

C Community Development Committee

Business Item

Item: 2009-82

Meeting date: March 16, 2009

ADVISORY INFORMATION

Date:	March 5, 2009
Subject:	May Township Comprehensive Plan Update Review File No. 20415-1
District(s), Member(s):	District 12, Councilmember Sherry Broecker, 651-486-0816
Policy/Legal Reference:	Minnesota Statute Section 473.175
Staff Prepared/Presented:	Susan Hoyt, Principal Reviewer, 651-602-1330 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566
Division/Department:	Community Development / Planning & Growth Management

Proposed Action

That the Metropolitan Council adopt the attached Review Record, Advisory Comments and the following:

Recommendation of the Community Development Committee:

1. Authorize May Township to put its 2030 Comprehensive Plan Update into effect;
2. Advise the Township to:
 - a. forward a final copy of the Water Resources Management Plan when it is adopted
 - b. Inform the Council of the dates the Rice Creek, Browns Creek and Carnelian Marine St. Croix watershed districts and the Township adopt the final Water Resources Management Plan.

ADVISORY COMMENTS

May Township 2030 Comprehensive Plan Update

Review File No. 20415-1 Council Business Item No. 2009-82

The following Advisory Comments are part of the Council action authorizing the Township to implement its 2030 Comprehensive Plan Update (“Update”).

Community Development Committee

1. The Council-adopted *Local Planning Handbook* states that the Township must take the following steps:
 - (a) Adopt the Update in final form after considering the Council’s review recommendations; and
 - (b) Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.

A copy of the resolution evidencing final approval of the Update should be submitted to the Council.

2. The Council’s *Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council’s final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the plan or respond to the Council before “final approval” of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3).
3. Local governmental units must adopt official controls as described in their adopted comprehensive plans and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1).
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council’s metropolitan system plans. (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans. (Minn. Stat. § 473.865, subd. 3).

Background

The Township of May (the “Township”) is located in Washington County surrounded by the cities of Scandia, Marine on St. Croix, Grant, Hugo, Forest Lake and Stillwater Township (see Figure 1).

The *2030 Regional Development Framework* (RDF), as amended in December 2006, identifies the City as located within the “Diversified Rural” and “Agricultural” geographic planning areas (see Figure 2).

Rationale – Standard of Review & Findings

1. Does the proposed Plan conform to Regional Systems Plans?
2. Is the Plan consistent with Metropolitan Council policies?
3. Is the Plan 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
(Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|--|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. <i>2030 Regional Development Framework</i> and Land Use | Yes |
| 4. 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 |
|--------------------------------|-----|

Funding

May Township received no planning funds.

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Review of the May Township 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans (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

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

The Update is in conformance with the Regional Parks Policy Plan. It acknowledges Big Marine Park Reserve and Square Lake Regional Special Recreation Feature as well as the planned Washington County Greenway Regional Trail and Glacial Hills Regional Trail.

Transportation

Roads and Transit

Reviewer: Ann Braden, MTS – Systems Planning, (651-602-1705)

The Update is in conformance with the Transportation Policy Plan and addresses all the applicable transportation and transit requirements.

Aviation

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

The Update is in conformance with the aviation system plan in the Transportation Policy Plan.

Water Resources Management

Wastewater Service

Reviewer: Roger Janzig, ES – Engineering Services, (651-602-1119)

The Update is in conformance with the Water Resources Management Policy Plan for local surface water management. The Metropolitan Council does not provide wastewater services to May Township and has no plans to provide wastewater services to the community within the 2030 planning time frame.

Surface Water Management

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

May Township lies within the Rice Creek, Browns Creek and Carnelian Marine St. Croix Watersheds. The Rice Creek, Browns Creek and Carnelian Marine St. Croix Watershed District’s latest watershed management plans were approved by the Board of Water and Soil Resources in 1997, 2007 and 2000 respectively.

May Township prepared a Water Resources Management Plan (WRMP) in 2008 as part of the Update. The May Township WRMP was revised in February 2009 to address concerns raised during the review of the 2008 WRMP. The revised WRMP fulfills the requirement for a local water management plan and is consistent with Council policy and the Council’s Water Resources Management Policy Plan.

Recommendation

After the Township adopts the final WRMP a final copy should be forwarded to the Council along with the dates the watershed districts approved the plan and the date the Township adopted the final plan.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

Reviewer: Dennis Farmer, CD - Research, (651-602-1552)

The Update includes forecasts for population, households and employment that are consistent with the Council’s forecasts.

