

## Community Development Committee

Meeting date: May 4, 2020

For the Metropolitan Council meeting of May 13, 2020

**Subject:** City of Sunfish Lake 2040 Comprehensive Plan, Review File 21788-1

**District(s), Member(s):** District 13, Chai Lee

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

**Staff Prepared/Presented:** Patrick Boylan, Planning Analyst (651-602-1438)  
Angela R. Torres, 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:

1. Authorize the City of Sunfish Lake to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Surface Water Management.

## *Advisory Comments*

The following Advisory Comments are part of the Council action authorizing the City of Sunfish Lake 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 Council 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. Stat. §§ 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 Sunfish Lake is located in northern Dakota County. It is surrounded by the communities of West St. Paul, Inver Grove Heights, Eagan, and Mendota Heights.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. §§ 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

None.

## Known Support / Opposition

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

# REVIEW RECORD

## City of Sunfish Lake 2040 Comprehensive Plan

### Review File No. 21788-1, Business Item No. 2020-133

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, Community Development (CD) - Regional Parks (651-602-1361)*

The Plan conforms to the *2040 Regional Parks Policy Plan* for the Regional Parks System element. Dakota County would be the Park implementing agency for Regional Parks System components in the City of Sunfish Lake, however there are no Regional Parks System components in the City. There are no state or federal recreation lands in the City either.

#### *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 accurately reflects the regional functional classification map of A-minor arterials and has delineated major and minor collectors.

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 is consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

#### **Transit**

The Plan conforms to the Transit system element of the TPP and it acknowledges the City is within Transit Market Area IV.

#### **Aviation**

The Plan conforms to Aviation system element of the TPP. The Plan identifies its proximity to facilities and flight paths of the Minneapolis-St. Paul International Airport, Fleming Field, and the St. Paul Downtown Airport.

## **Bicycling and Walking**

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies existing and future segments of and connections to the Regional Bicycle Transportation Network (RBTN) and regional trails.

## **Freight**

The Plan is consistent with Freight policies of the TPP.

## *Water Resources*

### **Wastewater Service**

*Reviewer: Kyle Colvin, Environmental 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 individual private subsurface 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 a Comprehensive Sewer Plan for approval.

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

### **Surface Water Management**

*Reviewer: Judy Sventek, ES – Water Resources (651-602-1156)*

The Plan is consistent with Council policy requirements and in conformance with the Council's *2040 WRPP* for local surface water management. Sunfish Lake lies within the oversight boundaries of the Lower Mississippi River Watershed Management Organization (Watershed). Sunfish Lake submitted a draft Local Water Management Plan (LWMP) update in August 2018. Council staff reviewed and commented on the draft LWMP to the City and Watershed in a letter dated August 31, 2018. The LWMP was approved by the Watershed on September 12, 2018 and adopted by the City on December 4, 2018.

### *Advisory Comments*

The original draft plan submission to the Council included the Local Water Management Plan. The update submission on January 24, 2020 did not include the Local Water Management Plan. The Local Water Management Plan will need to be incorporated into the Final Plan that the City formally adopts and sends to the Council to meet Council content requirements.

### *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 (651-602-1642)*

The Plan acknowledges Council forecasts as shown below in Table 1.

**Table 1. City of Sunfish Lake Forecasts**

	Census 2010	Estimated 2017	Council Forecasts		
			2020	2030	2040
<b>Population</b>	521	512	540	520	490
<b>Households</b>	183	181	190	200	210
<b>Employment</b>	8	N/A	10	10	10

All forecast tables throughout the Plan are consistent. The City is currently under their 2020 forecast projections and is not expected to exceed forecasts through 2040.

### *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 Rural Residential (Figure 2). *Thrive* expects Rural Residential communities to discourage future development of rural residential patterns (unsewered lots of 2.5 acres or less) and where opportunities exist, plan for rural development at densities that are not greater than 1 unit per 10 acres.

Residential uses comprise over 80% of all existing land uses; institutional uses are just under 3% and road rights of way are almost 13% of the total land in the City. (Figure 3).

The Plan has environmental protection provisions in local land use ordinances and promotes best management practices for lakeshore setbacks, stormwater management, habitat restoration, and natural resource conservation in development plans and projects. Sunfish Lake discourages future development of rural residential patterns of unsewered lots of 2.5 acres or less. (Figure 4).

