

## Community Development Committee

Meeting date: June 5, 2017

For the Metropolitan Council meeting of June 14, 2017

**Subject:** City of Andover Rural Reserve Density Comprehensive Plan Amendment, Review File No. 20326-9

**District(s), Member(s):** District 9, Edward Reynoso

**Policy/Legal Reference:** Metropolitan Land Planning Act (Minn. Stat. § 473.175)

**Staff Prepared/Presented:** Eric Wojchik, Senior Planner, Local Planning Assistance (651-602-1330)  
LisaBeth Barajas, Manager, Local Planning Assistance (651-602-1895)

**Division/Department:** Community Development / Regional Planning

### Proposed Action

That the Metropolitan Council:

1. Adopt the attached Review Record and allow the City of Andover to place the Rural Reserve Density Comprehensive Plan Amendment into effect.
2. Find that the proposed amendment does not change the City's forecasts.
3. Advise the City to adopt official controls as described in the City's amendment materials within 9 months of approval of the amendment. Submit copies of the updated official controls to the Council within 30 days after adoption.
4. Advise the City to implement the advisory comments in the Review Record for Land Use and Housing.

### Background

The comprehensive plan amendment proposes a text amendment to the Rural Reserve land use designation to allow for a maximum density of 1 residential unit per 10 acres. The amendment area is within the Long-Term Wastewater Service Area (LTSA) or post-2040 MUSA. This text amendment limits current residential density to preserve land for future economical urban development.

The amendment also proposes to allow for higher densities in the Rural Reserve area in defined situations, provided that the development complies with the Metropolitan Council's *Flexible Residential Development Ordinance Guidelines for the Diversified Rural Area* (Thrive, p.165) and with new City zoning regulations which will allow for the subdivision of land while preserving residual land for future economical urban development.

### Rationale

The proposed amendment conforms to regional system plans, is consistent with Council policies, and is compatible with the plans of other local communities and school districts.

### Thrive Lens Analysis

The proposed amendment is reviewed against the land use policies in Thrive MSP 2040. To achieve the outcomes identified in Thrive, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in Thrive.

### Funding

None.

## **Known Support / Opposition**

There is no known local resident or local government opposition to this proposal.

# Review Record

## City of Andover Rural Reserve Comprehensive Plan Amendment

Review File No. 20326-9, Council Business Item No. 2017-121

### BACKGROUND

The City of Andover is located in central Anoka County, bounded by the cities of Nowthen, Oak Grove, Ramsey, Anoka, Coon Rapids, Blaine, Ham Lake, and East Bethel.

Consistent with the policies adopted by the Council in June 2014 ([Business Item 2014-143](#)) regarding review of local comprehensive plans, this amendment is being reviewed under *Thrive MSP 2040* and its policy plans.

*Thrive MSP 2040* (Thrive) designates portions of Andover as Diversified Rural, Rural Residential, and as Emerging Suburban Edge. Figure 1 shows the general location of Andover and nearby communities, and the Council's Thrive Community Designation.

The Council reviewed the City's Update ([Business Item 2009-32](#), Review File No. 20326-1) on May 13, 2009. This amendment is the City's eighth since the review of the Update.

### REQUEST SUMMARY

The comprehensive plan amendment proposes a text amendment to the Rural Reserve land use designation within the City's 2030 Comprehensive Plan to allow for a maximum density of 1 residential unit per 10 acres. The amendment area is within the Long-Term Wastewater Service Area (LTSA) or post 2040 MUSA. The text amendment limits current residential density to preserve land for future economical urban development.

The amendment also proposes to allow for higher densities in the Rural Reserve area in defined situations, provided that the development complies with the Metropolitan Council's *Flexible Residential Development Ordinance Guidelines for the Diversified Rural Area* (Thrive, p.165) and with new City zoning regulations which will allow for the subdivision of land while preserving residual land for future economical urban development.

### OVERVIEW

#### Conformance with Regional Systems

The amendment conforms to the Regional System Plans for Parks, Transportation (including Aviation), and Wastewater, with no substantial impact on, or departure from, these plans.

#### Consistency with Council Policies

The amendment is consistent with the *Thrive MSP 2040*, with the *Housing Policy Plan*, with water resources management, and is consistent with Council forecasts.

**Compatibility with Plans of Adjacent Jurisdictions** The amendment will not have an impact on adjacent communities, school districts, or watershed districts, and is compatible with the plans of those districts.

