



Meeting date: Public Hearing March 5, 2007

ADVISORY INFORMATION

Date	February 28, 2007
Subject	City of Oak Grove Comprehensive Plan Amendment Gardas Grove 2 nd Addition, Review File No. 17096-24
Districts, Members	Metropolitan Council District 9, Natalie Steffen (763-753-4298)
Prepared by	Tori Dupre, (651-602-1621) and Patrick Boylan, (1438), Reviewers Phyllis Hanson, Manager, Local Planning Assistance (1566) Guy Peterson, Acting Director, Community Development (1418)
Division/Department	Local Planning Assistance / Planning and Growth Management

BACKGROUND, PREVIOUS COUNCIL ACTIONS

Oak Grove is a rural community located in northern Anoka County, south of the City of St. Francis, east of Burns Township and west of the City of East Bethel. The 2000 Census showed that the City had 6,903 people, 2,200 households, and 354 jobs. The metropolitan wastewater system currently does not serve Oak Grove. Lake George Regional Park is located north of Lake George in Oak Grove, and a portion of the Rum River Central Regional Park is located in the southwest corner of the City. State Highway 65 is 1.5 miles east of Oak Grove, parallel to the City's eastern border. The 1996 *Water Resources Management Policy Plan* (pg. 14) identified Oak Grove as a rural area community for which the density "standard will be up to (a maximum of) one dwelling unit per 10 acres."

The Metropolitan Council reviewed Oak Grove's 1998 comprehensive plan in January 2000 (Review No. 17096-1). Since 2000, the Metropolitan Council has reviewed approximately 15 comprehensive plan amendments (CPA) regarding land from Agricultural, one unit per 10 acres to Single-Family Residential, one unit per 2.5 acres and affecting over 900 acres. Two and one-half acre lots are four times the density standard for *Diversified Rural Areas*.

On January 14, 2004 the Council adopted the *2030 Regional Development Framework* which designates Oak Grove as a *Diversified Rural* community. According to the *Development Framework* (pg. 32), communities in *Diversified Rural Areas* are expected to "[a]ccommodate growth not to exceed [Council] forecasts and clustered development not to exceed 1 unit per 10 acres." *Diversified Rural* communities also are expected to: "Preserve areas where post-2030 growth can be provided with cost-effective and efficient urban infrastructure and accommodate growth without requiring the provision of regional urban services." The *Development Framework* (pg. 13) also states:

Continuing the diversified rural land use pattern in the region saves the costs of extending infrastructure, protects the natural environment and provides groundwater aquifer recharge areas. Currently, lands in the Diversified Rural Communities are not needed for urban development, but should be preserved for post-2030 development. Therefore, only limited growth is forecast for this planning area.

On May 25, 2005 the Council adopted the *2030 Water Resources Management Policy Plan*, and "Long-Term Service Areas" map, showing northwest Anoka County as an area having "potential sewered development with rapid infiltration." The *2030 Water Resources Management Policy Plan* (pg. 65) identifies the types of local land uses that may have substantial impacts on, or contain

substantial departures from, the metropolitan system plans.

A system departure occurs . . . when a local governmental unit proposes densities in rural areas that exceed Council policy (i.e., one unit per 10 acres in diversified rural areas and one unit per 40 acres in agricultural areas). This may result in underutilization of the available or planned regional wastewater system capacity.

The *Policy Plan* (pg. 66) also states that a substantial departure may occur when:

A local governmental unit is planning to allow development that proposes densities in rural areas (i.e., areas not currently served by public sewers) that exceed Council policy, such as development on 2 1/2 -acre lots that would preclude future economical sewer development.

Since 2005, the Council has reviewed five CPAs regarding Agriculture to Single Family Residential. In these reviews, the Council found that the CPAs represent, more likely than not, a substantial departure from the *2030 Water Resources Management Policy Plan* because the CPAs affect over 900 acres, and create a development pattern four times greater than one unit per ten acres.

On December 13, 2006, the Metropolitan Council reviewed another CPA (Delong Family Resubmitted, 17096-22) and recommended that the City, prior to submitting future CPA's for single-site residential development, submit a CPA addressing the land use areas for the remaining 372 residential units based on discussions at a June 9, 2006 meeting between Metropolitan Council and the City staff. At that meeting, staff discussed the potential number of units community-wide at a one per ten acre density, and the potential location of this development adjacent to similar existing development. As of this date, the City of Oak Grove has not submitted a CPA responding to this request.

REQUEST SUMMARY

The Metropolitan Council received the Gardas Grove comprehensive plan amendment on November 16, 2006. The CPA proposes to reguide 20 acres from Agriculture (one unit per ten acres) to Single-Family Residential which will permit development at a density of one dwelling unit per 2.5 acres. The Council's 60-day review period ends March 16, 2007 and the 120-day review ends May 15, 2007.

PROPOSED ACTION

On March 5, 2007 the Community Development Committee will conduct the public hearing on the proposed CPA. The Committee will take action on the CPA on March 19, forwarding a recommendation to the Metropolitan Council for action on March 28, 2007.

