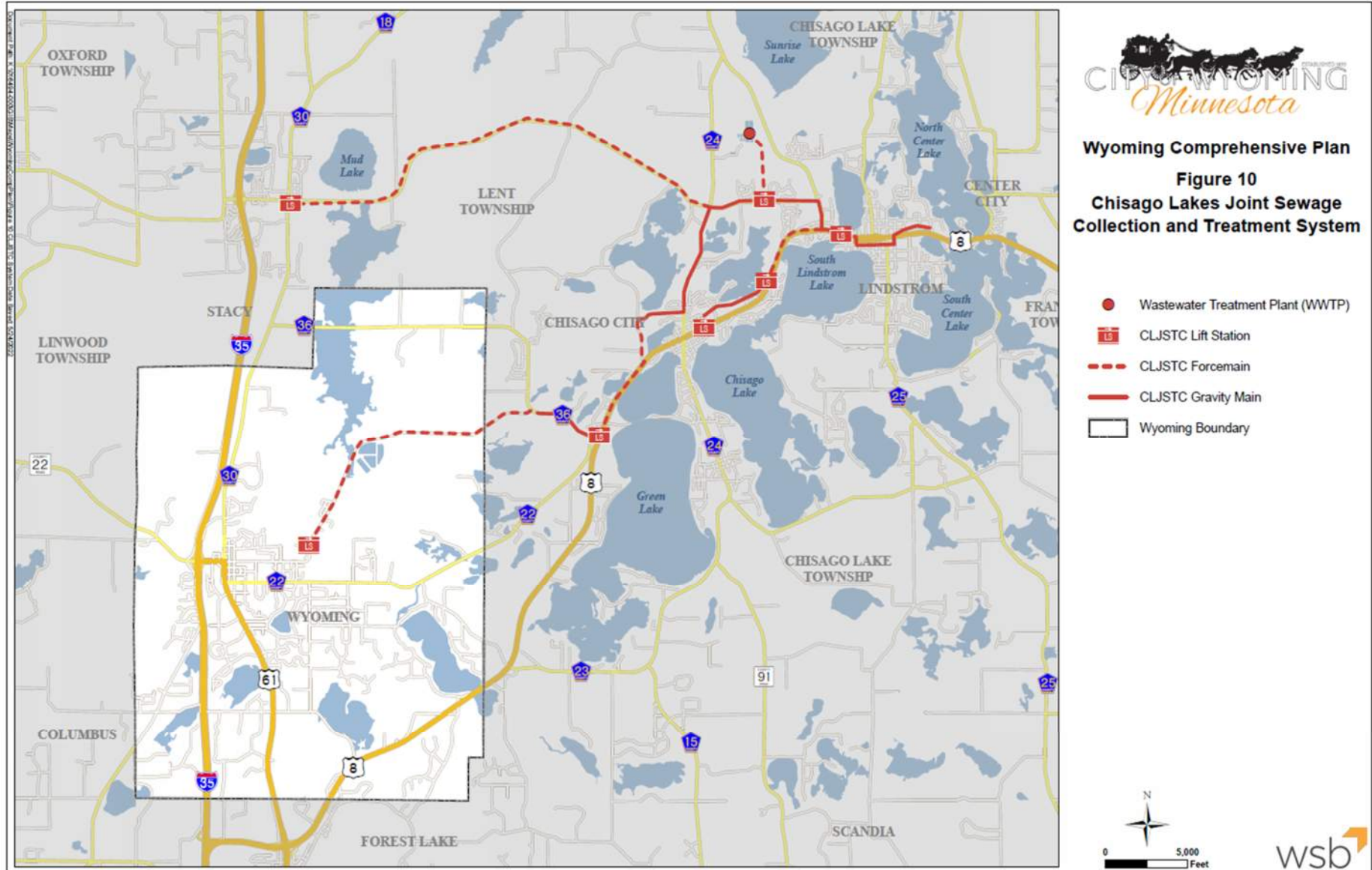


Figure 10 - Chisago Lakes Joint Sewage Collection and