

**C** Community Development Committee  
 Meeting date: December 7, 2009

**E** Environment Committee  
 Meeting date: December 8, 2009

| ADVISORY INFORMATION      |                                                                                                                                                                                      |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date:                     | November 24, 2009                                                                                                                                                                    |
| Subject:                  | City of Newport 2030 Comprehensive Plan Update<br>Review File No. 20595-1<br>Tier II Comprehensive Sewer Plan                                                                        |
| District(s), Member(s):   | District 12, Councilmember Sherry Broecker                                                                                                                                           |
| Policy/Legal Reference:   | Minnesota Statutes Section 473.175                                                                                                                                                   |
| Staff Prepared/Presented: | Tom Caswell, Principal Reviewer (651-602-1319)<br>Phyllis Hanson, Local Planning Assistance Manager (651-602-1566)<br>Kyle Colvin, Engineering Services Asst. Manager (651-602-1151) |
| Division/Department:      | Community Development/Planning and Growth Management<br>Environmental Services/Engineering Services                                                                                  |

**Proposed Action**

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

**Recommendation of the Community Development Committee:**

1. Authorize the City of Newport to put its 2030 Comprehensive Plan Update into effect.
2. Accept the forecasts in the Review Record.
3. Advise the City:
  - a. to participate in Council activities to monitor redevelopment; and,
  - b. Implement the advisory comments noted in the Review Record for surface water management and water supply.

**Recommendation of the Environment Committee:**

1. Approve the City of Newport’s Tier II Comprehensive Sewer Plan.

## ADVISORY COMMENTS

### City of Newport 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20595-1– Council Business Item No. 2009-440

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update (“Update”) and approving the City’s Tier II Comprehensive Sewer Plan:

#### 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 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).

#### Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update also receives final approval by the City’s governing body. After the Update receives final approval by the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council Resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

## Background

The City is located in the southwestern portion of Washington County along the Mississippi River, surrounded by the cities of St. Paul, Maplewood, Woodbury, Cottage Grove, and St. Paul Park (see Figure 1).

The *2030 Regional Development Framework (RDF)*, as amended in December 2006, identifies the City as located within the "Developed" geographic planning area, (see Figure 2).

The City submitted its 2030 Comprehensive Plan Update (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 – Upon Council acceptance of the Update |
| 2. Housing                                            | Yes                                         |
| 3. 2030 Regional Development Framework and Land Use   | Yes                                         |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes                                         |
| 5. Water Supply                                       | Yes                                         |

### 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 of Newport received a Local Planning Assistance Grant of \$20,000 in August 2007.

## Known Support / Opposition

There is no known opposition.

# **REVIEW RECORD**

## **City of Newport *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*. It acknowledges and plans for the proposed Mississippi River Regional Trail through the City, which will travel north into St. Paul and south to connect to the proposed Grey Cloud Island Regional Trail in Cottage Grove.

#### **Transportation**

*Reviewer: Ann Braden (MTS-Systems Planning (651-602-1711))*

The Update conforms to the *Transportation Policy Plan (TTP)* adopted in 2004, and addresses all the applicable transportation and transit requirements of a comprehensive plan.

Newport is served by segments of two principal arterials: I-494 and Highway 61. There are no further expansion plans for the metropolitan highways located within the City since the completion of I-494/TH 61. The City is within the Metropolitan Transit Taxing District, in 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. The City is located within the Red Rock Commuter Rail corridor.

## **Aviation**

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

The Update is in conformance with the 2030 TTP (2004) for aviation and is consistent with Council aviation policies.

## **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* (WRMPP). The Update summarizes the City's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's recommended forecasts for population, households, and employment.

The Metropolitan Council Environmental Services currently provides wastewater treatment services to the City. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Metropolitan Wastewater Treatment Plant in St. Paul. The City is provided wastewater conveyance service through interceptor 7102. The Update projects that the City will have 2,100 sewer households and 6,450 sewer employees by 2030. The Metropolitan Disposal System with its planned scheduled improvements has or will have adequate capacity to serve the City's growth needs.