The Plan acknowledges forecasts that show a potential growth of 20 households; consistent with the Council’s forecasts. The Plan identifies large parcels that could be subdivided for future growth.

### *Housing*

*Reviewer: Hilary Lovelace Beard, CD – Housing (651-602-1555)*

The Plan is consistent with the *2040 Housing Policy Plan*. As of 2016, the City has about 200 homes all of which are single-family homes. About 15 homes are rented. Seven housing units are currently affordable to households earning under 80% of Area Median Income (AMI), however, nearly 20 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. There are 3 units affordable to households with income at or below 30% AMI and 7 cost burdened households with incomes at or below 30% AMI.

The Plan identifies existing housing needs including a variety of housing types for all stages of life, regular monitoring of housing stock, and housing that is affordable to a range of income levels, especially moderate and low income households. The City does not currently have any publicly subsidized housing.

The City does not have an allocation of affordable housing need in the 2021 -2030 decade, as it is not expected to experience any sewer-serviced growth.

The housing implementation plan component of the Plan describes that the City work in coordination with the Dakota County Community Development Agency to assist residents with housing needs. The Plan also indicates that the City will regularly monitor the condition of housing stock. The City states that they will partner with Dakota County CDA to meet many of their housing needs, including ferring

interested residents to the community land trust. The Plan notes that there are no restrictions to City residents to access housing programs, but the Plan makes no mention of connecting residents to these services.

## **Water Supply**

*Reviewer: John Clark, ES – Water Supply Planning (651-602-1452)*

The 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.

Because Sunfish Lake relies primarily on private wells and does not own/operate a municipal community public water supply system, no local water supply plan is required. The final plan submittal should include information about water sources, including plans to protect private water supplies, in appropriate sections of the local comprehensive plan.

The Plan demonstrates a sound understanding of issues that could impact drinking water supplies and groundwater resources in their community.

## **Community and Subsurface Sewage Treatment Systems (SSTS)**

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

Five homes in the northwest corner of the City on smaller lots have been connected to the Mendota Heights sanitary sewer collection and potable water distribution systems. The Plan indicates that the remainder of the residential and institutional properties in the City are served by 188 individual SSTS. There are no identified public or privately-owned Community Wastewater Treatment Systems operating in the City. City Code Sections 401 & 402 adopt Minnesota Pollution Control Agency (MPCA) Chapter 7080-7083 Rules and specify City SSTS maintenance requirements for individual system owners. The City's program is consistent with MPCA Rules and Council WRPP 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: Cameran Bailey, CD – Local Planning Assistance (651-602-1212)*

The Council's aggregate resources inventory indicates the presence of minor deposits of aggregate resources in the City, but in quantities not viable for extraction in the nearly fully developed community. The City does not currently allow mining and aggregate extraction as a permitted use in any of its zoning districts, but the Plan states that where appropriate they will consider the preservation and protection of aggregate resources, assuring that land use compatibility is given the utmost consideration.

### **Historic Preservation**

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

The Plan states that the City does not contain any buildings or structures that are listed on the Register of National Historic Places or that have been identified by the Minnesota Historical Society as being eligible for the National Register. The Plan states that the City is committed to preservation of its history and will take the appropriate steps to ensure preservation of historically significant 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:

