

C Community Development Committee

Business Item

Item: 2009-205

Meeting date: June 15, 2009

ADVISORY INFORMATION

Subject:	City of Coates 2030 Comprehensive Plan Update Review File No. 20459-1
District(s), Member(s):	District 16, Councilmember Wendy Wulff
Policy/Legal Reference:	Minnesota Statute Section 473.175
Staff Prepared/Presented:	Patrick Boylan, Principal Reviewer, 651-602-1438 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 Advisory Comments and Review Record, and the following:

Recommendations of the Community Development Committee:

1. Authorize the City of Coates to put its 2030 Comprehensive Plan Update into effect.
2. Revise the geographic planning designation for those areas outlined in this Review Record from Developing to Diversified Rural.

ADVISORY COMMENTS
City of Coates 2030 Comprehensive Plan Update
Review File No. 20459-1 - Council Business Item No. 2009-205

The following Advisory Comments are part of the Council action authorizing the City of Coates 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 Coates (City) is located in north, central Dakota County, surrounded by Rosemount, Vermillion Township, and Empire Township. (See Figure 1)

The *2030 Regional Development Framework (RDF)*, as adopted by the Metropolitan Council (Council) in January 2004, identified Coates as a “developing” geographic planning area in the *2030 Regional Development Framework* (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
(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

None.

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Review of the City of Coates 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

Parks

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

The Update conforms to the *2030 Regional Parks Policy Plan*. There are no existing or planned regional park facilities in Coates.

Transportation

Roads and Transit

Reviewer: Elaine Koutsoukos, (651-602-1717)

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

The only metropolitan highway located in the city of Coates is TH 52 and there are no expansion plans for TH 52 in Coates. The Update identifies the need to construct new interchanges on TH 52 near Coates at CSAH 42 in Rosemount and at CSAH 66 in Vermillion Township.

Coates lies within Transit Market Area IV. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing. General public 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 conforms to the *2030 Aviation Policy Plan* of the TPP and is consistent with Council policy.

Water Resources Management

Wastewater Service

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

The Update conforms with the *2030 Water Resources Management Policy Plan*. The Update represents the City's guide for future growth and development through the year 2030. The City is entirely provided wastewater service through the use of private wastewater systems, or ISTS. The Plan indicates continued wastewater services will be provided through the use of ISTS through 2030.

The City's plan does not propose nor anticipates requesting connection to the Regional Wastewater Disposal system within the 20-year planning period. Therefore the City is not required to submit for approval of 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 conforms to the *2030 Water Resources Management Policy Plan* for local surface water management. Coates lies within the Vermillion River watershed. The Vermillion River Joint Powers Board's watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2005. The City of Coates was part of the Dakota County Rural Collaborative. The Dakota County Rural Collaborative was a joint partnership that prepared a local water management plan for 12 rural communities in the Vermillion River Watershed in 2008. Coates adopted the Dakota County Rural Collaborative Local Water Management Plan (LWMP) as its LWMP in December of 2008.

The LWMP was reviewed under separate cover. The LWMP was found to be consistent with Council policy and the Council's *Water Resource Management Policy Plan*. The Vermillion River Joint Powers Board approved the LWMP in October of 2008. The LWMP fulfills the Council's requirements for local surface water management plans.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

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

Forecast data within the Update are consistent with Council Systems Statement forecasts (shown below).

System Statement Forecasts for Coates

	2010	2020	2030
Households	70	80	90
Population	170	190	200
Employment	280	300	320

2030 Regional Development Framework and Land Use

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update is inconsistent with the RDF, but consistent with the 2005 Systems Statement. The RDF, as adopted by the Council in January 2004, identified Coates as a “developing” geographic planning area (Figure 2). However, the 2005 Systems Statement stated that Coates “is designated partially as a “developing community” and partially as an “agricultural” geographic planning area in the 2030 Regional Development Framework.”

The 2005 Systems Statement also states that:

Coates should consider changing its planning area designation in its 2008 comprehensive plan from “developing community” to “diversified rural”. 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 1 housing unit per 10 acres. Diversified rural areas should accommodate growth without requiring the provision of regional urban services.

The City, through written correspondence also confirms the intention to become diversified rural (see Attachment A). The Update’s goals and policies are consistent with Council policies for diversified rural areas. Research and Environmental Service staff are supportive of the change to the City’s geographic area.