	2010	2020	2030
Households	1,200	1,400	1,600
Population	3,200	3,600	4,000
Employment	40	50	50

2030 Regional Development Framework and Land Use

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1330)

The Update is consistent with the *2030 Regional Development Framework (RDF)*. The RDF designates May Township as a Diversified Rural Area, which directs communities to plan for densities no greater than one housing unit per 10 acres. Typically, these communities include a limited amount of large lot residential

and clustered housing with agricultural and other uses. The Update acknowledges the Diversified Rural designation.

The Township’s existing 24,354 acres is primarily rural and agricultural at 65% of the land area, 16% is in water bodies, 10% in parks and recreation, 8% in residential use and 1% for one business. The Township has three operating mines in a mining overlay district.

The Township’s goal for the future is to retain the Township’s rural character and protect its natural resources. The Update re-guides the majority of the existing rural and agricultural land to rural residential use in the future land use map. The rural residential allows development at one unit per 10 acres, which is consistent with the Council’s policies for Diversified Rural communities. The rural residential development, which is most concentrated around Square Lake, Cornelian Lake and along the St. Croix River, covers the majority of the Township.

The second largest future land area are water bodies with several lakes throughout the Township. The largest water bodies are Big Marine Lake, Square Lake, Big Cornelian Lake and the St. Croix River.

There land area guided for parks and conservancy lands include Big Marine Regional Parks Reserve and the Square Lake Regional Special Recreation Feature, Warner Nature Center, Wilder Forest, the Science Museum properties and Arcola Mills. The conservancy area is located in the east central section of the Township and allows a density of one unit per 20 acres.

The designated future agricultural area includes land currently enrolled in the Minnesota Agricultural Preserve Program with a development potential of one unit per 40 acres.

Town of May - Existing Land Use (2005)		
Land Use	Acres	Percentage
RESIDENTIAL	2,007	8.3%
Single Family Total	2,006	
Single Family Detached	1,757	
Farmstead	170	
Manufactured	9	
Housing Park		
Seasonal/Vacation	70	
Multifamily Total	1	
COMMERCIAL	9	0.0%
Retail	9	
INDUSTRIAL	102	0.4%
Industrial/Utilities	4	
Extractive	98	
PUBLIC/SEMI-PUBLIC	2,438	10.0%
Institutional	3	
Parks and Recreational	2,435	
RURAL LAND	15,756	64.7%
Undeveloped	8,989	
Agricultural	6,451	
Areas with 18% or greater slope	316	
WATER BODIES	4,028	16.5%
Lakes, Rivers	2,867	
Wetlands	1,161	
TOTAL	24,340	100.0%

Source: Metropolitan Council (2005 Generalized Land Use Table)

Town of May - 2030 Future Land Use Plan		
LAND USE	ACRES	PERCENTAGE
RESIDENTIAL	14,610	60.0%
Rural Residential	14,610	
COMMERCIAL	11	0.0%
Commercial	11	
PUBLIC/SEMI-PUBLIC	2,065	8.5%
Institutional	120	
Parks and Recreational	1,065	
Right - of - Way	617	
Railroad	263	
RURAL LAND	2,886	11.9%
Agricultural	1,355	
Conservancy	1,531	
WATER BODIES	4,782	19.6%
Lakes, Rivers	2,190	
Wetlands	1,932	
Floodplain	660	
TOTAL	24,354	100.0%

Source: Town of May; Northwest Associated Consultants

Housing

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

The Update's housing element fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act. The Update acknowledges that the Township is not required to have a share of the region's affordable housing allocation, but addresses the Township's responsibility for providing a diversity of housing types, including affordable, within the community. It includes a description of the tools with which to accomplish these goals by working with Washington County, participating in programs to enhance housing opportunities for seniors and encouraging the rehabilitation of existing housing stock.

Community and Individual Sewage Treatment Systems (ISTS)

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

The Update indicates that there are approximately 1,053 ISTS in operation and one community '202' system serving the Carnelian Hills subdivision in the southeast corner of the Township. The community system was designed to serve 120 homes of which 82 are currently being served. The Township adopted the Washington County ISTS regulations, and Washington County manages the inspection, operation and maintenance of these systems. The County's program is consistent with MPCA Rules and Council policy requirements.

Water Supply

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

The Update states that the Township does not own and operate a water supply system and therefore is not required to have a water supply plan.

