

Community Development Committee

Meeting date: August 5, 2019

For the Metropolitan Council meeting of August 14, 2019

Subject: City of Miesville 2040 Comprehensive Plan, Review File 22177-1

District(s), Member(s): District 16, Wendy Wulff

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

Staff Prepared/Presented: Patrick Boylan, AICP, (651-602-1438)
Angela R. Torres, AICP Local Planning Assistance Manager (651-602-1566)

Division/Department: Community Development / Regional Planning

Proposed Action

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

Recommendations of the Community Development Committee

1. Authorize the City of Miesville to place its 2040 Comprehensive Plan into effect.
2. Advise the City/Township/County to implement the advisory comments in the Review Record for Transportation, Surface Water Management, and Water Supply.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Miesville to implement its 2040 Comprehensive Plan (Plan).

Community Development Committee

1. As stated in the *Local Planning Handbook*, the City must take the following steps:
 - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
 - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
 - c. Submit to the Council a copy of the City resolution evidencing final adoption of the Plan.
2. The *Local Planning 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 to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before "final adoption" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the 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. Stats. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

Background

The City of Miesville is located in Dakota County. It is completely surrounded by Douglas Township.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stats. §§ 473.851 to 473.871) and the Council's 2015 System Statement requirements.

Review Authority & Rationale

Minn. Stat. § 473.175 directs the Metropolitan Council to review a local government's comprehensive plan and provide a written statement to the local government regarding the Plan's:

- **Conformance** with metropolitan system plans
- **Consistency** with the adopted plans and policies of the Council
- **Compatibility** with the plans of adjacent governmental units and plans of affected special districts and school districts

By resolution, the Council may require a local government to modify its comprehensive plan if the Council determines 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).

The attached Review Record details the Council's assessment of the Plan's conformance, consistency, and compatibility, and is summarized below.

| Review Standard | Review Area | Plan Status |
|---------------------------------|---|-------------|
| Conformance | Regional system plan for Parks | Conforms |
| Conformance | Regional system plan for Transportation, including Aviation | Conforms |
| Conformance | Water Resources (Wastewater Services and Surface Water Management) | Conforms |
| Consistency with Council Policy | <i>Thrive MSP 2040</i> and Land Use | Consistent |
| Consistency with Council Policy | Forecasts | Consistent |
| Consistency with Council Policy | <i>2040 Housing Policy Plan</i> | Consistent |
| Consistency with Council Policy | Water Supply | Consistent |
| Consistency with Council Policy | Community and Subsurface Sewage Treatment Systems (SSTS) | Consistent |
| Compatibility | Compatible with the plans of adjacent and affected governmental districts | Compatible |

Thrive Lens Analysis

The proposed 2040 comprehensive plan 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

The Metropolitan Council awarded the City a Planning Assistance Grant of \$10,000 to complete its 2040 comprehensive plan. The first half of this grant was paid to initiate the local planning process. The second half of the grant will be paid after Council authorization of the City's plan, local adoption, and the City's submittal of final reporting requirements.

Known Support / Opposition

There is no known local opposition to the 2040 comprehensive plan.

REVIEW RECORD

City of Miesville 2040 Comprehensive Plan

Review File No. 22177-1, Business Item No. 2019-216

The following Review Record documents how the proposed Plan meets the requirements of the Metropolitan Land Planning Act and conforms to regional system plans, is consistent with regional policies, and is compatible with the plans of adjacent and affected jurisdictions.

Conformance with Regional Systems

The Council reviews plans to determine conformance with metropolitan system plans. The Council has reviewed the City's Plan and finds that it conforms to the Council's regional system plans for Regional Parks, Transportation (including Aviation), and Water Resources.

Regional Parks and Trails

Reviewer: Colin Kelly, AICP, Community Development (CD) – Regional Parks (651-602-1361)

The Plan conforms to the *2040 Regional Parks Policy Plan (RPPP)* for the Regional Parks System element. Dakota County would be the Park implementing agency for Regional Parks System components in the City of Miesville, however there are no Regional Parks System components in the City. And, there are no state or federal recreation lands in the City.

