



# Community Development Committee

Meeting date: February 2, 2009

**Business Item**

Item: 2009-20

## ADVISORY INFORMATION

<b>Subject:</b>	City of Sunfish Lake 2030 Comprehensive Plan Update Review File No. 20403-1
<b>District(s), Member(s):</b>	District 13, Councilmember Rick Aguilar
<b>Policy/Legal Reference:</b>	Minnesota Statute Section 473.175
<b>Staff Prepared/Presented:</b>	Denise P. Engen, Principal Reviewer (651-602-1513)
<b>Division/Department:</b>	Community Development / Planning and Growth Management

## Proposed Action

That the Metropolitan Council adopts the attached Review Record and takes the following actions:

Recommendations of the Community Development Committee:

1. Authorize the City of Sunfish Lake to put its 2030 Comprehensive Plan Update (Update) into effect without any plan modifications;
2. Change the planning area designation of the City from “Developing” to “Rural Residential” in the *2030 Regional Development Framework*.
3. Remind the City that it needs to forward to the Council the date when the watershed organizations approved the Comprehensive Storm Water Management Plan (CSWMP), and the date the City approved the CSWMP.
4. Recommend that the City revise the Update to refer to the City’s most recent CSWMP, the 2008 plan, throughout the document.
5. Remind the City that Minnesota Statutes 473.864 requires the City to formally adopt the Update within nine months, submit two copies to the Council, and submit a copy of the City Council Resolution adopting the Update to the Metropolitan Council following final action.
6. Remind the City that it is required to submit any updated ordinances and controls intended to help implement the Update to the Council upon adoption.

## Background

The City of Sunfish Lake (City) is located in northern Dakota County, surrounded by West St Paul to the north, Inver Grove Heights to the east and south, and Mendota Heights to the west, (Figure 1).

The *2030 Regional Development Framework (RDF)*, as adopted by the Metropolitan Council (Council) in January 2004, identified Sunfish Lake as within the “Developing Community” geographic planning area (Figure 2).

The City submitted its *2030 Comprehensive Plan (Update)* to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council’s 2005 Systems Statement requirements.

## Rationale – Standard of Review & Findings

1. Does the proposed Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?
3. Is the Update compatible with plans of adjacent governmental units and plans of affected special districts and school districts?

### Conformance with Regional Systems Plans:

- |   |     |
|---|-----|
| 1. Regional Parks   | Yes |
| 2. Transportation including Aviation  | Yes |
| 3. Water Resources Management<br>(Wastewater Services and Surface Water Management) | Yes |

### Consistent with Council Policy Requirements:

- |   |     |
|---|-----|
| 1. Forecasts  | Yes |
| 2. Housing  | Yes |
| 3. 2030 Regional Development Framework and Land Use   | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply                                       | N/A |

### Compatible with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

- |                                |     |
|--------------------------------|-----|
| 1. Compatible with other plans | Yes |
|--------------------------------|-----|

## Known Support / Opposition

There is no known opposition.

# **REVIEW RECORD**

## **Review of the City of Sunfish Lake 2030 Comprehensive Plan Update**

### **STATUTORY AUTHORITY**

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans and plan amendments to the Council for review and comment (Minn. Stat. § 473.864, Subd. 2). The Council reviews plans to determine:

- *Conformance with metropolitan system plans,*
- *Consistency with other adopted Plans of the Council, and*
- *Compatibility with the Plans of other local jurisdictions in the Metropolitan Area.*

The Council may require a local governmental unit to modify any plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes that the Plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans (Minn. Stat. § 473.175, Subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

### **CONFORMANCE WITH REGIONAL SYSTEMS**

#### **Regional Parks**

##### ***Parks and Trails***

*Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)*

The Update is in conformance with the *Regional Park's Policy Plan (RPPP)*. The Update addresses the Dakota County North Urban Regional Trail and the Dakota County North-South Regional Trail Search Area.