Treatment System

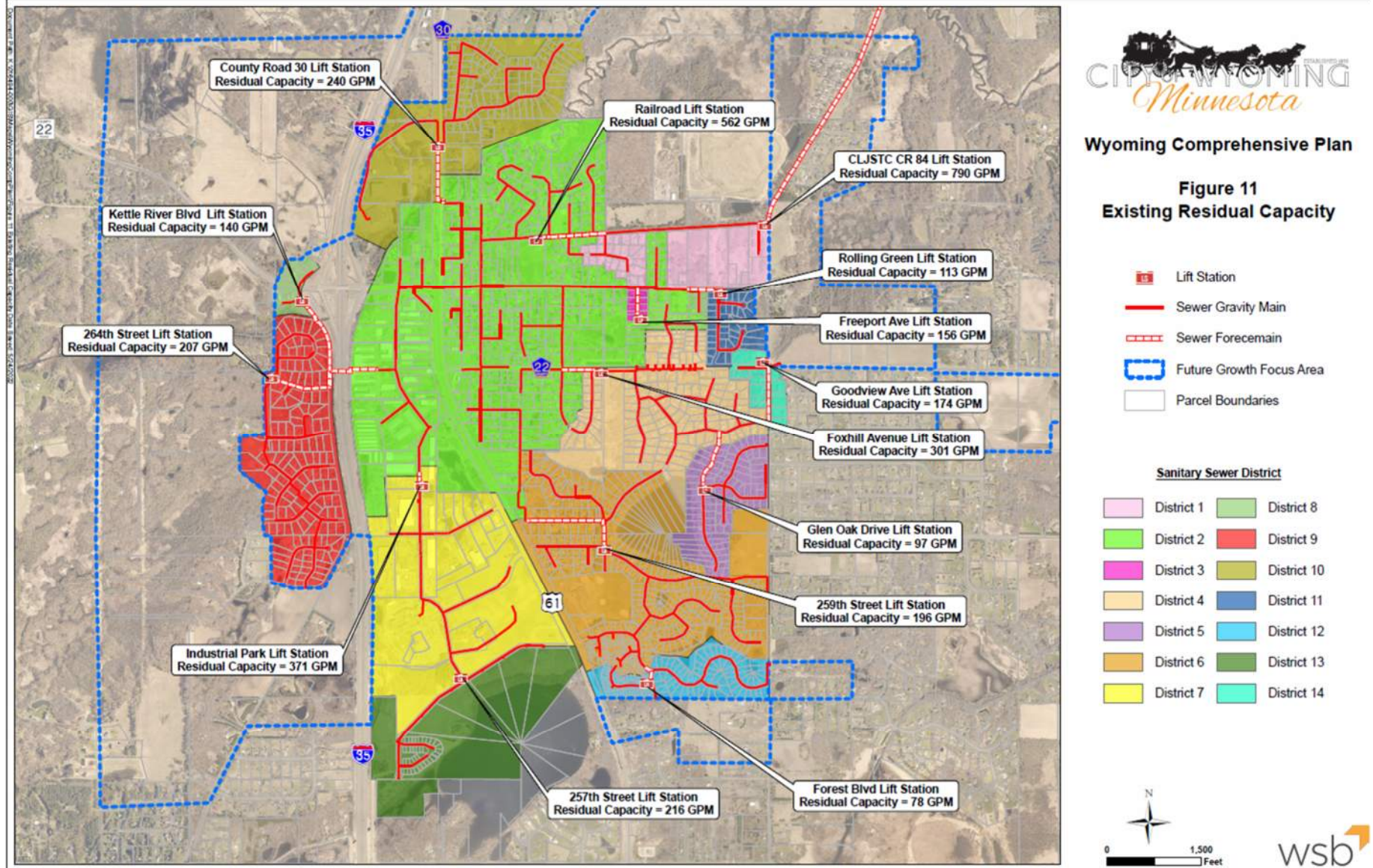


Figure 11 - Existing Residual Capacity