Resource Protection

Historic Preservation

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-601-1330)

The Update includes historic preservation and meets the requirements of the Metropolitan Land Planning Act. It identifies fifteen historic sites in the Township including Arcola Mills and Zahler's ballroom. There are also several archeologically significant sites. The Township is aware of the value of becoming a Local Unit of Government Certified in Historic Preservation so that it can participate in Federal and State historic preservation programs.

Solar Access Protection

Reviewer: Susan Hoyt, CD – Local Planning Assistance (651-602-1330)

The Update acknowledges the importance of access protection in its ordinances and the importance of reviewing and updating ordinances for solar protection and other energy conservation measures. This meets the requirements of the Metropolitan Land Planning Act.

Aggregate Resources Protection

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

The Update identifies the locations of known aggregate resource deposits which is consistent with the Council's Aggregate Resources Inventory information. There are currently three active mines. Consideration of future mines will be evaluated to minimize the impacts on existing neighborhoods, local

roadways, shoreland areas and other high quality natural areas. The Township’s land use policy considers future aggregate mining facilities in appropriate locations that protect the rural character, natural environment and quality of life for Town residents. New mining proposals will need to follow permitting requirements in the Township’s zoning ordinance as well as amend the Update to include the proposed new areas in the mining overlay district.

PLAN IMPLEMENTATION

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1330)

The Update includes a description of and schedule for any necessary changes to:

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

The Update references its implementation tools including official controls, zoning, budgeting and the process used for updating these official controls. The Township is reminded that it must submit copies to the Council of any changes made to any of the above noted documents within 30 days of their adoption.

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

The Township submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment on June 13, 2008. There do not appear to be any compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts.

DOCUMENTS SUBMITTED FOR REVIEW

- Draft 2008 to 2030 Comprehensive Land Use Plan Update, June 16, 2008, submitted by John Glomski, Northwest Area Associates
- Final 2008 to 2030 Comprehensive Land Use Plan Update, December 18, 2008, submitted by John Glomski, Northwest Area Associates
- Supplemental Information, February 10, 2009, submitted by John Glomski, Northwest Area Associates

