



Red Forest Way South Comprehensive Plan Amendment

City of North Oaks – District 10



January 16, 2024

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metro council.org

Comprehensive Plan Review



Minn. Stat. 473.175, subd. 1

Council Reviews and comments on the local comprehensive plans to determine:

- Conformance with metropolitan system plans
- Consistency with adopted plans of the Council
- Compatibility with the plans of adjacent and affected jurisdictions

Plan Modification

Statutory Authority

As permitted by Minn. Stat. § 473.175, subd. 1, the Council may require a local unit of government to modify its comprehensive plan or part thereof:

- That does not conform to a metropolitan system plan
 - if the Council concludes that the local plan or plan amendment is more likely than not to have either a substantial impact on or to represent a substantial departure from the Council's adopted policy plans and capital budgets for a metropolitan system.

Plan Modification Process and Schedule

The proposed schedule for consideration of the amendment:

Dates	Actions
January 24, 2024	Post public hearing notice
February 5, 2024	Hold public hearing at the Community Development Committee at 4:00pm
February 12, 2024	Close public hearing record at 5:00pm
February 20, 2024	Community Development Committee reviews hearing record with action forwarding recommendations to the Metropolitan Council
February 28, 2024	Final action by the governing body of the Metropolitan Council on the City's proposed comprehensive plan amendment

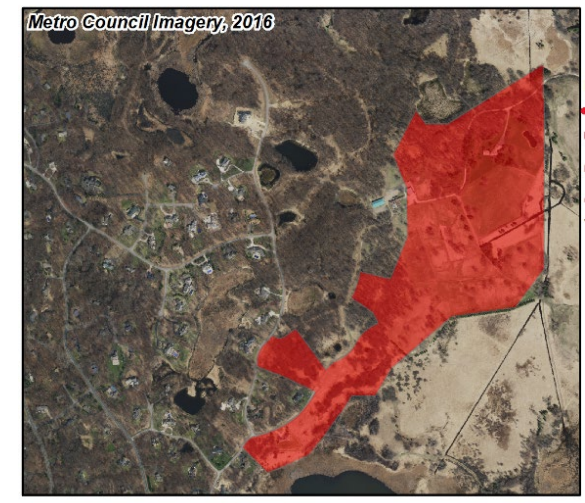
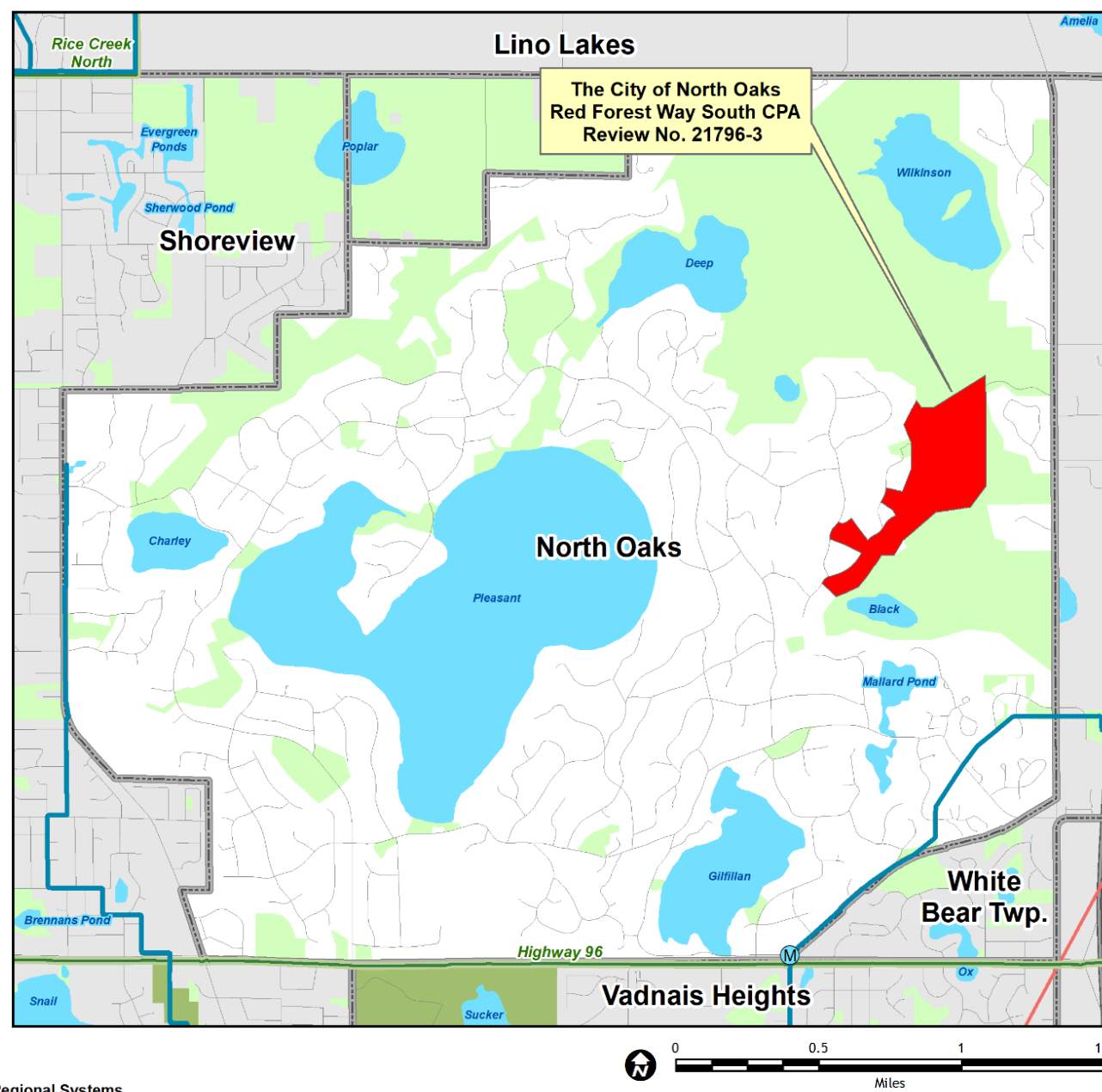
Public Hearing