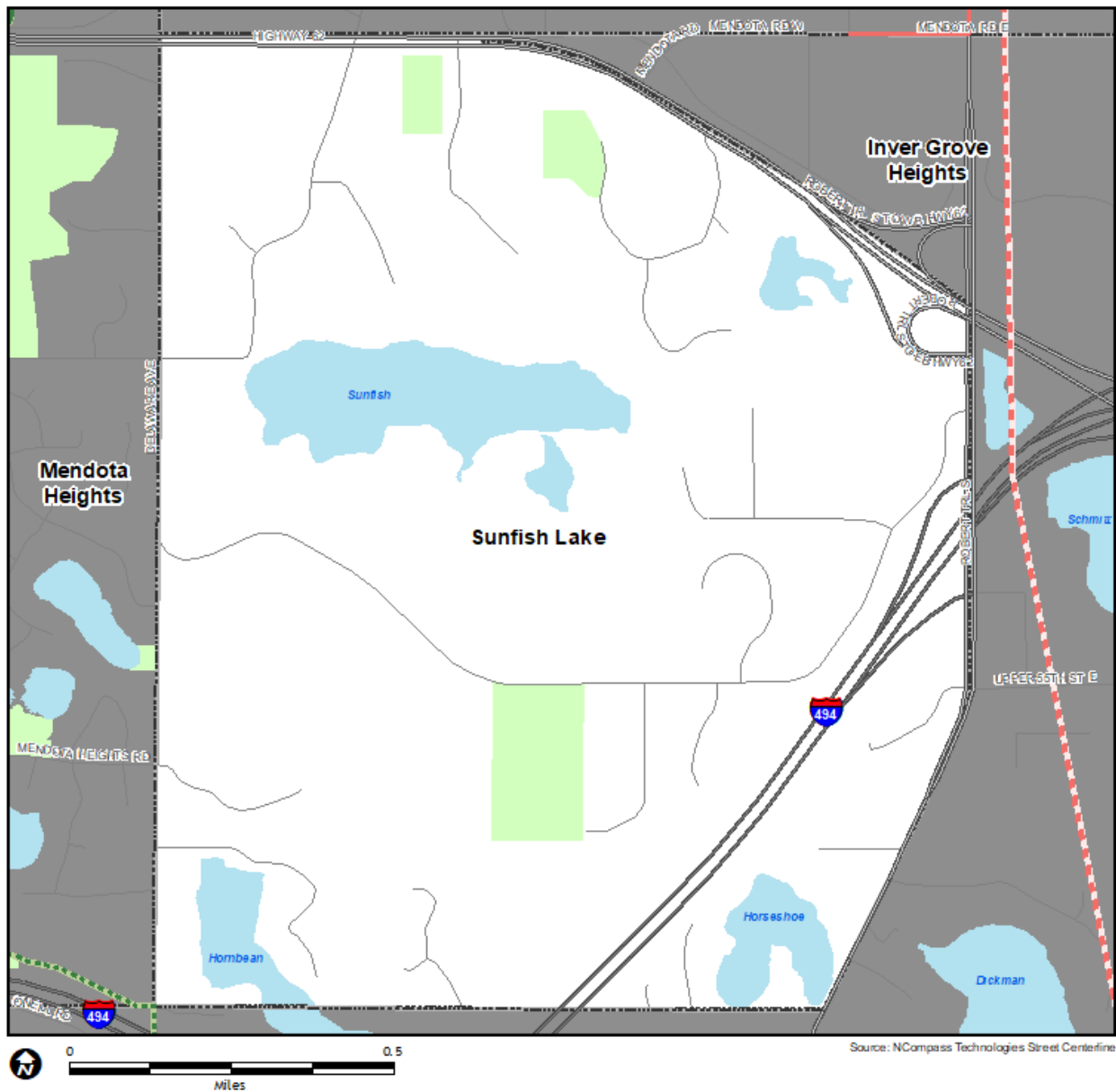
- August 22, 2017: Sunfish Lake Preliminary 2040 Comprehensive Plan
- August 6, 2018: Comprehensive Stormwater Management Plan
- March 11, 2019: Sunfish Lake 2040 Comprehensive Plan
- January 24, 2020: Revised Comprehensive Plan Responding to Council Incomplete Items for Wastewater, Transportation, Forecasts, Land Use, Community Wastewater Treatment and Subsurface Sewage Treatment Systems (SSTS), and Submission Requirements.
- February 21, 2020: Sanitary Sewer Data
- March 6, 2020: Sanitary Sewer Data
- March 10, 2020: Road Network Functional Classification Map

## Attachments

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



Figure 1. Location Map with Regional Systems



**Regional Systems**

**Transportation**

**Transitways**

2040 Transportation System Policy - adopted January 2015

- Existing
- - - - Planned Current Revenue Scenario
- - - - Planned Current Revenue Scenario - CTIB\* Phase 1 Projects
- Potential Increased Revenue Scenario

**Regional Highway System**

- Existing Principal Arterials
- Planned Principal Arterials
- Existing Minor Arterials
- Planned Minor Arterials
- Existing Other Arterials
- Planned Other Arterials

