

**METROPOLITAN COUNCIL**  
390 North Robert Street, St. Paul, Minnesota 55101

**REGULAR MEETING OF THE COMMUNITY DEVELOPMENT COMMITTEE**  
Monday, February 2, 2009

Committee Members Present: **Chair Natalie Steffen; Vice-Chair, Annette Meeks; Georgeanne Hilker; Daniel Wolter; Richard Aguilar; Polly Bowles**

No quorum being present, Chair Steffen started with the information item: Local Surface Water Management Plan Requirements and Process.

**INFORMATION**

Local Surface Water Management Plan Requirements and Process (Judy Sventek 651 602-1156)

Judy Sventek, Planning Analyst, through a presentation explained the different types of Water Management Organizations in the Metropolitan area: Watershed Districts, Watershed Management Organizations, and county-run Watersheds.

Watershed district boards are appointed by the county, funded by tax levies or special assessments, required to prepare watershed managements plans. Joint Powers WMOs members are appointed by the member communities and cannot be city staff, funded by member communities and required to prepare watershed management plans. County run Watersheds, only two, Carver and Scott, are functions of the county board. Ms. Sventek briefly explained the review process, timelines and requirements. She explained the relationship between the Comprehensive Plans and the required local surface water management plans and the subsequent reviews.

Chair Steffen had a question regarding projects and funding activities of the WMO. Ms. Sventek explained that some boards and organizations fund their own projects with levies and some fund based on the funding allocations as spelled out in the Joint Powers Agreement, and a failed WMO can be deferred back to the county to oversee or the county can decide to form a Watershed district to replace the failed WMO.

**CALL TO ORDER**

A quorum being present, Chair Steffen called the regular meeting of the Council's Community Development Committee to order at 4:20 p.m. on Monday, February 2, 2009.

**APPROVAL OF AGENDA AND MINUTES**

It was moved by Meeks seconded by Bowles, to approve the agenda. **The motion carried.**

It was moved by Wolter, seconded by Meeks to approve the minutes of the Tuesday, January 20, 2009 regular meeting of the Community Development Committee. **The motion carried.**

**BUSINESS**

**2009-20** City of Sunfish Lake 2030 Comprehensive Plan Update Review File No. 20403-1 (Denise Engen 651 602-1513)

Denise Engen, Senior Planner presented the following, and 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.

Local Planning Assistance staff member Denise Engen presented the report and the proposed actions to the Community Development Committee. Engen explained the reasoning for changing the City’s planning area designation from “Developing” to “Rural Residential.” The Committee had no questions or discussion regarding the Update.

Bowles moved, seconded by Aguilar that the Metropolitan Council adopt the Review Record and the recommendations.

**The motion carried.**

**2009-32 City of Andover – Comprehensive Plan Update Set a Public Hearing Date on A Proposed Plan Modification Review Number: 20236-1 (Phyllis Hanson 651 602-1566)**

Chair Steffen informed the committee of communications with the city of Andover, explaining a request from the city to cancel the public hearing; the communication was too late to cancel.

Phyllis Hanson, Manager Local Planning Assistance, explained the necessity to schedule a public hearing for February 17, 2009 on a proposed plan modification for the 2008–2030 Comprehensive Plan Update for the City of Andover.

Legal. Minnesota Statutes section 473.175, states that the Metropolitan Council may require a municipality to modify its comprehensive plan or any part thereof, if the Council “concludes that the plan is more likely than not to have a substantial impact on or contain a substantial departure from the metropolitan system plans.”

Process. The process for requiring and enforcing comprehensive plan modification includes:

1) a public hearing, 2) the adoption of findings, and 3) a resolution. The proposed schedule for considering the City’s Comprehensive Plan Update is as follows:

<b>February 6, 2009</b>	Post public hearing notice
<b>February 17, 2009</b>	Hold public hearing at Community Development Committee at 4:30 PM
<b>February 23, 2009</b>	Close public hearing at 4:30 PM
<b>March 2, 2009</b>	Review of hearing record by Community Development Committee with action forwarding recommendations to the Metropolitan Council
<b>March 22, 2009</b>	Formal action by the Metropolitan Council on the City’s proposed Plan Update

The public hearing will include a brief overview of the following issues and an opportunity for the City and interested parties to present comments.

- Does the Update follow the process described in the Metropolitan Land Planning Act?
- Will the Update allow the City to accommodate growth consistent with the Council’s *2030 Regional Development Framework and 2020 Water Resources Management Policy Plan* policies, growth forecasts and densities of at least 3 residential units per net developable acre?
- Is the Update consistent with the Council’s requirement for guiding land in the Rural Reserve at no more

than 1 unit per 20 acres for a lot split and no more than 1 unit per 40 acres?