Brief overview of the issues and opportunity for comment:

Does review of the amendment follow the process described in the Metropolitan Land Planning Act?

Does the amendment represent a substantial departure from the regional wastewater system plan?

Regional Systems



Regional Systems

Regional Transitways

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

Wastewater

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

Regional Highway System

- Interstates
- US Highways
- State Highways
- County Roads
- Road Centerlines

Regional Parks

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units
- Other Parks, Preserves, Refuges and Natural Areas

Regional Trails

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned Regional Trails
- Regional Trail Search Corridors

Background

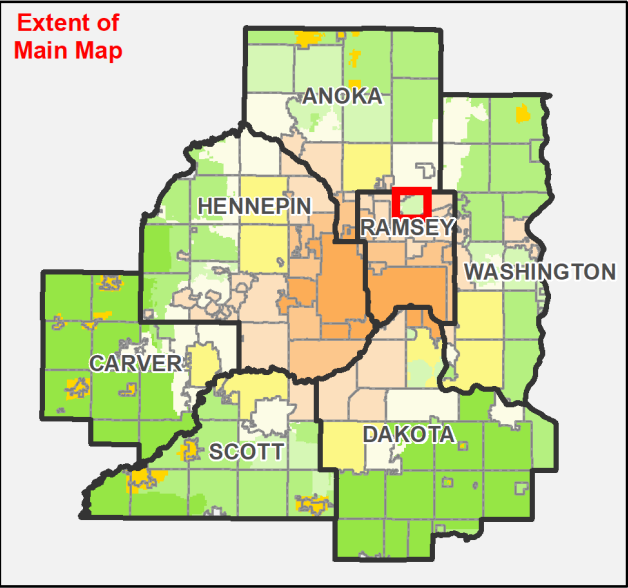
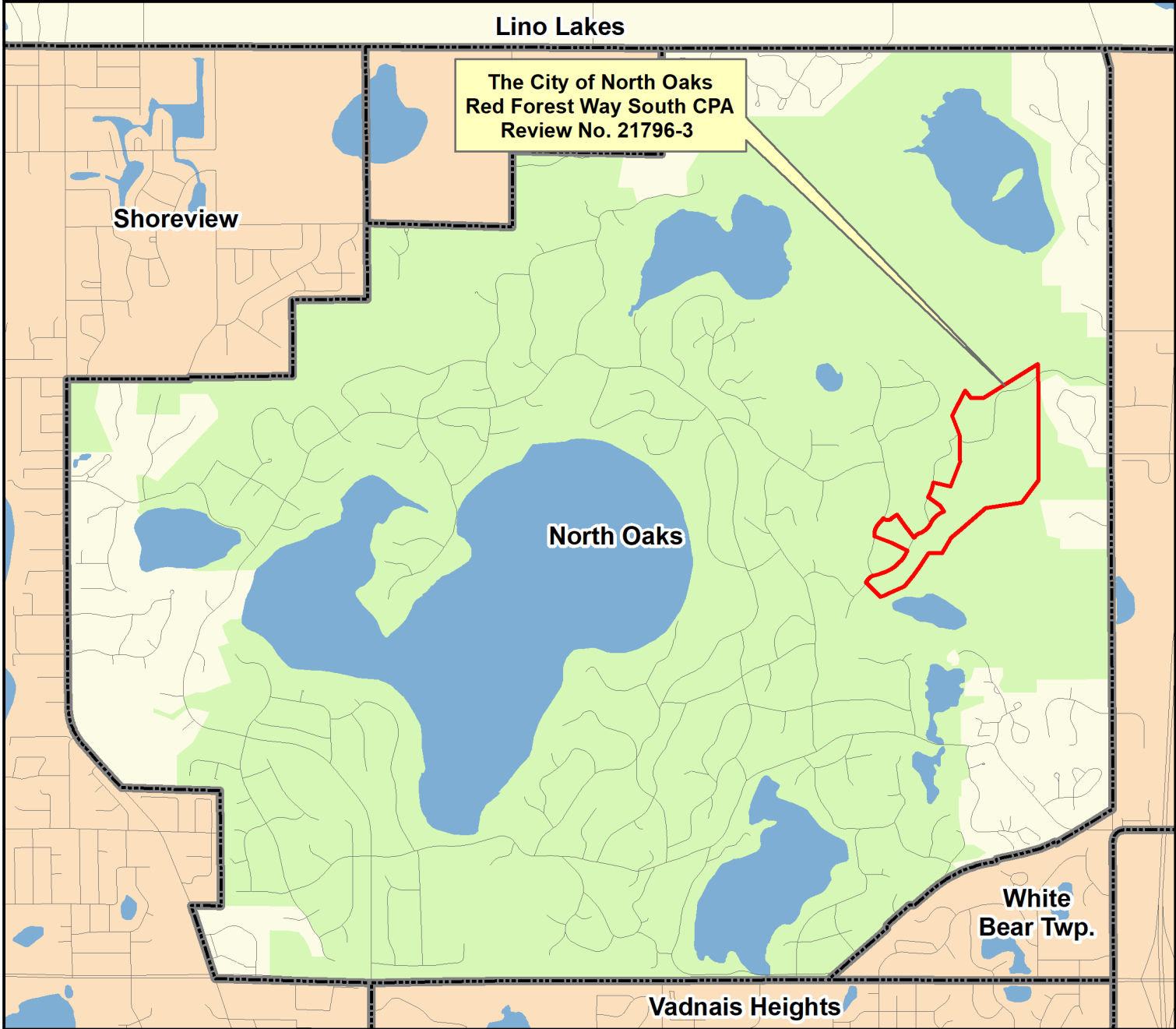
- Nearly all of the land within the City, with few exceptions, is governed by the North Oaks Home Owners' Association (NOHOA).
- Perpetual covenants are part of all deeds and declarations since 1950, except for only a few properties.
- Some neighborhoods include sub-associations that have more restrictive provisions, but they remain subordinate to the NOHOA.
- All roads in the City are private; and local utilities are the responsibility of the HOAs.
- Since 1999, the primary governing planning and regulatory document for the City is the East Oaks Planned Unit Development (PUD).