The Community Development Committee will consider the following recommendations:

That the Metropolitan Council:

1. Find that the City's proposed Gardas Grove CPA substantially departs from the Council's *2030 Water Resources Management Policy Plan* (pg. 65, 66) because the proposed amendment allows development at densities (one dwelling unit per 2.5 acres) that exceed Council policy (one unit per 10 acres) for diversified rural areas.
2. Notify the City of Oak Grove that it may not put the proposed Gardas Grove CPA, regarding 20 acres from Agriculture (1/10) to Single-Family Residential (1/2.5), into effect because it is inconsistent with the *2030 Regional Development Framework policies for a Diversified Rural*

community, inconsistent with the Council forecasts for the City, and does not conform with the *2030 Water Resources Management Policy Plan*.

The cumulative effect of these CPAs may have a substantial impact on regional systems, and ultimately affect how metropolitan wastewater and other regional systems are planned, constructed and operated

- .3. Adopt Metropolitan Council Resolution No. 2007-_____ requiring the City to modify its CPA to ensure the proposed amendment conforms with the metropolitan system plans. The City should:
 - Modify its proposed CPA to ensure development occurs at densities of one unit per 10 acres, or cluster development at the same density.
 - Work with the Metropolitan Council's Environmental Services Division to plan for potential future wastewater treatment.

ISSUES

1. Does the proposed CPA follow the process described in the Metropolitan Land Planning Act?
2. Does the proposed CPA allow the City to accommodate growth consistent with the Metropolitan Council's *2030 Regional Development Framework* policies and growth forecasts?
3. Does the proposed CPA conform with the *2030 Water Resources Management Policy Plan* and the policies addressing potential future wastewater treatment systems in northwest Anoka County?
4. Does the proposed CPA represent a substantial departure from, or have a substantial impact on, the regional wastewater system plan?

ISSUES ANALYSIS

1. Does the proposed CPA follow the process described in the Metropolitan Land Planning Act?

Sections 473.858, 473.859 and 473.864 of the Metropolitan Land Planning Act (MLPA) require metropolitan-area municipalities to adopt comprehensive plans that conform to the metropolitan system plans. Minnesota Statutes section 473.175 requires the Council to review comprehensive plans and amendments for conformance to the metropolitan system plans, consistency with regional policies and compatibility with adjacent jurisdictions.

The City of Oak Grove followed the MLPA process in reviewing the proposed CPA. The Oak Grove Planning Commission's October 19, 2006 action, and City Council's October 30, 2006 action approved the Gardas Grove CPA for Metropolitan Council review.

2. Does the proposed CPA allow the City to accommodate growth consistent with the Metropolitan Council's 2030 Regional Development Framework policies and growth forecasts?

The Council's 2005 system statement for Oak Grove forecasts an average growth rate of 20 households per year from 2010 to 2020.

	2010	2020	2030
<i>Population</i>	7,400	7,600	8,100
<i>Households</i>	2,600	2,800	3,000
<i>Employment</i>	430	530	640

The proposed Gardas Grove CPA would allow up to eight units on 20 acres, exceeding the Council's density policies and forecasts.

The City's building permit history over the past twenty years shows that the City issued at least 50 building permits per year. The City's response to its system statement indicates that the Council's forecasts for population and households are unrealistically low.

3. Does the proposed CPA conform with the 2030 Water Resources Management Policy Plan and the policies addressing potential future wastewater treatment systems in northwest Anoka County?

The Council staff finds that the proposed CPA is inconsistent with the 2030 Regional Development Framework policies for the Diversified Rural policy area, allowing development at a density that exceeds the Council's policies and growth forecasts. The proposed CPA does not conform with the 2030 Water Resources Management Policy Plan, and the cumulative effect of the current CPA and the City's past plan amendments are more likely than not to have a substantial impact on regional systems, and ultimately affect how metropolitan wastewater and other regional systems area planned, constructed and operated.

4. Does the proposed CPA represent a substantial departure from, or have a substantial impact on, the regional wastewater system plan?

The proposed CPA substantially departs from the 2030 Water Resources Management Policy Plan and is more likely than not to have a substantial impact on the regional wastewater system plan.

The proposed CPA continues a development pattern that may preclude future urbanization at densities that can be efficiently and economically served by regional sewer service. Therefore, this development may directly affect how the metropolitan wastewater treatment system will be constructed, operated and maintained. The *WRMPP* (pg. 30) states:

The Metropolitan Council will use the wastewater system plan to support the orderly and economic development of the metropolitan area, including the long-term service area of communities. The long-term service area will be generally defined by a community or watershed boundary. A community's comprehensive plan and plan amendments are expected to meet the forecasts and densities specified in the Council's 2030 Regional Development Framework. Inconsistencies would provide the Council with grounds for finding that the community's plan is more likely than not to have a substantial impact on, or contain a substantial departure from, the metropolitan system plan, thus requiring modifications to the local comprehensive plan.

FINDINGS AND CONCLUSIONS

Conformity with Regional Systems

The proposed CPA does not conform with the *2005 Water Resources Management Policy Plan*, and “more likely than not” represents a substantial departure from the regional wastewater system plan.

Consistency with Council Policy

The proposed CPA is inconsistent with the *2030 Regional Development Framework* policies for the Diversified Rural policy area because the CPA allows development at a density that exceeds the Council's policies and growth forecasts. The cumulative effect of the proposed CPA and the City's past plan amendments may have a substantial impact on regional systems

Compatibility with Adjacent Community Plans

The amendments are compatible with comprehensive plans of adjacent communities.

ATTACHMENTS

- Figure 1: Regional Policy Areas, Regional Systems and CPA location

Figure 1. Location Map, Showing 2030 Framework Planning Areas, Regional Systems and the Gardas CPA Site, City of Oak Grove

