

Community Development Committee

Meeting date: December 6, 2021

Environment Committee

Meeting date: December 14, 2021

For the Metropolitan Council meeting of December 22, 2021

Subject: City of North Oaks 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21796-1

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 North Oaks to place its 2040 Comprehensive Plan into effect.
2. Revise the Community Designation for the Suburban portion of the City to Emerging Suburban Edge.
3. Revise the City's forecasts upward as shown in Tables 1 and 2 of the attached Review Record.
4. Revise the City's affordable housing need allocation for 2021-2030 to 68 units.
5. Advise the City to:
 - a. Correct the affordable housing need allocation in final Plan that is adopted by the City.
 - b. Incorporate the revised Local Water Management Plan (LWMP) into the final Plan that is adopted by the City.
 - c. As part of final Plan submittal, provide the Council the date that the Vadnais Lake Area Watershed Management Organization approved the local water management plan, and the date the City adopted the final local water management plan.
6. Advise the City that:
 - a. The Plan is inconsistent with Council housing policy for land supply and, therefore, the City will be unable to enroll in Livable Communities Act programs.
 - b. Council staff are available to discuss potential changes to guiding land use and density changes needed to address Council housing policy inconsistencies.

Recommendation of the Environment Committee

1. Approve the City of North Oaks's Comprehensive Sewer Plan.
2. Advise the City to:
 - a. Adopt local controls prohibiting the discharge of groundwater and stormwater into the sanitary sewer system and submit a copy of said ordinance to the Council as an amendment to its Comprehensive Sewer Plan.
 - b. Take any needed future steps to mitigate excess I/I following a Council-led planning effort in 2022 or 2023 to monitor City wastewater flow for excess I/I.

Summary of Community Development Committee Discussion/Questions

Planning Analyst, Eric Wojchik presented the staff's report to the Committee. No representatives from the City of North Oaks were in attendance. The Community Development Committee unanimously recommended approval of the proposed action with no questions or discussion at its meeting on December 6, 2021.

Summary of Environment Committee Discussion/Questions
FORTHCOMING

Community Development Committee

Meeting date: December 6, 2021

Environment Committee

Meeting date: December 14, 2021

For the Metropolitan Council meeting of December 22, 2021

Subject: City of North Oaks 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21796-1

District(s), Member(s): District 10, Peter Lindstrom

Policy/Legal Reference: Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513

Staff Prepared/Presented: Michael Larson, Planning Analyst (651-602-1407)
Angela R. Torres, Local Planning Assistance Manager (651-602-1566)
Kyle Colvin, Wastewater Planning and Community Programs Manager (651-602-1151)

Division/Department: Community Development / Regional Planning
Environmental Services / Technical Services

Proposed Action

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

Recommendations of the Community Development Committee

7. Authorize the City of North Oaks to place its 2040 Comprehensive Plan into effect.
8. Revise the Community Designation for the Suburban portion of the City to Emerging Suburban Edge.
9. Revise the City's forecasts upward as shown in Tables 1 and 2 of the attached Review Record.
10. Revise the City's affordable housing need allocation for 2021-2030 to 68 units.
11. Advise the City to:
 - a. Correct the affordable housing need allocation in final Plan that is adopted by the City.
 - b. Incorporate the revised Local Water Management Plan (LWMP) into the final Plan that is adopted by the City.
 - c. As part of final Plan submittal, provide the Council the date that the Vadnais Lake Area Watershed Management Organization approved the local water management plan, and the date the City adopted the final local water management plan.
12. Advise the City that:
 - a. The Plan is inconsistent with Council housing policy for land supply and, therefore, the City will be unable to enroll in Livable Communities Act programs.
 - b. Council staff are available to discuss potential changes to guiding land use and density changes needed to address Council housing policy inconsistencies.

Recommendation of the Environment Committee

3. Approve the City of North Oaks's Comprehensive Sewer Plan.
4. Advise the City to:
 - a. Adopt local controls prohibiting the discharge of groundwater and stormwater into the sanitary sewer system and submit a copy of said ordinance to the Council as an amendment to its Comprehensive Sewer Plan.

- b. Take any needed future steps to mitigate excess I/I following a Council-led planning effort in 2022 or 2023 to monitor City wastewater flow for excess I/I.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of North Oaks 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. § 473.864, subd. 1)
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).

Environment Committee

1. The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit's governing body. After the Plan receives final approval from the City and the Comprehensive Sewer Plan becomes effective, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.

Background

The City of North Oaks is located in the northern part of Ramsey County. It is surrounded by the communities of White Bear Township, Vadnais Heights, and Shoreview.

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).

