

# C Community Development Committee

For the Metropolitan Council meeting of December 10, 2008

## ADVISORY INFORMATION

**Subject:** City of Corcoran Comprehensive Plan Update Extension Request

### Proposed Action:

That the Metropolitan Council extend the City's "decennial" comprehensive plan update (Update) submission deadline to May 29, 2009, subject to the following terms and conditions:

1. If the City submits the Update to the Council by May 29, 2009 that is "complete" for review as defined in the Council's *Local Planning Handbook* and the adjacent review requirements have been completed by May 29, 2009, the City will be eligible to receive the second disbursement of grant funds described in the grant agreement.
2. If the adjacent review requirements have not been completed by May 29, 2009, but the City submits the Update to the Council by May 29, 2009 that otherwise is "complete" as defined in the Council's *Local Planning Handbook*, the City will be eligible to receive the second disbursement of grant funds described in the grant agreement.
3. If the City has not submitted the Update by May 29, 2009 that is "complete" as defined in the Council's *Local Planning Handbook*, the City must repay by July 30, 2009 all grant funds paid to the City under the grant agreement.
4. The grant agreement should be amended to: (a) extend the December 31, 2008 plan update submission deadline to May, 29, 2009; (b) reflect these terms and conditions; (c) make the execution of the grant amendment expressly conditioned on the City's acceptance of these terms and conditions; (d) require a written bi-monthly progress report that describes in reasonable detail the City's progress toward meeting the May 29, 2009 deadline; and (e) in order to accommodate the statutory 6-month adjacent and special jurisdiction review period, the community must submit its final Update no later than December 31, 2009, and notify the Council of any changes made to the Update from the May 29, 2009 submission.

### Summary of Committee Discussion / Questions:

Council staff presented an overview of the request received from Corcoran for extension of the deadline for submitting the City's comprehensive plan update. The Committee focused on two distinct groups of cities making requests; 1) those without local planning assistance grants from the Council; and 2) the three that have been given local planning assistance grants.

Interim City Administrator Todd Bodem informed the Community Development Committee that Corcoran has faced challenges in transitioning from a rural community to one that will be receiving sewer for the first time. In addition, the City has had staff turnover as well as funding pressures. Chair Steffen asked if the City will be able to submit their plan to the Council by the end of May. Interim Administrator Bodem said that the City will submit their comprehensive plan to the Council by the end of May 2009, at which time the comprehensive plan will also be distributed to adjacent communities for review. He said the City now has additional professional planning assistance for the comprehensive plan and comprehensive plan committee working on their update.

The City of Corcoran has been given a local planning assistance grant. This agreement requires, among other things, that the plan updates be submitted by December 31, 2008. Corcoran has received the first half of the \$20,000 grant. The Committee decided that if the City does not submit a complete plan by the extended due date, the City will not receive the second half of the grant and will be required to re-pay the original installment. For Corcoran, this amounts to \$10,000.

Committee member Bowles moved to add a provision to the proposed actions a final date by which communities must submit their Updates to accommodate the required statutory 6-month review period and to respond to any comments received during that period.

The Committee agreed (5-2 vote) to extend the Update submission deadline to May 29, 2009, for these cities subject to the terms and conditions detailed under Proposed Actions above, including provision 4(e) as moved by Committee member Bowles.



# Community Development Committee

Meeting date: November 17, 2008

Business Item

Item: 2008-329

## ADVISORY INFORMATION

<b>Subject:</b>	City of Corcoran Comprehensive Plan Update Extension Request
<b>District(s), Member(s):</b>	District 1, Roger Scherer
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. § 473.175)
<b>Staff Prepared/Presented:</b>	Freya Thamman, Principal Reviewer (651-602-1750) Phyllis Hanson, Manager, Local Planning Assistance (651-602-1566)
<b>Division/Department:</b>	Community Development / Planning & Growth Management

## Proposed Action

That the Metropolitan Council extend the City's "decennial" comprehensive plan update submission deadline to May 29, 2009 subject to the following terms and conditions:

1. If the City submits a plan update to the Council by May 29, 2009 that is "complete" for review as defined in the Council's *Local Planning Handbook* and the adjacent review requirements have been completed by May 29, 2009, the City will be eligible to receive the second disbursement of grant funds described in the grant agreement.
2. If the adjacent review requirements have not been completed by May 29, 2009 but the City submits a plan update to the Council by May 29, 2009 that otherwise is "complete" as defined in the Council's *Local Planning Handbook*, the City will be eligible to receive the second disbursement of grant funds described in the grant agreement.
3. If the City has not submitted a plan update by May 29, 2009 that is "complete" as defined in the Council's *Local Planning Handbook*, the City must repay by July 30, 2009 all grant funds paid to the City under the grant agreement.
4. The grant agreement should be amended to: (a) extend the December 31, 2008 plan update submission deadline to May, 29, 2009; (b) reflect these terms and conditions; (c) make the execution of the grant amendment expressly conditioned on the City's acceptance of these terms and conditions; and (d) require a written bi-monthly progress report that describes in reasonable detail the City's progress toward meeting the May 29, 2009 deadline.