The Update provides sanitary flow projections in 5-year increments. The rationale, for the projections, is given in the Update and determined appropriate for planning for local services.

The City is not currently identified as a community impacted by wet weather inflow and infiltration (I/I) occurrences. The Update however does include a description of an I/I reduction plan which includes inspection and regular maintenance of the sanitary sewer system. The City has adopted an ordinance that prohibits sump pumps from discharging into the sanitary sewer system.

### **Tier II Comments**

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developed communities. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the City, the action of the Council to approve the Tier II Plan becomes effective. At that time, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

### **Surface Water Management**

*Reviewer: Judy Sventek, ES-Water Resources Assessment (651-601-1156)*

The Update is in conformance with the WRMPP for local surface water management. The City lies within the South Washington watershed. The South Washington Watershed District's latest watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2007. Newport prepared a Stormwater and Surface Water Management Plan (Plan) as part of its Update that was reviewed by Council staff under separate cover.

Advisory Comment

The City needs to send the Council the date the Watershed District approves the Plan, the date the City adopts the final Plan, and a copy of the final adopted Plan.

**CONSISTENCY WITH COUNCIL POLICY**

**Forecasts**

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

The Update is consistent with Council expectations and regional policy for forecast-related content.

The Update’s forecasts for total population, households and employment are consistent with Council forecasts. However, the forecasts for sewered population, household and employment used in *Chapter VI: Public Facilities and Services* are slightly lower than Metropolitan Council System Statement forecasts. The reason for this difference is that the System Statement forecasts project that all households and employment will be sewered by 2010; the Update, by comparison, projects that some households and employment will remain unsewered by 2030. The City’s preferred sewered forecasts are shown in the Table 2. Council staff find the City’s assessment reasonable and appropriate.

The Council forecast will be revised, effective upon Council approval of the Update.

**Table 1.**

City and Council Total forecasts

|            | <b>2000</b> | <b>2010</b> | <b>2020</b> | <b>2030</b> |
|------------|-------------|-------------|-------------|-------------|
| Population | 3,715       | 3,800       | 4,400       | 4,890       |
| Households | 1,418       | 1,580       | 1,850       | 2,130       |
| Employment | 2,480       | 3,900       | 5,200       | 6,500       |

**Table 2.**

Sewered and unsewered revised and System Statement forecasts

|                   | System Statement Forecasts |             |             | Revised Council Forecasts |             |             |
|-------------------|----------------------------|-------------|-------------|---------------------------|-------------|-------------|
|                   | <b>2010</b>                | <b>2020</b> | <b>2030</b> | <b>2010</b>               | <b>2020</b> | <b>2030</b> |
| <b>Population</b> |                            |             |             |                           |             |             |
| Unsewered         | 0                          | 0           | 0           | 130                       | 110         | 70          |
| Metro sewered     | 3,800                      | 4,400       | 4,890       | 3,670                     | 4,290       | 4,820       |
| <b>Households</b> |                            |             |             |                           |             |             |
| Unsewered         | 0                          | 0           | 0           | 60                        | 50          | 30          |
| Metro sewered     | 1,580                      | 1,850       | 2,130       | 1,520                     | 1,800       | 2,100       |
| <b>Employment</b> |                            |             |             |                           |             |             |
| Unsewered         | 0                          | 0           | 0           | 90                        | 80          | 50          |
| Metro sewered     | 3,900                      | 5,200       | 6,500       | 3,810                     | 5,120       | 6,450       |

**Regional Development Framework and Land Use**

*Reviewer: Mark VanderSchaaf, CD-Local Planning Assistance (651-602-1441)*

The City is defined in the 2030 Regional Development Framework as a developed community. The Update is consistent with Council policy in establishing a minimum residential density for future residential development of more than 3 units per net acre. The Update contains a discussion of the residential uses proposed in the City as well as the densities allowed in each category. The City is planning for "Conservation Residential" on the bluff areas in eastern Newport. This area has environmental constraints. It is proposed for densities of 2-3 residential units per net developable acre, with at least 50 percent of the land being preserved in permanent conservation easement. The proposed Conservation Residential area reduces the overall density for future residential development in the City and could result in the overall density of future development and infill being less than the standard for developed communities of 5 units per acre. This inconsistency with Council policy does not represent an impact on or departure from metropolitan systems, or system plans.