**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

**Wastewater**

- M Meters
- L Lift Stations
- MCES Interceptors
- MTP MCES Treatment Plants

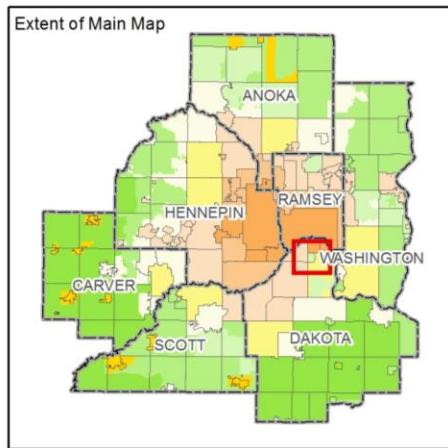
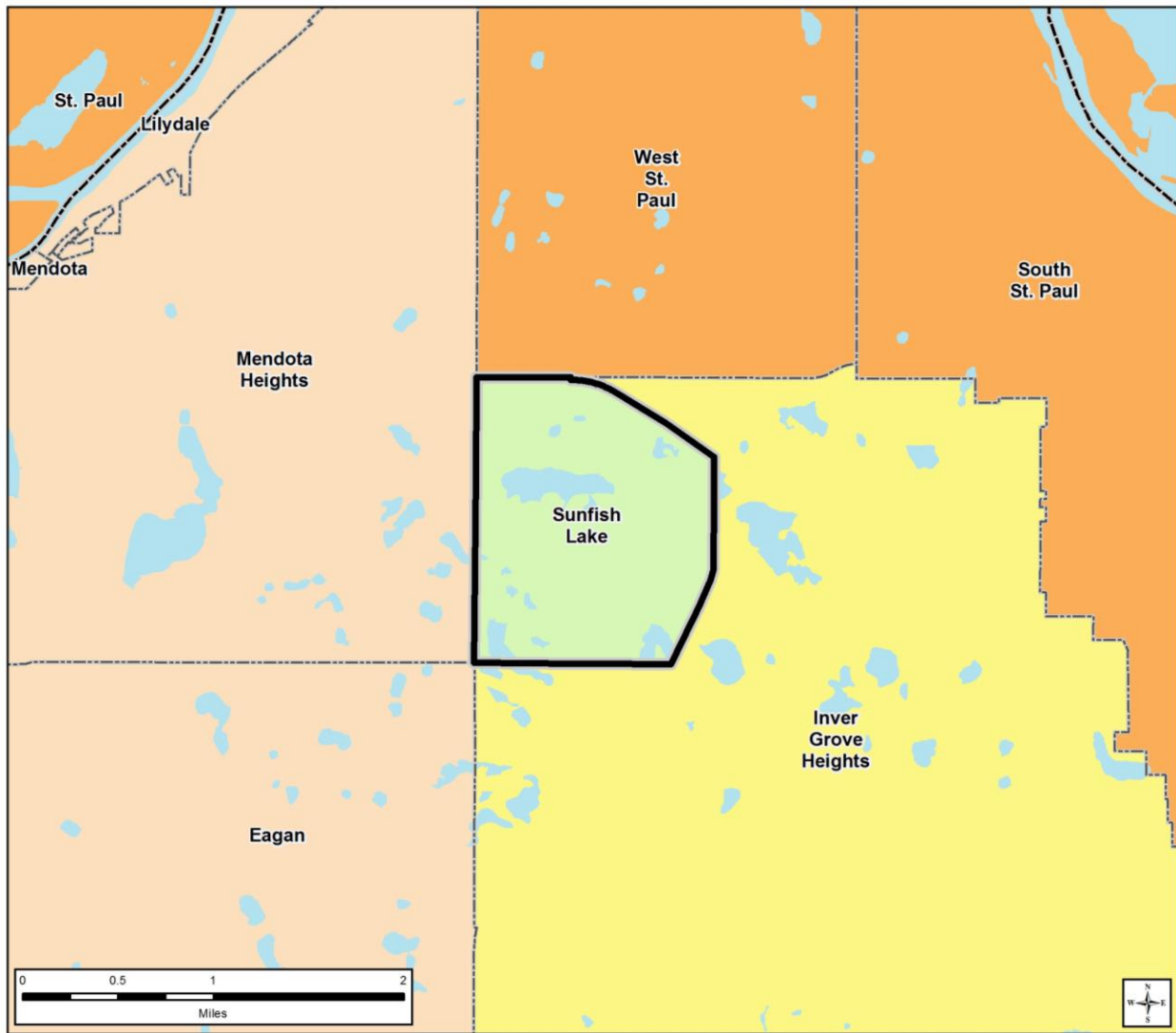
**Regional Park Search Areas and Regional Trail Search Corridors**