#### **Transportation**

##### ***Roads and Transit***

*Reviewer: Elaine Koutsoukos, MTS – Systems Planning, (651-602-1717)*

The Update is in conformance with the *Transportation Policy Plan (TPP)* and addresses all the applicable transportation and transit requirements. The roadway system of Sunfish Lake consists primarily of local streets. The only metropolitan highway located in the City of Sunfish Lake is I-494, and there are no expansion plans for I-494.

Sunfish Lake lies within Transit Market Area III. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Sunfish Lake does not receive regular route transit service. Dial-a-ride service is provided by Dakota Areas Resources and Transportation for Seniors (DARTS).

### **Aviation**

*Reviewer: Chauncey Case, MTS – Systems Planning (651-602-1724)*

The Update is in conformance with the *Aviation* policies in the *Transportation Policy Plan*. The Update (p. 44) refers to its noise abatement ordinance applying to land within “Minneapolis St. Paul Airport’s Aircraft Noise Zone IV”. Noise zone IV no longer falls within the city limits, (see 2004 TPP, Appendix H for MSP 2007 noise contours). The City may wish to review its current noise and height control ordinances, however, as aircraft overflights will still occur.

### **Water Resources Management**

#### **Wastewater Service**

*Reviewer: Kyle Colvin, ES – Engineering Services, (651-602-1151)*

The Update is in conformance with the *2030 Water Resources Management Policy Plan*. Wastewater service in the City is provided mainly through individual sewage treatment systems or ISTS. (Five homes in the northwest corner of the City are connected to the Mendota Heights sanitary sewer system.) The Update indicates wastewater services will continue to be provided with ISTS through 2030.

The Update does not propose or anticipate requesting connection to the Regional Wastewater Disposal system within the 20-year planning period. Therefore, the City is not required to submit a Tier II Comprehensive Sanitary Sewer Plan. The Metropolitan Council does not have plans to provide wastewater services to the community within the 2030 planning period.

#### **Surface Water Management**

*Reviewer: Judy Sventek, ES – Water Resources Assessment (651-602-1156)*

The Update is in conformance with the *Water Resources Management Policy Plan* for local surface water management. However, several minor corrections and clarifications are needed and are noted below.

Sunfish Lake lies within the Lower Mississippi River watershed. The Lower Mississippi River Watershed Management Organization’s latest watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2001. Sunfish Lake prepared a Comprehensive Storm Water Management Plan (CSWMP) in 2006 that was updated in 2008 to meet new Council requirements. Council staff reviewed both versions of the CSWMP under separate cover. The City’s revised CSWMP is consistent with the Council’s policies. However, the City needs to provide the Council the date the Lower Mississippi River Watershed Management Organization approved the updated CSWMP and the date the City adopted the final CSWMP.

In addition, the Update needs to be revised to correctly refer to the City’s most recent CSWMP, the 2008 plan, throughout the document. (In several places, it still refers to the 2006 CSWMP.) In addition, the text needs to be changed (p. 33) to refer to the Lower Mississippi River Watershed Management Organization’s 2001 watershed management plan, not their 1989 plan.

## **CONSISTENCY WITH COUNCIL POLICY**

### **Forecasts**

*Reviewer: Todd Graham, CD - Research, (651-602-1322)*

The Update is consistent with Council forecasts, and with Council policies. The City has identified two dozen parcels that could be built upon, adding 38 potential housing units. This fits with Council’s forecast that Sunfish Lake will grow to 210 households in 2030, (Table 1).

**Table 1: Council Forecasts as Compared to the City’s Update**

	2000		2010		2020		2030	
	Met Council	City	Met Council	City	Met Council	City	Met Council	City
<b>Population</b>	504	504	510	510	520	520	530	530
<b>Households</b>	173	173	190	190	200	200	210	210
<b>Employment</b>	0	0	0	0	0	0	0	0

\* Council forecasts are from the City’s 2005 System Statement.

**2030 Regional Development Framework and Land Use**

*Reviewer: Denise Engen, CD – Local Planning Assistance, (651-602-1513)*

The Update will be consistent with the *Regional Development Framework* (RDF), with a recommended change in its regional planning designation from “Developing” to “Rural Residential.” The City has requested this change with the Update. Rural Residential areas are areas currently developed at one unit per 2.5 acres or less. These areas have no plans to provide urban infrastructure such as centralized wastewater treatment.