Regional Transportation, Transit, and Aviation

Reviewer: Russ Owen, Metropolitan Transportation Services (MTS) (651-602-1724)

The Plan conforms to the *2040 Transportation Policy Plan (TPP)* adopted in 2015. It accurately reflects transportation system components of the TPP. The Plan is also consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight.

Roadways

The Plan conforms to the Roadways system element of the TPP. The Plan accurately accounts for the metropolitan highway system of principal arterials.

The Plan identifies all the required characteristics of the City's roadways, including existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials. Forecasting was done consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

The Plan identifies Dakota County studies and plans that are relevant to the City's roadway system.

Advisory Comments

The final Plan should ensure that MN State Highway 50 is named text on all appropriate maps.

Transit

The Plan conforms to the Transit system element of the TPP. It shows the location of existing transit routes and facilities and acknowledges the City is within Transit Market Areas V.

The Plan conforms to the Transit system element of the TPP. The Plan acknowledges that the City is not within the Transit Capital Levy District and that the primary transit focus is on TransitLink dial-a-ride service.

Advisory Comments

The final Plan should change language on page 38 from “Transit Taxing District” to “Transit Capital Levy District.”

Aviation

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions.

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies existing bicycle routes. No future routes are planned.

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the one Tier 3 truck corridor in the City.

Water Resources

Wastewater Service

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

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP). The Plan represents the City’s guide for future growth and development through the year 2040. The City is entirely provided wastewater service through the use of Subsurface Sewage Treatment Systems or SSTS’. The Plan indicates continued wastewater services will be provided through the use of SSTS’ through 2040.

The Plan does not propose nor anticipates requesting connection to the Regional Wastewater Disposal system within the 20-year planning period; therefore, the City is not required to submit for approval of a Comprehensive Sanitary Sewer Plan.

The Council does not have plans to provide wastewater services to the City within the 2040 planning period.

Surface Water Management

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

The Plan is consistent with Council policy requirements and in conformance with the Council’s 2040 WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. Miesville lies within the oversight boundaries of the North Cannon River Watershed Management Organization (Watershed). Miesville is part of the Dakota County Rural Collaborative (DCRC) that has prepared a joint Plan that incorporates a Local Water Management Plan (LWMP) element. The DCRC submitted a draft LWMP to the Council in conjunction with its Preliminary Plan on July 2, 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the DCRC and Watershed in a letter dated August 13, 2018.

The City has identified no existing or potential future water resource-related problems in its LWMP or Capital Improvement Program (CIP) that it intends to address in the ensuing 10-year planning period. The City has adopted the North Cannon River Watershed Management Organization (Watershed) watershed plan by reference and provided assurance that it will work with the Watershed in the future to implement projects within City boundaries. It will likely be incumbent upon the Watershed to identify the existence of any water resource problems in the City; as well as plan, design, and implement any projects to resolve future water resource problems. The Council encourages the Watershed to reach out to and involve the City when it moves new projects forward to resolve water resources issues that may share either their source or resolution area within City boundaries.

Advisory Comments

The final Plan, which will include a revised LWMP element for the City, will need to be sent to the Watershed for a second review so that they can approve the LWMP element.

When available, we request that the City provide to the Council the date the Watershed approves the final LWMP, and the date the City adopts the final LWMP. We also request that the City provide the Council with a copy of the final adopted LWMP that will be included in the final Plan document that the City adopts, if it differs from the version in the Plan submitted to the Council on December 31, 2018.

Consistency with Council Policies

The Council reviews plans to evaluate their apparent consistency with the adopted plans of the Council. Council staff have reviewed the City’s Plan and find that it is consistent with the Council’s policies, as detailed below.

