



Community Development Committee Environment Committee

For the Metropolitan Council meeting of August 26, 2009

ADVISORY INFORMATION

**Subject: City of Dayton 2030 Comprehensive Plan Update
Tier II Comprehensive Sewer Plan
Review File No. 20411-1**

Proposed Action:

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

1. Authorize the City of Dayton to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts for population, households, and employment for the City, as detailed in Table 2 of the attached Review Record;
3. Find the Critical Area plan consistent with Executive Order 79-19 and in conformance with regional systems plans and compatible with the plans of adjacent jurisdictions;
4. Forward the Council's Critical Area plan review, findings and recommendations to the Minnesota Department of Natural Resources for final approval according to Minn. Stat. 116G and to the National Park Service;
5. Advise the City:
 - a. it is required to participate in the Council's plat monitoring program beginning in 2010 and must submit annual reports to the Council consistent with Council guidelines;
 - b. it is required to submit comprehensive plan amendments as discussed in the Land Use section of the attached Review Record;
 - c. it is required to submit its final park dedication ordinance;
 - d. to implement the advisory comments in the Review Record, including those in the transportation, wastewater, and water supply sections; and
6. Approve the City of Dayton's Tier II Comprehensive Sewer Plan.

Background

A summary of the Dayton Update report was presented to the Environment committee on July 14, 2009. The Update was scheduled for the July 20, 2009 Community Development Committee (CDC). Discussion between CDC Chair Steffen and the City prior to July 20 CDC meeting resulted in the City requesting an extension of the 120-day review period from August 22 to Oct 22, 2009.

A meeting was held on August 6 to discuss the Dayton-Ramsey Bridge River Crossing, alignment alternatives from the River Crossing to I-94, and proposed I-94 Brockton Interchange. The meeting included City staff, Council members Steffen and Scherer, Council staff, MnDOT, Anoka County, and Tinklenberg Associates. Consequently, the Update's staff report's text related to transportation was amended. The amended text was solely transportation text and did not change any of the Recommendations presented to the Environment Committee.

At the August 17, 2009 CDC meeting, Chair Steffen introduced the amended text to CDC members, which also included a new figure showing scoping alternatives associated with the Dayton-Ramsey River crossing. The attached report includes the amended language and figure.

Summary of Committee Discussion / Questions:

Community Development Committee

Local Planning Assistance staff member Freya Thamman presented a summary of the Dayton Update report and proposed actions to the Committee. Ms. Thamman informed the Committee that City Administrator Samantha Orduno, Assistant City Administrator Erin Stwora, and the City's Consulting Planner Tina Goodroad were also available to answer questions.

Chair Steffen asked if the City receives sewer service from outside the region. Ms. Thamman indicated that the northern-most tip of Dayton receives sanitary sewer services from Otsego. Chair Steffen asked if the City of Dayton wanted to comment. City Administrator Samantha Orduno indicated fast growing communities have to work closely with the Council and appreciated working with Council staff. She also wanted to note for the record that Dayton had been working with the Minnesota Department of Transportation (MnDOT) on the proposed Brockton interchange and the City was aware of the MnDOT interchange requirements. In addition, Ms. Orduno indicated that discussions with MnDOT had included the Dayton-Ramsey Bridge crossing scoping alternatives from the future bridge to I-94, but Ms. Orduno also wanted it clarified for the record that there was a 4th, No-Build option.

The Committee did not have any questions or further discussion. A motion was made to approve the item as revised with amended text, which was moved and seconded. The Committee unanimously recommended adoption of the proposed actions.

Environment Committee

No issues were discussed. Motion to approve the City of Dayton's Tier II Comprehensive Sewer Plan was moved, seconded, and passed unanimously.

C Community Development Committee
Meeting date: August 17, 2009

E Environment Committee
Meeting date: July 14, 2009

ADVISORY INFORMATION	
Subject:	City of Dayton 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20411-1
District(s), Member(s):	District 1, Council Member Roger Scherer
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff Prepared/Presented:	Freya Thamman, Principal Reviewer (651-602-1750) Phyllis Hanson, Manager Local Planning Assistance (651-602-1566) Kyle Colvin, Asst. Manager Engineering Services (651-602-1151)
Division/Department:	Community Development/Planning & Growth Mgmt. Environmental Services / Engineering Services

Proposed Action

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

Recommendation of the Community Development Committee:

1. Authorize the City of Dayton to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts for population, households, and employment for the City, as detailed in Table 2 of the attached Review Record;
3. Find the Critical Area plan consistent with Executive Order 79-19 and in conformance with regional systems plans and compatible with the plans of adjacent jurisdictions;
4. Forward the Council's Critical Area plan review, findings and recommendations to the Minnesota Department of Natural Resources for final approval according to Minn. Stat. 116G and to the National Park Service; and
5. Advise the City:
 - a. It is required to participate in the Council's plat monitoring program beginning in 2010 and must submit annual reports to the Council consistent with Council guidelines.
 - b. It is required to submit comprehensive plan amendments as discussed in the Land Use section of the attached Review Record.
 - c. It is required to submit its final park dedication ordinance.
 - d. To implement the advisory comments in the Review Record, including those in the transportation, wastewater, and water supply sections.

Recommendation of the Environment Committee:

Approve the City of Dayton's Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of Dayton 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20411-1, Council Business Item No. 2009-237

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 of Dayton is located in northwest Hennepin County and is surrounded by the cities of Ramsey, Anoka, Champlin, Maple Grove, Corcoran, Rogers, and Hassan Township (see Figure 1).

The *2030 Regional Development Framework (RDF)*, as amended in December 2006, identifies the City as located within the "developing community" geographic planning area (see 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 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
(Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|---|------------------|
| 1. Forecasts | See Staff Report |
| 2. Housing | Yes |
| 3. 2030 Regional Development Framework and Land Uses | 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 Council awarded the City of Dayton a \$20,000 planning grant (SG2007-056) to help with the preparation of its Update. Fifty percent of the grant has been paid to date; the remainder awaits Council action on the Update and City adoption of the Update. In addition, the City also received a loan from the Council for \$40,000 (L-2006-11).

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

City of Dayton 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

Parks and Trails

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

The Update is in conformance with the *Regional Parks Policy Plan (RPPP)*. The RPPP includes three regional park and trail facilities in Dayton, which are the Elm Creek Park Reserve, Rush Creek Regional Trail, and the Crow River Regional Trail Search Corridor. The Update acknowledges these regional facilities.

TRANSPORTATION

Roads and Transit

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

The Update is in conformance with the *Transportation Policy Plan (TPP)* adopted in 2004 and addresses all the applicable transportation and transit requirements.