The City’s goals are: to preserve the existing rural character; to protect the natural resource base, preserve and protect agricultural land, and provide for future residential and commercial areas. Currently, 75% of the City’s land area is in agriculture, none of which are enrolled in the Minnesota Agricultural Preserves Program. 4% of the land is in residential use, 1% in parks and open space and just under 7% in commercial and industrial uses, mostly, along US Highway 52. The City restricts residential development to one unit per ten acre density in the agricultural area and limiting new residential development to areas adjacent to existing development.

Table 9
Existing land Use Acreages

<u>Land Use Category</u>	<u>Gross Acres</u>	<u>Wet Acres</u>	<u>Net Acres</u>	<u>% of Total</u>
Agriculture/Vacant	665.3	1.2	664.1	75%
Single Family Residential	32.4	-	32.4	4%
Multiple Family Residential	0.8	-	0.8	0%
Commercial	13.3	-	13.3	1%
Industrial	56.1	0.2	55.9	6%
Public Institutional	12.2	-	12.2	1%
Park	6.0	-	6.0	1%
Right-of-Way	103.2	-	103.2	12%
Wetland	-	-	1.4	0%
TOTALS	889.2	1.4	889.2	100%

Table 11
2030 Land Use Categories and Acreages

<u>Land Use Category</u>	<u>Gross Acres</u>	<u>Wet Acres</u>	<u>Net Acres</u>	<u>% of Total</u>
Agriculture	632.7	1.2	631.5	71%
Low Density Residential	47.6	-	47.6	5%
Central Business District	12.2	-	12.2	1%
Commercial	19.3	-	19.3	2%
Industrial	56.1	0.2	55.9	6%
Public Institutional	12.2	-	12.2	1%
Park	6.0	-	6.0	1%
Right-of-Way	103.2	-	103.2	12%
Wetland	-	-	1.4	0%
TOTALS	889.2	1.4	889.2	100%

Agricultural Preserves

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

Coates does not have any parcels enrolled in the Agricultural Preserves Program under the Metropolitan Agricultural Preserves Act.

Housing

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

The Update fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act. Coates is a community that 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 and policies the city will use to address its local housing needs. The Update indicates the city will work with the Dakota County Community Development Agency Development Agency (CDA), which offers a number of services to assist in the creation and preservation of affordable housing. The CDA partners with local communities to develop and manage housing choices for seniors, low- and moderate-income families and minorities.

Individual Sewage Treatment Systems (ISTS)

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

The Update fulfills ISTS requirements. The Update indicates that there are approximately 80 ISTS in operation in the City. The City has adopted Dakota County ISTS Ordinance #113, which is consistent with MPCA Rules and Council policies. Dakota County maintains maintenance management recordkeeping and ISTS owner notification for the City, and the City is responsible for review, permitting, inspections of new and existing ISTS, and enforcement of maintenance management requirements. Violations, complaints, and potential system repairs are referred to the Building Official for enforcement. If the Building Official cannot remedy violations and corrections through normal enforcement procedures, the matter is turned over to the City Attorney for prosecution.

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. The City is not required to have a water supply plan.

Resource Protection

Aggregate Resources Protection

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

The Update protects aggregate resources.

The Update indicates that there are substantial aggregate resources in the City. The Update further indicates that the majority of undeveloped land in the City is guided agricultural, which due to its low potential development density of one home per 40 acres, will protect the area for potential extraction into the future. The Update incorporates a Natural Resource Goal to “Evaluate the potential for mineral extraction of high quality aggregate resources prior to development.”

Historic Preservation

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

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

Solar Access Protection

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

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

PLAN IMPLEMENTATION

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

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 describes Capital Improvement Program (CIP) for civic projects and improvements to public facilities on an ongoing basis. The Update also contains a description of future changes to the zoning ordinance and subdivision ordinance.

The City Council has also determined that it is in the best interests of the City to initiate discussions with the City of Rosemount and explore the feasibility of acquiring municipal utilities from Rosemount. 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 June 2008. The City received two responses. The Vermillion River Watershed Joint Powers Organization made general policy recommendations and identified typographical errors. Dakota County had policy suggestions for road networks and land use.