- Boundary Adjustment
- Search Area
- Regional Trail Search Corridors

- Local Streets
- Existing State Trails
- Other Parks, Preserves, Refuges and Natural Areas

\* Counties Transit Improvement Board (CTIB)

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

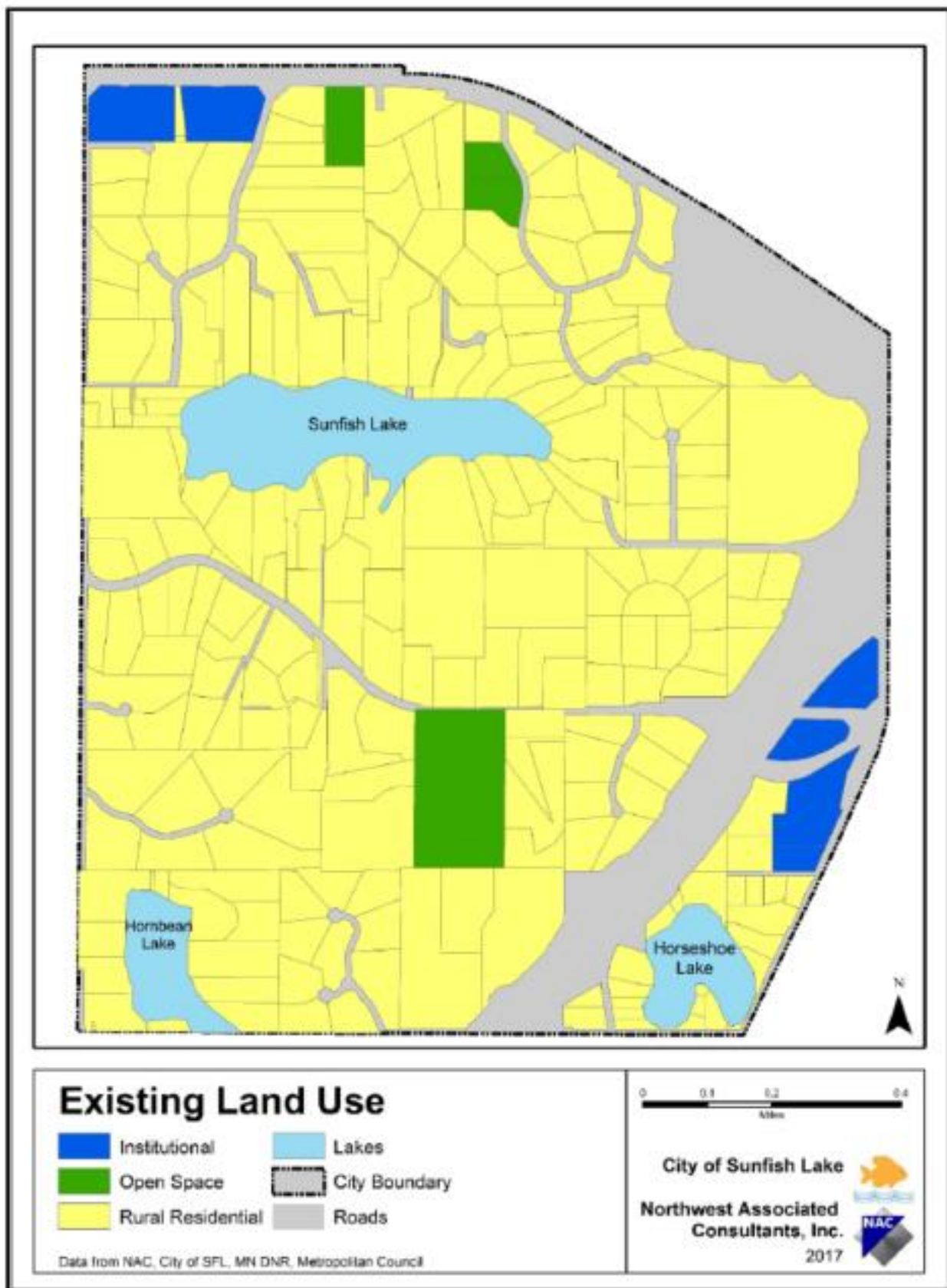


Figure 4. 2040 Future Land Use