## Background

In the request materials, the City of Corcoran indicated that staff workload and Planning Commission/City Council concerns contributed to the need to the requested extension. The City materials state that Corcoran has faced many challenges including transitioning from a rural community to one that will be receiving sewer for the first time, funding pressures and staff turnover. A new interim administrator was hired in January 2008. The City has had several months of planning sessions, but has faced challenges in channeling the public inputs. In addition, the City created comprehensive plan update subcommittees that meet monthly; however, more time is needed for these committees to work through comprehensive planning issues. These factors, as well as the need for additional professional planning assistance for the comprehensive plan, along with vigorous public participation have placed the City a year behind in its comprehensive plan update process. The City indicates that the draft of the comprehensive plan will be complete by early April 2009, with the adjacent community and affected jurisdiction review being initiated by April 23, 2009. The 6-month review period would then be complete in mid-October, allowing the community time to make any necessary changes and the City Council to take action to submit the plan to the Council by December 29, 2009.

May 2007 Council Action. In May 2007, the Council authorized staff to implement a local planning assistance grant program to help ensure qualifying local governments and counties could prepare and submit their “decennial” comprehensive plan updates to the Council by the statutory December 31, 2008 deadline.

Grant Agreement. The City was awarded a \$20,000 Local Planning Assistance Program grant in August 2007. The grant agreement requires the City to:

1. review and update its comprehensive plan by December 31, 2008;
2. submit its draft plan update to adjacent governmental units by June 30, 2008;
3. discuss its draft plan with watershed management organizations;
4. submit a “complete” plan as described in the Council’s *Local Planning Handbook*; and
5. ensure its plan conforms with the Council’s metropolitan system plans.

The grant agreement further provides that if the City does not comply with the terms and conditions of the agreement, “the Council may take any action to protect its interests and may require the [City] to return all or part of the [grant] funds.”

December 31, 2008 Deadline. Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans on a decennial basis. The current “decennial” review deadline is December 31, 2008. Section 473.864 authorizes the Council to grant extensions to local governmental units to allow those units additional time to review and, if necessary, amend their comprehensive plans. The extensions must include a timetable and plan for completing the plan review and amendment.

June 2008 Council Action. On June 25, 2008, the Council adopted guidelines for granting requests to extend the “decennial” plan update submission deadline. Subject to certain conditions, the guidelines authorized staff to “administratively” grant extensions to May 29, 2009. If plan updates and adjacent reviews could not be completed by May 29, 2009, the guidelines state that extension requests require action by the Council’s governing body.

## **Rationale**

Local comprehensive plan updates can be challenging for cities, particularly cities that are experiencing (or are expected to experience) significant land use changes. Some cities have limited resources to meet these types of planning challenges and public input processes sometimes can be very time consuming. The City of Corcoran is working on a draft of its comprehensive plan, has had numerous open houses, comprehensive plan subcommittees that meet monthly, and recently retained an additional consulting planner to help complete the comprehensive plan. The City’s request for an extension to December 29, 2009 is seven months beyond that which could be administratively reviewed to allow completion of the City’s plan and then to accommodate a full six-month adjacent review period. However, the City contractually agreed to perform and complete certain statutorily required planning activities but failed to fulfill those agreements.

Staff recommends that the Metropolitan Council extend the City’s “decennial” update submission deadline to May 29, 2009 subject to the following terms and conditions:

1. If the City submits a plan update to the Council by May 29, 2009 that is “complete” for review as defined in the Council’s *Local Planning Handbook* and the adjacent review requirements have been completed by May 29, 2009, the City will be eligible to receive the second disbursement of grant funds described in the grant agreement.
2. If the adjacent review requirements have not been completed by May 29, 2009 but the City submits a plan update to the Council by May 29, 2009 that otherwise is “complete” as defined in the Council’s *Local Planning Handbook*, the City will be eligible to receive the second disbursement of grant funds described in the grant agreement.