The Update's Transportation Plan shows a generalized area where a new Mississippi River Crossing between Dayton and Ramsey is planned for construction after 2030. A specific alignment for a connecting road to Interstate-94 has not yet been selected, although several alternatives were identified in a Scoping Study prepared by MnDOT in 2003 and are shown on Figure 3 (M.C. Review #19038-1).

The transportation system statement sent to the City after the adoption of the 2004 TPP stated that the general location of this crossing must continue to be shown in local comprehensive plans until a specific alignment is chosen through the environmental process.

I-94, a principal arterial, transects the southwestern corner of Dayton; however, there is no interchange access from the interstate into City. The development of a future roadway system and construction of a new interchange at I-94 and Brockton Lane was the focus of the Northwest Hennepin County Planning Study that was completed in 2008. Dayton and adjacent communities participated in this sub-area study and are incorporating the recommended future roadway system into their Updates.

The interchanges that are currently along this stretch of I-94 are located about six miles apart at Trunk Highway (TH) 101 in Rogers and County State Aid Highway (CSAH) 30 in Maple Grove. When TH 610 is completed, an interchange between TH 610 and I-94 will be added to this stretch. Brockton Lane is located midway between them at the border of Dayton and Hassan Township. Dayton is very supportive of an interchange at Brockton Lane/I-94. A new interchange at this location was originally proposed over twenty years ago, but was inconsistent with regional development plans for the Dayton area at that time. In 1999 a response to the first six qualifying criteria for new highway interchange requests was prepared and reviewed by the Minnesota Department of Transportation (MnDOT).

The next step in advancing the interchange would be for the City to submit a comprehensive plan amendment with a response to the remaining evaluation criteria for new highway interchange requests (see Appendix E of the current TPP). This amendment must show the alignments of potential roads connecting the future river crossing to I-94. In addition it needs to show their relationship to the Brockton interchange, since the design of the interchange will be strongly influenced by the design and location of the connecting road. The Update itself (Page 8-3 of the Transportation Chapter) states: "The Brockton/I-94 interchange design should identify the impacts to the interchange design if a river crossing is constructed. The corridor between a river crossing and interchange with I-94 shall be identified."

The City lies within the Metropolitan Transit Taxing District and lies within 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.

Advisory comments:

- The Update's functional classification map shows several collector roadways that are not included on the official Transportation Advisory Board's (TAB) functional classification map. To include these collectors on the TAB's map, the City must formally request inclusion through the Transportation Advisory Committee-Planning Committee, which is a separate process from the comprehensive plan update effort.
- As stated above, the City should submit a request to the Metropolitan Council and MnDOT for the Brockton Lane/I-94 interchange in accordance with the review procedures found in Appendix E of the current TPP.

Aviation

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

The Update is in conformance with the *Transportation Policy Plan* and is consistent with Council aviation policy.

WATER RESOURCES MANAGEMENT

Wastewater Service

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

The Update is in conformance with the *Water Resources Management Policy Plan*. The Update summarizes the City's vision for the next 20 years or to year 2030. The Update includes 2010, 2020 and 2030 growth forecasts for population, households and employment that were found acceptable by the Council.

Current wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services. The majority of wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Metropolitan Wastewater Treatment Plant (WWTP) located in St. Paul. There are three individual areas within the City that are provided wastewater services through intercommunity agreements. The "Historic Village" area is provided wastewater services by the City of Ostego who owns and operates their municipal WWTP. The second area, near Diamond Lake, is provided service through the City of Rogers who also owns and operates their WWTP. Service to both these areas is identified in the Update as interim with long-range service being provided through the Regional Disposal System. The third area that is provided service through an agreement with the adjoining City of Champlin for an area near Elm Creek Road.

The City's regional wastewater conveyance service is provided through two individual connections to Council interceptors 8010 (CAB interceptor) and 900430A (Elm Creek Interceptor). The Update projects it will have 14,600 sewer households and 12,500 sewer employees by 2030. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve these needs.

The Update provides sanitary flow projections in five-year increments. The rationale for the projections was given in the Update and were determined appropriate for planning for local services.

The City's Municipal Wastewater System Ordinance (No. 2004-06) allows homeowners with septic systems that are less than five years old to have up to five years to connect to the sanitary sewer system after services become available. This is inconsistent with Metropolitan Council's Rules and Regulations. However, these Rules are currently being revised to define the term "availability" of sanitary sewer service. The City will be expected to adopt these Rules and Regulations once they have been revised and adopted by the Council.

Dayton has not been identified as a community impacted by wet weather occurrences. As a community that until fall 2008 was not provided regional wastewater services, it had not developed nor adopted comprehensive strategies, priorities or programs pertaining to its wastewater conveyance system. The Update includes a copy of the City's Municipal Wastewater System Ordinance which prohibits the connection of roof and foundation

drains to the sanitary sewer system. In addition, the Update identifies the need to develop a wastewater system maintenance program.

The Update states that an overall sewer residential density of at least 3 units per net developable acre will be achieved and commits to this level of sanitary sewer development. In reviewing future sanitary sewer extension requests from the City, the Council will compare the City's residential density performance to such date to the goal of 3 units per net acre.

Tier II Comments

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developing 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 (651-602-1156)

The Update is in conformance with the *Water Resources Management Policy Plan* for local surface water management. The Update includes a brief summary of the City's adopted Local Surface Water Management Plan (LSWMP). Therefore, the Update meets the requirements for local surface water management plans.

Dayton lies entirely within the Elm Creek Watershed. The Elm Creek Watershed Management Commission's (ECWMC) watershed plan was approved by the Board of Water and Soil Resources in 2004. The City prepared a LSWMP in February 2007 in response to the ECWMC's 2004 watershed management plan. Council staff reviewed the LSWMP dated February 2007 under separate cover. The LSWMP was changed in response comments received from the Council and Elm Creek Watershed Management Commission. The revised LSWMP dated December 2007 was found to be consistent with Council policy and the Council's *Water Resources Management Policy Plan*.

CONSISTENCY WITH COUNCIL POLICY

FORECASTS

Reviewer: Libby Starling, CD - Research (651-602-1135)

The Update includes higher 2010 household and 2010 and 2020 employment forecasts that are inconsistent with Council forecasts. The remainder forecasts (underlined in Table 1) are within an acceptable range to be consistent with the forecasts Council staff agreed to in a letter to the City from Phyllis Hanson, Manager of Local Planning Assistance, dated February 13, 2008 (Attachment A).

The Update's forecasts are in Table 1:

Table 1. City of Dayton's Proposed Forecasts

	2010	2020	2030
Population	8,400	26,200	35,100
Households	<i>3,500</i>	10,900	14,600
Employment	<i>6,400</i>	<i>11,700</i>	12,500

The Council agreed to provide wastewater system capacity to serve the sewered forecasts in the City's Update (see Wastewater section of Review Record).