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 Miesville;*
- Letter to LPA Manager, Phyllis Hanson, from Planner Dean Johnson, dated May 8, 2009 re. Response to Metropolitan Council Comment Letter

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
Coates

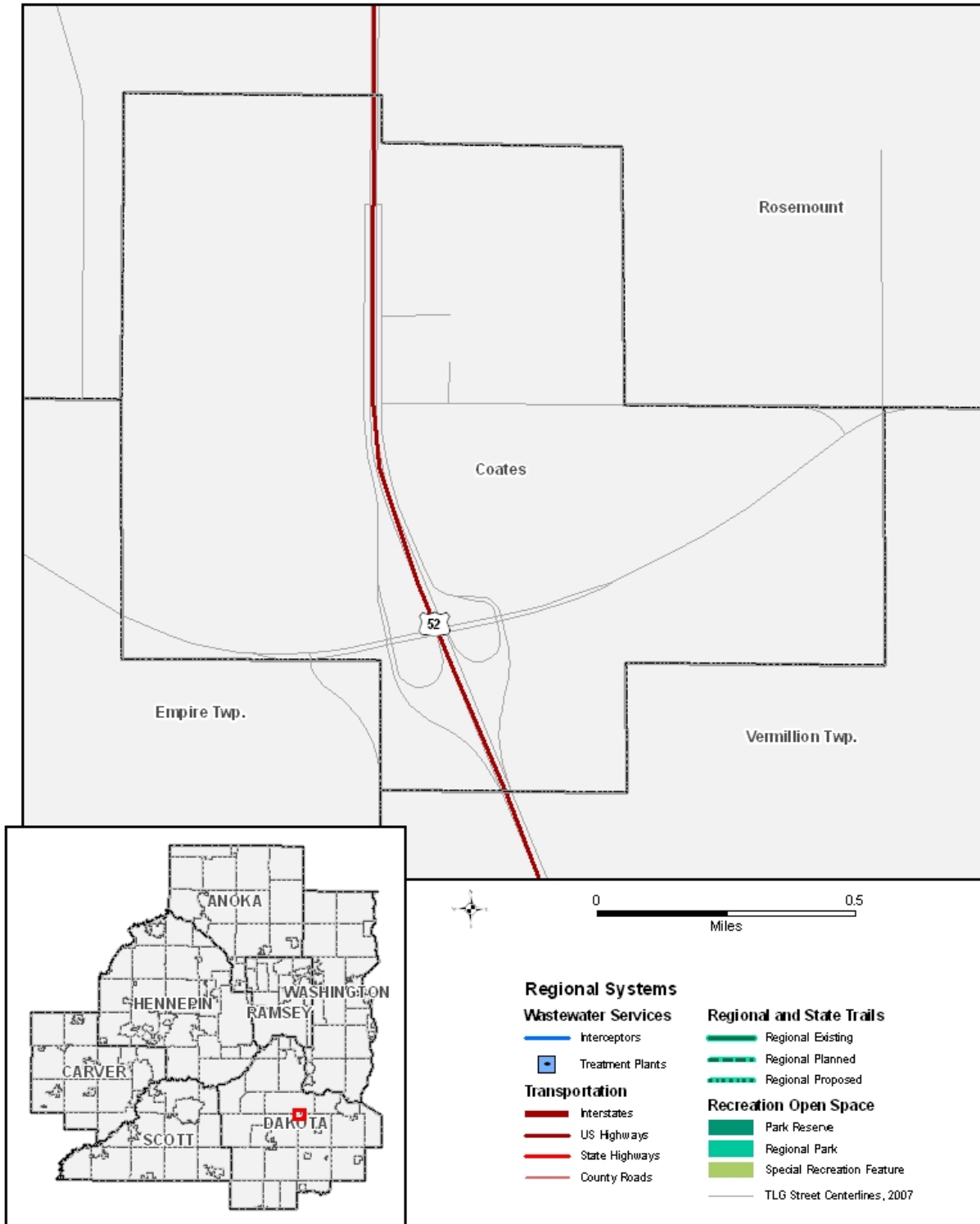


Figure 2. 2030 Regional Development Framework Planning Areas
Coates

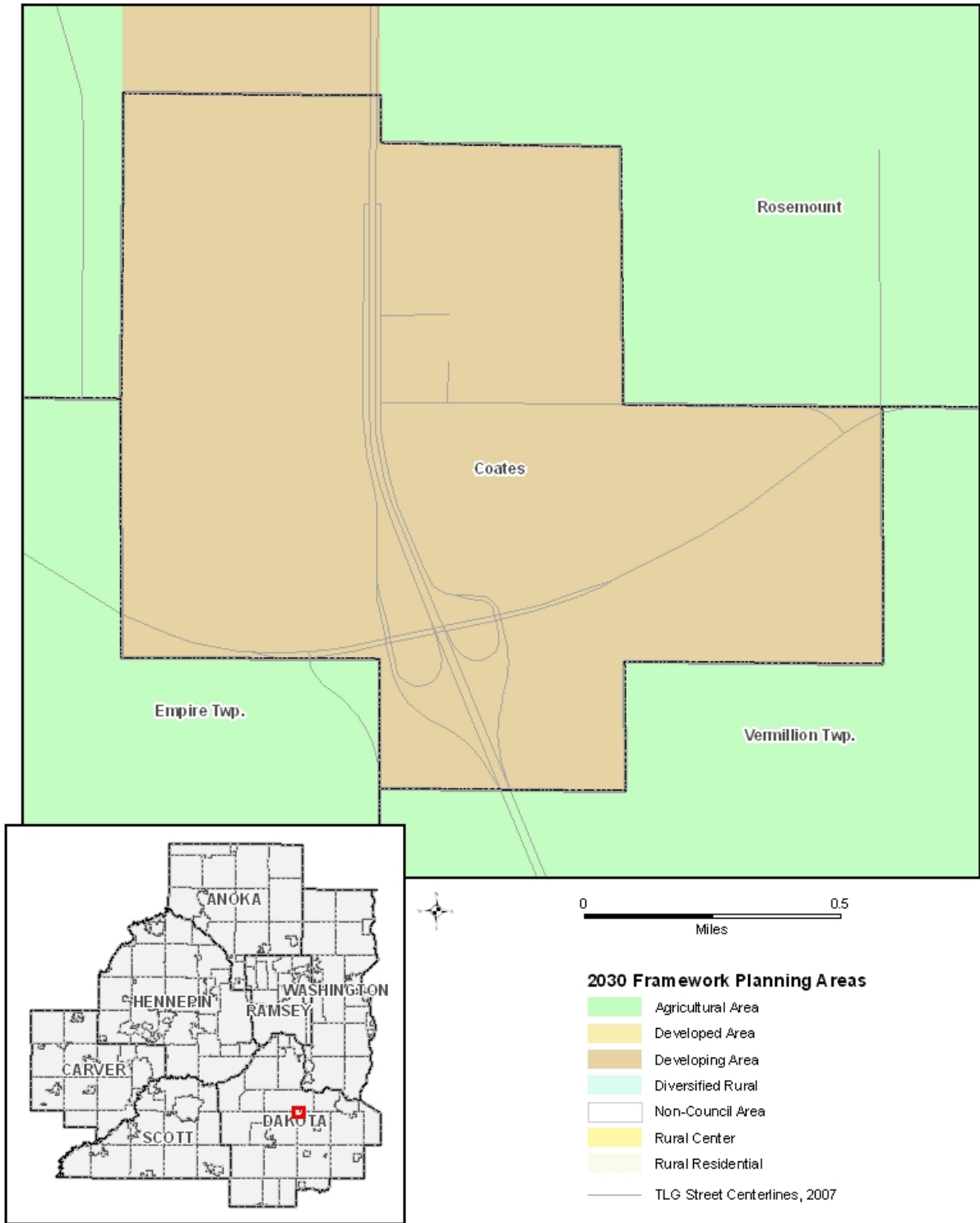


Figure 3. Existing Land Use
Coates

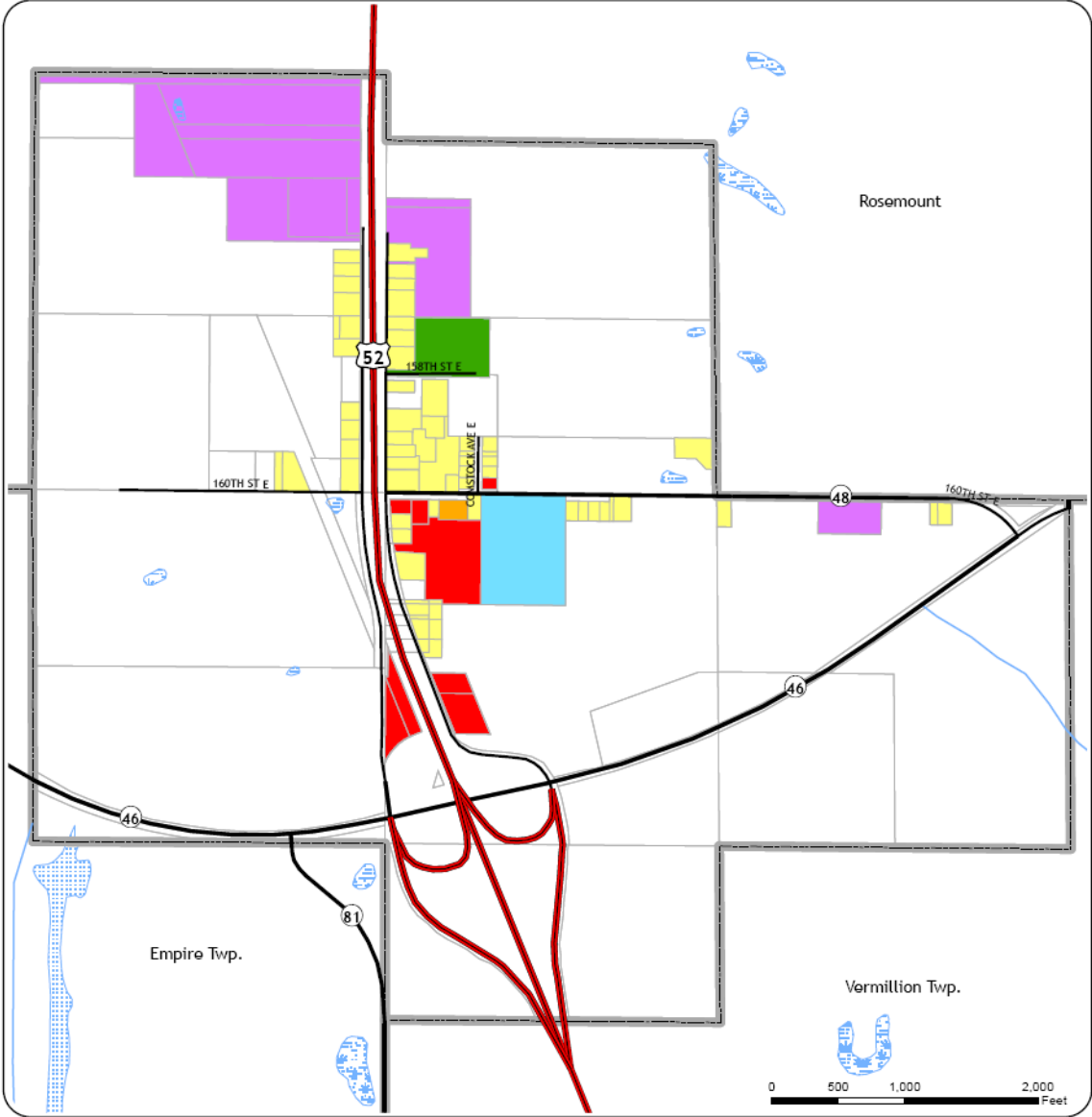


Figure 2 - 2007 Existing Land Use



Figure 4. Future Land Use
Coates

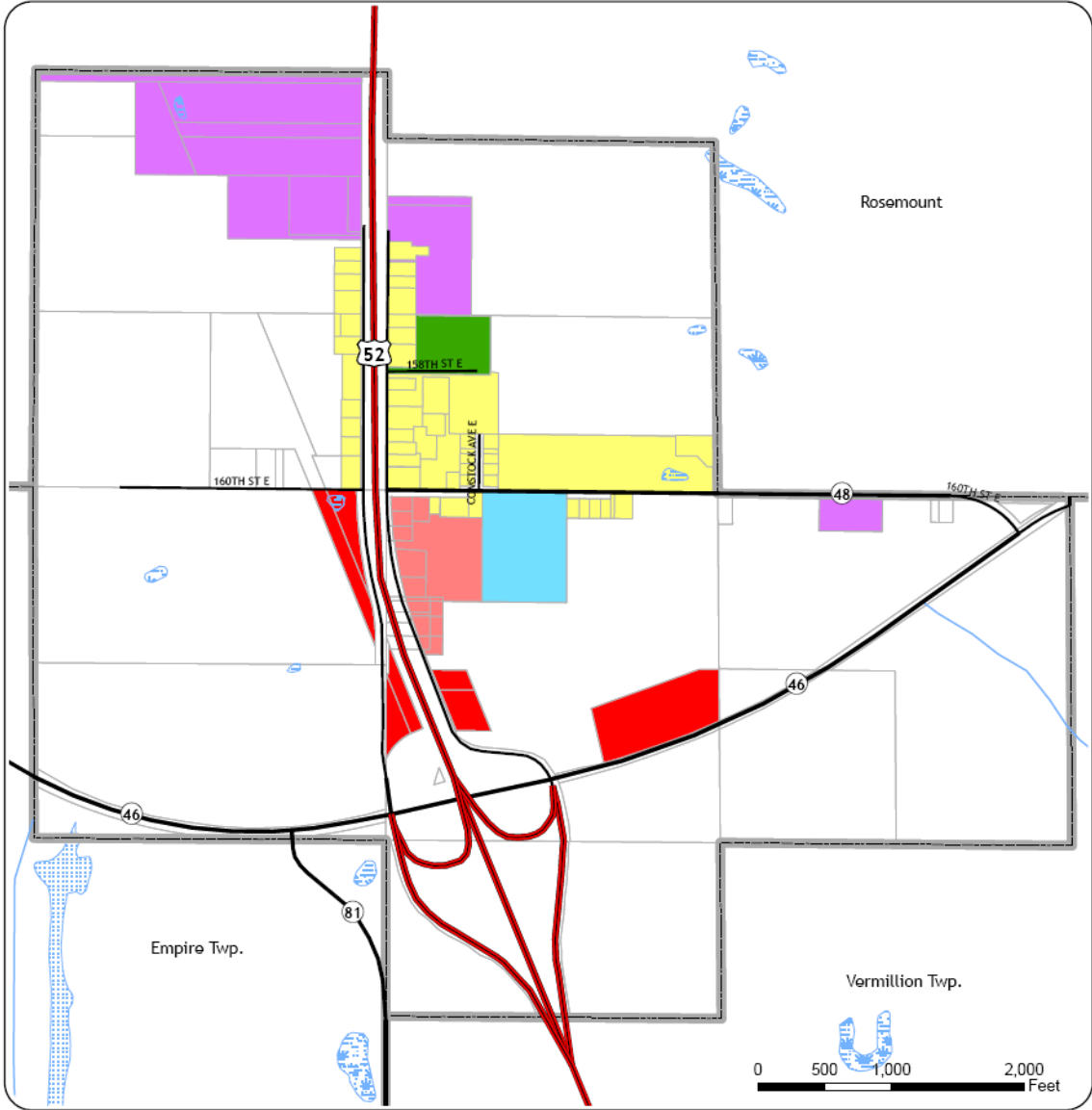


Figure 4 - 2030 Future Land Use