Advisory Comments: As a developed community, the City is advised to participate in the Council's activities to monitor future redevelopment.

**Residential Density Calculation - Redevelopment/Infill Areas**

| Land Use Category        | Density Range |      | Res. Acres    | Min Units   | Max Units   |
|--------------------------|---------------|------|---------------|-------------|-------------|
|                          | Min           | Max  |               |             |             |
| Single Family Detached   | 3.0           | 5.0  | 0.00          | 0           | 0           |
| Conservation Residential | 2.0           | 3.0  | 100.00        | 200         | 300         |
| Multi-Family             | 15.0          | 15.0 | 0.00          | 0           | 0           |
| Commercial/Residential   | 6.0           | 8.0  | 72.00         | 432         | 576         |
| <b>TOTALS</b>            |               |      | <b>172.00</b> | <b>632</b>  | <b>876</b>  |
| <b>Overall Density</b>   |               |      |               | <b>3.67</b> | <b>5.09</b> |

\* Information derived from Table 4-3: Planned Residential Densities

\* Does not count indicated development of 50 units on 50 vacant, platted lots guided as Single Family Detached (3-5 units /acre)

Tables 4-1 and 4-2 from the Update (below) show the existing and anticipated future land uses in the City.

**Table 4 - 1:  
Existing Land Use in 2005**

| <i>Land Use Type</i>           | <i>Acres</i> | <i>Percent</i> |
|--------------------------------|--------------|----------------|
| Agricultural                   | 55           | 2.23%          |
| Single Family Detached         | 667          | 27.06%         |
| Single Family Attached         | 1            | 0.04%          |
| Multi-Family                   | 25           | 1.01%          |
| Retail and Other Commercial    | 66           | 2.68%          |
| Mixed Use Residential          | 2            | 0.08%          |
| Industrial and Utility         | 257          | 10.43%         |
| Institutional                  | 45           | 1.83%          |
| Park, Recreational or Preserve | 156          | 6.33%          |
| Major Highway                  | 240          | 9.74%          |
| Railway                        | 51           | 2.07%          |
| Undeveloped                    | 744          | 30.18%         |
| Water                          | 156          | 6.33%          |
|                                | 2,465        | 100.00%        |

*Source: Metropolitan Council, TKDA*

**Table 4 - 2:  
2030 Future Land Use**

| <i>Land Use Type</i>     | <i>Acres</i> | <i>Percent</i> |
|--------------------------|--------------|----------------|
| Single Family Detached   | 720          | 29.2%          |
| Conservation Residential | 523          | 21.2%          |
| Multi-Family             | 17           | 0.7%           |
| Commercial/Residential   | 224          | 9.1%           |
| Commercial/Business Park | 47           | 1.9%           |
| Light Industrial         | 80           | 3.3%           |
| General Industrial       | 151          | 6.1%           |
| Institutional            | 63           | 2.6%           |
| Park                     | 188          | 7.6%           |
| Transportation           | 296          | 12.0%          |
| Water                    | 156          | 6.3%           |
|                          | 2,465        | 100.0%         |

## **Housing**

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

The Update fulfills the housing planning requirements of the Metropolitan Land Planning Act. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020 which is 68 units. To provide opportunities to meet this need the Update indicates that approximately 72 acres of land is guided in the mixed use Commercial/Residential development (above), at 6-8 units per acre. The Update provides



the implementation tools and programs the city will use to promote opportunities to address its share of the region's housing need. These include maintaining a strong relationship with the Washington County HRA, accessing federal, state and local housing resources, considering establishment of a Housing Rehabilitation Revolving Loan Program, and working with adjacent communities to coordinate a Multifamily Housing Association. The City is an active participant in the Local Housing Incentives program of the Livable Communities Act.