The City’s 2005 System Statement (p. 2) indicates that Sunfish Lake is designated by the Metropolitan Council as a “Developing Community.” However, the System Statement also recommends that the City consider a request to change this designation to “Diversified Rural” in its 2030 Update, stating that these areas “should accommodate growth without requiring the provision of regional urban services.” (The Metropolitan Council has no plans to provide wastewater services to the community within the 2030 planning period.) The Update argues (pp. 73-74) that neither designation fits Sunfish Lake, and requests the planning designation instead be changed to “Rural Residential.”

The Update indicates that the developing community designation does not fit, as the community does not have existing municipal or regional water or sewer service – and has no future plans for these services. According to the City’s system statement, “Diversified rural areas include a mix of a limited amount of large-lot residential and clustered housing with agricultural and other rural uses. Growth in the diversified rural areas should be consistent with regional forecasts, at clustered densities that do not exceed one housing unit per 10 acres.” The Update also indicates that the City also does not fit this description because the community is nearly fully developed at an existing residential density of 0.22 units per acre. The Update makes the case for changing the designation of the community to “Rural Residential,” citing the Council’s characterization of these communities as having large numbers of individual sewage treatment systems (ISTS) at densities of 2.5 units per acre or less. All but five of the City’s existing 190 housing units are served by ISTS and individual water supply wells.

Sunfish Lake is approximately 1,070 acres in size. The City is developed primarily as low-density residential, with 859.7 acres (80.4 %). The City has 30.5 acres of institutional land uses (2.9%). The remainder of the City is park and recreation lands, wetlands, lakes or roadway rights of way, (Table 2). The maximum net residential density allowed in the City is 1 unit per 2.5 acres, or 0.4 units per acre. The Update shows that 38 additional low-density residential units may be developed on the City’s vacant land, giving the City a total of 228 units at full development (0.27 units per acre). This will accommodate the City’s forecasted growth to 2030. The Update indicates that future land use patterns are not projected to change though 2030, (Table 3).

Changing the designation of Sunfish Lake to Rural Residential will make the Update consistent with the *Regional Development Framework* (RDF) policies. The City submitted supplemental information for land

use on December 31, 2008 and January 26, 2009. This information should be incorporated into the final version of the Update.

**Table 2: Sunfish Lake Existing Land Use, 2007**

Existing Land Use (Acreage) City of Sunfish Lake 2007		
Metropolitan Council Land Use	Acres	% of Total
Institutional (INS)	30.5	2.9%
Park & Recreation (PR)	31.9	3.0%
Rural Residential (R)	859.7	80.4%
Lakes (W)	6.6	0.6%
Wetlands (WET)	5.7	0.5%
Right-of-Way (ROW)	135.6	12.7%
Total	1,070	100.0%
Sources: City of Sunfish Lake; Dakota County		

**Table 3: Sunfish Lake Land Use Table in 5-Year Stages**

LAND USE TABLE IN 5-YEAR STAGES									
Existing and Planned Land Use Table (in acres)									
Outside Urban Service Area	Minimum lot size	Maximum lot size	Existing (2000)	2010	2015	2020	2025	2030	Change 2000-2030
Rural Residential	2.5 net acres	n/a	859.7	859.7	859.7	859.7	859.7	859.7	0
Institutional	2.5 net acres	n/a	30.5	30.5	30.5	30.5	30.5	30.5	0
Open Space	n/a	n/a	31.9	31.9	31.9	31.9	31.9	31.9	0
Wetlands	n/a	n/a	5.7	5.7	5.7	5.7	5.7	5.7	0
Roadway Rights of Way	n/a	n/a	135.6	135.6	135.6	135.6	135.6	135.6	0
Open Water, Rivers and Streams	n/a	n/a	6.6	6.6	6.6	6.6	6.6	6.6	0
<b>Total</b>			<b>1070.0</b>	<b>1070.0</b>	<b>1070.0</b>	<b>1070.0</b>	<b>1070.0</b>	<b>1070.0</b>	<b>0</b>
n/a = not applicable									