Land Use Category		City of Coates Dakota County, MN	
Agriculture/Vacant	Commercial (includes golf)	Watershed Boundary	 <small>Source: Dakota County May 2008</small>
Low Density Residential	Public/Institutional	Lakes	
Central Business District	Public Park, Recreation and Open Space	IIWI Wetlands	
Industrial (includes mining)		Floodplain Area	
		Streams	

Attachment A

From: Dean Johnson [mailto:rscmn@spacestar.net]
Sent: Tuesday, May 26, 2009 2:17 PM
To: Boylan, Patrick
Subject: RE: Coates

Hi Patrick – Coates should be Diversified Rural until they start legitimate sewer planning. If the City needs to initiate the change in planning designation, consider the language you copied as the “request.” The City Council discussed this last year and agree Diversified Rural is more appropriate, but I have no other official request for you. If you can use that language as the request, please do so!

Dean

Dean Johnson
Resource Strategies Corporation
1611 Hill Ridge Terrace
Minnetonka, MN 55305

952-513-9548 (phone)
952-513-9549 (fax)

From: Boylan, Patrick [mailto:Patrick.Boylan@metc.state.mn.us]
Sent: Tuesday, May 26, 2009 1:59 PM
To: 'Dean Johnson'
Subject: Coates

Dean,

I am getting ready to draft a “complete” letter for the City of Coates, but have a question for you:

On page 15, 2nd paragraph:

The Developing Community designation for Coates is premature; although, the City would like to plan for metropolitan wastewater service in the future. The City will discuss options for regional wastewater service with the Metropolitan Council and the City of Rosemount.

At this time, is it the City’s intent to change their official planning designation to “Diversified Rural,” or not?

Let me know,

Patrick

Patrick Boylan, AICP
Senior Planner
Metropolitan Council | 390 Robert Street N | St. Paul, MN 55101-1805
direct: 651-602-1438 | Fax: 651-602-1674 | www.metrocouncil.org