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

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

The Update is consistent with the *Water Resources Management Policy Plan (WRMPP)* for ISTS. It indicates there are 78 ISTS in operation, primarily in the northeast and southeast Conservation Residential land use areas. The City has contracted with Washington County to oversee the installation, operation, and maintenance management of ISTS in the community. The County's program is consistent with MPCA Rules and Council policy requirements.

### **Water Supply**

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

The Update is consistent with the WRMPP for water supply.

### Advisory Comment

The City is recommended to continue to implement conservation programs targeted at reducing residential water use.

### **Resource Protection**

#### ***Historic Preservation***

*Reviewer: Tom Caswell, CD-Local Planning Assistance (651-602-1319)*

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

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

*Reviewer: Tom Caswell, CD-Local Planning Assistance (651-602-1319)*

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

#### ***Aggregate Resource 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. It identifies, consistent with *Minnesota Geological Survey Information Circular 46*, that there are substantial scattered aggregate resource deposits in the community. However, there are no current extraction operations within the City, and the remaining resources tend to be within areas having strong environmental constraints or existing development.

#### ***Mississippi River Critical Area***

*Reviewer: Tori Dupre, CD – Local Planning Assistance (651-602-1621)*

The Update includes a Mississippi River Critical Area component addressing the 668 acres within the Critical Area's "Urban Diversified" (north) and "Urban Developed" (south)

districts. The City's current Critical Area Plan addresses state Critical Area Act requirements, and federal "Mississippi National River and Recreation Area" standards. The City proposes no land use or policy changes to the existing critical area plan which the Metropolitan Council reviewed on July 12, 2000 (Business Item 2000-255). The Council will forward the final action and review record to the Minnesota Department of Natural Resources and National Park Service for their records.

**PLAN IMPLEMENTATION**

*Reviewer: Tom Caswell, CD-Local Planning Assistance (651-602-1319)*

The Update includes a description of:

- Capital improvement Program Yes
- Zoning Code Yes
- ISTS (referenced) Yes
- Housing Implementation Programs Yes

The Update includes a description of the future land use categories and related residential densities, the zoning map and the capital improvement program.

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

The City submitted the draft Update to adjacent local units of government, school districts, counties and special districts for comment on October 15, 2008. No incompatibility issues emerged.

**DOCUMENTS SUBMITTED FOR REVIEW**

- The City of Newport 2030 Comprehensive Plan Update, May, 2009
- Supplemental material, September 24, 2009

**ATTACHMENTS**

- Figure 1: Location map of regional systems
- Figure 2: 2030 Regional Development Framework
- Figure 3: Existing Land Use Map
- Figure 4: 2030 Future Land Use Map