**Housing**

*Reviewer: Linda Milashius, CD – Livable Communities, (651-602-1541)*

The Update is consistent with the Council’s policies on Housing. The housing element fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act. As a community without regional sanitary sewers, the City does not have a numerical share of the regional need of affordable housing. The Update provides an assessment of the housing stock, and provides goals, policies and implementation strategies the City will use to address its local affordable and life cycle housing needs. The Update states that to address affordable housing issues, the City actively participates in the Metropolitan Livable Communities Act through activities and programs carried out by Dakota County, specifically noting participation in the Dakota County Community Development Block Grant Program whose goals include affordable housing options. The Update also states that the City will continue in partnership with Dakota County and the Metropolitan Council to address regional housing issues.

**Individual Sewage Treatment Systems (ISTS) Program**

*Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)*

The Update is consistent with the *Water Resources Management Policy Plan* for ISTS. The City’s plan indicates that there are 190 residential dwelling units in the City. All but five of those 190 homes are served by ISTS and individual water supply wells. Five homes in the northwest corner of the City on smaller lots have been connected to the Mendota Heights sanitary sewer system. The plan and Section 402 of the City Code specifically require all ISTS to be pumped every two years, and that the residents are currently 100 percent compliant with the system maintenance requirements. The City Clerk maintains the information tracking system. The City’s program is consistent with MPCA 7080 Rules and Council policies.

**Water Supply**

*Reviewer: Sara Bertelsen, ES – Water Supply Planning, (651-602-1035)*

The Update is consistent with Water Resources Management Policy Plan for water supply. Since the City does not have a municipal water supply system, no water supply plan is required.

**Resource Protection**

***Historic Preservation***

*Reviewer: Denise Engen, CD – Local Planning Assistance, (651-602-1513)*

The Update contains a section on Historic Preservation as required by the MLPA.

***Solar Access Protection***

*Reviewer: Denise Engen, CD – Local Planning Assistance, (651-602-1513)*

The Update contains a section on Solar Access Protection as required by the MLPA.

***Aggregate Resources Protection***

*Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)*

The Update contains a section on aggregate resources protection as required by the MLPA. The Update acknowledges that aggregate resources have been identified as resources vital to the region. The Council’s aggregate resources inventory does not indicate the presence of sufficient aggregate resources to be viable for mining, and additionally, the community is nearly fully developed. The City does not currently allow for mining and aggregate extraction as a permitted use in any of its zoning districts. However, the Update states that, where appropriate, the City will consider the preservation and protection of aggregate resources.

**PLAN IMPLEMENTATION**

*Reviewer: Denise Engen, CD – Local Planning Assistance, (651-602-1513)*

The Update includes a description of:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- ISTS Codes Yes
- Housing Implementation Program Yes

The Update contains a zoning map and a description of the City’s implementation tools, including zoning and subdivision regulations, stormwater control standards, a comprehensive storm water management plan, site plan and building plan review processes, and the City’s “Property Owner Reference and Development Guide.” Sunfish Lake provides necessary public services to its residents through cooperative agreements with adjacent communities. As City does not contain any public utilities or facilities, it does not typically

have a capital improvement plan. However, the Update includes the City’s “5-year Capital Improvement Program and Pavement Management Program” document.

## **COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS**

The City submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in January 2008. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were indicated.

### **DOCUMENTS SUBMITTED FOR REVIEW:**

- City of Sunfish Lake *2030 Comprehensive Plan*, dated 2008.
- Comprehensive Plan Transmittal form.
- Supplemental information received for land use on December 31, 2008 and January 26, 2009.