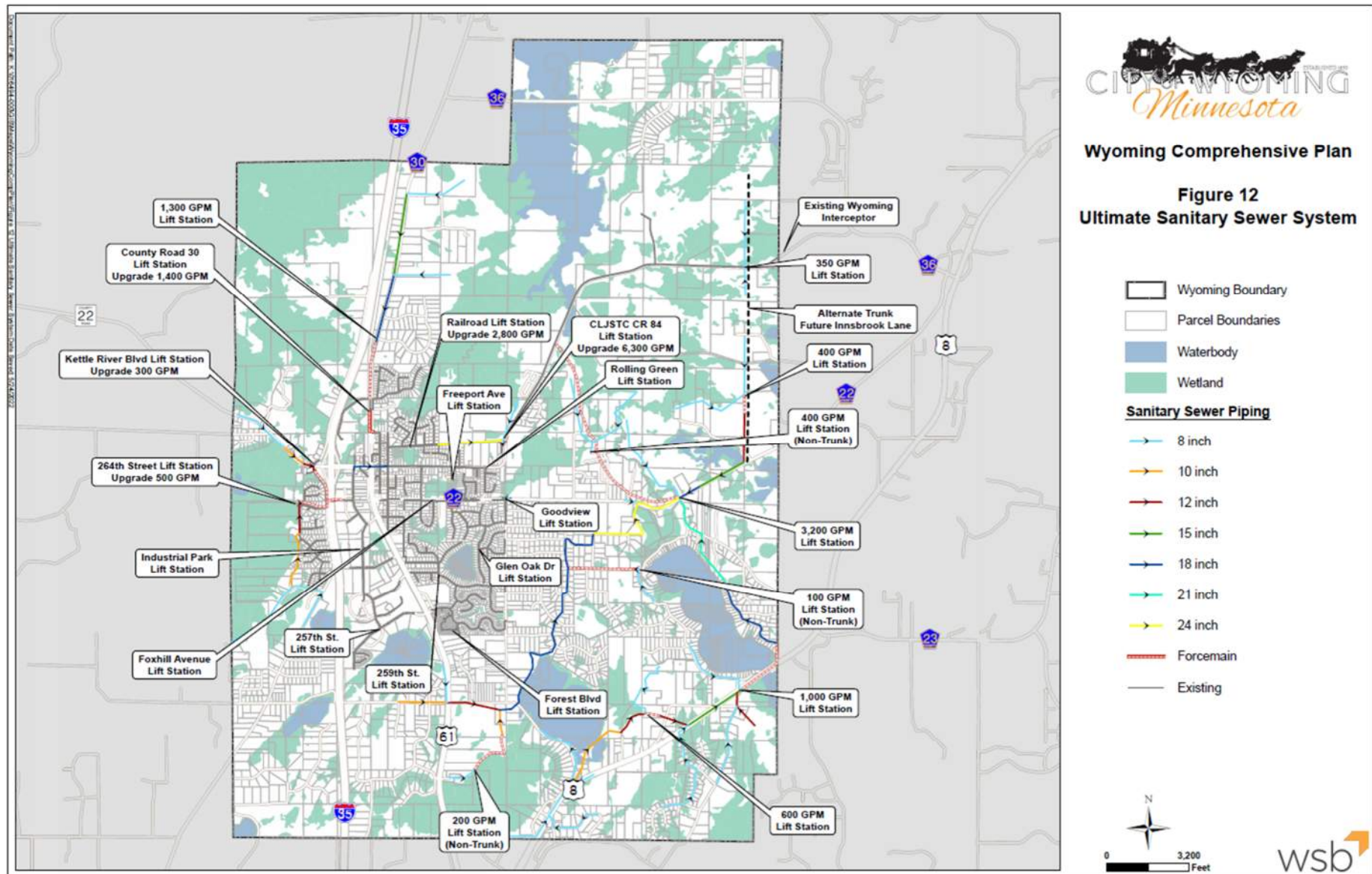


Figure 12 - Ultimate Sanitary Sewer System