## PREVIOUS COUNCIL ACTIONS

- The Council acted on the City's 2030 Comprehensive Plan Update on May 13, 2009 ([\*Business Item 2009-32\*](#), Review File No. 20326-1).
- The Woodland 5<sup>th</sup> Addition amendment to re-guide 5.96 gross acres from Agriculture to Urban Residential Low Density to accommodate thirteen single family dwellings was administratively approved on August 5, 2010 (Review File No. 20326-2).
- The Transitional Residential to Agriculture amendment to re-guide 20 acres from Transitional Residential to Agricultural land use following a request from the property owner to enroll the parcel in the Agricultural Preserves Program was administratively approved on January 18, 2012 (Review File No. 20326-3).
- The Commercial to Urban High Density amendment to re-guide 2.96 acres from Neighborhood Commercial to Urban High Density was administratively approved on July 19, 2012 (Review File No. 20326-4).
- The Grey Oaks MUSA Expansion, Land Use and Density amendment expanded the MUSA and re-guided 83 acres to Urban Residential Low Density and 6.39 acres from General Commercial to Urban Residential Medium Density. The amendment was approved by Council on February 12, 2014 ([\*Business Item 2014-20\*](#), Review File No. 20326-5).
- The Creekside Meadows amendment to re-guide 4.4 acres from Open Space to Urban Residential Low Density to accommodate six single family dwellings was administratively approved on April 2, 2015 (Review File No. 20326-6).
- The Country Oaks North amendment to re-guide 9.98 acres from Rural Residential to Urban Residential Low Density and 10.82 acres from Urban Residential Low Density to Rural Residential to support future urban residential development was administratively approved on July 24, 2015 (Review File No. 20326-7).
- The Innventures Properties amendment to re-guide 1.57 acres from Urban Residential High Density to Neighborhood Commercial was administratively approved on November 23, 2015 (Review File No. 20326-8).

## ISSUES

- I. Does the amendment conform to the regional system plans?
- II. Is the amendment consistent with *Thrive MSP 2040* and other Council policies?
- III. Does the amendment change the City's forecasts?
- IV. Is the amendment compatible with the plans of adjacent local governmental units and affected jurisdictions?

## ISSUES ANALYSIS AND FINDINGS

### *Conformance with Regional Systems*

The amendment conforms to the regional system plan for Regional Parks, Transportation, and Wastewater, with no substantial impact on, or departure from, these system plans.

## Consistency with Council Policy

The amendment is consistent with Council policies for forecasts, land use, housing, sub-surface sewage treatment systems, and water supply. Additional review comments regarding policy consistency are detailed below.

### Land Use

Reviewer: Eric Wojchik (651-602-1330)

The amendment is consistent with Thrive expectations for the density of new development and redevelopment of 1 dwelling units per 10 acres (du/acre) in the Diversified Rural area. The Rural Reserve area within the City of Andover (City) encompasses approximately 1,000 acres, of which about 600 acres is considered developable. Currently, the City limits density in this area to 1 residential unit per 20 acres. This area is generally located in the western portion of the community (Figure 2). The amendment area is within the Long-Term Wastewater Service Area (LTSA) or post-2040 MUSA, which limits current residential density to preserve land for future economical urban development (see Figure 1). The proposed amendment would revise the text for the Rural Reserve land use designation to allow for a maximum density of 1 residential unit per 10 acres (see Attachment 3). The amendment also proposes to allow for higher densities than 1 unit per 10 acres under certain conditions. These conditions include that the development complies with the Metropolitan Council's *Flexible Residential Development Ordinance Guidelines for the Diversified Rural Area* (Thrive, p.165) and with new City zoning regulations, which will allow for the subdivision of land while preserving residual land for future economical urban development.

The City is currently drafting the new zoning regulations to allow for subdivisions in the Rural Reserve consisting of lot sizes of 5 acres, in limited cases, in compliance with the Metropolitan Council's *Flexible Residential Development Ordinance Guidelines for the Diversified Rural Area* (Thrive, p.165). The new ordinance will allow for the subdivision of land while preserving residual land for future economical urban development.

### Natural Resources

In 2013, the National Weather Service (NWS) published new precipitation frequency estimates for Minnesota called "Atlas 14." The Atlas 14 precipitation frequency estimates, which are the estimated rainfall depths for various rainfall durations and exceedance probabilities, replace the precipitation estimates published in Technical Paper No. 40 Rainfall Frequency Atlas of the United States ("TP 40"). The Atlas 14 rainfall frequency estimates indicate a significant increase in the depth of the 50-year and 100-year frequency rainfall events (i.e., rainfall events with exceedance probabilities of 2% and 1%, respectively) across Minnesota and neighboring states, as compared with the TP 40 estimates used previously. For the metropolitan area, the increases in 24-hour duration precipitation depths over TP 40 are as high 25%.