### **ATTACHMENTS**

- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing Land Use
- Figure 4: 2030 Future Land Use



**Figure 1. Location Map Showing Regional Systems  
Sunfish Lake**

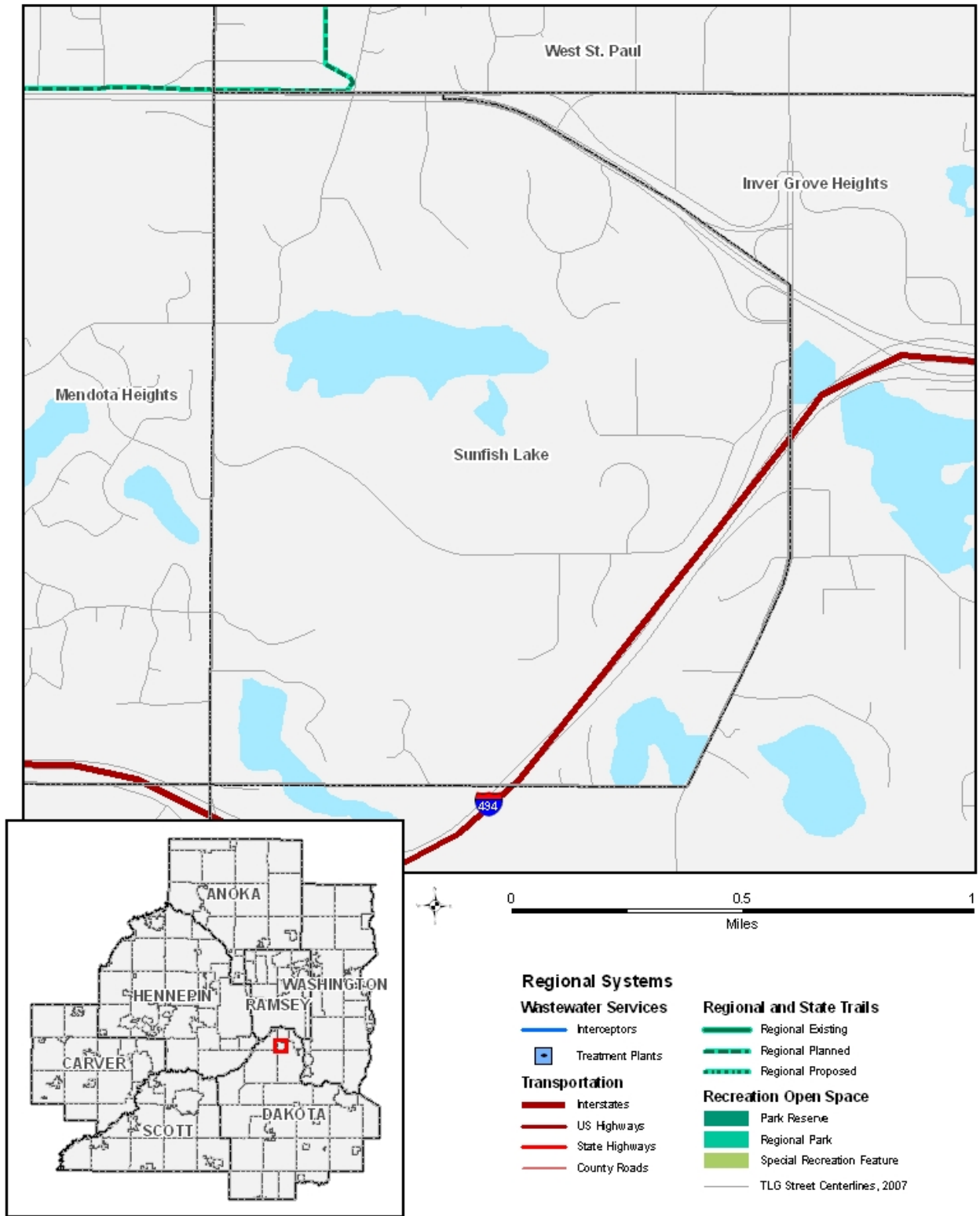
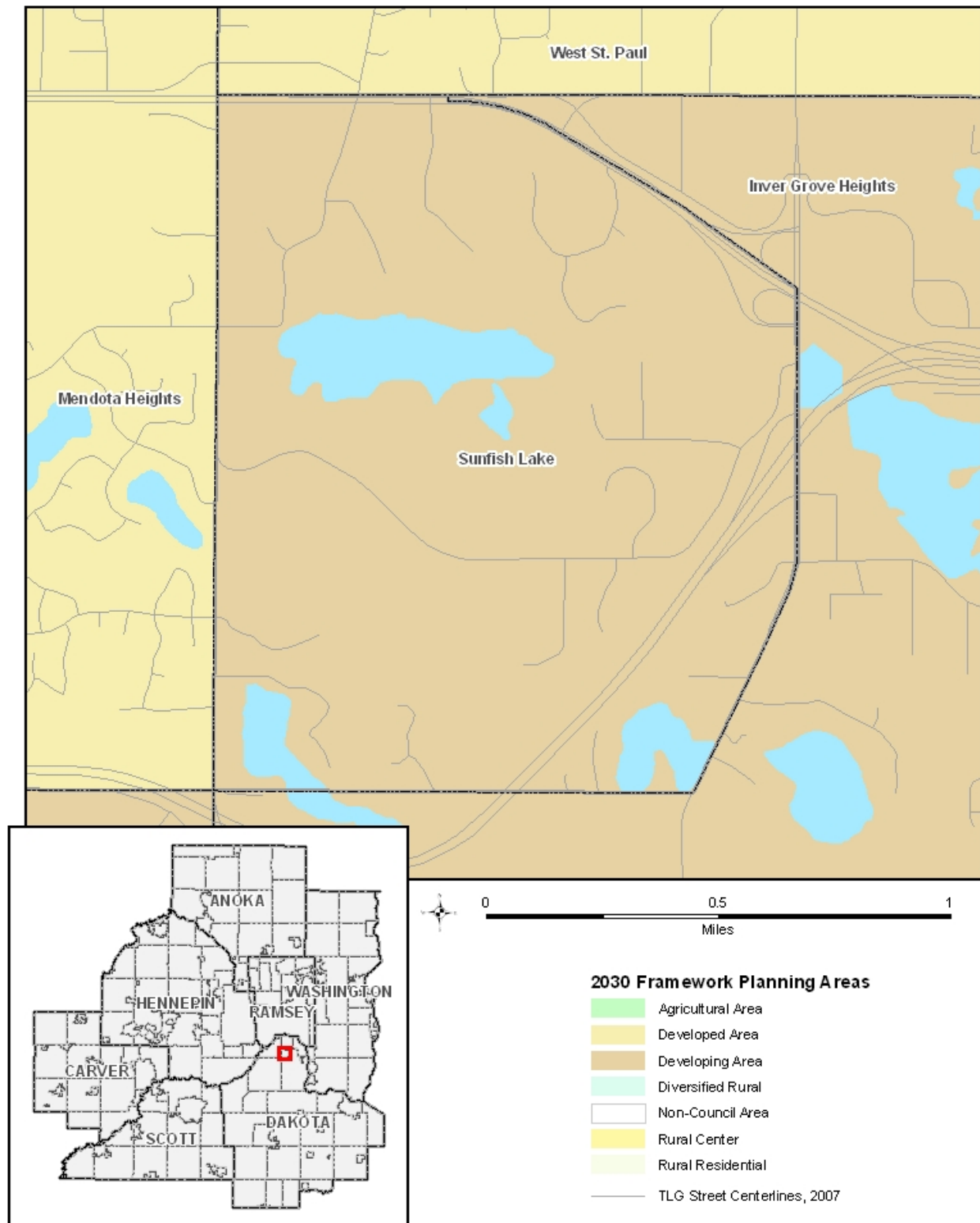
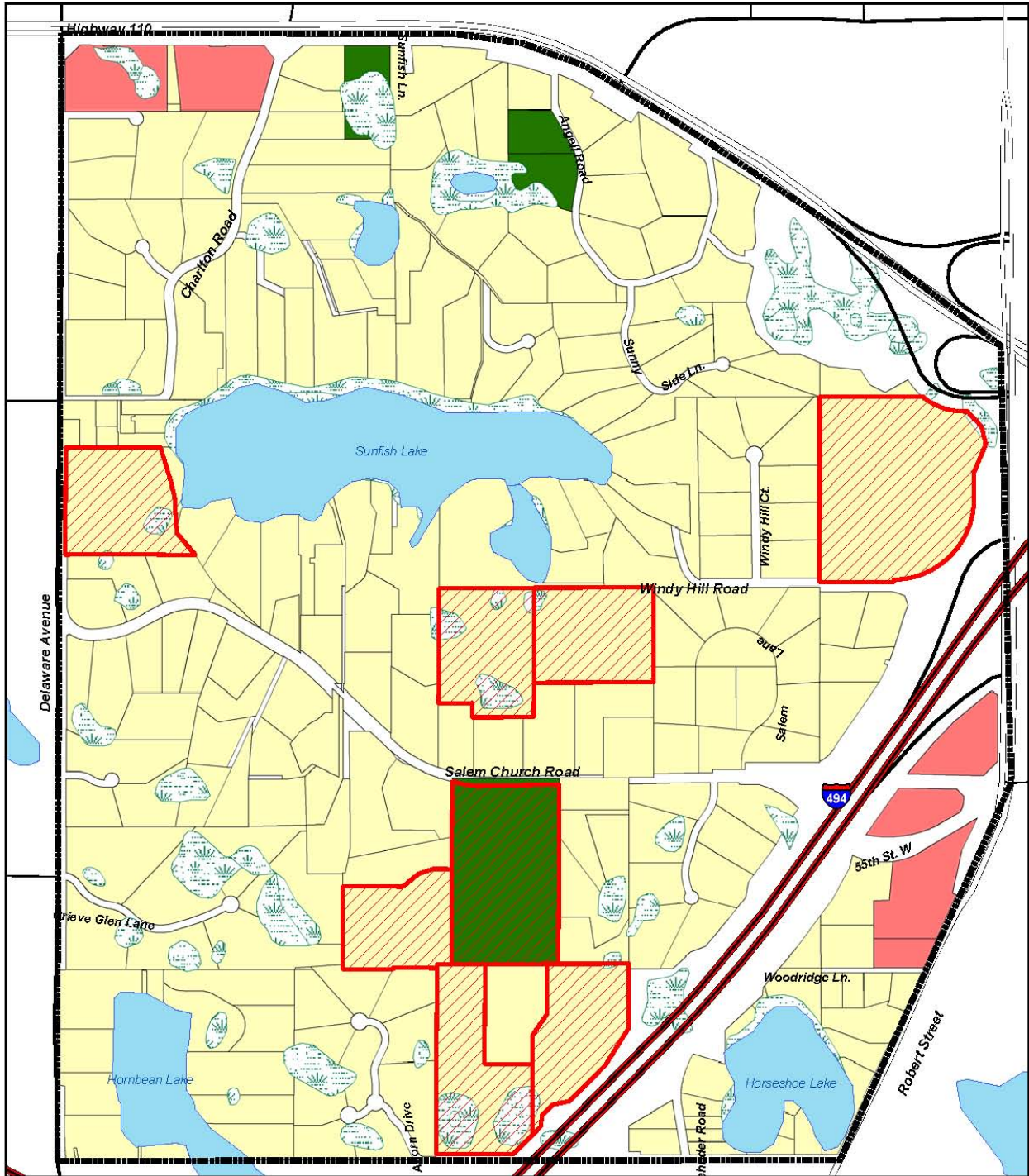