Council staff recommend the Update's forecasts for population, 2020 and 2030 households and 2030 employment. However, given the Council's 2008 population, household and employment estimates, staff recommend the 2010 households and 2010 and 2020 employment forecasts (italicized in Table 1) remain as negotiated with the City in the February 2008 letter. In addition, it is recommended the housing need number of 1,240 affordable units from the letter also remain.

Therefore, the below are Council staff recommended forecasts. The changes to the Update's forecasts are marked with an asterisk.

Table 2. Council's Recommended Revised System Statement Forecasts

	2010	2020	2030
Population	8,400	26,200	35,100
Households	2,900*	10,900	14,600
Employment	2,100*	8,000*	12,500

February 2008 Council negotiated forecast (see Attachment A)

The Metropolitan Council's forecasts will be officially revised, as shown in Table 2, effective upon Council action on the Update.

2030 REGIONAL DEVELOPMENT FRAMEWORK AND LAND USE

Reviewer: Freya Thamman, CD – Local Planning Assistance (651-602-1750)

The Update is consistent with the *Regional Development Framework* (RDF) policies for "developing communities". Developing communities are expected to accommodate growth, support centers along corridors, encourage connected land use patterns, and encourage the development of communities where shopping, jobs, and a variety of housing choices co-exist by design. Developing communities are also expected to accommodate sewered residential growth at a net density of 3 to 5 units per acre.

The City has developed a staging plan (Table 4.6 of the Update) to accommodate the forecasted growth through the year 2030, based on the minimum residential density. Using information provided in the Update, the City's planned minimum net residential density for sewered residential development is 3.0 units per net acre and is consistent with the Council's density policy.

Five-Year Staging (Update Table 4.6)

Staging	2030 Land Use	Gross Acres	Net Acres	Park Dedication**	Net Developable Residential Acres	Minimum Density (units/acre)	Unit Capacity
Current							
	Existing Sewered Low Density Residential*	491	467	0	467	1.18	551
	High Density Residential	41	37	4	34	10.00	337
	Low - Medium Density Residential	98	92	9	83	4.00	331
	Low Density Residential	744	702	70	632	2.30	1,453
	Critical Area Low Density Residential	101	99	10	89	2.20	196
	Medium Density Residential	91	86	9	77	6.00	462
	Mixed Use-25% Residential	312	287	29	65	8.00	517
	Critical Area Mixed Use	64	63	6	56	2.20	124
2010 - 2015							
	High Density Residential	132	112	11	101	10.00	1,005
	Low - Medium Density Residential	306	252	25	227	4.00	908
	Critical Area Low-Medium Density Residential	49	44	4	40	2.20	88
	Low Density Residential	1,292	1,060	106	954	2.30	2,194
	Critical Area Low Density Residential	43	41	4	37	2.20	82
	Medium Density Residential	118	73	7	65	6.00	392
	Mixed Use (Territorial Road)-25% Residential	48	47	5	11	8.00	85
	Mixed Use (Future Cty Rd)-50% Residential	86	76	8	34	8.00	273
2015 - 2020							
	Low - Medium Density Residential	42	39	4	35	4.00	142
	Low Density Residential	734	608	61	547	2.30	1,258
	Critical Area Low Density Residential	123	105	11	95	2.20	209
	Medium Density Residential	33	32	3	29	4.00	116
	Mixed Use (Future Cty Rd)-50% Residential	173	158	16	71	8.00	571
2020 - 2030							
	Low - Medium Density Residential	490	435	44	392	4.00	1,566
	Low Density Residential	830	711	71	640	2.30	1,471
Rogers-To MCES							
	Low Density Residential	59	55	6	50	2.30	115
Density (Unit Capacity/Net Developable Residential Acres)						3.0	

*Includes 42.78 net acres of existing sewered low density residential in Critical Area

**Park dedication based on City's adopted park dedication ordinance and Park Plan..

Until recently, the City had no regional sanitary sewer service and has been primarily Agricultural and Rural Residential (see Figure 4, Existing Land Use). Parts of the City have access to the regional sanitary sewer system. As shown on Figure 5 (Future Land Use), the City has guided land at higher densities, including low-medium, medium density, high density, and mixed use land use categories.

Beginning in 2010, the City is required to participate in the Council's plat monitoring program. As part of the plat monitoring program, the City must submit annual reports to the Council consistent with Council guidelines. The City's density as well as park dedication will be assessed annually as part of the plat monitoring program. The Update states that the City's revised Parks Ordinance will require a minimum of 10% park dedication and implementation of the Parks Plan. This ordinance is required as part of the final Update submittal.

Although the City meets the Council's density requirements, Dayton has several unique land use components that may require future comprehensive plan amendments. The

City's density will also be assessed with sanitary sewer extension requests and with any proposed comprehensive plan amendments.

Northeast Area - Existing Sewered/Unsewered Low Density Residential

The City received sanitary sewer in the fall of 2008. The future land use figure (Figure 5) shows the "Existing Sewered Low Density Residential" in northeast Dayton. These parcels consist primarily of large lots that were developed prior to sanitary sewer service. The average density for this area is 1.18 units/acre. The Update states that because of the existing land use pattern, additional subdivision will be unlikely. These "Existing Sewered Low Density Residential" lots were included in the City's density calculation (Table 4.6).

Figure 5 also shows the "Existing *Unsewered* Low Density Residential" land use category in northeast Dayton. This unsewered area is not included in the City's density calculation. The Update states that the land use pattern makes future subdivision difficult, although limited subdivision may occur in the future on larger parcels if sanitary sewer service is made available. If sanitary sewer is requested within this land use category, a comprehensive plan amendment will be required and will need to include an updated density calculation and analysis of meeting a minimum density of 3.0 units per net acre.

Sewered Residential Land Uses within the Critical Area

As discussed in the Critical Area section of the Review Record, a portion of northern Dayton lies within the Mississippi River Critical Area corridor where both State Critical Area Act requirements and Federal Mississippi National River and Recreation Area standards apply. This section of river corridor is also a State-designated Wild and Scenic River. The Minnesota Department of Natural Resources (MDNR) has final approval authority for the land uses within the Critical Area plan.

The Critical Area plan is in the Appendix of the Update, but the future land uses within the Critical Area are also shown on the Future Land Use Map (Figure 5). Figure 5 shows Low-Density Residential, Low-Medium Density Residential, and Mixed Use as future sanitary sewered residential land uses within the Critical Area. As shown in the City's density calculation (Table 4.6), 2.2 units/acre was assumed as the density for all the sewered residential land uses in the Critical Area.