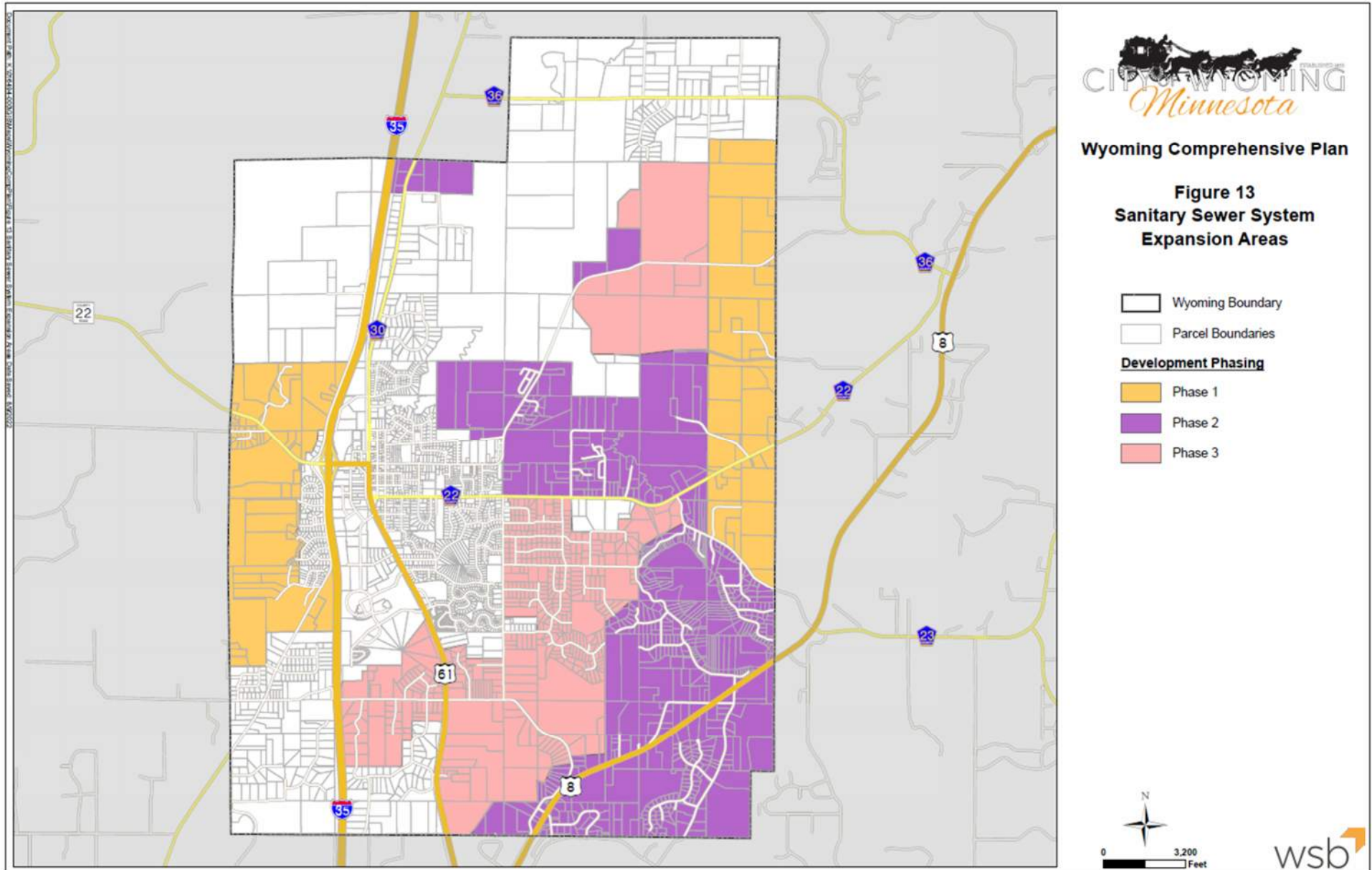


Figure 13 - Sanitary Sewer System Expansion Areas

