

# **C** Community Development Committee

**Meeting date: April 6, 2009**

## **ADVISORY INFORMATION**

<b>Date:</b>	March 12, 2009
<b>Subject:</b>	City of Grant 2030 Comprehensive Plan Update Review File No. 20468-1
<b>District(s), Member(s):</b>	District 12, Councilmember Sherry Broecker, 651-486-0816
<b>Policy/Legal Reference:</b>	Minnesota Statute Section 473.175
<b>Staff Prepared/Presented:</b>	Susan Hoyt, Principal Reviewer, 651-602-1330 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566
<b>Division/Department:</b>	Community Development / Planning & Growth Management

### **Proposed Action**

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

#### **Recommendations of the Community Development Committee:**

1. Authorize the City of Grant to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to :
  - a. Identify properties enrolled in the agricultural preserve program on the 2030 Future Land Use and Zoning Map as an agricultural land use district allowing a maximum of at one unit per forty acres.
  - b. Inform the Council of the dates when the Brown's Creek, Carnelian Marine St. Croix, Rice Creek and Valley Branch watershed districts approve the Surface Water Management Plan (SWMP), and of the date the City adopts the final plan; send the Council a copy of the final adopted SWMP.

## ADVISORY COMMENTS

### City of Grant 2030 Comprehensive Plan Update

Review File No. 20468-1 - Council Business Item No. 2009-95

The following Advisory Comments are part of the Council action authorizing the City of Grant to implement its 2030 Comprehensive Plan Update.

#### Community Development Committee

1. The Council-adopted *Local Planning Handbook* states that the City 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 City Council 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 plan within nine months after the Council's final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the comprehensive plan or respond to the Council before "final approval" 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 Plan Update 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 plan 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 City of Grant (City) is located in west central Washington County, bounded by the City of Hugo and May Township on the north, Stillwater Township on the east, Lake Elmo on the south, and the Cities of Pine Springs, Mahtomedi, Dellwood and White Bear Township on the west. (See Figure 1)

The *2030 Regional Development Framework* (RDF), as adopted by the Metropolitan Council (Council) in January 2004, identified Grant as partially in the “Diversified Rural” (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 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<br>(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. 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 |
|--------------------------------|-----|

## Funding

The City has received the first half of a \$15,000 planning grant from the Council to prepare the Update.

## Known Support / Opposition

There is no known opposition.

# REVIEW RECORD

## Review of the City of Grant 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**

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

The Update conforms to the *2030 Regional Parks Policy Plan (RPPP)*. It includes the proposed White Bear Lake-Stillwater Regional Trail and the Brown's Creek State Trail.

#### **Transportation**

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

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

The Update conforms to the *2030 Transportation Policy Plan (TPP)* and addresses all the applicable transportation and transit requirements of a comprehensive plan.

##### ***Aviation***

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

The Update conforms to the *2030 Aviation Policy Plan* of the TPP and is consistent with Council policy.

## Water Resources Management

### *Wastewater Service*

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

The Update conforms to the 2030 *Water Resources Management Policy Plan (WRMPP)*. The Metropolitan Council does not have plans to provide wastewater services to the community within the 2030 planning period.

In a letter from the City dated October 15, 2008, the City recognized that the Council is planning to conduct a study in 2011-2012 to define a post- 2030 service area for the St. Croix Valley Wastewater Treatment Plant. The City agrees to participate in this study. Upon completion of the study, the City’s Comprehensive Plan Update will be reviewed in the context of the outcome of the study and, as necessary, amended.

### *Surface Water Management*

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

The Update conforms to the Council’s Water Resources Management Policy Plan (WRMPP) for surface water management. Grant lies within the Brown’s Creek, Carnelian Marine St. Croix, Rice Creek and Valley Branch watersheds. The Browns Creek Watershed District’s watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2007. The watershed management plans for Carnelian Marine St. Croix Watershed District, Rice Creek Watershed District and Valley Branch Watershed District were approved in 2000, 1997 and 2005 respectively. Grant prepared a surface water management plan (SWMP) in 2008 that was reviewed by Council staff. The Update includes a revised SWMP that adequately addresses the concerns raised by Council staff in 2008 and is consistent with Council policy and the Council’s WRMPP.

Local SWMPs need to be updated within two years after any watershed plan is updated and the City’s SWMP needs to include this information. The City needs to provide the Council with the dates the watershed districts approve the SWMP, the date the City adopts the final plan, and a copy of the final adopted SWMP.