Figure 1. Location Map Showing Regional Systems

# Newport

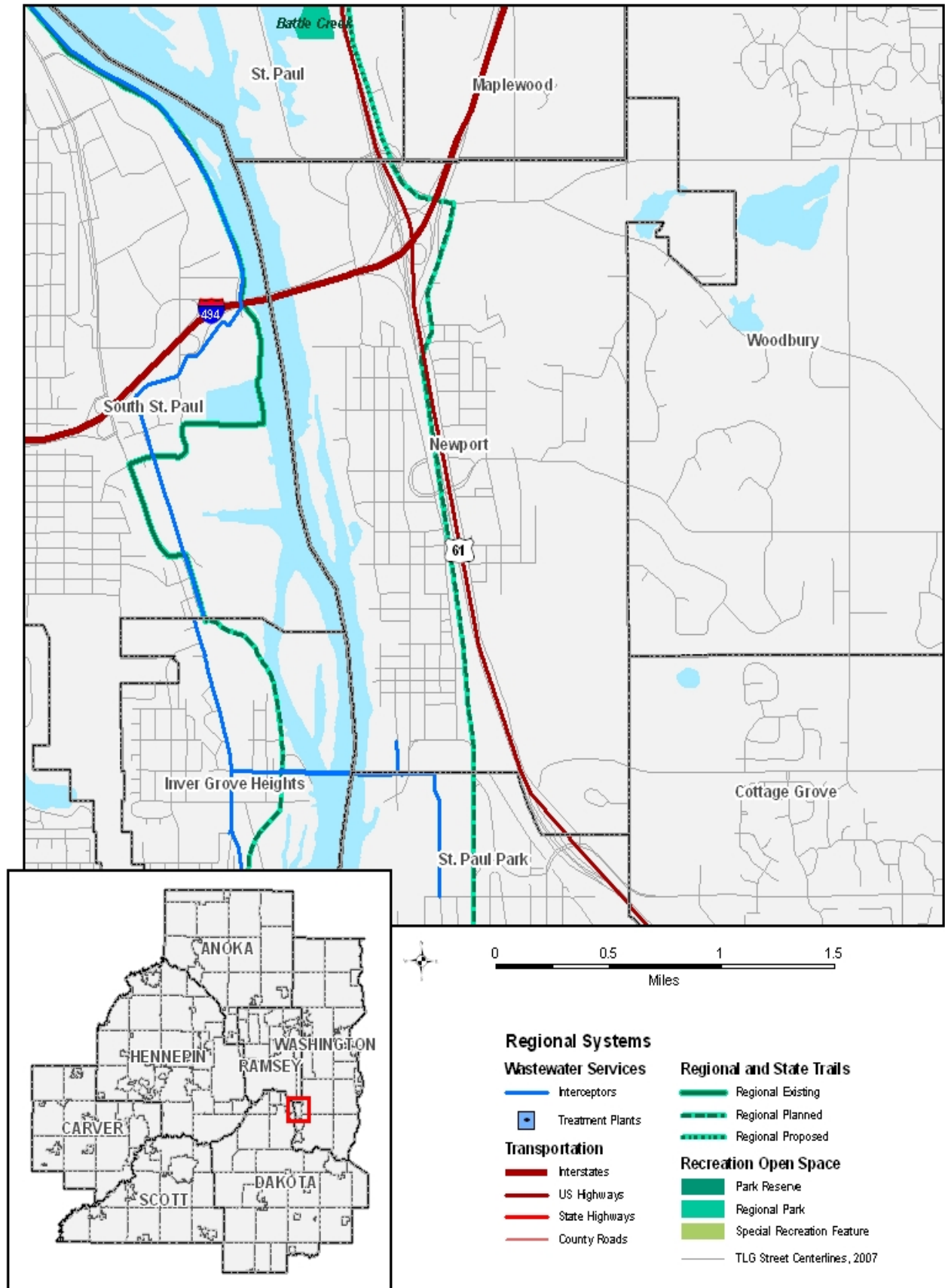
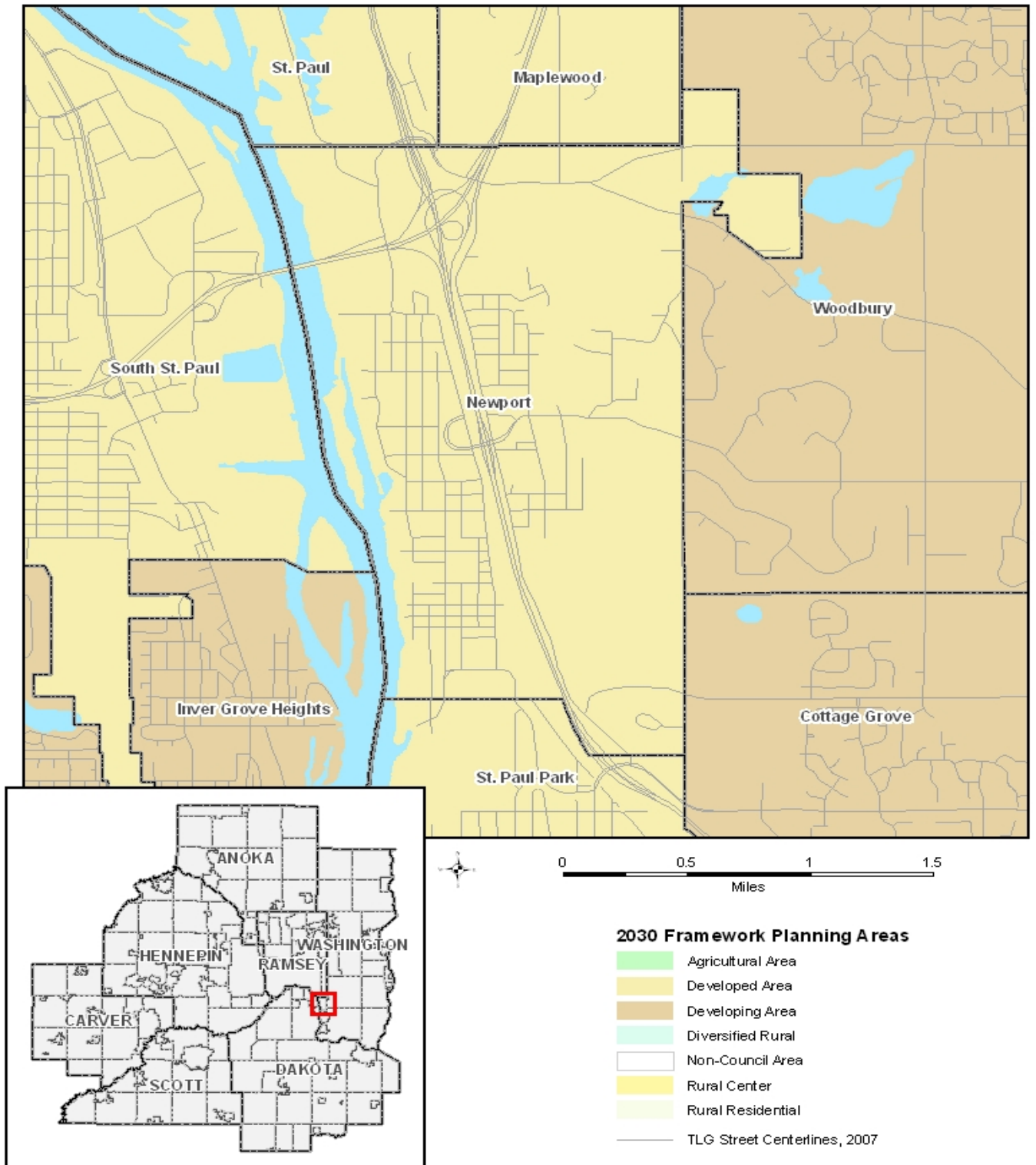