- Does the Update represent a substantial departure from the regional wastewater system plan, or have a substantial impact on the metropolitan wastewater treatment system?

Bowles moved, seconded by Wolter that the Metropolitan Council will schedule a public hearing for the proposed plan modification for the 2008 – 2030 Comprehensive Plan Update for the City of Andover.

Meeks questioned why discussions were not held with the city prior to the action of scheduling a public hearing. Ms. Hanson explained there was no response from the city to the review and explained the public hearing timelines within the review process.

Mr. Theisen, Office of General Counsel, clarified the city and the public will have an opportunity to present their view and the committee will have time to review information collected from the public hearing before acting on the proposed plan modification.

Bowles questioned the inconsistencies of the plan, transit, housing and wastewater plans. Ms. Hanson explained the inconsistencies have been resolved.

**The motion carried.**

Meeks voted no.

**2009-33** Land Use Advisory Committee (LUAC) recommendations on the Fiscal Impacts of Growth Study (Ann Beckman 651 602-1669; Deb Detrick 651 602-1327)

Deb Detrick, Planning Analyst, summarized how LUAC followed up on a 2001 fiscal impact study before the Community Development Committee reviewed the Land Use Advisory Committee’s recommendations on the Fiscal Impact of Growth on Cities study. Ms. Detrick reviewed the purpose of the study, background information, study findings, and follow-up responses to the study.

Ann Beckman, Manager, Regional Systems, Planning & Growth Strategy explained the recommendations and the Land Use Advisory Committee’s evaluation of the study LUAC discussed the difficulty of quantifying costs, and the importance of considering operating costs and not just development costs. These indicators will be used as a communication tool not a regulatory tool or mandate.

The Community Development committee heard a presentation about the Land Use Advisory Committee’s review of the Fiscal Impacts of Growth on Cities study. After discussion, the Community Development committee recommended that the Metropolitan Council “receive” the recommendations, rather than “accept” them.

Chair Steffen asked if this study is accepted by the Community Development Committee are they committing to any dollars. Ms. Beckman assured the Committee the study is not committing to any dollars. The main recommendation of LUAC is not to replicate the study, but use existing databases, and effectively use our resources.

Mark Vander Schaaf, Planning & Growth Management Director, explained some general observations of the study, including forecasting, to the committee.

Aguilar commented on the cost of the study and the usefulness of the data.

Bowles moved, seconded by Hilker that the Metropolitan Council receive the recommendations of the Land Use Advisory Committee. **The Motion carried.**

**INFORMATION**

Twin Cites Employment Picture, 2000-2008 (Libby Starling 651 602-1135)

Libby Starling, Manager Research Division, provided an overview of employment data for the Twin Cities. Ms. Starling explained the employment data for the last decade, comparing communities with job growth and job loss. Also, the percentage of job change in developed communities versus developing communities was highlighted. The majority of job growth occurred in developing communities.

Community Development Committee 2009 Work Plan (Guy Peterson 651 602-1418)

Guy Peterson, Community Development Director, explained the Community Development Committee has adopted a work plan related to its responsibilities for the year. Mr. Peterson reviewed several areas of the 2009 work plan as follows:

Regular business for 2009 include 2010 Community Development Division annual budget, Comprehensive Plan Updates and Amendments, Reports from the Land Use Advisory Committee, the Regional Parks and Open Space Policy Plan, the 2010-2015 Parks Capital Improvement Program, the LCA Annual Fund Distribution Plan, Annual reports - including Agricultural Preserves Report (to legislature), Metropolitan Livable Communities Fund Report (to legislature), and 2008 Plat Monitoring Report, Livable Communities Annual Affordability Limits and Recommendations for Livable Communities Act grants, policy decisions; Park Policy Plan, LCA grant extension, Fiscal Disparities Eligibility results.

Bowles asked if foreclosure data will be presented to the committee and other groups or communities response to the economy and housing/rehabbing activities.

Aguilar asked if census data will be available to the committee. Mr. Peterson explained to the Committee current involvement with the Census Bureau and the Metropolitan Council.

Wolter asked if the Community Development Committee has any direct interaction with the Parks & Open Space commission. Chair Steffen proposed the Parks & Open Space share information with the Committee on their processes and policies.

## **ADJOURNMENT**

The next regularly scheduled CDC meeting will be held on **Tuesday**, February 17, 2009, at 4:00 p.m. in the Council Chambers.

Business completed Chair Steffen adjourned the meeting at 5:30 p.m.

Respectfully submitted,

Michele Wenner  
Recording Secretary