## CONSISTENCY WITH COUNCIL POLICY

### **Forecasts**

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

The Update conforms to the Council’s forecasts. The City’s February 2009 revisions in the Update’s forecasts and transportation sections are consistent with the forecasts shown below.

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

	2000		2010		2020		2030	
	Met Council	City	Met Council	City	Met Council	City	Met Council	City
<b>Population</b>	4,026	4,026	4,400	4,440	4,450	4,450	4,500	4,500
<b>Households</b>	1,374	1,374	1,540	1,540	1,570	1,570	1,600	1,600
<b>Employment</b>	750	750	620	620	630	630	630	630

## 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 Grant 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 mix of a limited amount of large-lot residential and clustered housing with agricultural and other uses. The Update acknowledges the Council’s designations, and includes land use goals and policies that are consistent with Council policies.

The City’s goals are: to preserve the existing rural character; to protect the natural resource base, and to preserve and protect the agricultural land and facilities. Currently, 78% of the City’s land area is in agriculture of which 240 acres are enrolled in the Minnesota Agricultural Preserves Program. Eighteen (18%) of the land is in residential use, 3% in parks and open space and 2% in commercial use, mostly, along Highway 36. The City restricts residential development to one unit per ten acre density overall. The City implements this by using a lot averaging mechanism that allows for 5-acre lots only if these are linked to larger parcels that cannot be subdivided and recorded on the deed. The City anticipates maintaining the agricultural and rural character in the future as it grows from 4,026 people to 4,500 (11%).

**Table V-2  
Future Land Use Categories**

Category	Uses Permitted	Acres	% of Land Use	Min. to Max. Units/Acre
A1	Agriculture, Commercial Food Production, Residential	4,155	24.5%	Max. density of 1 DU/10 acres
A2	Agriculture, Residential	10,167	59.9%	Max. density of 1 DU/10 acres
R1	Residential	39	0.2%	Max. density of 1 DU/10 acres
GB	Commercial	2,602	15.3%	2 acre min. lot size for non-residential uses
AP	Agriculture/Commercial Food Production	276	2%	Max. Density of 1 DU/40 acres

Source: City of Grant, TKDA; DU = Dwelling Unit

## Agricultural Preserves

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

Grant has parcels enrolled in the Agricultural Preserves Program under the Metropolitan Agricultural Preserves Act. The 2030 Future Land Use and Zoning Map identifies these parcels as an overlay to a district that permits one dwelling unit per ten acres. The City needs to identify properties enrolled in the agricultural preserve program on the 2030 Future Land Use and Zoning Map as an agricultural land use district allowing a maximum of at one unit per forty acres.

Section 473H.04, subdivision 2 of the Act states:

*“Land shall cease to be eligible for designation as an agricultural preserve when the comprehensive plan and zoning for the land have been amended so that the land is no longer planned for long term agricultural use and is no longer zoned for agricultural use, evidenced by a maximum residential density permitting more than one unit per 40 acres.”*

## **Housing**

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

The Update fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act. As a community without regional wastewater service, the City does not have a numerical share of the regional need for affordable housing. The Update provides an assessment of the housing stock and goals, policies and implementation strategies the City will use to address its local affordable and life cycle housing needs. The Update states that the City’s primary goal is to retain and preserve its existing housing stock. It will do this through enforcement of the zoning and building codes to ensure housing quality. The Update states the City will support Washington County and regional programs that are available to assist local residents with their housing needs.

## **Community and Individual Sewage Treatment Systems (ISTS)**

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

The Update is consistent with the *2030 Wastewater Policy Plan* guidelines governing ISTS. The City has an estimated 1,463 ISTS in operation serving residences and businesses. The City’s ISTS Ordinance No. 2002-95 is consistent with Washington County Ordinance 128. Washington County administers all ISTS maintenance management, tracking and notification responsibilities for the City. Washington County’s ISTS program is consistent with MPCA Rules and Council policy requirements.

## **Water Supply**

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

The Update states that the City 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, (651-602-1330)*

The Update includes a historic preservation plan and therefore meets MLPA requirements. The Update includes a detailed history of the community and its pioneering residents. The Grant Heritage Preservation Committee has identified a number of structures worthy of preservation, including the historic town hall. The Update includes a goal addressing historic preservation and policies to achieve that goal.