Amendment Details

The amendment:

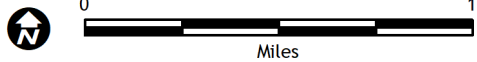
- proposes to expand the MUSA to include properties in the Red Forest Way South development (23 parcels, with 24 sewer connections, across 72.2 net acres).
- states the purpose is to connect these parcels to regional sanitary sewer.
- would require a change from the Rural Residential Community Designation to the Emerging Suburban Edge Community Designation.
- reduces the City's community-wide planned density from 3.0 units per acre to 2.3 units per acre.
- proposed net density for this development is 0.32 units per acre.

Community Designation

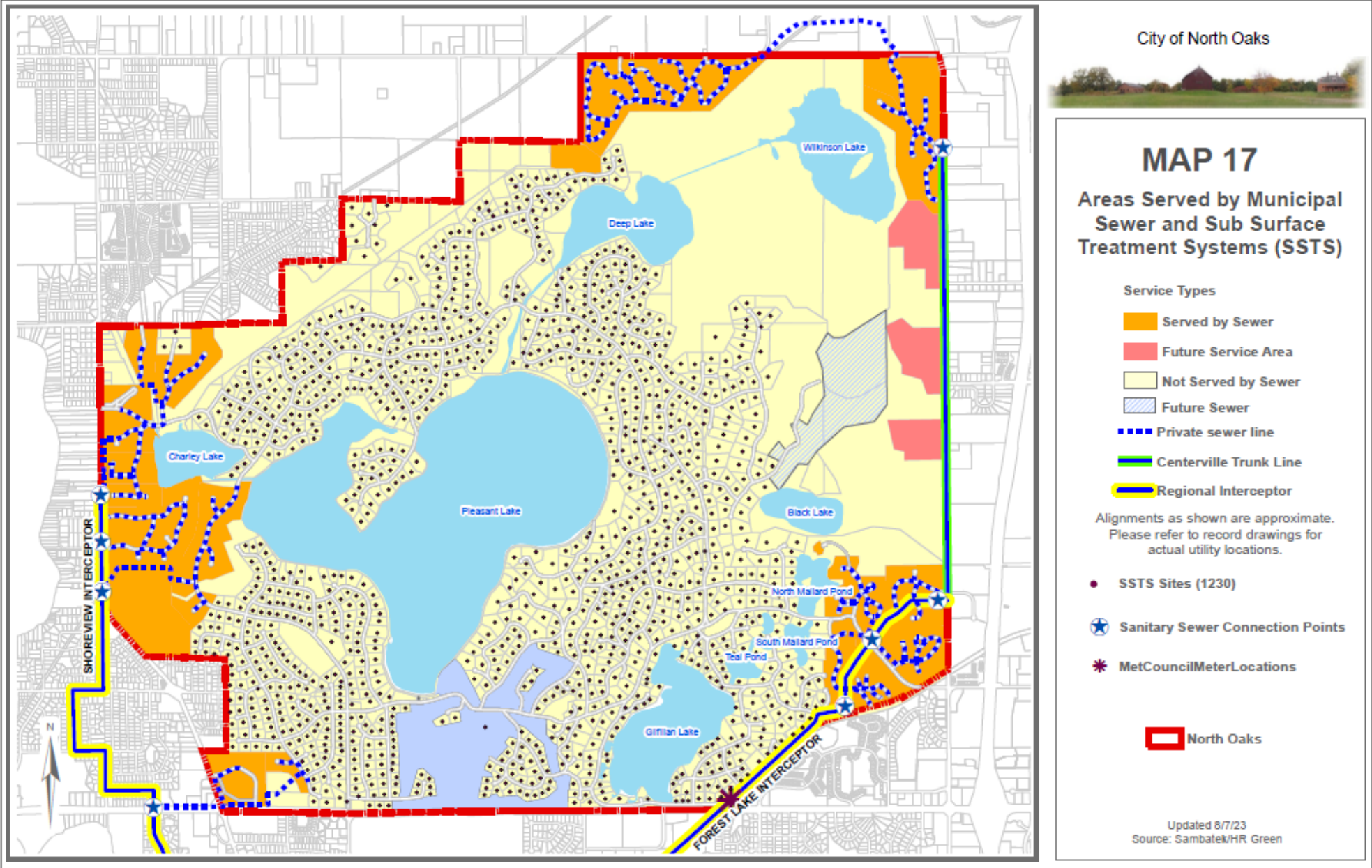


ThriveMSP 2040 Community Designations

- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center



Location Map Showing MUSA



Community Designation & Density

Minimum Requirements

- The Rural Residential designation does not allow for the provision of regional sewer services.
- To extend sewer service, there must be a community designation change from Rural Residential to Emerging Suburban Edge.
- Emerging Suburban Edge communities are required to plan at minimum densities of between 3 and 5 units per acre.
- The inconsistency with the Emerging Suburban Edge minimum density requirements precludes the community designation change.

Analysis

- The proposal does not conform to regional system plan for wastewater and represents a substantial departure from the Council's adopted *2040 Water Resources Policy Plan*.
 - Water Resources Policy Plan defines a substantial departure as when communities plan for sewer development densities that are lower than Council density standards that are the basis for regional infrastructure planning purposes.
 - The system plan for regional wastewater services does not include or foresee an extension of regional sewer service to this area within the planning horizon or beyond.