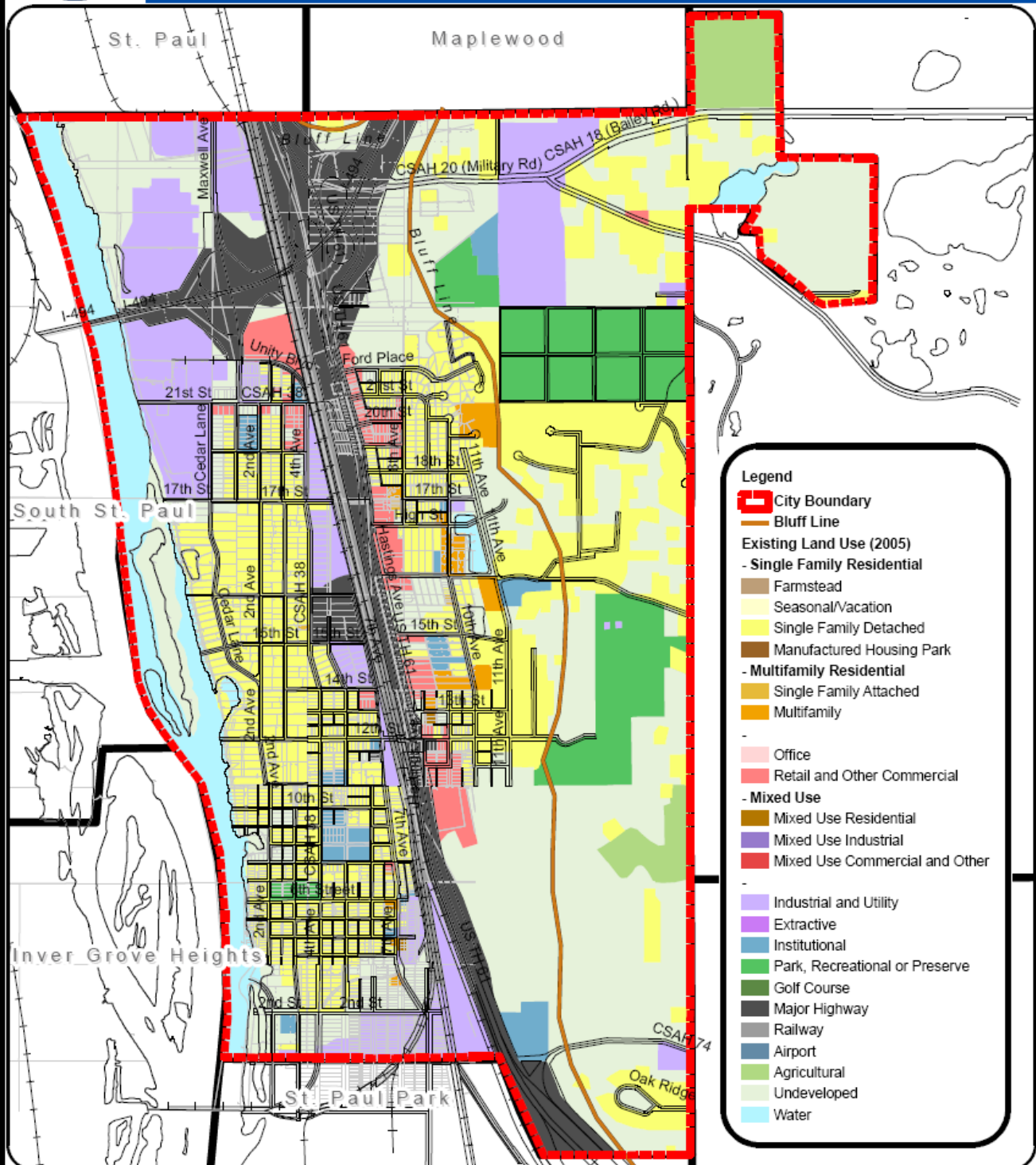
Figure 2. 2030 Regional Development Framework Planning Areas  
**Newport**





# City of Newport Land Use (2005)

Comprehensive Plan - DRAFT

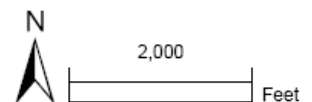


**Legend**

- City Boundary
- Bluff Line
- Existing Land Use (2005)**
- Single Family Residential
  - Farmstead
  - Seasonal/Vacation
  - Single Family Detached
  - Manufactured Housing Park
- Multifamily Residential
  - Single Family Attached
  - Multifamily
- Office
  - Office
  - Retail and Other Commercial
- Mixed Use
  - Mixed Use Residential
  - Mixed Use Industrial
  - Mixed Use Commercial and Other
- Industrial and Utility
  - Industrial and Utility
  - Extractive
  - Institutional
  - Park, Recreational or Preserve
  - Golf Course
  - Major Highway
  - Railway
  - Airport
  - Agricultural
  - Undeveloped
  - Water

**TKDA**  
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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.



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Figure 4