### ***Solar Access Protection***

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

The Update addresses solar access protection and therefore meets MLPA requirements. The Update indicates that protection of the solar resource is assured with the five-acre minimum lot size, a one housing unit per 10 acre density.

***Aggregate Resources Protection***

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

The Update is consistent with Council policies regarding aggregate resources. The Update identifies the location of known aggregate resources within the City, consistent with the Council’s Aggregate Resources Inventory information. Aggregate Resources Goals and Policies presented in the Update adequately address the need to protect aggregate resources, and minimize land use conflicts and environmental impacts.

**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 includes a Capital Improvement Program (CIP) for roadway maintenance and improvements and Town Hall renovations. The Update also contains a description of the possible future changes to the zoning ordinance and subdivision ordinance. The City is currently codifying these ordinances and recognizes the need to update these ordinances pending adoption of the Comprehensive Plan Update. Any changes made to the documents listed above must be submitted to the Council within 30 days of the adoption.

**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 July 2008. The City received some responses and incorporated suggested changes in the final draft Update that was submitted to the Council. There are no compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts.

**DOCUMENTS SUBMITTED FOR REVIEW**

- 2008 Comprehensive Plan Update Transmittal Form received December 31, 2008
- *2008 Comprehensive Plan Update for the City of Grant;*
- Letter to LPA Manager, Phyllis Hanson, from Planner Angela Torres, dated February 12, 2009 re. Response to Metropolitan Council Comment Letter
- Revised *2008 Comprehensive Plan Update for the City of Grant*