Forecasts

Reviewer: Paul Hanson, CD – Research (651-602-1322)

The Plan includes the Council forecasts for the City. The Metropolitan council forecasts are:

Table 1. City of Miesville Forecasts

| | Census 2010 | Estimated 2017 | 2020 | Council Forecasts | |
|-------------------|----------------|-------------------|------|-------------------|------|
| | | | | 2030 | 2040 |
| Population | 125 | 134 | 140 | 140 | 140 |
| Households | 52 | 56 | 60 | 60 | 60 |
| Employment | 116 | 128 | 120 | 130 | 130 |

All forecasts tables throughout the Plan are consistent and with little anticipated growth, the City appears to have enough land guided to accommodate future household growth.

Thrive MSP 2040 and Land Use

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The Plan is consistent with Thrive MSP 2040 and its land use policies. The Plan acknowledges the Thrive community designation of Diversified Rural. Thrive expects Diversified Rural communities to plan for forecasted population and household growth at average densities of 4 units in 40 acres for new development. Thrive also directs these communities to preserve areas where post-2040 growth can be provided with cost-effective and efficient urban infrastructure. Furthermore, Thrive directs these communities to manage land uses to prevent the premature demand for extension of urban services, and so that existing service levels (such as on-site wastewater management, gravel, and other local roads) will meet service needs.

The City’s existing land uses are predominately agricultural (88%), Right-of-Way (1.6%) and Commercial and Industrial (1.4%), and Residential (6.3%). The remaining land is park, recreational, airport, or institutional (Figure 3).

The City has planned for and is programming local infrastructure needs to implement their Plan. The regional forecast growth is relatively flat with an expected zero households to the year 2040, and no change to population (Table 1 above). The division of expected land to develop as residential through 2040 is anticipated to be splits of existing farmsteads.

Housing

Reviewer: Tara Beard, CD – Housing (651-602-1051)

The Plan is consistent with the *2040 Housing Policy Plan*. Miesville's housing stock is primarily rural residential. The City's growth has been consistent and modest, adding a few, if any, households each decade.

The City has just 59 housing units, most of which are single family. Council data show that approximately 73% of those units are affordable to households earning 80% of the Area Median Income (AMI) or less (or \$68,000 for a family of four), and there are no publicly subsidized housing units, which is not uncommon for rural residential communities. Eight percent of the City's housing stock consists of duplexes, triplexes, or quads. The City does not have an allocation of affordable housing need in the 2021-2030 decade, as it will not experience any sewer-serviced growth.

The Plan states the City's housing needs as multi-generational community living, maintaining existing housing units, and housing affordability. The Plan notes that as a small community, most housing resources will come through partnerships with outside agencies such as Dakota County Community Development Agency and Minnesota Housing. The Plan does consider other tools that could be used to meet their housing needs, however, including the consideration of an accessory dwelling unit ordinance and effective housing referrals.

Water Supply

Reviewer: Dave Brown, ES – Water Supply Planning, 651-602-1072

The City's Plan is consistent with WRPP policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

The City relies primarily on private wells and does not own or operate a municipal community public water supply system (PWS); no local water supply plan is required.

Staff opinion is that the plan is generally consistent with Water Resources Policy Plan policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

Advisory Comments

Council staff encourage the City to incorporate water conservation into water resource education programs. The Council's online Water Conservation Toolbox is a resource that could be used to support this effort.

Community Wastewater Treatment and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan indicates that all residences and businesses in the City are served by individual SSTS. There are an estimated 60 systems in operation in the City. Dakota County maintains maintenance management recordkeeping and SSTS owner notification for the City, and the City is responsible for review, permitting, inspections of new and existing SSTS, and enforcement of maintenance management requirements. Violations, complaints, and potential system repairs are referred to the Building Official for enforcement. If the Building Official cannot remedy violations and corrections through normal enforcement procedures, the matter is turned over to the City Attorney for prosecution. The City has adopted Dakota County SSTS Ordinance #113, which is consistent with Minnesota Pollution Control Agency Chapter 7080-7083 Rules and Council 2040 Water Resources Policy Plan requirements.