The Coon Creek Watershed District, which includes this part of Andover, has incorporated the Atlas 14 data into its modelling. The City has been working with the Watershed District and with the Metropolitan Council in considering the current Long-Term Wastewater Service Area (LTSA), or future MUSA area, in relation to the Atlas 14 data. The data indicates that much of the area reserved for future urban services may be subject to flooding given the new modelling information.

### Advisory Comments

The City is encouraged to continue working with Council staff to ensure that the new zoning regulations for the Rural Reserve area are consistent with the provisions within the *Flexible Residential*

*Development Ordinance Guidelines for the Diversified Rural Area* (Thrive, p.165). Council staff can provide examples of development approaches as well as ordinance examples.

Through the current comprehensive planning process, the Council encourages the City to continue discussions with stakeholders, including Council staff, regarding the implications of the Atlas 14 modelling data on future land use and sewer provision in the City of Andover.

## **Housing**

*Reviewer: Tara Beard (651-602-1051)*

The proposed amendment is consistent with the Council's policies for housing. Andover is currently providing sufficient land that promotes affordable housing development to address their share of the region's 2011-2020 need for affordable housing. The City currently guides almost 120 acres of Medium and High Density residential land such that at least 1059 units could be built; the City's share of the 2011-2020 regional need is 611. The proposed amendment has no impact on these numbers as it does not involve changes to the High or Medium Density categories. Therefore, it is consistent with Council housing policy.

### *Advisory Comments*

The City should note that its share of the region's 2021-2030 need for affordable housing is 483 units, and the required minimum density of land guided to address this need in the 2040 Comprehensive Plan update is 8 units per acre. If the City has any questions about its comprehensive plan update and consistency with Council housing policy, please contact Council staff.

### *Compatibility with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts*

No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

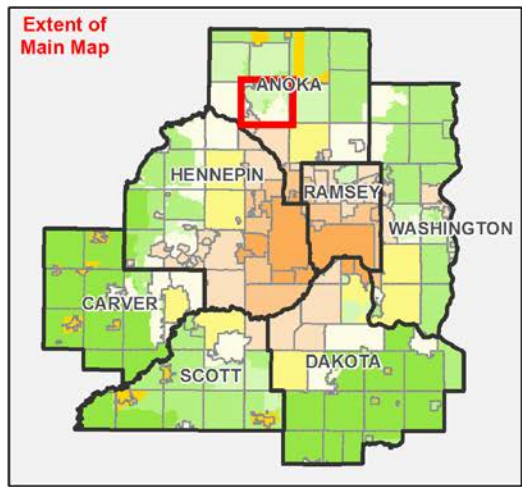
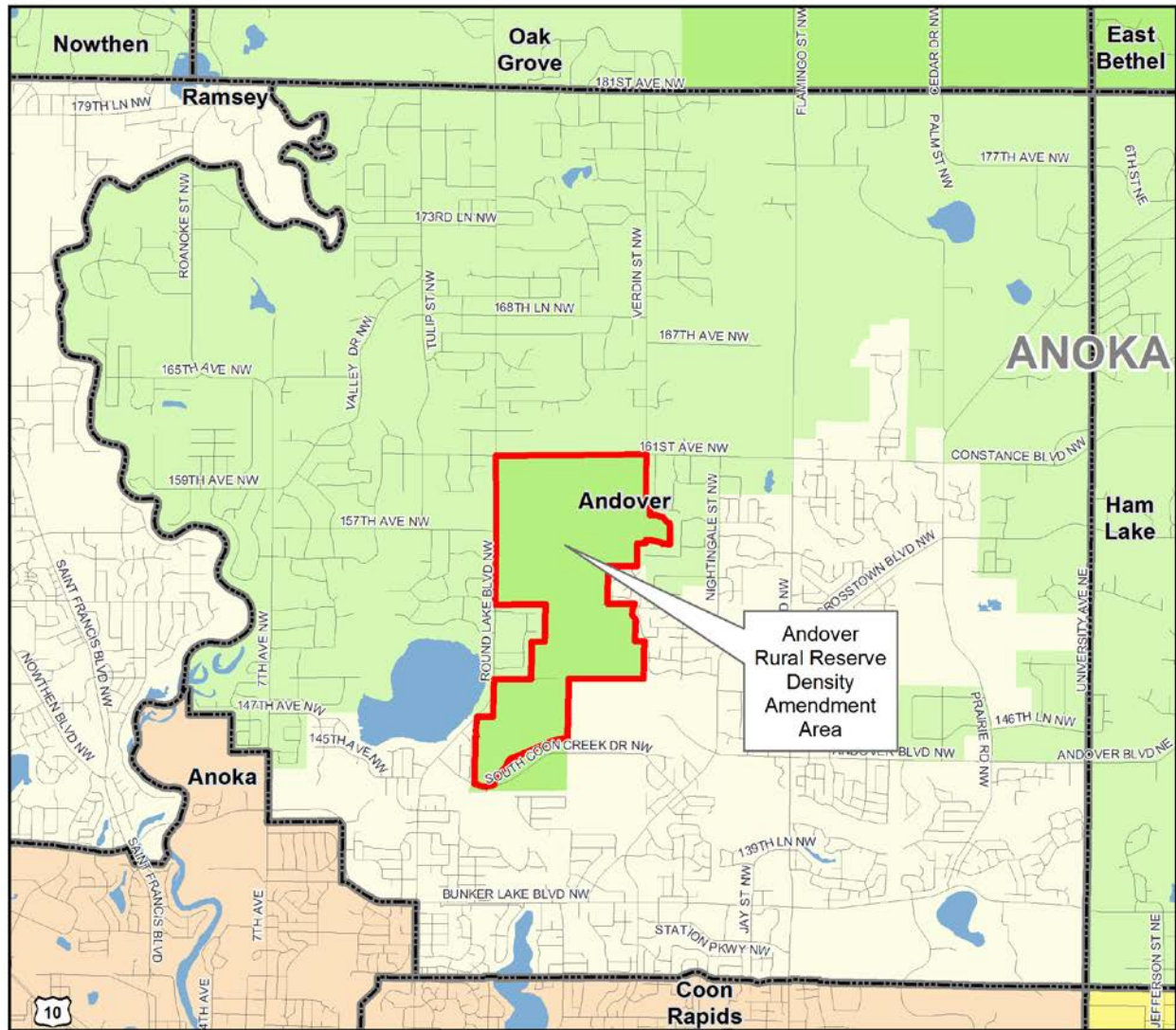
## **ATTACHMENTS**