The minimum allowed densities were used to calculate the City's net density with exception of residential land uses within the Critical Area. The Update states that the residential land uses within the Critical Area will be developed at a maximum density of 2.2 units/acre, as MDNR requirements in the Critical Area call for a minimum lot size of 20,000 square feet or cluster developments with 50% open space. The 20,000 square feet lot requirement equates to 2.2 units/ acre. The Mixed Use category has a minimum density of 8 units/acre, but within the Critical Area is limited to 2.2 units/acre. If residential parcels within the Critical Area request sanitary sewer and are less than the 2.2 units/acre, a comprehensive plan amendment will be required to determine the overall City density in terms of the 3.0 units per net acre policy.

Agricultural Preserves

The Update is consistent with Council policy for Agricultural Preserves. The Update indicates that the City has approximately 360 acres enrolled in the Agricultural Preserves Program under the Metropolitan Agricultural Preserves Act. The parcels in the City that are enrolled in the Agricultural Preserves Program are guided at 1 residential unit per 40 acres, which is consistent with Minnesota Statute §473.H.02 subdivision 7.

Section 473.H.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, evidenced by a maximum residential density permitting more than one unit per 40 acres.”

If parcels in the Agricultural Preserve Program expire and are no longer guided at 1 unit per 40 acres, then a comprehensive plan amendment will be required.

HOUSING

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

The Update is consistent with the Council’s policies on housing. The housing element fulfills the affordable housing planning requirements of the MLPA. The Update acknowledges the City’s share of the region’s 2011-2020 affordable housing need as 1,240 units.

To provide opportunities to meet this need, the Update indicates that approximately 94 net acres of land will be available through 2020 for medium density residential development at 6-12 units per acre and 101 net acres for high density residential development at 10+ units per acre. In addition, the Update designates 116 acres in the Mixed Use land use category that will be available for residential development with a minimum density designation of 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 allowing the creative use of site planning or Planned Unit Developments to provide flexibility for development of affordable housing and encouraging innovative subdivision design. The Update indicates the City will activate and utilize powers and tools of the City Economic Development Authority and/or create a Housing and Redevelopment Authority (HRA) to create new funds aimed at creating new affordable housing and will designate a portion of tax increment financing (TIF) to fund these activities. The City will partner with County, State, Federal agencies and non-profits to addressing affordable housing issues. In addition, the City will continue its participation in the Livable Communities Local Housing Incentives Program.

INDIVIDUAL SEWAGE TREATMENT SYSTEMS (ISTS) PROGRAM

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

The Update is consistent with the *Water Resources Management Policy Plan* for ISTS. There are currently 1,822 systems in operation serving the majority of the Dayton. The City’s ISTS Ordinance (Code Chapter 401) and maintenance management program are consistent with Minnesota Pollution Control Agency (MPCA) Rules and Council policy requirements.

WATER SUPPLY

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

The Update is consistent with the *Water Resources Management Policy Plan* for water supply. The Council recommends the City continue to implement conservation programs targeted at reducing residential water use.

RESOURCE PROTECTION

Historic Preservation

Reviewer: Freya Thamman, CD – Local Planning Assistance (651-602-1750)

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

Solar Access Protection

Reviewer: Freya Thamman, CD – Local Planning Assistance (651-602-1750)

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

Aggregate Resources Protection

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

The Update contains a section on Aggregate Resource Protection as required by the MLPA. The Update indicates that there are no known deposits of viable aggregate resources within the community. *Minnesota Geological Survey Information Circular 46* concurs with the City's determination.

Mississippi River Critical Area Plan

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

The Update and Critical Area plan is consistent with Executive Order 79-19 standards and guidelines. The City lies within the Mississippi River Critical Area corridor where both state Critical Area Act requirements and Federal Mississippi National River and Recreation Area (MNRRA) standards apply. The river corridor includes about 1,207 acres. The City prepared a Critical Area plan as part of the 1998 comprehensive plan update. In this review, the Council and the Minnesota Department of Natural Resources (MDNR) evaluated City's Critical Area plan using the *Rural Open Space District* guidelines. The Metropolitan Council took action on the City's Critical Area and MNRRA plan on February 28, 2001 (Review File No. 18121-2), forwarding favorable review findings and recommendations to the MDNR and National Park Service (NPS).

In October 2008, the MDNR informed the City that the Critical Area must be managed consistent with the overall guidelines in Executive Order 79-19 and is not subject to more restrictive *Rural Open Space District* requirements. The MDNR indicated that the City remains within the Wild and Scenic River (WSR) district, that development must meet Minnesota Rules governing WSR areas, and that new commercial uses are prohibited.

The MDNR has authority to approve the City's Critical Area plan and zoning ordinances. This section of river corridor is also a State-designated Wild and Scenic River. The Council found that the Critical Area plan is consistent with Executive Order 79-19 standards and guidelines. The Council will forward the review recommendations to the MDNR for final plan approval, and to the NPS.

The Critical Area plan contains future land use policies to extend sanitary sewer and water utilities over the next 20 years to serve future land uses that include Mixed Use and Low-Medium Density Residential. The Critical Area plan policies that guide future land use decisions specify that the City will follow State, Federal and local laws. The policies support future residential land uses, parks and open space, indicating that new or expanded development outside these parameters shall be limited and will occur at the designated commercial and mixed use areas only when sanitary sewer service is available.

PLAN IMPLEMENTATION

Reviewer: Freya Thamman, CD – Local Planning Assistance, (651-602-1750)

The Update includes a description of:

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

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 on April 7, 2008. Comments were received from Anoka, Ramsey, Maple Grove, Champlin, Rogers, Hassan, Hennepin County, Wright County, Three Rivers, Minnesota Department of Transportation (MnDOT). Four of the comments (Anoka, Ramsey, Champlin, and MnDOT) were in regards to planning for a future Mississippi River Bridge crossing and support of such efforts. The Mississippi River Bridge Crossing as well as the proposed I-94 Brockton Interchange was discussed a meeting on August 6, 2009, which included the City of Dayton, MnDOT, Anoka County, and Council staff. As far as other community comments on the Update, Maple Grove indicated that that it did not support the alignment of CR 117 as stated in comments on the Northwest Hennepin County I-94 Sub-Area Transportation Study. Otherwise there were no compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were indicated.