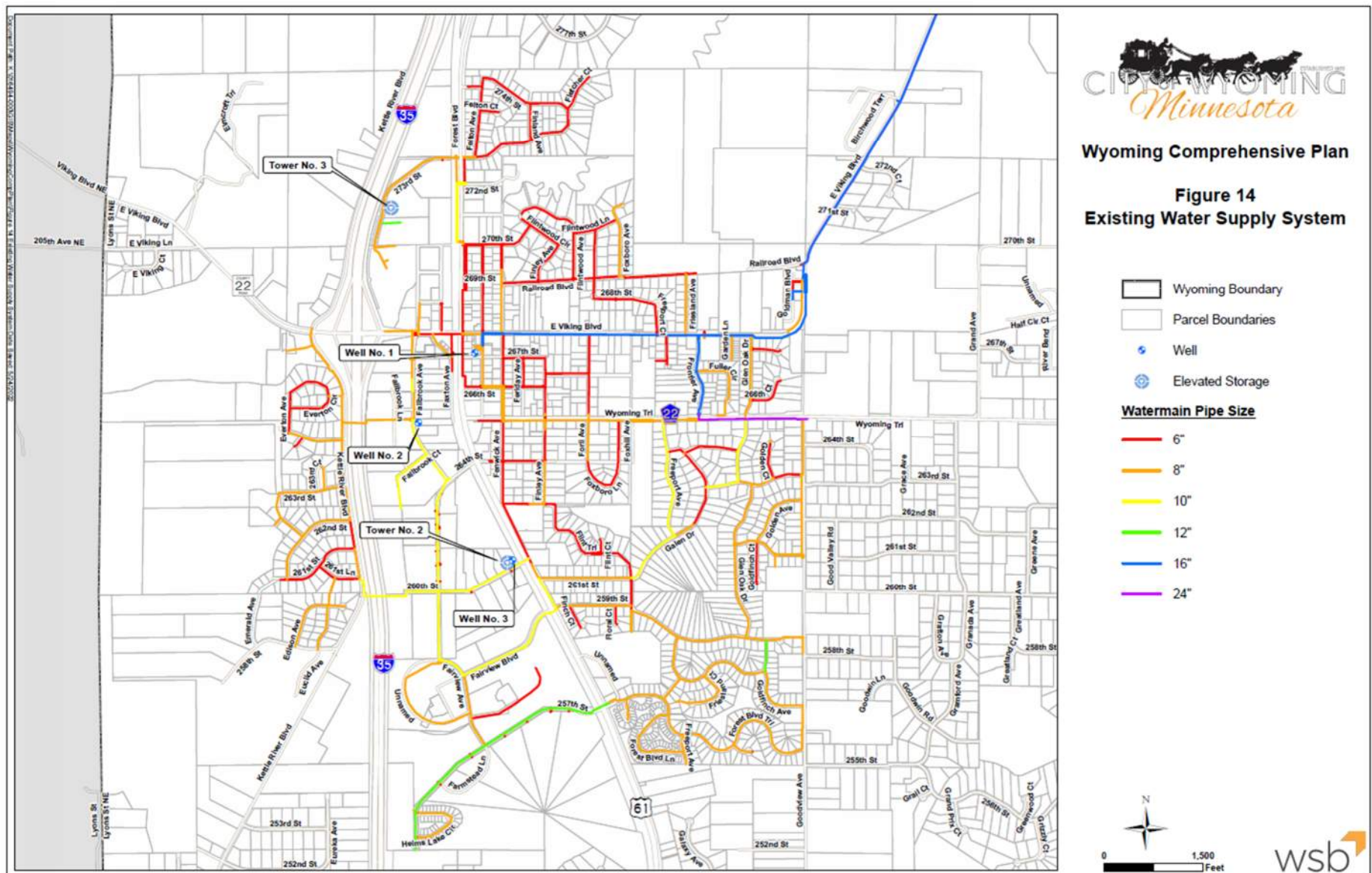


Figure 14 - Existing Water Supply System