Figure 1: Location Map Showing Community Designations

Figure 2: Location Map Showing Regional Systems

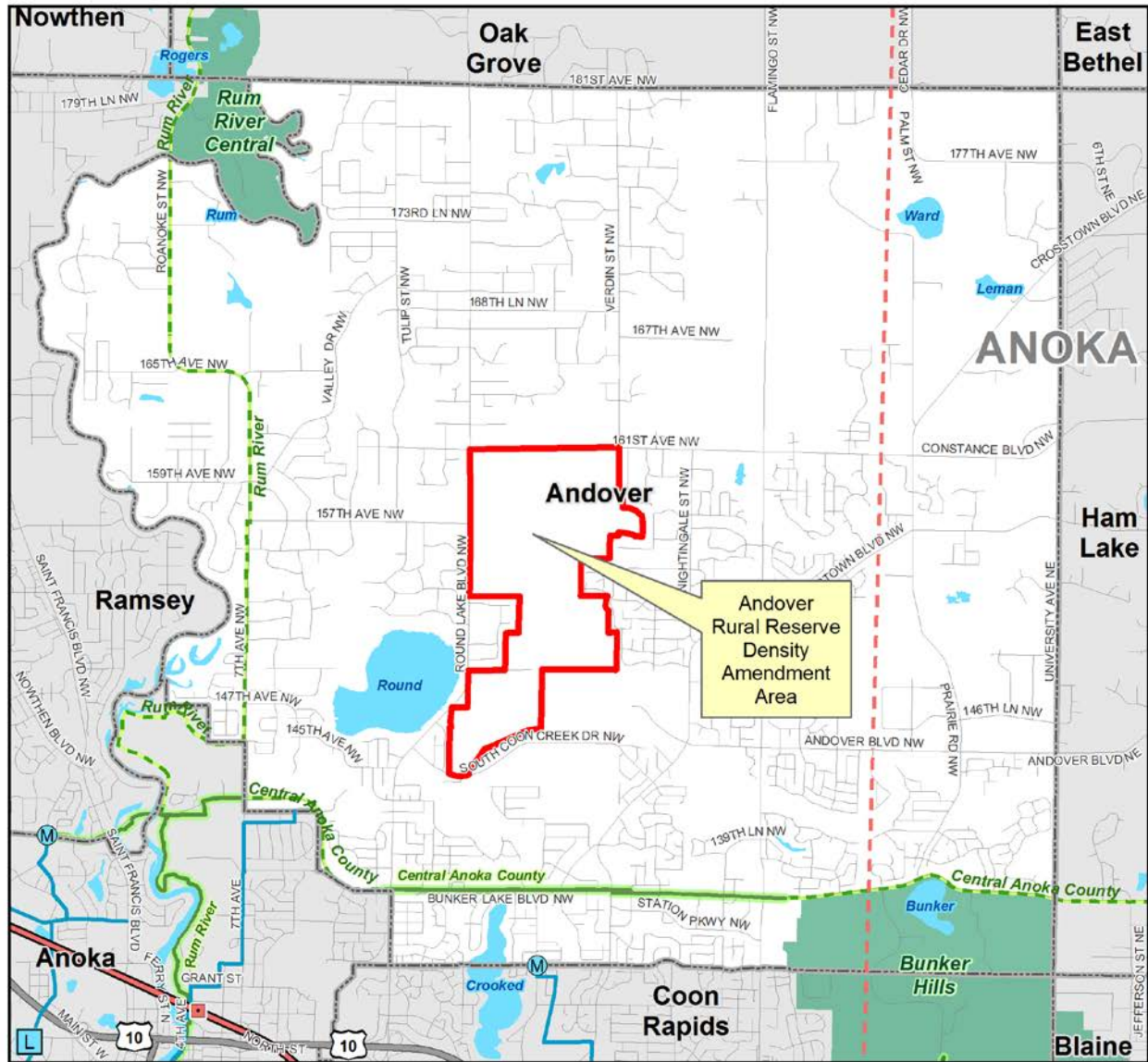
Attachment 3: Text Amendment Language

Figure 1: Location Map Showing Community Designations



- ThriveMSP 2040 Community Designations**
- Agricultural
  - Rural Residential
  - Diversified Rural
  - Rural Center
  - Emerging Suburban Edge
  - Suburban Edge
  - Suburban
  - Urban
  - Urban Center
  - Ncompass Street Centerlines

Figure 2: Location Map Showing Regional Systems



**Regional Systems**

**Regional Highway System**

- Interstates
- US Highways
- State Highways
- County Roads

**Regional Transitways**

- Existing, Fixed Guideway
- Proposed, Fixed Guideway
- Existing, Bus Rapid Transit
- Proposed, Bus Rapid Transit
- Existing Fixed Guideway Stations
- Planned Fixed Guideway Stations

**Recreation Open Space**

- Park Reserves
- Regional Parks
- Special Recreation Features
- Existing Regional Trails
- Planned Regional Trails

**Wastewater Treatment**

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

Nocompass Street Centerlines



## Attachment 3: Text Amendment Language



2008 Comprehensive Plan Update

### City of Andover Land Use Districts

Land use districts are established to ensure compatible development and to protect natural resources and amenities. The district definitions provided below are intended to state their purpose, provide location criteria and describe the relationship of each district with other land uses.

#### RESIDENTIAL LAND USE DISTRICTS

Rural Reserve **Residential** (RRR) District was designated as an area of approximately one thousand acres in size to accommodate future urban growth beyond the previously planned Municipal Urban Service Area. This area is restricted from **urban** development until a master plan has been approved and municipal sewer and water can be constructed to serve the area. The city prohibits lot splits and subdivisions of less than one parcel per **twenty ten** acres to prevent this area from rural residential development that would preclude orderly MUSA expansion.