DOCUMENTS SUBMITTED FOR REVIEW:

- City of Dayton 2030 Comprehensive Plan Update, December 2008
- Comprehensive Plan Transmittal form, Adjacent Community Comments, Resolution, December 2008
- Supplemental Information: Land Use, Sewer, Parks, Transportation Chapters, Zoning Map and Definitions, April 2009
- Future Land Use Map following meeting with DNR, June 2009

ATTACHMENTS

Attachment A: City of Dayton Requested Forecast Change, Council Response letter, February 13, 2008

Figure 1: Location Map Showing Regional Systems

Figure 2: 2030 Regional Development Framework Planning Areas

Figure 3: Draft Scoping Decision Alternatives New Corridor & River Crossing Alternatives

Figure 4: City of Dayton Existing Land Use

Figure 5: City of Dayton Future Land Use Plan

City of Dayton Existing Land Use Table

City of Dayton Future Land Use Table

ATTACHMENT A



February 13, 2008

Samantha Orduno, City Administrator
City of Dayton
12260 S. Diamond Lake Rd.
Dayton, Minnesota 55327

**RE: City of Dayton, Requested Forecast Change
Metropolitan Council District 1 (Roger Scherer)**

Dear Ms. Orduno,

The City of Dayton's proposed increases to the system statement's population, household, and employment forecasts were received on January 23, 2008. The latest proposal replaces a previous request for change sent in December 2007.

The system statement has the following:

City of Dayton - System Statement: Revised Development Framework			
	2010	2020	2030
Population	5,600	20,100	28,700
Households	2,000	7,800	11,000
Employment	3,900	5,800	6,900

The City requested the below:

City of Dayton - Requested Forecast Change to the System Statement			
	2010	2020	2030
Population	8,665	26,556	35,096
Households	3,610	11,065	14,624
Employment	6,392	11,694	12,501

Council staff has reviewed the proposed forecast change for conformance with regional systems and consistency with Council policy. Staff comments are below:

Population and Household Forecasts (Todd Graham, Principal Forecaster, 651-602-1322)

Council staff recommends the following adjustment to the City's proposed population and household forecasts:

		2010	2020	2030
Population	Metro Plant			
	Sewer-Serviced	6,700	26,600	33,700
	City Total	8,400	28,200	35,200
Households	Metro Plant			
	Sewer-Serviced	2,300	10,200	13,400
	City Total	2,900	10,800	14,000

The difference between the Metro Plant Sewer-Serviced versus the City Total is 600 households to be served by Otsego WWTP.

www.metrocouncil.org

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Housing Needs Number

Household growth is one of the major factors in calculating the City's affordable housing needs number for 2011 to 2020. For Dayton, the affordable housing needs assignment is 15.7% multiplied by the next decade household growth. So if next decade growth is revised to +7,900 households (the growth from 2010 to 2020), then affordable house needs assignment is 1,240 affordable units.

Employment (Regan Carlson, Senior Researcher, 651-602-1407)

The latest proposal from Dayton for a 2030 employment forecast is 12,501. Given the revised household numbers, this reflects a plausible scenario in terms of jobs/household ratio (mix of residential and commercial development).

It seems implausible the City could experience the level of job growth they propose by 2010. Data shows Dayton at less than 700 jobs for the second quarter of 2007. The City has reported very little commercial/industrial development this decade, although the City reported two projects for 2007, totaling 190,000 square feet. These projects would translate into approximately 250 jobs using the assumption in the land use projections for business park development.

Council staff will agree to the City's 2030 employment forecast with the following modifications to the 2010 and 2020:

City of Dayton	2010	2020	2030
Employment	2,100	8,000	12,500

These figures reflect a reasonable increase from .68 jobs/household in 2000 to .84 in 2030.

Wastewater

Wastewater sewer services for long-term Dayton needs are under construction and will be completed during 2008. There will be capacity in the system to provide for the proposed 2010, 2020, and 2030 sewer households.

Any changes in forecasts should be reflected throughout all sections of the comprehensive plan update submittal. If you have any questions or concerns, please feel free to contact Freya Thamman, Sector Representative, at 651-602-1750.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

- cc: Roger Scherer, Metropolitan Council District 1
- Mark VanderSchaaf, Director Planning/Growth Management
- Todd Graham, Research
- Regan Carlson, Research
- Bryce Pickart, MCES
- Kyle Colvin, MCES
- Ann Braden, MTS
- Mark Filipi, MTS
- Freya Thamman, Sector Representative
- Cheryl Olsen, Reviews Coordinator