ATTACHMENTS

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

FIGURE 1: LOCATION MAP
May Township

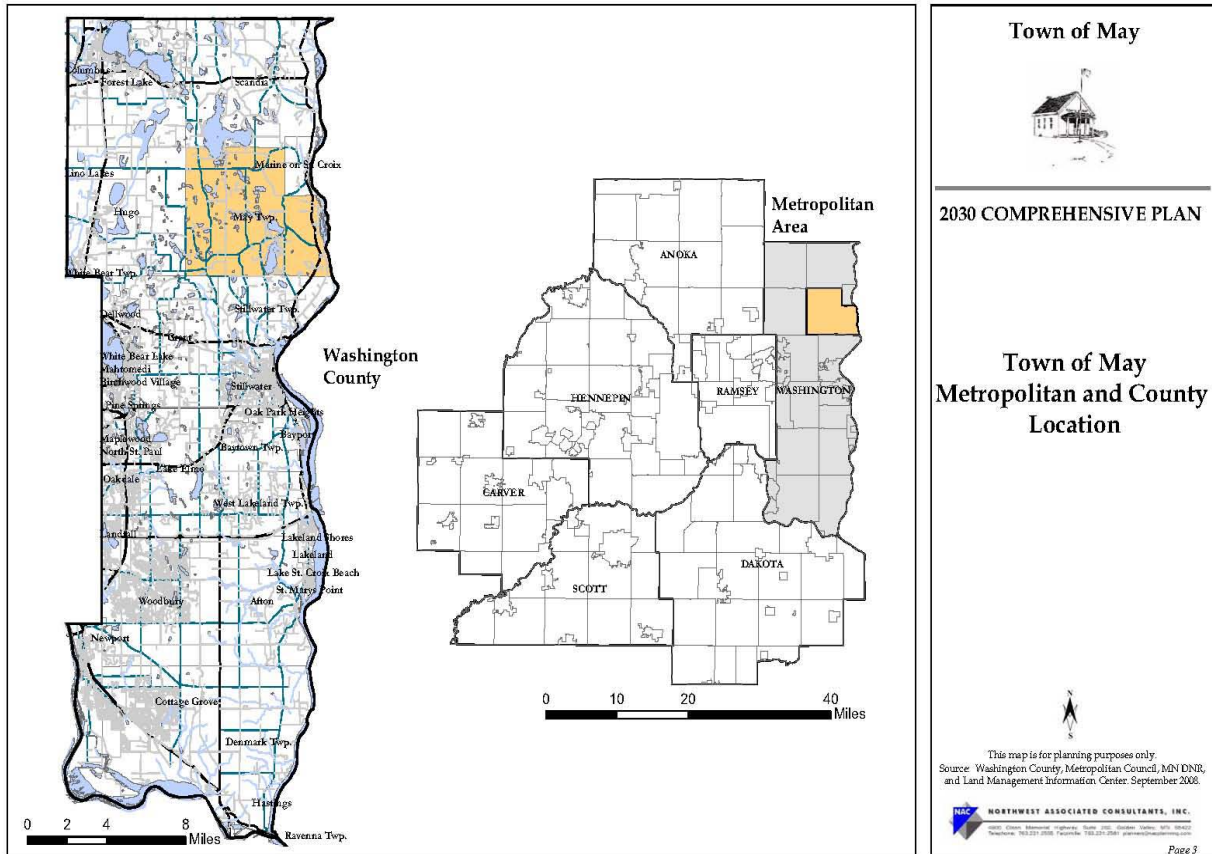


FIGURE 2: 2030 REGIONAL DEVELOPMENT FRAMEWORK PLANNING AREAS