3. If the City has not submitted a plan update by May 29, 2009 that is “complete” as defined in the Council’s *Local Planning Handbook*, the City must repay by July 30, 2009 all grant funds paid to the City under the grant agreement.
  
4. The grant agreement should be amended to: (a) extend the December 31, 2008 plan update submission deadline to May, 29, 2009; (b) reflect these terms and conditions; (c) make the execution of the grant amendment expressly conditioned on the City’s acceptance of these terms and conditions; and (d) require a written bi-monthly progress report that describes in reasonable detail the City’s progress toward meeting the May 29, 2009 deadline.

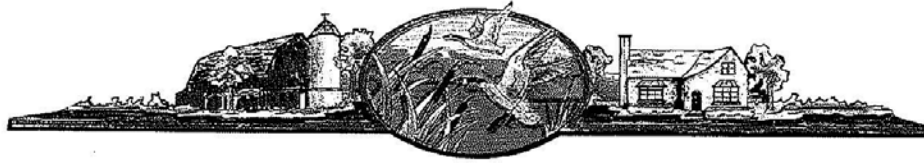
## **Funding**

Corcoran was one of 49 communities to receive a local planning grant from the Council. Half of the \$20,000 grant money has already been awarded, pursuant to the terms of the grant. The remaining \$10,000 is due to be awarded upon completion of the plan update, with the condition that it be submitted by December 31, 2008 as indicated in Section 2.01 of the planning grant agreement. The grant agreement allows for amendment of the agreement, including amending the plan update submission deadline. It is reasonable to agree to amend the planning grant agreement submission deadline to May 29, 2009.

In addition, the Metropolitan Council provided the City with a \$40,000 Planning Assistance Loan (L-2006-13).

## **Known Support / Opposition**

There is no known opposition.



## CITY OF CORCORAN

8200 COUNTY ROAD 116, CORCORAN, MN 55340  
763.420.2288 - OFFICE 763.420.6056 - FAX  
E-mail - [general@ci.corcoran.mn.us](mailto:general@ci.corcoran.mn.us) / Web Site - [www.ci.corcoran.mn.us](http://www.ci.corcoran.mn.us)

October 23, 2008

Metropolitan Council  
Community Development Committee  
390 Robert St. North  
St. Paul, MN 55101-1805

**RE: Request for Extension of Planning Period**

The City of Corcoran is working on the draft of its 2030 Comprehensive Plan. We have been working aggressively on our plan update. We feel that in 2008 there were significant gains in the update process through citizen participation. We now have a professional planner to help implement change.

Once the Planning Consultant finalizes all of the collective comments and ideological ideas, a draft document can be presented to Planning Commission, Parks and Trails Commission and the City Council. We feel fairly confident that a final draft of the plan can be approved by the City Council for jurisdictional review beginning in early April 2009. After the six month jurisdictional review period the Corcoran City Council could then hold a hearing and submit the plan to the Metropolitan Council towards the end of December 2009.

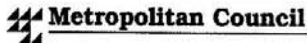
Since we will not be ready to submit the plan to the Metropolitan Council by the end of 2008, we respectfully request an extension of our planning period to December 29, 2009.

Should you have any questions regarding this letter or attached information, please feel free to contact me at 763-420-2288 extension 13.

Yours truly,

Todd Bodem  
Interim City Administrator

Enc.



### REQUEST FOR EXTENSION OF PLANNING PERIOD

Completed request form and accompanying Resolution must be received at the Metropolitan Council offices by **November 1, 2008**. Your responses to the following questions will provide the Metropolitan Council with information needed to help ensure plan completion.

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Community Name <u>Corcoran</u>	Request Date <u>October 2008</u>
Community Contact Person <u>Todd Bodem, Interim City Administrator</u>	Phone <u>763-420-2288 extension 13</u>
Email Address <u>tbodem@ci.corcoran.mn.us</u>	Fax <u>763-420-6056</u>

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**PLANNING PROCESS TIMELINE:** Please provide the target dates for each step of the planning process identified below.

Process Step	Target Date
Completion of draft plan text and mapping	<b>April 1, 2009</b>
Initiation of 6-month review/comment period by adjacent jurisdictions, affected special districts, and school districts	April 23, 2009
Public hearing date	November 5, 2009
City Council / Town Board / County Board action	November 12, 2009
Date of plan submission to Metropolitan Council	<b>December 29, 2009</b>
Completion of fiscal devises and official controls review/amendment	<b>May 20, 2010</b>

Please note that a target date for plan submission to the Metropolitan Council after May 29, 2009 will require a presentation to and formal action by the Metropolitan Council. If the Target Date for plan submission is prior to May 29, 2009, the extension may be administratively granted by the designated Metropolitan Council staff.