 - The reduction in the City's community-wide planned density from 3.0 u/a to 2.3 u/a is inconsistent with regional land use policy, including the required minimum density for the Emerging Suburban Edge community designation.

Housing Policy Plan Inconsistency



- Minn. Stat. §473.859, Subd. 4 (3) requires comp plans to “provide sufficient existing and new housing to meet the local unit's share of the metropolitan area need for low- and moderate-income housing.”
- The City’s Plan is currently inconsistent with the Council’s *Housing Policy Plan*; it does not guide sufficient land to address their share of the region’s affordable housing need for 2021-2030.
- The amendment does not resolve or make progress on the housing policy inconsistency.

Approaches

Options to resolve the conformance and consistency issues:

- Develop as authorized at proposed densities on individual subsurface sewage treatment systems (SSTS) within the current Rural Residential Community Designation.
- Identify areas within the sewerred portions of the City to increase planned densities to retain the overall minimum 3.0 units per acre required density for new development and redevelopment areas.
- Revise the amendment to propose densities consistent with sewerred densities within the Emerging Suburban Edge Community Designation at a minimum of 3 - 5 units per acre.

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Today's Proposed Action

That the Metropolitan Council:

- That the Metropolitan Council establish a date to conduct a public hearing to discuss and receive comment on a proposed plan modification for the City of North Oaks Red Forest Way South Comprehensive Plan Amendment. The hearing will take place at the Community Development Committee meeting on Monday, February 5, 2024, at 4:00 p.m.

Questions?

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