**ATTACHMENTS**

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



Figure 1. Location Map Showing Regional Systems  
**Grant**

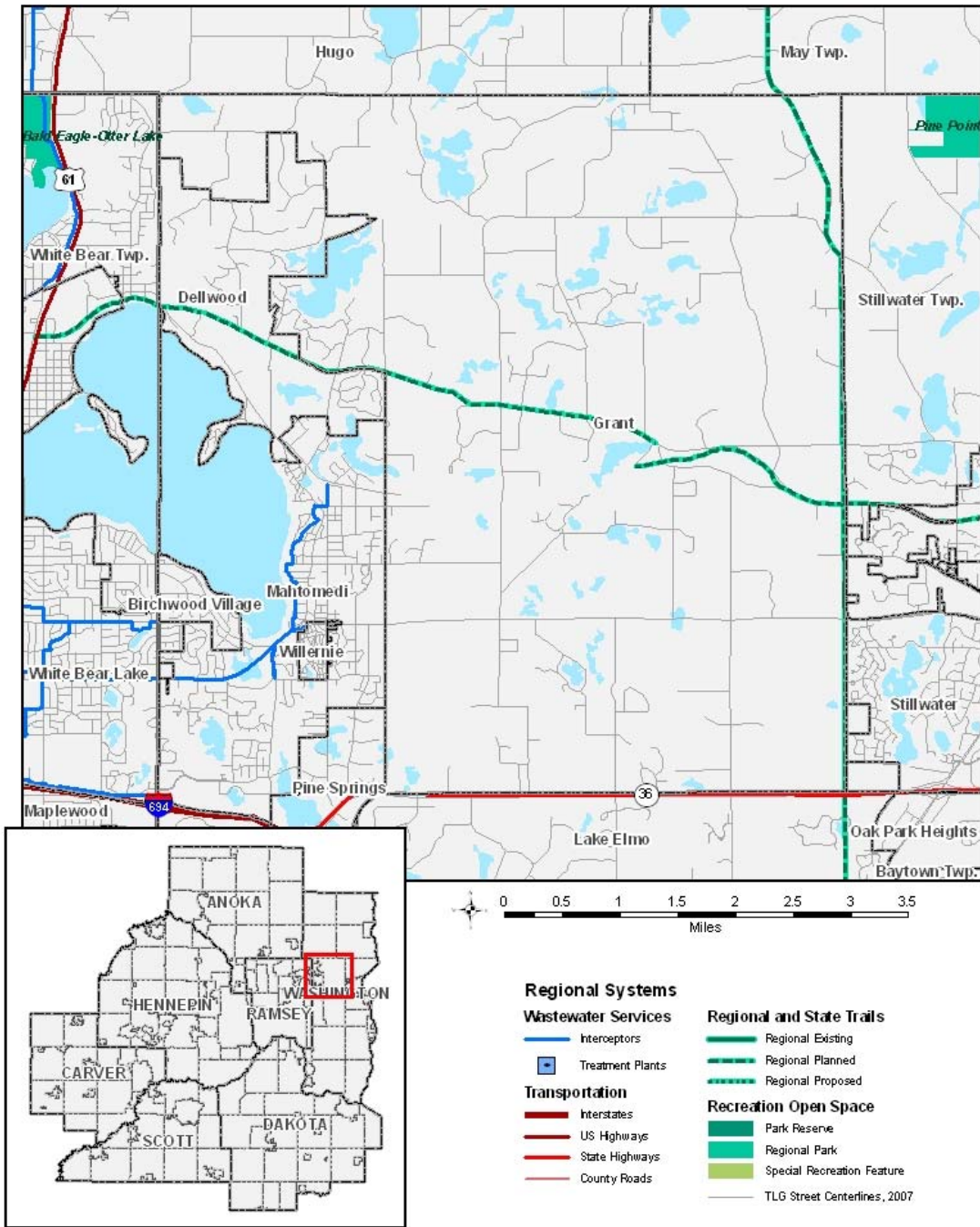