**PLANNING ISSUES:** Please place a checkmark (✓) next to the issue(s) identified below that are contributing to the need for the requested extension.

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Staff workload</li> <li><input type="checkbox"/> Contract planner delays</li> <li><input type="checkbox"/> Issues affecting adjacent communities</li> <li><input type="checkbox"/> Data/mapping/GIS</li> <li><input type="checkbox"/> MUSA expansion issues</li> <li><input type="checkbox"/> Area development or redevelopment plan(s) in process</li> <li><input checked="" type="checkbox"/> Planning Commission/City Council/Board member concerns</li> <li><input type="checkbox"/> Population, household, employment forecast issues</li> <li><input type="checkbox"/> Sewer flow forecast issues</li> <li><input type="checkbox"/> Growth staging plan</li> <li><input type="checkbox"/> Public participation process</li> <li><input type="checkbox"/> Metropolitan Council density policy issues</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Development of plan components:               <ul style="list-style-type: none"> <li><input type="checkbox"/> Existing land use</li> <li><input type="checkbox"/> Future land use</li> <li><input type="checkbox"/> Housing</li> <li><input type="checkbox"/> Surface water management</li> <li><input type="checkbox"/> Transportation</li> <li><input type="checkbox"/> Sewer Plan</li> <li><input type="checkbox"/> Park/Open Space Plan</li> <li><input type="checkbox"/> Water Supply Plan</li> <li><input type="checkbox"/> Historic Preservation Plan</li> <li><input type="checkbox"/> Implementation Plan</li> <li><input type="checkbox"/> Critical Areas/MNRRRA</li> <li><input checked="" type="checkbox"/> Other <u>Subcommittee work needed</u></li> </ul> </li> </ul> |
|---|--|

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**OTHER COMMENTS:** Please provide any additional comments here, included explanations as needed of planning issues checked on the previous page. Include a realistic appraisal of your community's ability to submit your updated plan for review by indicated deadline as well as the subsequent review/amendment of fiscal devices and official controls. (Use additional sheets as necessary.)

### **Extension Need/Purpose**

Corcoran faces many challenges. We are a diverse community with a large commuter population, no municipal water and sewer services, five school districts, and three zip codes. Building a focused, unified community is a recognized challenge. We are also experiencing rocketing land prices. The MUSA system has reached our eastern border and our opportunities are present and substantial. This is a critical time for the future of Corcoran.

As describe below, the community created a long range Comprehensive Plan between 1998 and 2002. However, we have lacked continuity in both our elected officials and city support staff, and we continue to struggle with implementation. We recognize that the best planning efforts can't achieve our vision without sustainable implementation strategies and the policies, procedures, and ordinances that will keep us moving forward. Corcoran currently uses a contract Planner who works on day-to-day zoning and project specific efforts/ we elect or re-elect a majority of our city council every two years, creating a real challenge to policy continuity and the level of elected official experience. Corcoran would benefit greatly from sustained professional planning assistance and implementation guidance.

Corcoran received a Met Council planning grant for the local surface water management plan that is required as part of the 2008 update. The local surface water management plan is nearly complete.

Corcoran is not wary of professional assistance. We understand that we can benefit from help, especially in the process of planning and implementation. We are a community with values and goals. We are a community that will protect our values and retain our identity in the future. We understand that our future is destined to include population and infrastructure changes and growth. Corcoran wants to retain its unique beauty, resources, and green space, while embracing the future.

### **Community visioning**

Corcoran began a "growth management" visioning effort in 1998. The effort was coordinated primarily by community volunteers with limited professional assistance. The volunteers worked in four committees: land use and zoning, waste-and surface-water planning, transportation, and natural resources. This was an effort in preparation for the Corcoran's first comprehensive plan. While volunteer effort was informative and beneficial, the lack of professional planning assistance made it very difficult to articulate planning policies and implementation tools.

Corcoran was able, generally during the period from 2000 to 2002, to translate its initial visioning process into the current Comprehensive Plan. The period of 2002 to 2004 saw a greater emphasis on developing implementation tools. Corcoran would greatly benefit form a renewed community visioning process. We lack the current ability to determine whether core community values have shifted, remained unchanged, or are adequately reflected in our land use plan and implementation tools and strategies.

We are attempting to update and extend our 2020 Comprehensive Plan to the year 2030, consistent with Met Council mandates. We have been working without planning assistance to where the process has been delayed. We have experienced and continue to receive tremendous citizen input and ideas. Our



challenge is to channel that community energy into a meaningful policy document that will guide us to a future we all accept and support.