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

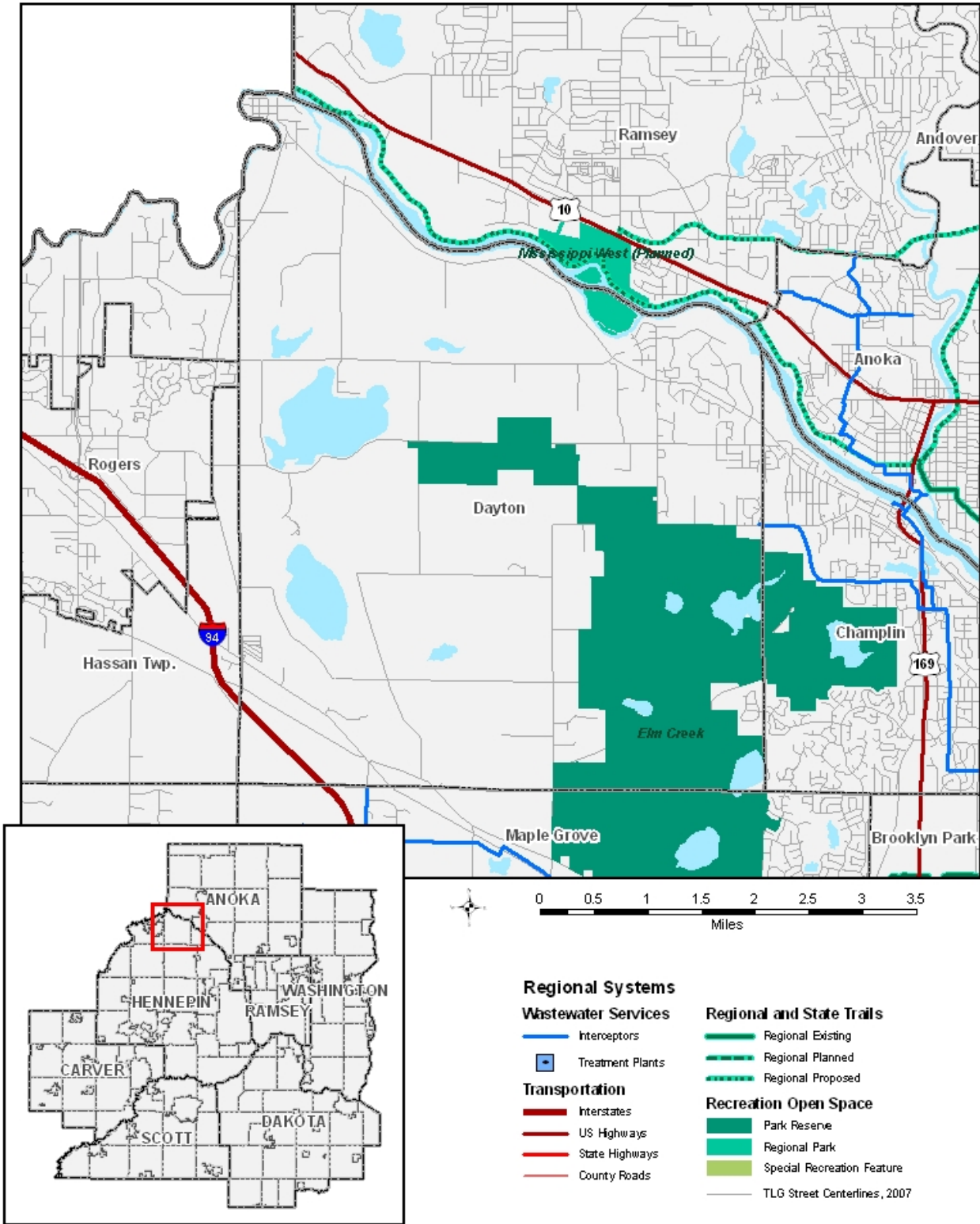


Figure 2. 2030 Regional Development Framework Planning Areas

Dayton

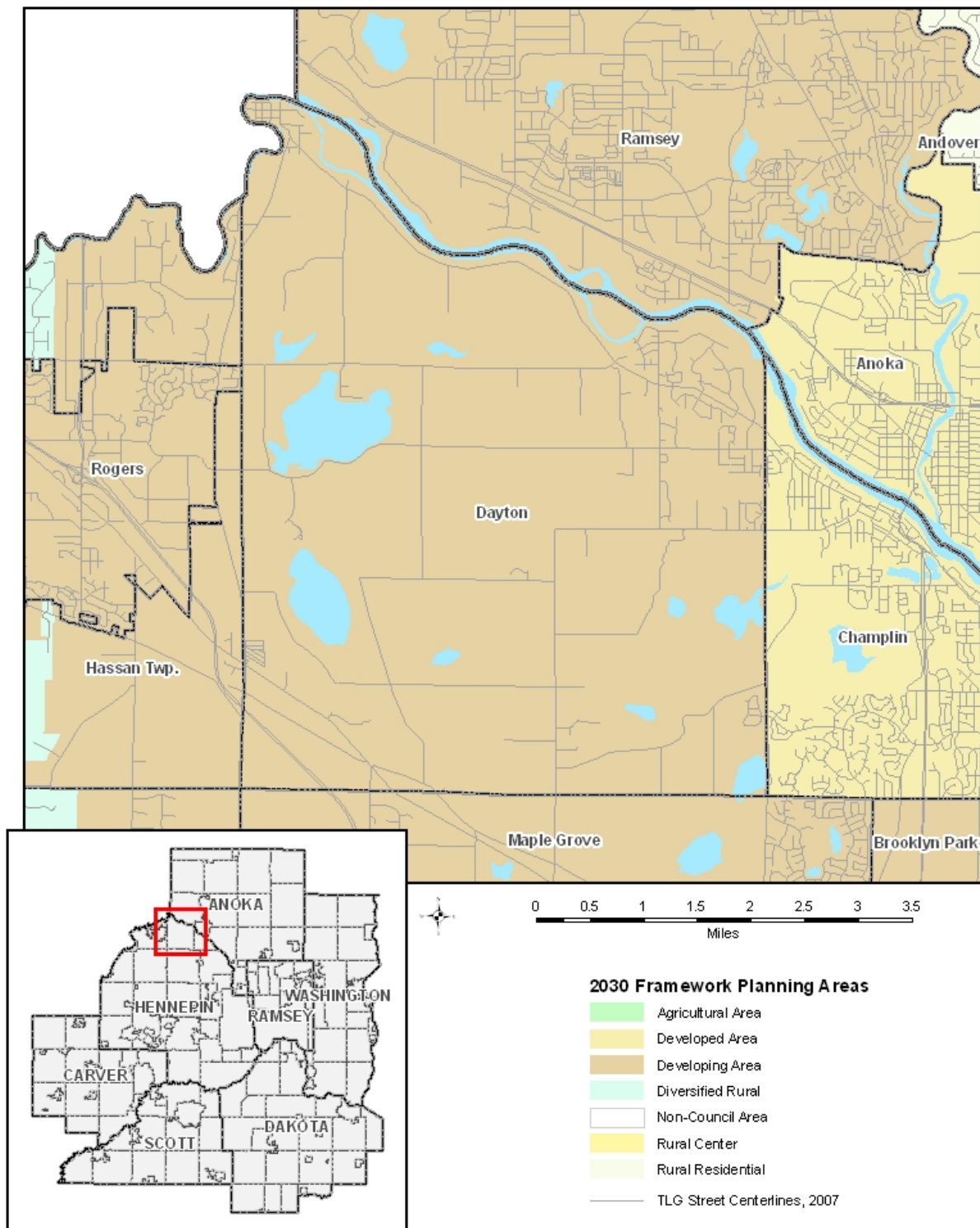


Figure 3. Draft Scoping Decision Alternatives – New Corridor & River Crossing Alternatives

From: Northwest Metro Corridor and River Crossing Study, Scoping Document and Draft Scoping Decision Document, September 2003.

