

C	Community Development Committee	2007- 14
	Meeting date: August 20, 2007 Metropolitan Council Meeting date: September 12, 2007	

ADVISORY INFORMATION

Date	August 20, 2007
Subject	Metropolitan Urban Service Area (MUSA) Implementation Guidelines
Districts, Members	All Districts
Prepared by	Phyllis Hanson, Manager Local Planning Assistance (651-602-1566) Mark Vander Schaaf, Planning & Growth Management Director (ext.1441) Guy Peterson, Community Development Division Director (651-602-1418)
Division/Department	Community Development / Planning and Growth Management

BACKGROUND

The Council on October 13, 2004 adopted “Guidelines for Evaluating Plan Amendments Proposing Changes to Metropolitan Urban Service Area (MUSA) timing-staging.” A purpose of these guidelines was to clarify the process for evaluating comprehensive plan amendments proposing to change MUSA or sewer service staging in their 2020 Comprehensive Plan Updates (CPU). Another purpose was to set forth a consistent method of applying Council policies in these requests, primarily achieving a 3 unit per net developable acre standard. As cities move toward their 2008 CPUs and the Council’s review of flexible MUSA, these guidelines need to be updated for applicability.

Since early 2007, Council and Metro Cities staff have been in discussions concerning the guidelines relative to the density calculation and the 2008 CPU reviews. Metro Cities requested that the implementation guidelines for the Council be more flexible, more responsive to market forces, and acknowledge the performance of individual communities in achieving the Council’s policy of 3 units per acre. Council staff agree with these principles and have offered the proposed action as a method of achieving them while maintaining the integrity of the Council’s policy of efficient, economical growth. The change in the guidelines proposed by staff are as follows:

- 1) Since the Council has approved the 2020 MUSA in the 1998 CPUs, land remaining to develop within this area will not be included in the density calculation unless it is required in the 2030 CPU.
- 2) For communities that have been part of the Plat Monitoring Program since 2000, the Council will continue to apply the average density achieved since 2000 on a 1:1 basis for areas proposed for MUSA. The credit will be applied to proposed MUSA from 2020-2030.
- 3) The Council will not consider in the Council’s plat monitoring program the implications of areas which are replatted in subsequent years at a lower density after they have been included in the calculation. This will acknowledge approval of plats to meet the density standard while also respecting the market forces that may drive redefinitions of projects.
- 4) The proposed action will clarify when existing development will not be included in the density calculations. This includes failing septic systems, age of existing development, and annexation areas where the city was not responsible for the approval of the development.

PROPOSED ACTION

Staff recommends that the Metropolitan Council:

1. Adopt the following guidelines:

a) Cities that have participated in the Council's Plat Monitoring Program beginning in 2000 or submit the necessary plat data from 2000 will be credited on a 1:1 basis for housing units platted or developed that yield an overall average density in excess of 3 units per net developable acre. The housing unit credits will be applied to areas guided for 2020-2030 urban services and to any other proposed reguigated areas. The combined overall average density needs to be a minimum of 3 units per net developable acre based on an acreage average of the city's actual development and platting since 2000, the lowest allowable density in 2020-2030 guiding, and any reguigated land.

b) Without development history from 2000, the Council will use the lowest allowable density on land guided for development from 2020-2030 and any reguigated land from within the 2020 MUSA as changed from the city's 1998 CPU.

c) The Council will not figure into the density calculation remaining undeveloped land within the 2020 MUSA per the city's existing 2020 plan, with the exception of areas that are being reguigated in the 2030 CPU.

d) If an area is replatted, the Council will not recalculate the density for this area in the plat monitoring program.

e) Existing developments that are part of townships or areas being annexed from townships, or areas that were developed prior to 1985 with failing septic systems and no on site alternative septic locations will not be counted against a city's density calculation.

2. Amend the Guidelines for Evaluating Plan Amendments Proposing Changes to Metropolitan Urban Service Area(MUSA) Timing-Staging per the guidelines as included in #1.

ATTACHMENTS

A. Guidelines for Evaluating Plan Amendments Proposing Changes to Metropolitan Urban Service Area (MUSA) Timing-Staging

Guidelines for Evaluating Plan Amendments Proposing Changes to Metropolitan Urban Service Area (MUSA) Timing-Staging

Background

Local 2020 comprehensive plan updates identified the timing and staging of land available for urban development to 2020, and in many cases areas planned for longer-term urbanization, often described as urban reserve areas. These areas planned for new development were to ultimately achieve a minimum net residential density of 3 dwelling units per acre when wastewater services became available. To ensure an adequate supply of urban land to accommodate future regional growth the Council continues to monitor the region's land supply. Monitoring includes designation of long-term, post 2020 urban reserve lands; enforcement of minimum urban density standards of 3-5 dwelling units per residential acre; and planning for additional MUSA in the 2008 round of comprehensive plan updates. In addition, the Council has a plat monitoring program that reports annually on development density trends in several developing communities. Since the Council reviewed 2020 comprehensive plan updates, many developing communities are reviewing their local comprehensive plans and requesting MUSA expansions or development timing-staging changes. On October 13, 2004, the Council adopted the following guidelines for evaluating comprehensive plan amendments (CPA) proposing to change MUSA or sewer service timing-staging. The purpose of these guidelines is to consistently apply the Council's existing policies to all communities requesting MUSA expansions or changes.

Guidelines

1. The city's overall residential density for development since 2000 must be a minimum of three units per developable acre. Determination of this density will be based on constructed residential units, approved preliminary plats, and the lowest allowable units on remaining residential guided land.
2. The regional and local wastewater systems shall have adequate capacity, or staged capacity, to accommodate the development staging, and the local governments have identified the available capacity of both regional and local systems to service the amendment.
3. If the city has an identified inflow and infiltration (I&I) problem that currently impacts the metropolitan disposal system, the city shall have an I&I reduction plan that is consistent with the Wastewater System Policy Plan.
4. Previous Council actions and negotiations regarding the city's comprehensive plan shall be fulfilled.
5. The CPA land use needs to be consistent with the Council's 2030 forecasts for households and employment or demonstrate the basis for the change of the proposed land use.
6. The city should have a parks and open space system plan, strategies for implementation of best practice-storm water management plans, and natural resource protection ordinances.

Application For all comprehensive plan amendments, the community needs to complete the comprehensive plan amendment submittal form. If a comprehensive plan amendment proposes a MUSA expansion, change in MUSA timing or staging, or sewer staging changes at less than 3 units/acre, the community will also need to complete the question(s) which address each of the MUSA expansion guidelines. The submittal form can found on the Council's website at <http://www.metrocouncil.org/planning/assistance/resources.htm>. Guidelines 1-3 highlight for local communities those Council policies that may result in a finding of substantial departure or impact to the regional wastewater system if not adequately addressed in the comprehensive plan amendment submittal. Guidelines 4-6 identify additional regional policies that the community will need to respond to in the submittal form. If you have questions about these guidelines, please contact your sector representative or Phyllis Hanson, Manager Local Planning Assistance. An updated list of Sector Representatives, their phone numbers and email addresses may be found at <http://www.metrocouncil.org/planning/assistance/sectorreps.htm>. Jan 12, 2005