Figure 2. 2030 Regional Development Framework Planning Areas  
**Grant**

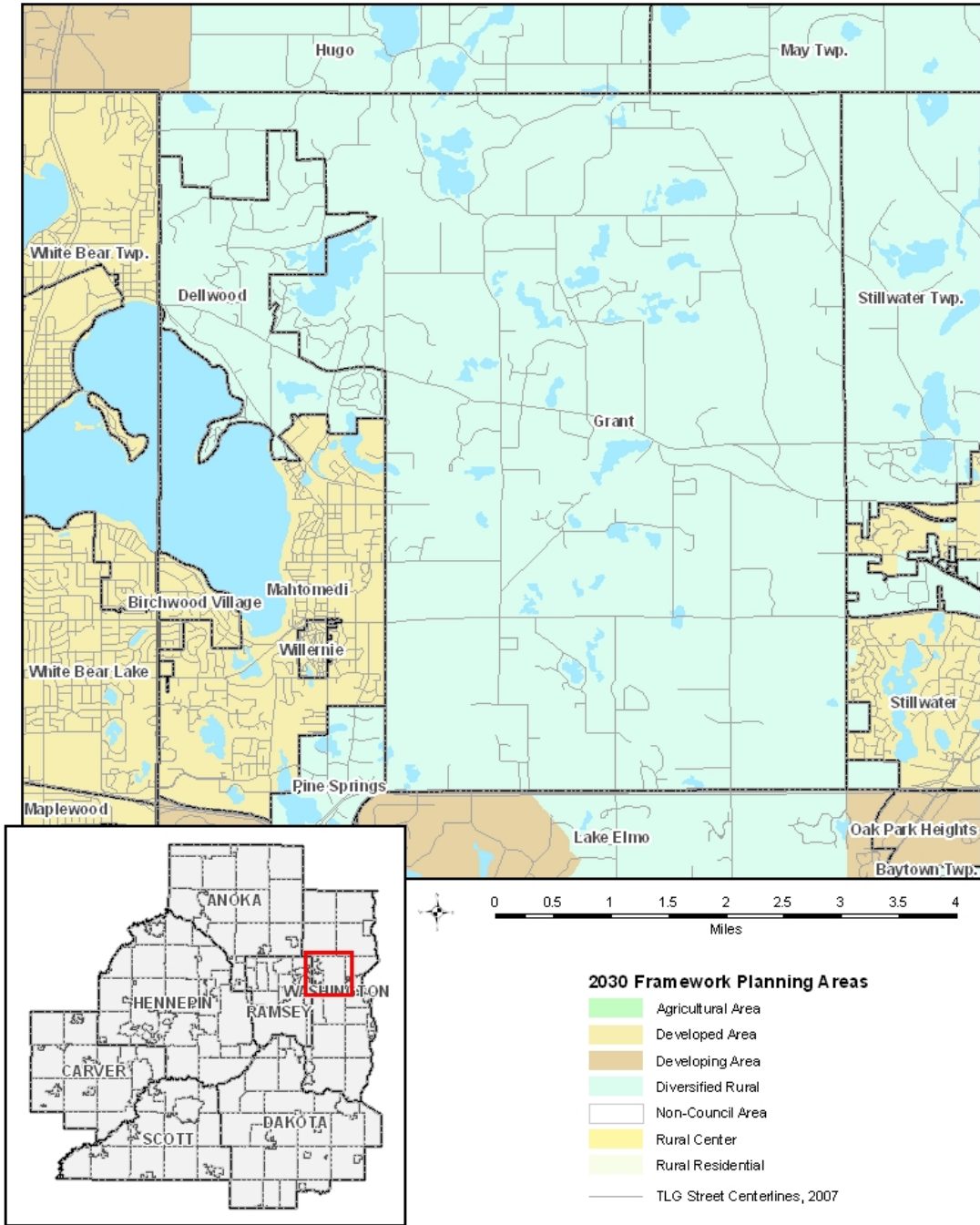
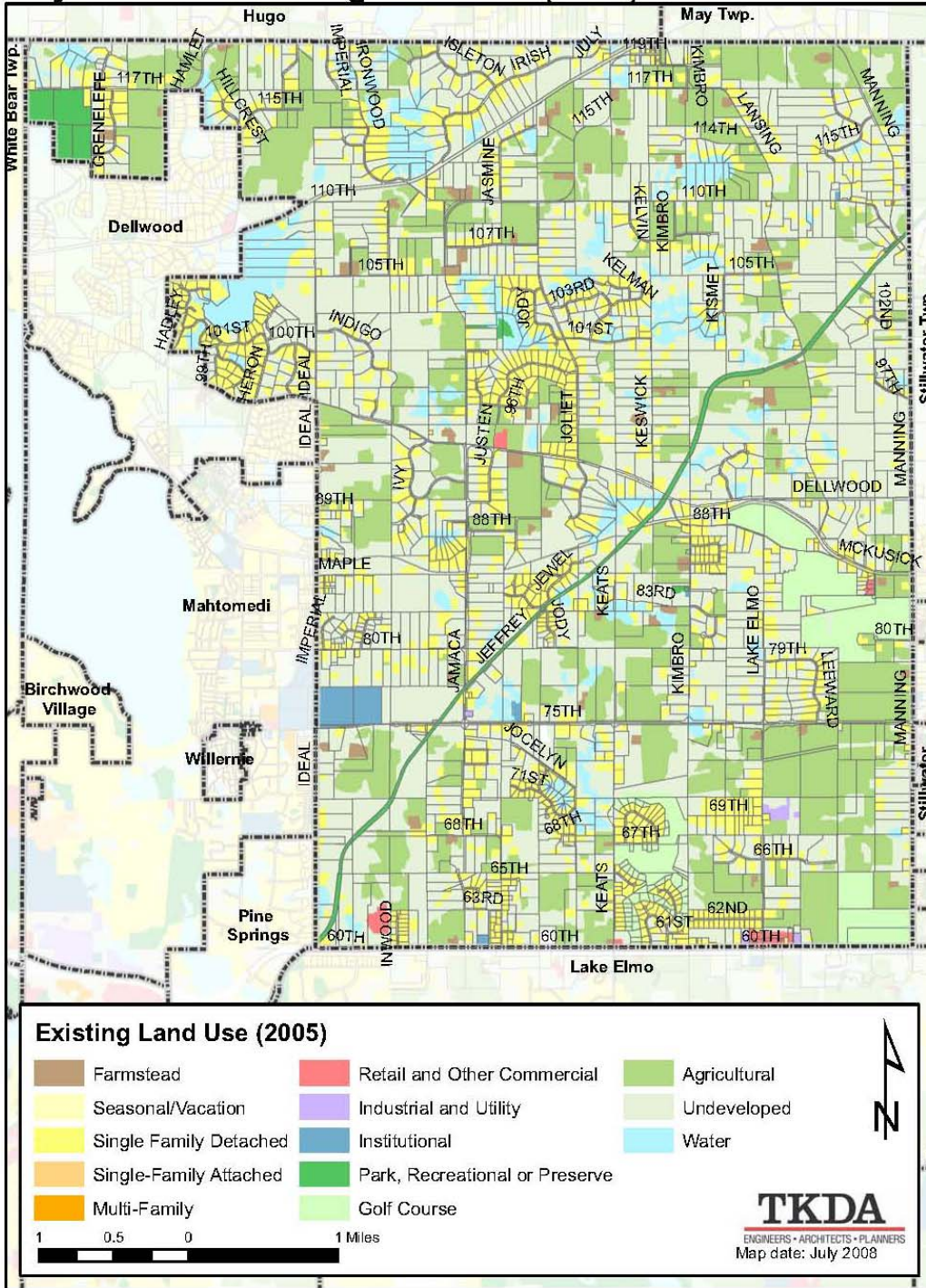