Special Resource Protection

Solar Access Protection

Reviewer: Cameran Bailey, CD – Local Planning Assistance (651-602-1212)

The Plan is consistent with statutory requirements (Minn. Stat. 473.859) and Council policy regarding planning for the protection and development of access to direct sunlight for solar energy systems as required by the Metropolitan Land Planning Act (MLPA). The Plan includes the required solar planning elements.

Aggregate Resource Protection

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

The Plan identifies, consistent with *Minnesota Geological Survey Information Circular 46* information, the presence of isolated aggregate resource deposits within the City. Aggregate Resources are protected for future extraction by the limited development density allowed in the agricultural land use areas of the City and through its zoning regulations and mining ordinance. The City has incorporated in the Plan, an Environmental Resources Goal to “Protect high quality aggregate resources for future use.”

Historic Preservation

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The Plan states that there are no registered historical properties in the City. The Plan does propose that Miesville will promote preservation and reuse of historically significant buildings or sites. If development and redevelopment affects potential historic buildings or sites, the City, as part of its review of the development, will check with the State Historic Preservation Office to determine if the affected structure(s) or site(s) has been determined to be historically significant either by the State or Federal government. The City will also adopt historic preservation measures into its local ordinance in order to further protect these historic structures.

Plan Implementation

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The Plan includes a description of and schedule for any necessary changes to the capital improvement program, the zoning code, the subdivision code, the SSTS code, and the housing implementation program.

The Plan, with supplemental materials, describes the official controls and fiscal devices that the City will employ to implement the Plan. Specific implementation strategies are contained in individual chapters of the Plan, with capital improvements planning detailed in the Appendix.

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

The proposed Plan is compatible with the plans of adjacent jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