We attempted a community survey in 2005 but had an extremely low response rate, and the results have not been incorporated into our city hall discussions in any meaningful way. We recognize the potential benefits of a community survey tool, but have lacked the professional resources to prepare, circulate, and interpret a credible survey.

Our city communications effort has been sporadic due to funding pressures and staff turnover. We have historically prepared a quarterly city newsletter, addressing multiple topics, but a newsletter hasn't been possible this year due to funding cuts and loss of city staff. Our community website has not been updated in a timely manner due to the same constraints. We would greatly benefit from a consistent, easily accessible forum for communication to our residents.

Corcoran is a passionate community with a demonstrated history of citizen participation and volunteerism in public processes. We have regular attendance of 20-30 citizens at our city council meetings. We have held open houses and workshops on a variety of matters, all of which were very well attended. We have had several months of comprehensive planning "open mike" sessions having attendance in excess of 100 citizens. We hope to capitalize on this pattern of citizen involvement as we work toward our Comprehensive Plan update.

Corcoran's challenge is to channel all our inputs into a comprehensive plan with implementation tools that are real and tangible for the immediate, mid-term, and long term future.

Recently the City Council implemented a work committee consisting of members of the city council, planning commission, parks and trails commission and citizens at large. There are two general focus areas—one focusing on Land Use while the other focuses on the collective topics of Infrastructure/Transportation/Natural Resources. Each of these Subcommittees meets monthly.

### **Community Growth Options Planning Grant**

Earlier it was mentioned that the City received a Community Growth Options Planning Grant in September 2008 from 1000 Friends of Minnesota. The grant is significant enough to where we have hired a professional planning firm to work with Corcoran in implementing the 2030 Comprehensive Plan.

### **Implementation**

However, we still need the time and that is why we are asking for this extension. Rest assured, with the community due diligence and new found professional planning help, this will get implemented and reviewed positively by our neighboring communities.

Corcoran and its citizens, commissions and planning consultant team are continuing to work aggressively on the comprehensive plan update. Our professional planner is working closely with our city engineer and knowing once all the elements are agreed upon, each chapter and associated mapping will pull together swiftly.

The overall delays from not having professional help, along with vigorous public participation has placed the city a year behind in its update process. Nonetheless, we feel with the efforts from the volunteers and the new found professional planning help, we feel confident that a draft of the entire comprehensive plan can be approved by the City Council on April 2009. We anticipate a few weeks of production work after Council approval of the draft. This would allow us to distribute the approved draft to other agencies for their review towards the end of April 2009. After the six month review period, the Corcoran City Council could then hold a hearing and submit the plan to the Metropolitan Council on December 29, 2009.

CITY OF CORCORAN  
RESOLUTION NO. 2008-39

MOTION BY: Jacobs  
SECONDED BY: Thomas

RESOLUTION REQUESTING ADDITIONAL TIME  
WITHIN WHICH TO COMPLETE COMPREHENSIVE PLAN  
"DECENNIAL" REVIEW OBLIGATIONS

WHEREAS, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their "decennial" reviews by December 31, 2008; and

WHEREAS, Minnesota Statutes section 473.864 authorizes the Metropolitan Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete the "decennial" review and amendments; and

WHEREAS, any extensions granted by the Metropolitan Council must include a timetable and plan for completing the review and amendment; and

WHEREAS, the City will not be able to complete its "decennial" review by December 31, 2008, for the following reasons: Lack of Professional help to accomplish its implementation.

WHEREAS, the City Council finds it is appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CORCORAN, MINNESOTA, AS FOLLOWS:

1. The City Administrator is directed to submit to the Metropolitan Council no later than November 1, 2008, an application requesting an extension to December 29, 2009.
2. The City Administrator must include with the request a reasonably detailed timetable and plan for completing: (a) the review and amendment by December 29, 2009; and (b) the review and amendment of the City's fiscal devices and official controls.

Adopted by the City Council of the City of Corcoran on October 9, 2008.

VOTING AYE

Guenther, Ken  
 Grabowski, Chuck  
 Hudok, Christopher  
 Jacobs, Paul  
 Thomas, Ron

VOTING NAY

Guenther, Ken  
 Grabowski, Chuck  
 Hudok, Christopher  
 Jacobs, Paul  
 Thomas, Ron

Whereupon, said Resolution is hereby declared adopted on this 9<sup>th</sup> day of October 2008.

Approved:

  
Mayor

Attested:

  
City Clerk