Figure 2. 2030 Regional Development Framework Planning Areas  
**Sunfish Lake**







**Figure 3. Existing Land Use**  
City of Sunfish Lake



CITY OF *Sunfish Lake* MINNESOTA

**EXISTING LAND USE**

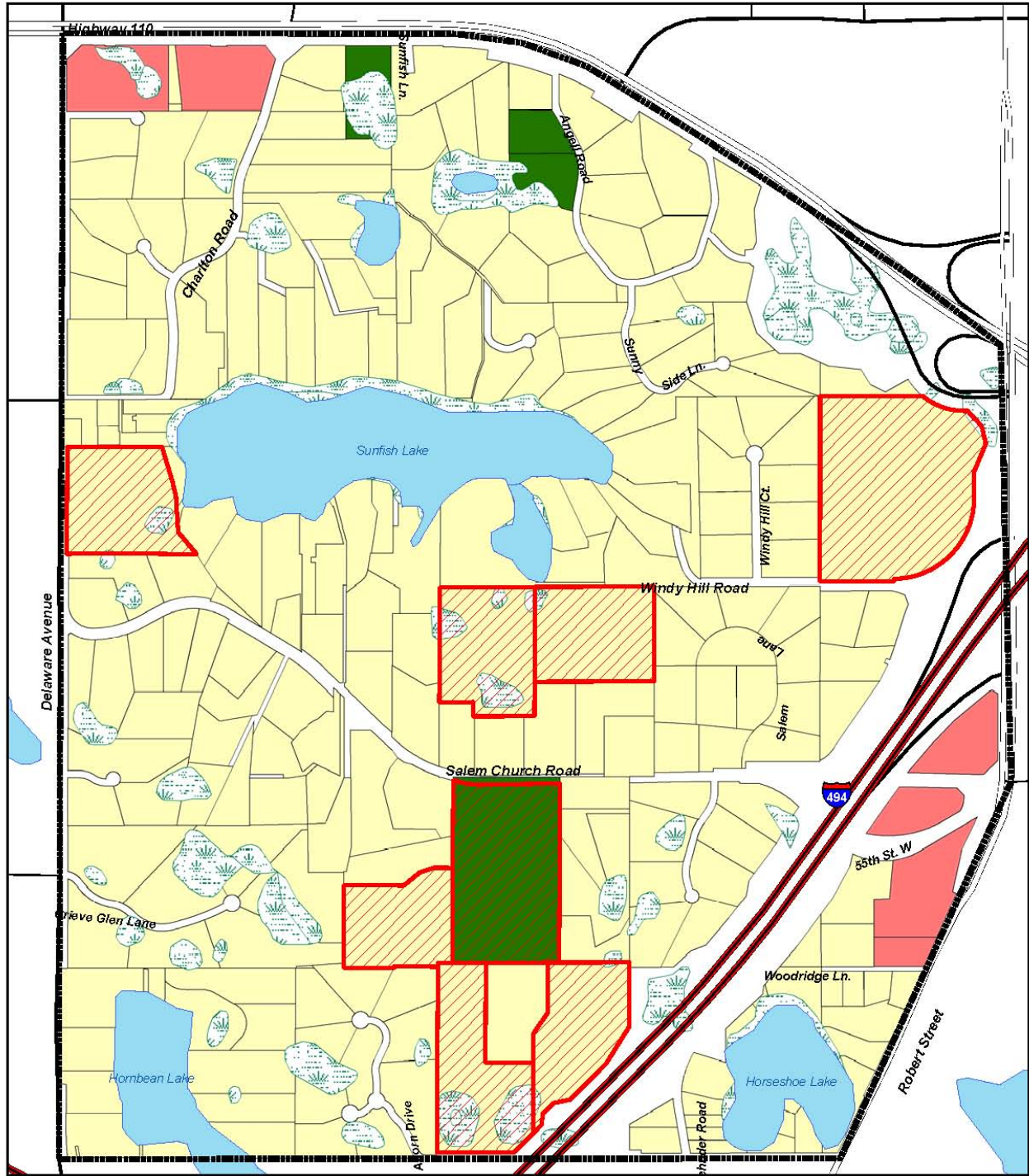


- |   |  |
|---|--|
|  Rural Residential (R) |  Open Space (OS)    |
|  Parcels > 10 Acres    |  Institutional (IN) |

0 250 500 1,000 Feet

Sources: MN DNR, WSB & Assoc., Dakota Co., NAC Inc.





**Figure 4. Future Land Use**  
 City of Sunfish Lake



CITY OF *Sunfish Lake* MINNESOTA

**FUTURE LAND USE**



- |   |  |
|---|--|
|  Rural Residential (R)       |  Open Space (OS)    |
|  Parcels 10 Acres or Greater |  Institutional (IN) |

0 250 500 1,000 Feet

Sources: MN DNR, WSB & Assoc.,  
 Dakota Co., NAC Inc.