Documents Submitted for Review

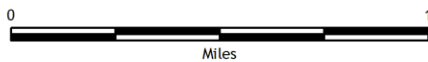
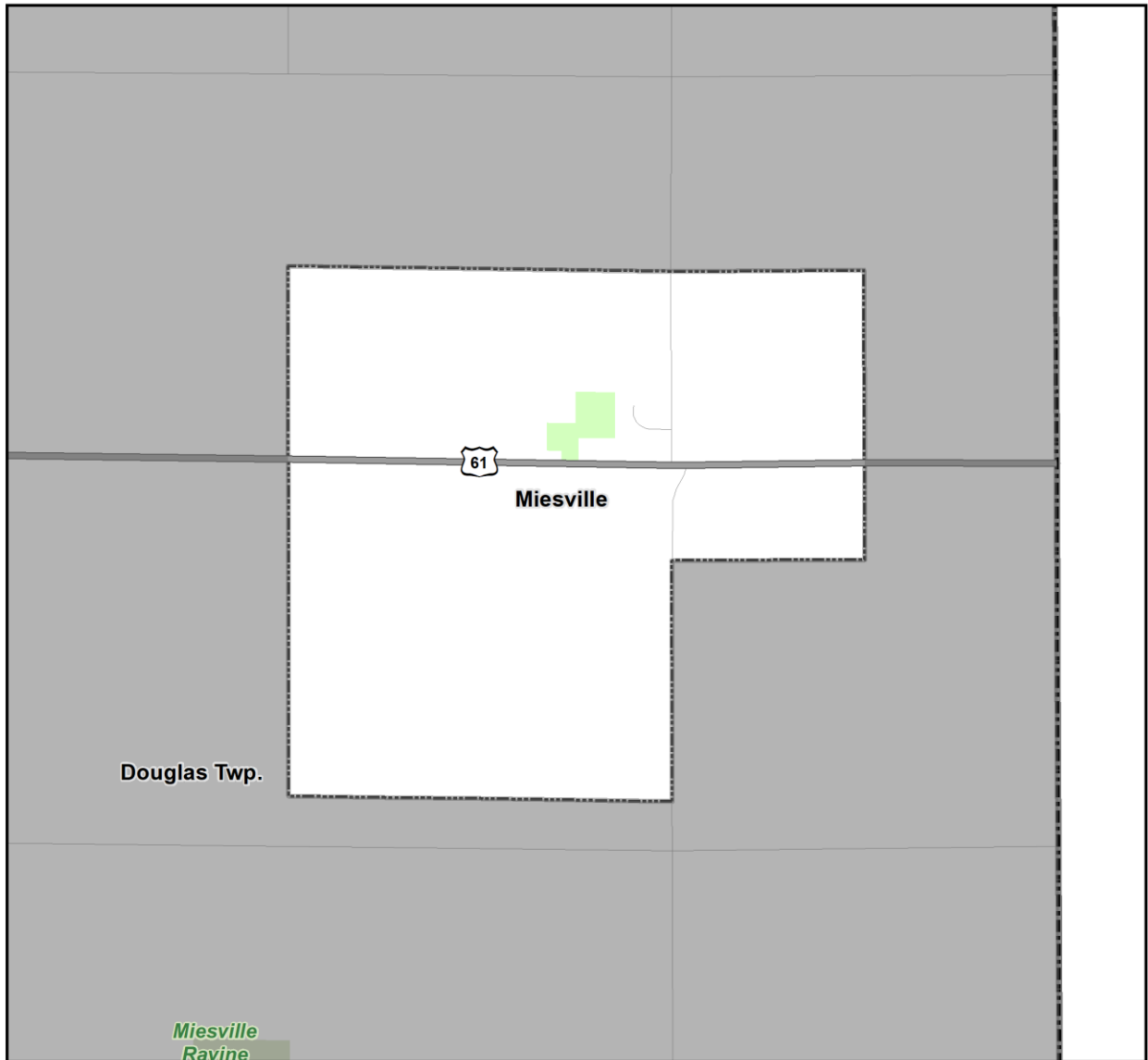
In response to the 2015 System Statement, the City submitted the following documents for review:

- July 2, 2018: Miesville 2040 Preliminary Plan
- December 31, 2018: Miesville 2040 Comprehensive Plan
- March 11, 2019: Revisions to housing and transportation sections
- April 29, 2019: Revisions to the transportation plan

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Planned Land Use

Figure 1. Location Map with Regional Systems



Regional Systems

Transportation

Transitways

- Existing Fixed Guideway Alignments
- Existing Bus Rapid Transitways
- Planned Fixed Guideway Transitways
- Planned Bus Rapid Transitways
- Existing Fixed Guideway & BRT Stations
- Planned Fixed Guideway Stations