Figure 3. Existing Land Use  
Grant

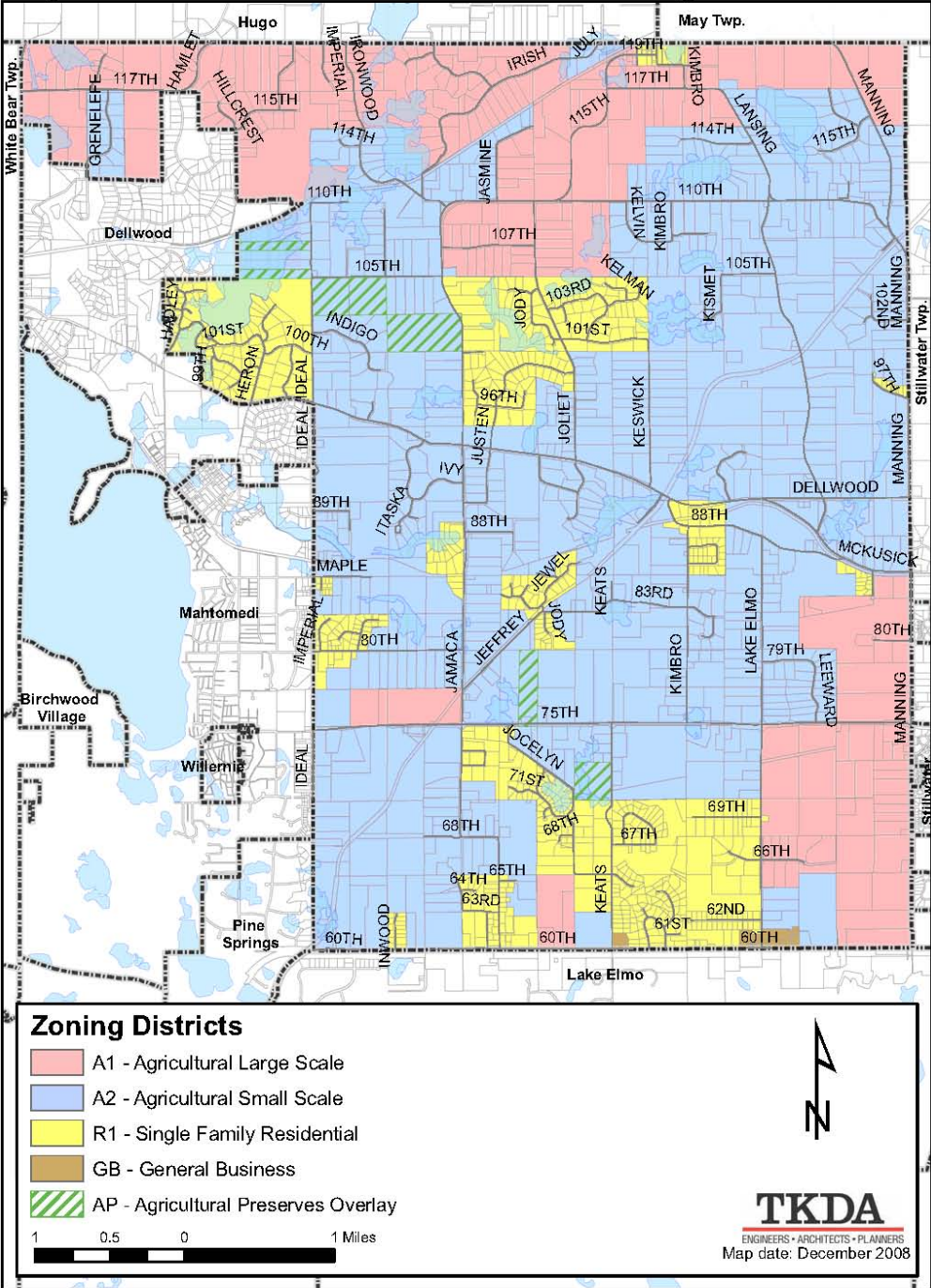
City of Grant: Existing Land Use (2005)



Source: Metropolitan Council, TKDA

Figure 4. Future Land Use Grant

City of Grant: Future Land Use and Zoning



Source: Metropolitan Council, TKDA