Draft Scoping Decision

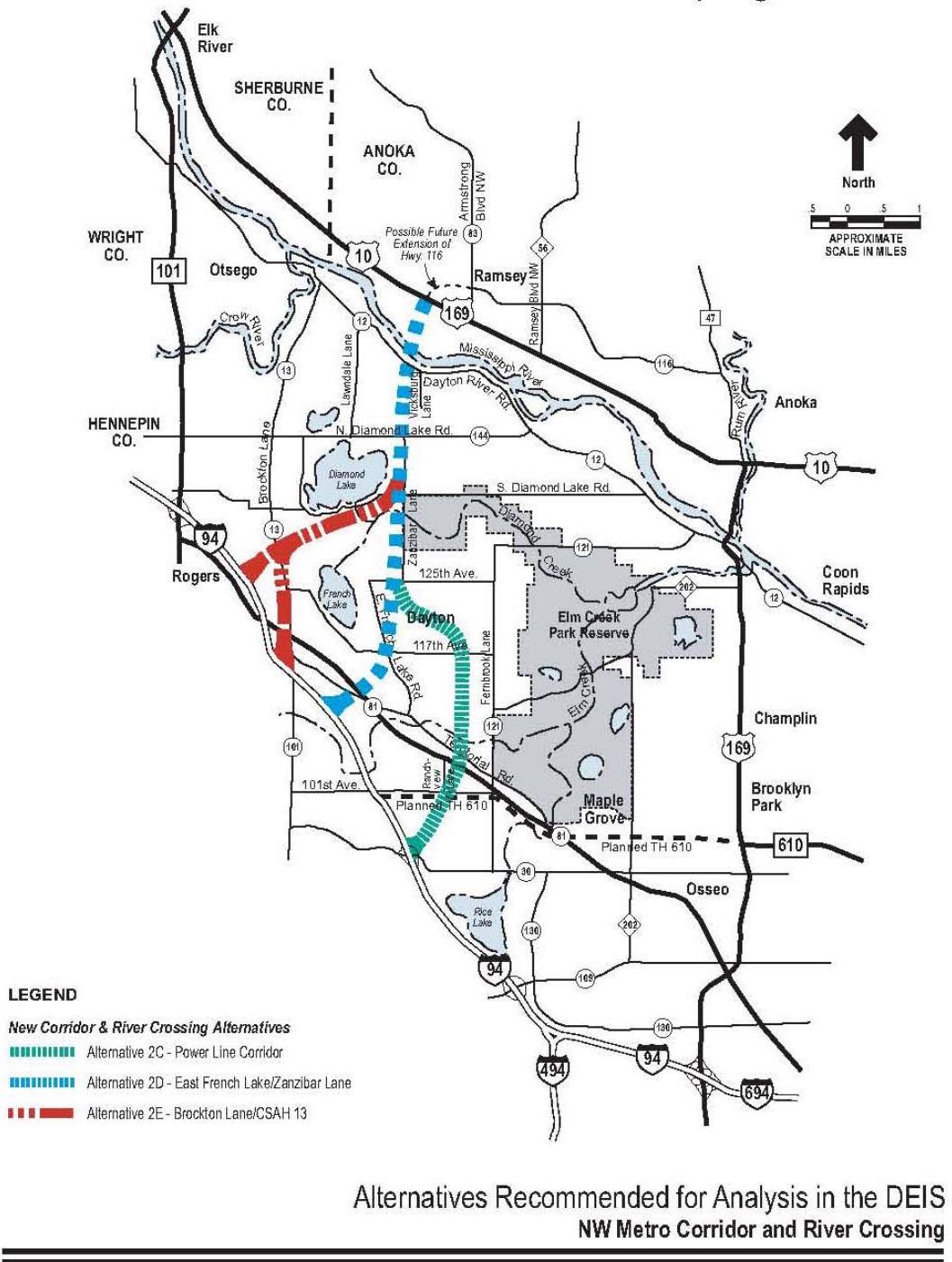


Figure A-1: Scoping Alternatives and Draft Scoping Decision

Figure 4. Existing Land Use
City of Dayton

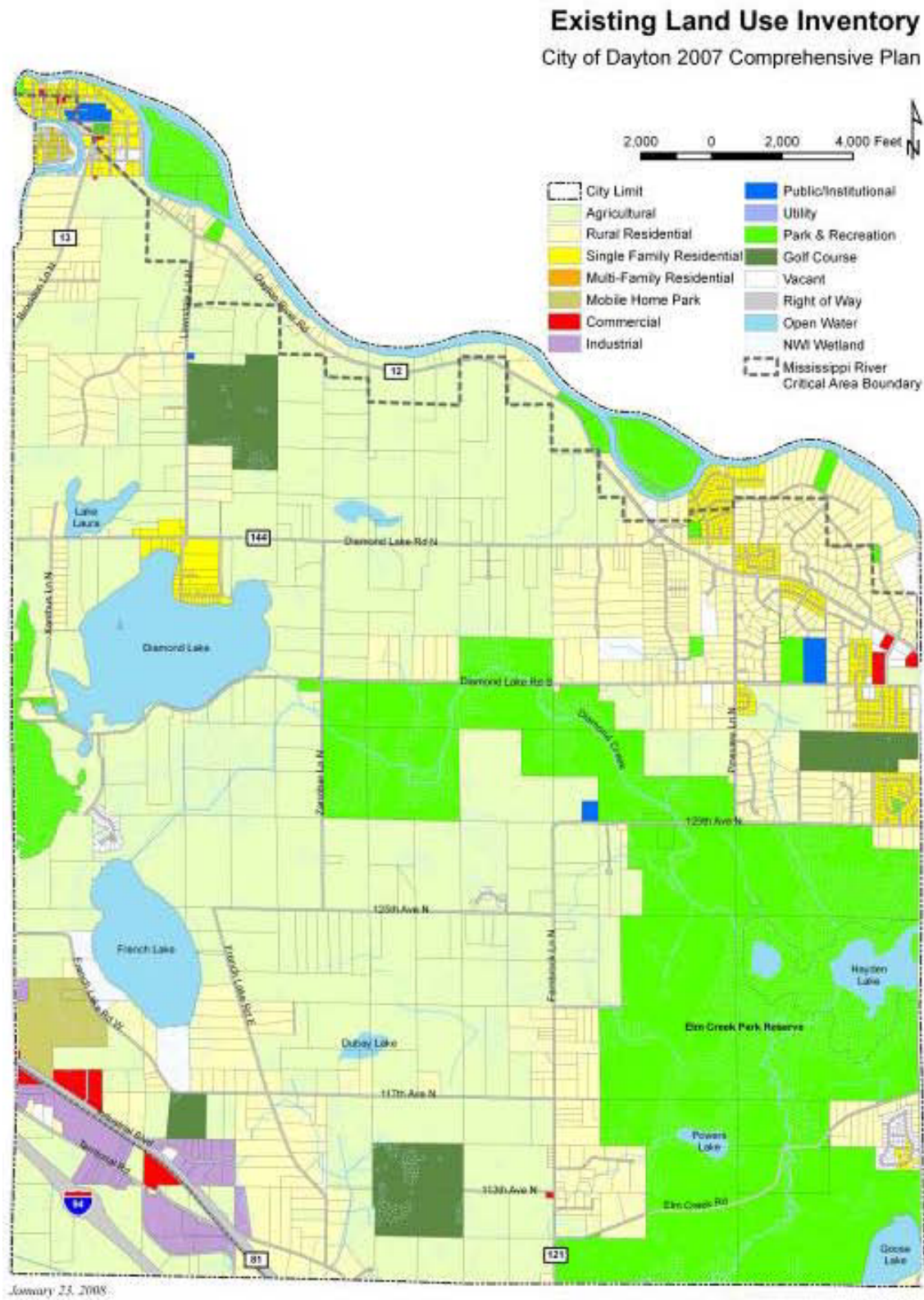
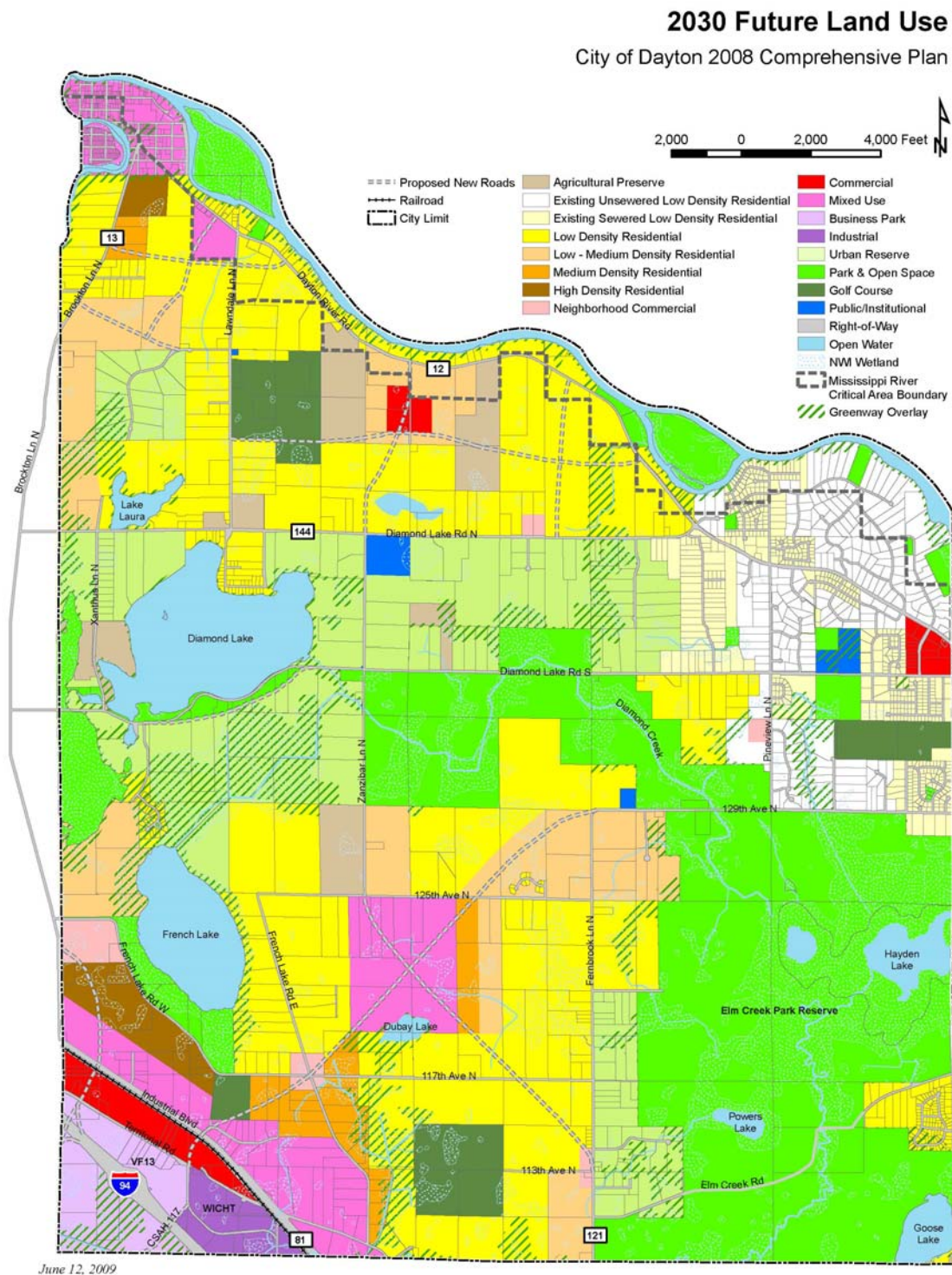


Figure 5. 2030 Future Land Use
City of Dayton



Existing Land Use (as shown on Figure 4)

TYPE OF USE	GROSS	PERCENT	WETLANDS	NET	PERCENT
Agricultural	6,670.3	41.5%	15.5%	5,633.2	35.1%
Commercial	57.7	0.4%	1.3%	57.0	0.4%
Industrial	208.9	1.3%	8.9%	190.2	1.2%
Public/Institutional	48.4	0.3%	2.1%	47.4	0.3%
Rural Residential	2,768.5	17.2%	13.3%	2,400.4	14.9%
Single Family Residential	329.8	2.1%	2.4%	321.9	2.0%
Multi-Family Residential	0.3	0.0%	0.0%	0.3	0.0%
Mobile Home Park	111.8	0.7%	17.2%	92.6	0.6%
Vacant	230.2	1.4%	39.5%	139.3	0.9%
Park and Recreation	3,423.1	21.3%	43.8%	1,924.2	12.0%
Golf Course	429.5	2.7%	10.4%	384.8	2.4%
Right-of-Way	661.5	4.1%	2.1%	647.8	4.0%
Open Water	1,125.8	7.0%	0.0%	1,125.8	7.0%
Wetland	N/A	N/A	100.0%	3,100.9	19.3%