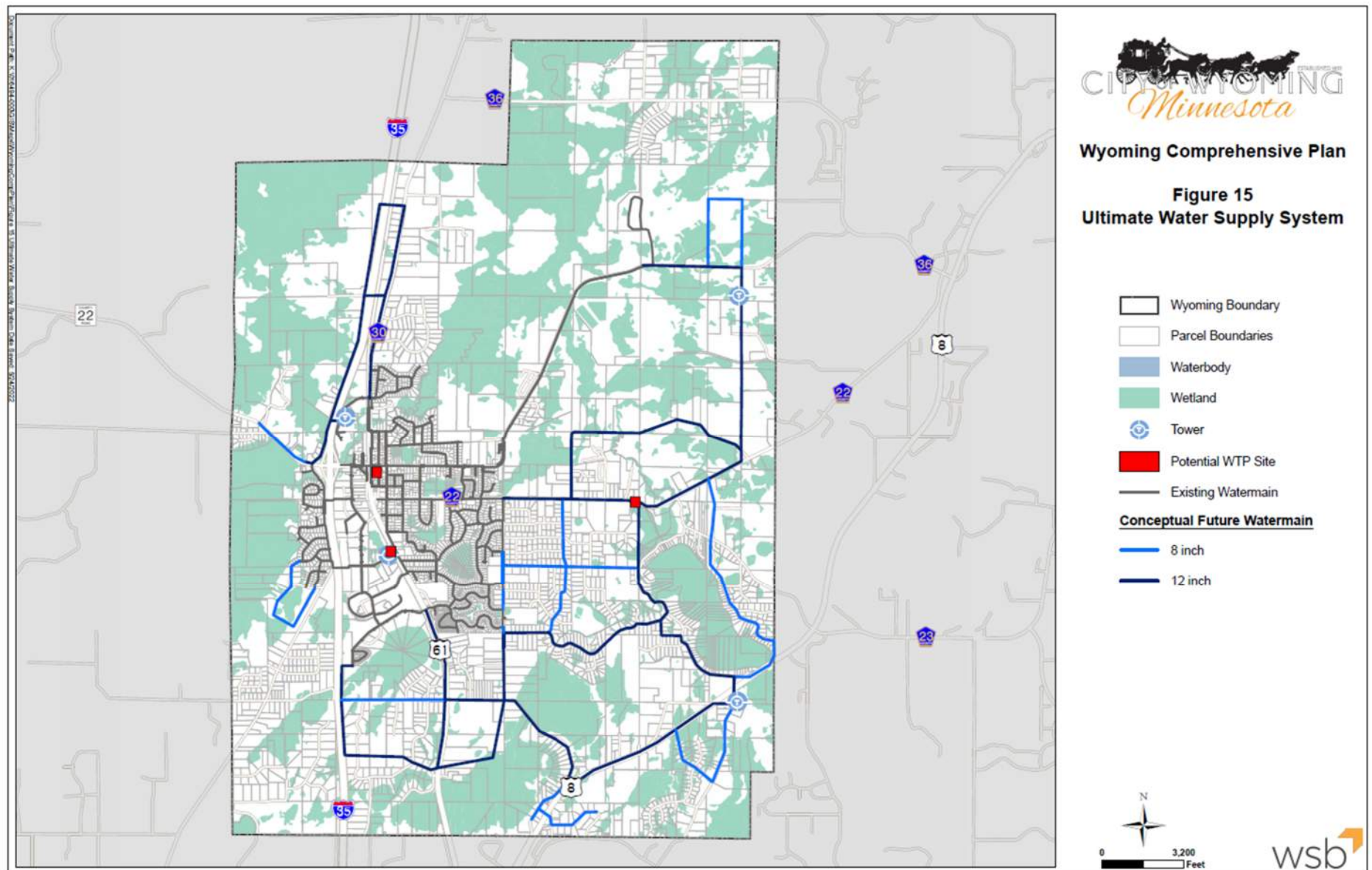


Figure 15 - Ultimate Water Supply System

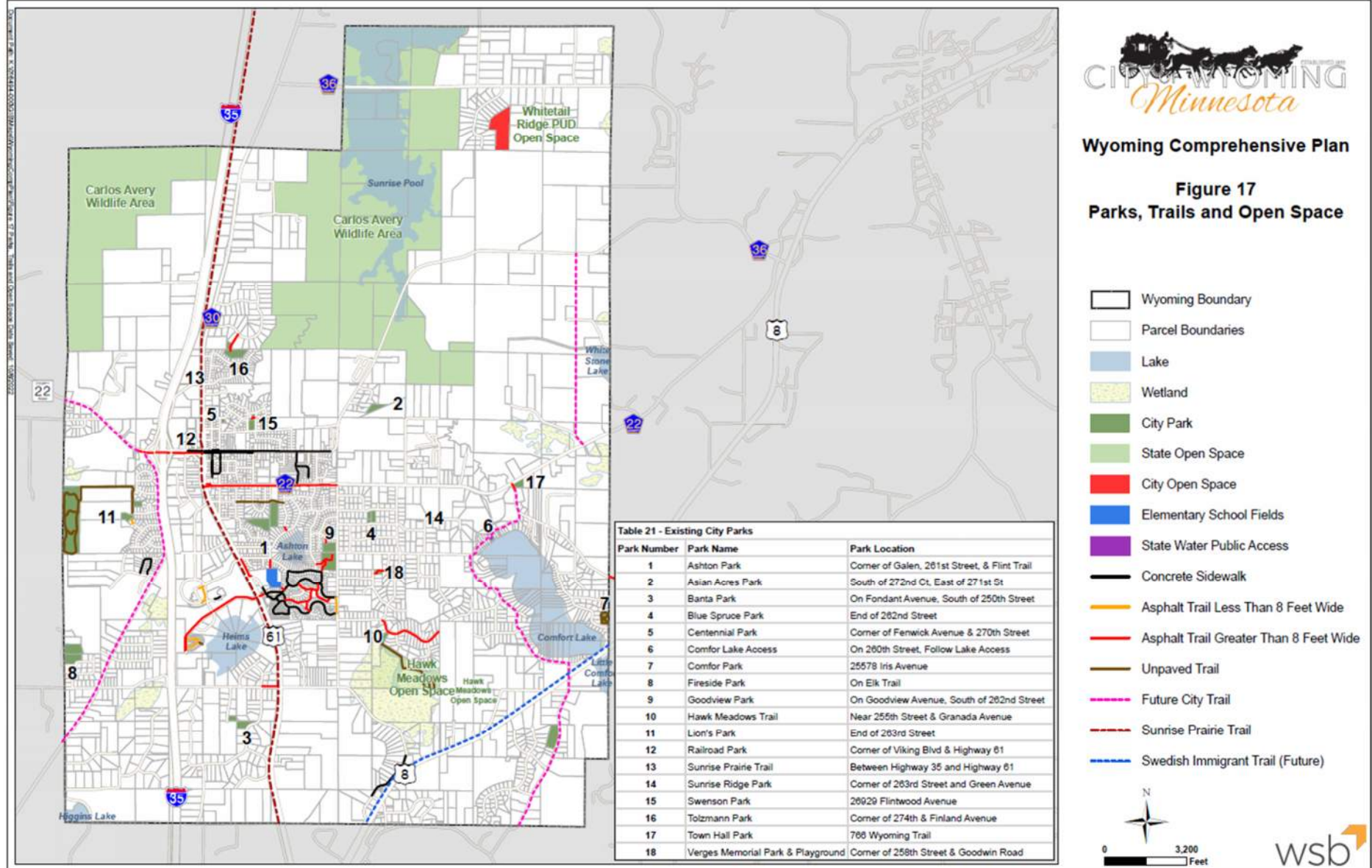