There are opportunities to allow for rural residential lot splits of 5 acres minimum in situations which ensure that the majority of the residual land be preserved for future economical urban development. A new zoning district that reflects the recommended base and density options, lot sizes and typical uses is needed to implement this plan category. Provisions in the ordinance must be addressed at the time of the lot split or subdivision. Planning tools that would need to be considered in the ordinance include requirements of build-out plans (ghost platting), the location of the building pads that allow for future subdivision of the land into urban lots, the location of topographical and hydrological encumbrances, and the use of deed restrictions, easements, and/or covenants to protect the remaining land for future development. The intent of the ordinance is to allow subdivision of land while preserving residual land for future economical urban development.

In the future, a new trunk sewer line will connect to the Coon Rapids Interceptor, a regional trunk sewer line located near the intersection of Crooked and Bunker Lake Boulevards. The city has reached agreement with the Metropolitan Council that areas designated for residential development in the Rural Reserve will be developed at three units per net acre **once MUSA becomes available** (subtracting parks, wetlands, floodplain, water bodies, arterial roads, and other areas restricted from development).

	<u>10 acres</u>
<u>Minimum Lot Size</u>	<u>5 acres with compliance of ordinance provisions that preserve land for future economical urban development</u>
<u>Density</u>	<u>1 unit per 10 acres</u>
<u>City Utilities</u>	<u>None</u>
<u>Corresponding Zoning Districts</u>	<u>RRR Rural Reserve Residential</u>
<u>Type of Development</u>	<u>Single Family Detached Housing</u>