Total	16,065.8	100.0%	N/A	16,065.8	100.0%
<i>City of Dayton/Bonestroo</i>					

Future 2030 Land Use (as shown on Figure 5)

2030 Future Land Use	Gross Acres	Net Acres	Gross Percent	Net Percent
Agricultural Preserve	360.60	341.13	2%	2%
Business Park	244.33	203.87	2%	1%
Commercial	180.87	175.47	1%	1%
Existing Sewered Low Density Residential	490.72	466.81	3%	3%
Existing Unsewered Low Density Residential	706.46	642.88	4%	4%
Golf Course	422.54	377.79	3%	2%
High Density Residential	173.83	146.17	1%	1%
Industrial	109.69	100.04	1%	1%
Low - Medium Density Residential	985.35	863.00	6%	5%
Low Density Residential	3,759.82	3,240.26	23%	20%
Medium Density Residential	242.85	189.62	2%	1%
Mixed Use	762.54	697.07	5%	4%
Neighborhood Commercial	89.97	79.42	1%	0%
Park & Open Space	3,600.67	2,011.91	22%	13%
Public/Institutional	68.71	65.77	0%	0%
Urban Reserve	1,943.02	1,455.25	12%	9%
Right-of-Way	798.00	782.56	5%	5%
Water	1,125.80	1,125.80	7%	7%
Wetland	-	3,100.92	-	19%
Total City	16,065.76	16,065.76	100%	100%