Figure 17 - Parks, Trails and Open Space

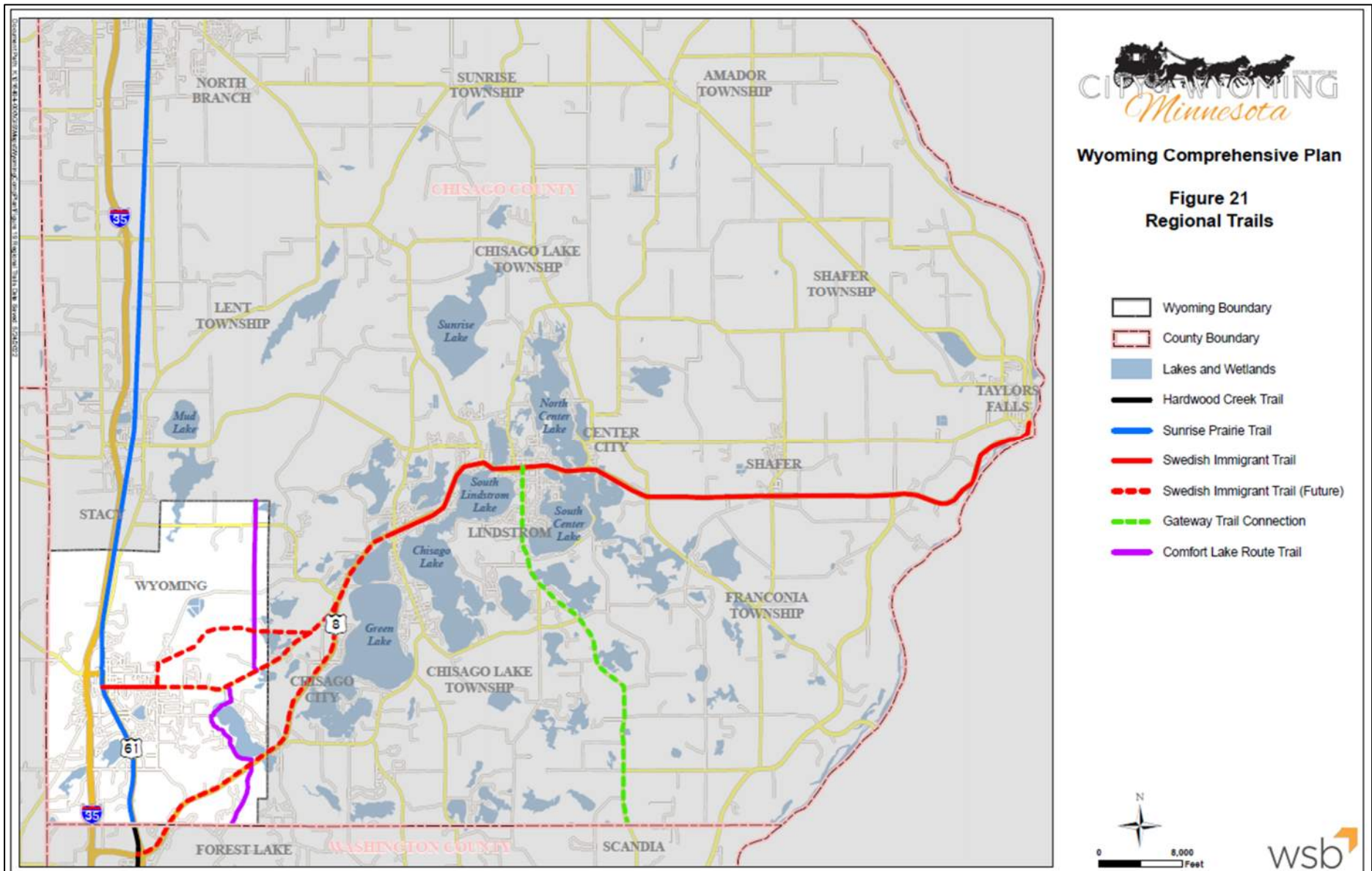