 May Township

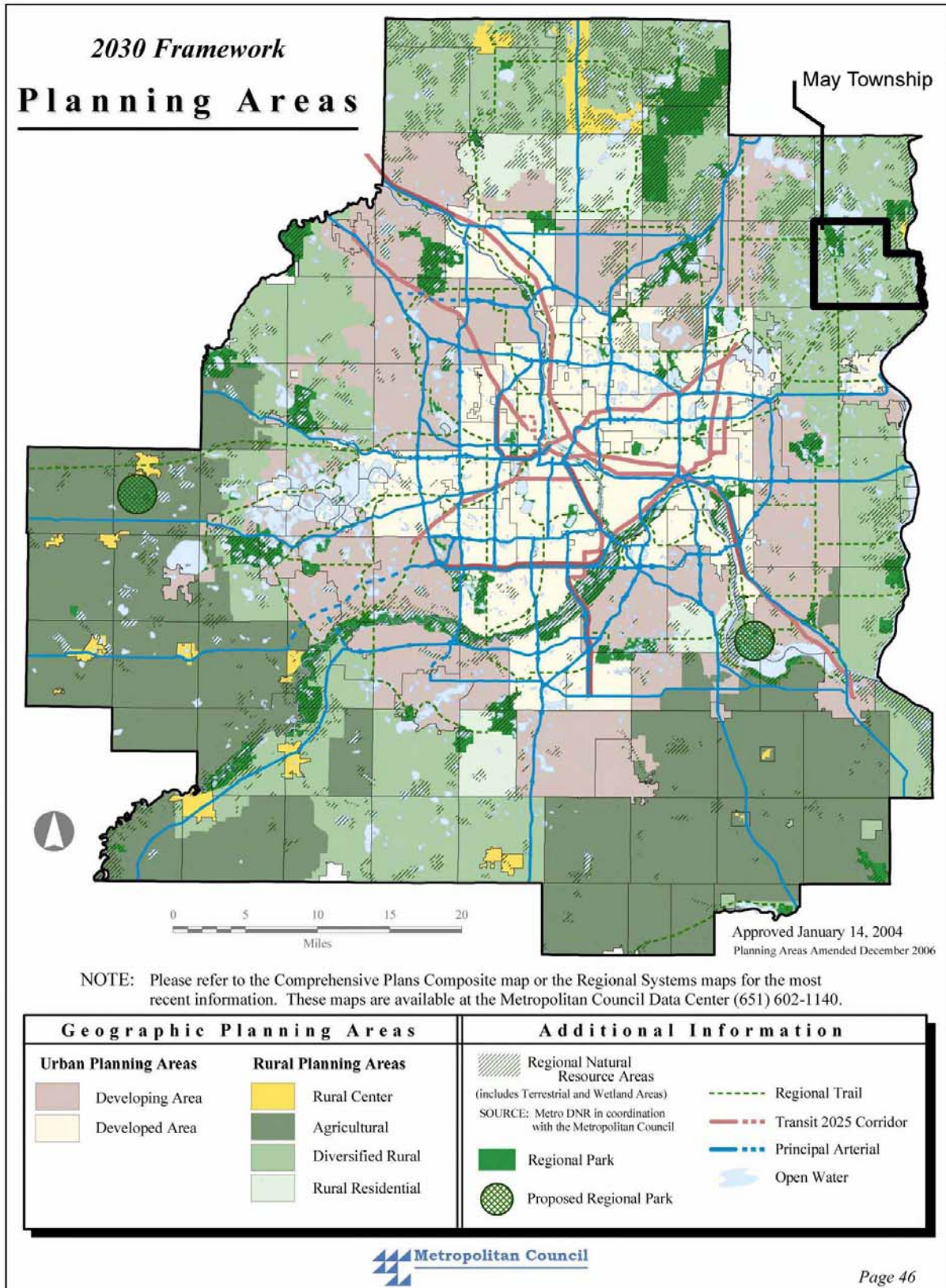


FIGURE 3: EXISTING LAND USE
May Township

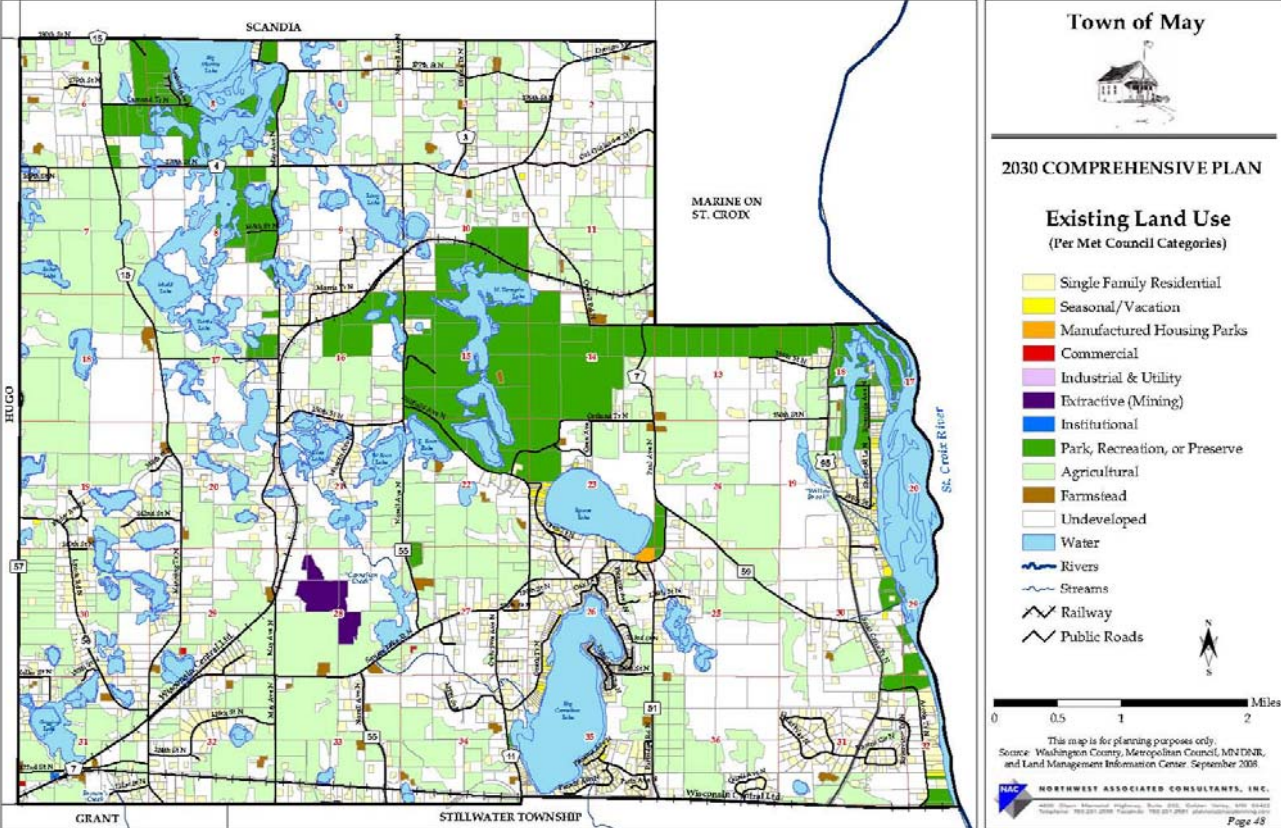


FIGURE 4: FUTURE 2030 LAND USE MAP
May Township