Regional Highway System

- Interstates
- US Highways
- State Highways
- County Roads

Recreation Open Space

Regional Parks

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units

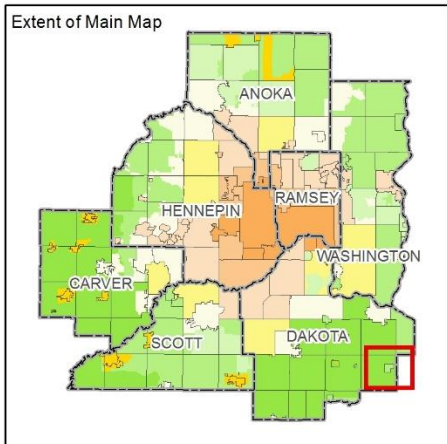
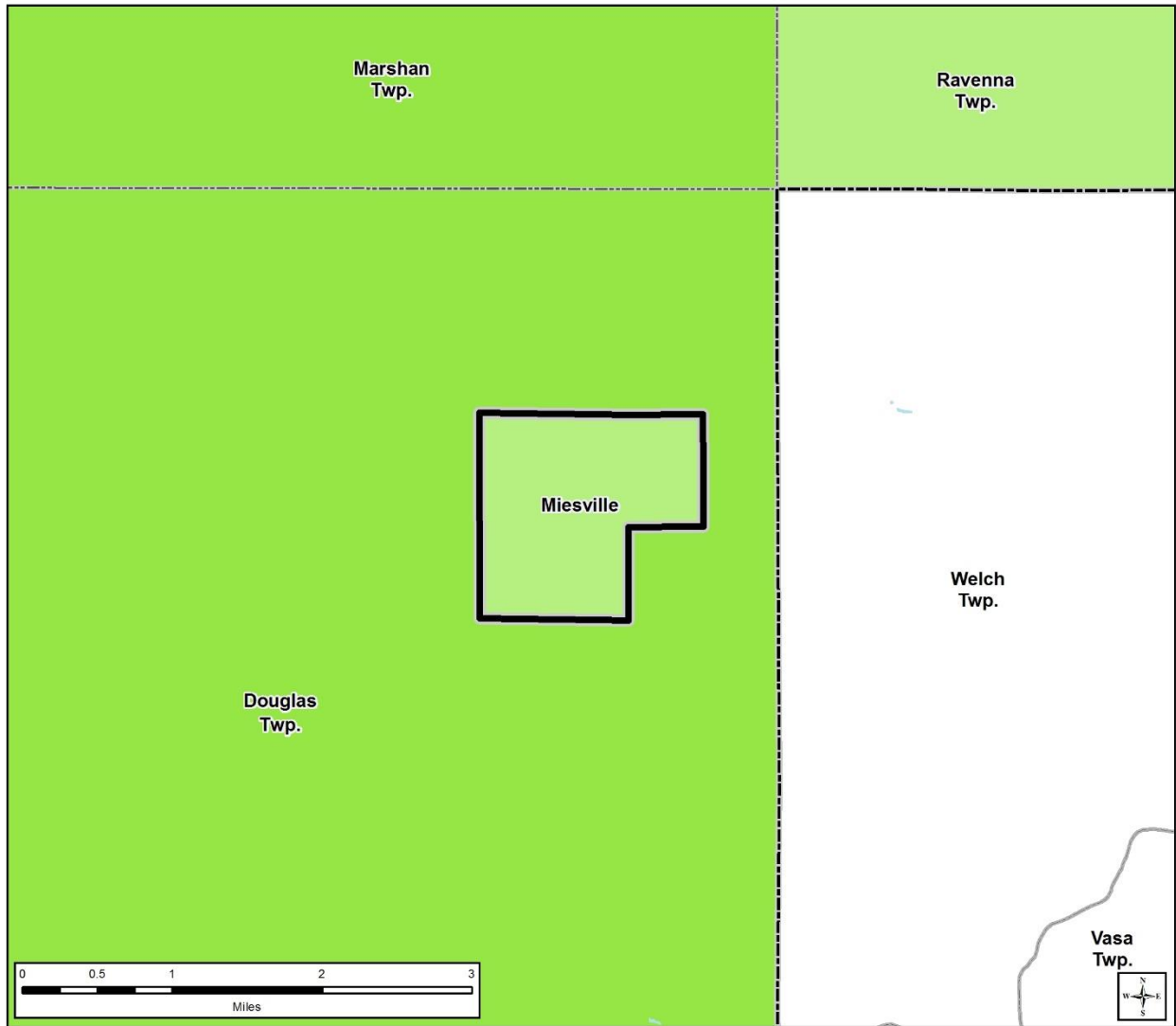
Regional Trails

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned
- Other Parks, Preserves, Refuges and Natural Areas
- Existing State Trails

Wastewater

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants
- Airports
- Ncompass Street Centerlines
- 2040 Metropolitan Urban Service Area

Figure 2. Thrive MSP 2040 Community Designations



Community Designations

- Outside Council planning authority
- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center

- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

Figure 3. Existing Land Use

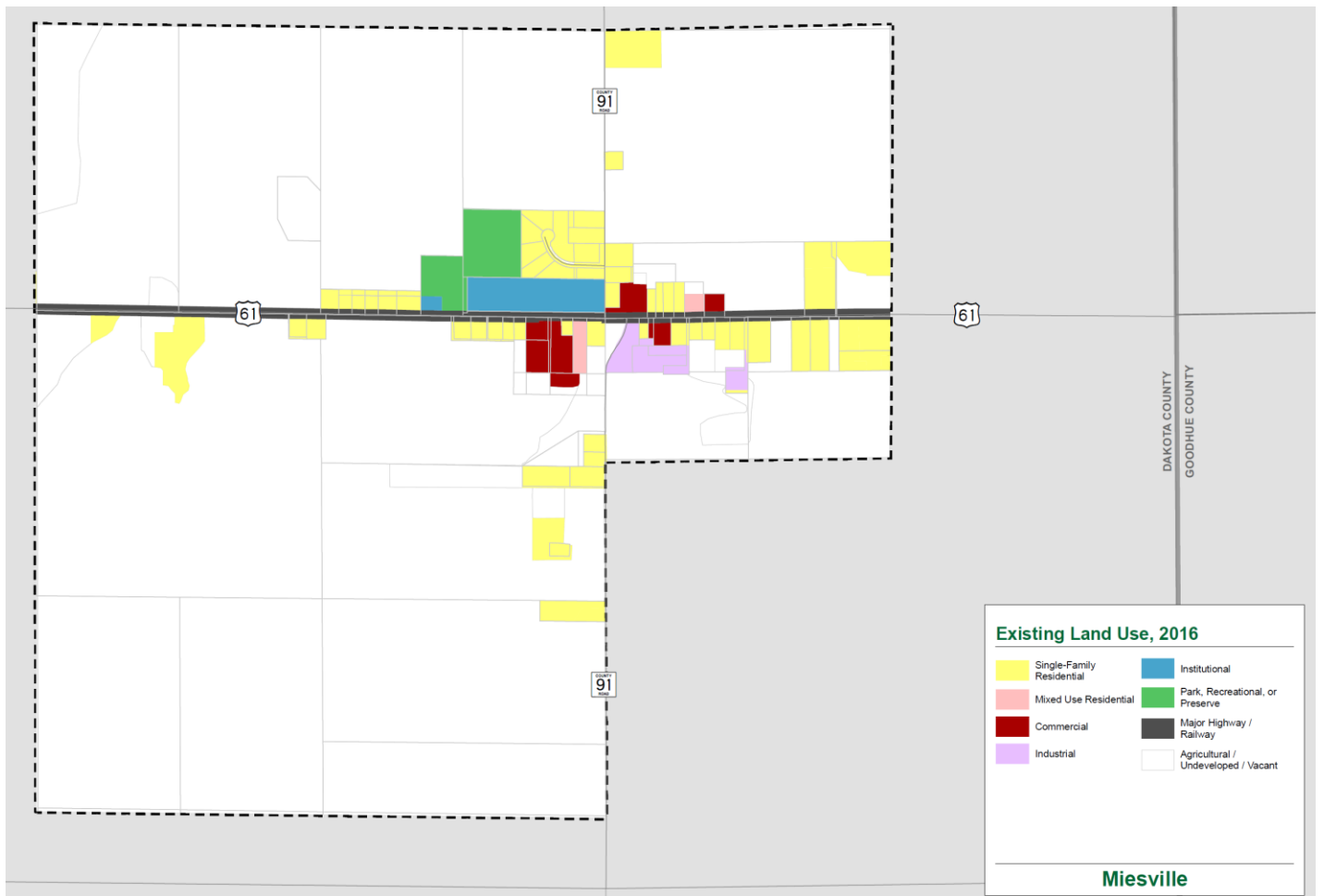


Figure 4. 2040 Planned Land Use