Figure 21 - Regional Trails

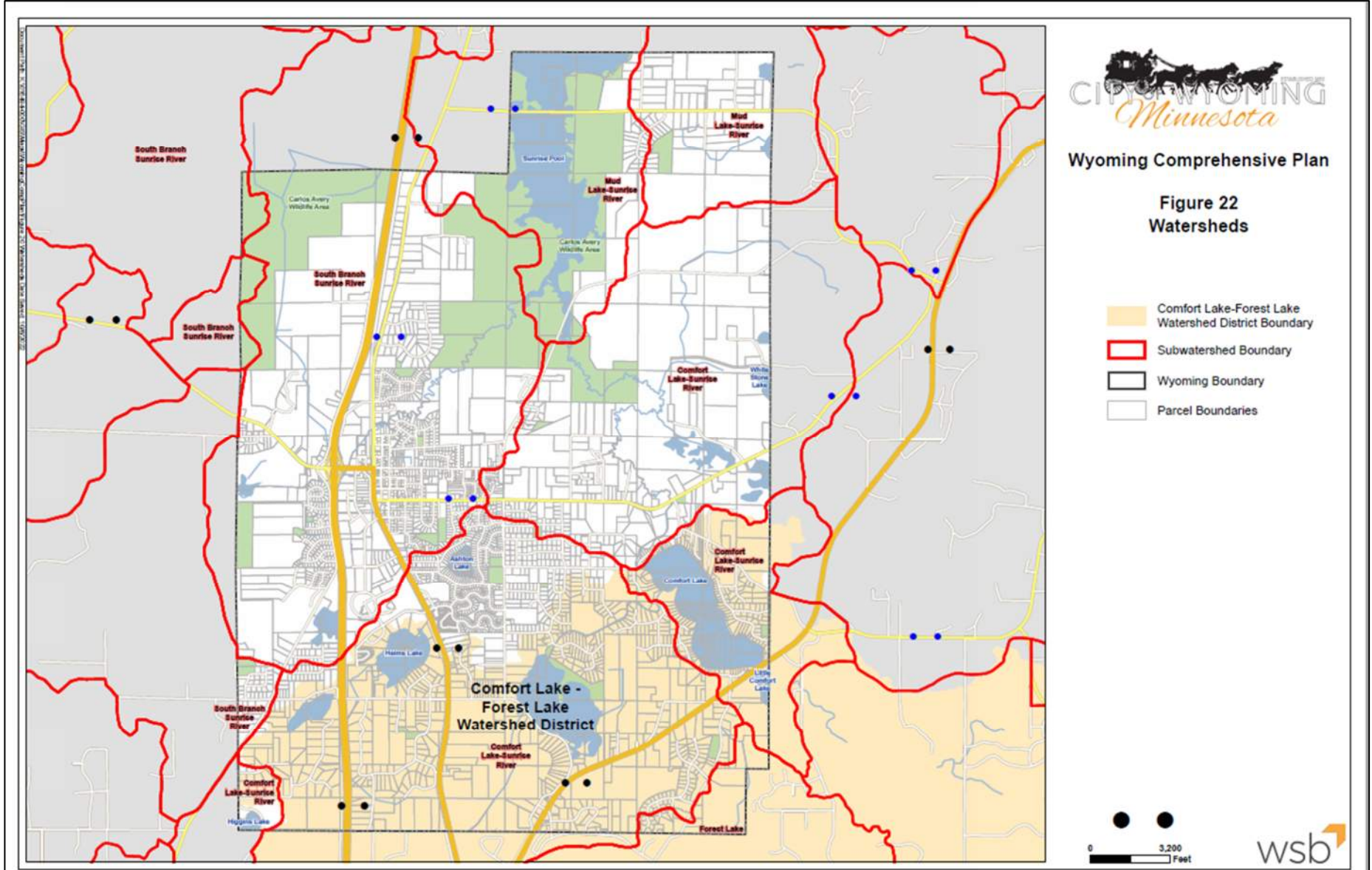


Figure 22 - Watersheds