Each local government unit shall adopt a policy plan for the collection, treatment, and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary (Minn. Stat. § 473.513).

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, with the proposed change |
| Consistency with Council Policy | Forecasts | Consistent, with the proposed changes |
| Consistency with Council Policy | <i>2040 Housing Policy Plan</i> | Inconsistent |
| 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 North Oaks 2040 Comprehensive Plan

Review File No. 21796-1, Business Item No. 2020-341 JT

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 (RPPP). Ramsey County would be the Park implementing agency for Regional Parks System components in the City of North Oaks; however, there are no Regional Parks System components in the City. Furthermore, 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). It accurately reflects transportation system components of the TPP and is consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight. The Plan is compatible with the plans of adjacent and affected governmental units.

Roadways

The Plan conforms to the highway system element of the TPP. The Plan identifies I-35E, which is approximately one mile to the east of the City. The Plan also recognizes that the City is bound by four county roads, are of which all classified as A-minor arterials. The Plan accurately reflects their regional functional classification 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 A-minor arterials. There is also a section analyzing roadway safety. Forecasting was done consistent with regional methodology.

The Plan identifies several transportation corridor studies that include recommendations regarding capacity and transit improvements, changes in access, and/or changes in land use. These studies include the I-35E corridor study, findings of which were incorporated into the TPP. Another study is the intersection change evaluation for County Road J and Centerville Road.

Transit

The Plan shows the location of existing transit routes and facilities within the city limits and acknowledges that the City is within Transit Market Area IV. The Plan identifies a park-and-ride in Vadnais Heights that residents can access. The Plan also states that Metro Mobility and dial-a-ride services are available to residents.

Aviation

The Plan conforms to Aviation system element of the TPP. The closest public airport is Anoka-Blaine Airport, which has minimal impact on the City. The City acknowledges the airport as well as nearby seaplane bases. The City has a height ordinance in effect to protect the airspace against obstructions.

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan maps a Regional Bicycle Transportation Network (RBTN) Tier 2 corridor in the community. The Plan identifies existing and planned regional trails.

Freight

The Plan is consistent with Freight policies of the TPP. The City has minimal freight issues and no freight corridors that traverse the City. Tracks of the Canadian Pacific Railroad form part of the City's border in the southeast corner. There are no land uses within the City that generate freight.

Transportation Analysis Zones (TAZs)

The Plan conforms to the TPP regarding TAZ allocations. The City's TAZ allocations for employment, households, and population appropriately sum to the Metropolitan Council's citywide forecast totals for all forecast years.

The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecast allocations in the Plan, and at densities consistent with the community's Thrive designation. (See also Land Use section of this Review Record.)

Water Resources

Wastewater Service

Reviewer: Kyle Colvin, Environmental Services (ES) – Wastewater Planning and Community Programs (651-602-1151)

The Plan conforms to the *2040 Water Resources Policy Plan (WRPP)*. It represents the City's guide for future growth and development through the year 2040. It includes growth forecasts that are consistent with the Council's accepted forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services (MCES). Wastewater generated within the City is conveyed by Council Interceptors 6901 and 1-SV-436; and directly through a trunk sewer facility located in Centerville Road, which is owned and maintained by White Bear Township. All wastewater generated within the City is conveyed to, and treated at, the Metropolitan Treatment Plant in St. Paul. The Plan projects that the City will have 2,310 sewer households and 1,530 sewer employees by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth forecasts.

The Plan provides sanitary flow projections in 10-year increments. The rationale for the average day flow projections is given in the Plan and determined appropriate for planning local services. The Metropolitan Council is committing to provide the level of wastewater service based on the sewer forecasts as stated in the sewer element of the Plan.

The Land Use Plan reflects an overall minimum residential sewer density that is consistent with Council policy for future sewer residential growth for Emerging Suburban communities.

The City's wastewater collection system is operated and maintained through an intercommunity agreement with White Bear Township. The Plan indicates that the entire sanitary sewer collection system was built after 1970 and consists of PVC pipe, which is less susceptible to I/I as it ages. The City is provided regional wastewater service through numerous connections either directly or indirectly

to regional interceptors creating individual service areas too small to accurately measure on an on-going basis. Due to this situation, the impact of wet weather events and cycles cannot be precisely quantified and, therefore, the City cannot determine the impact of I/I. The Plan does not define any community goals, policies, or strategies for preventing and reducing excessive inflow and infiltration, nor does it attempt to describe the sources, extent, or significance of existing I/I within the public or private wastewater collection system.

The Plan does not state or reference any code or ordinance that prohibits the discharge of any storm water, surface water or groundwater into the municipal sewer system. However, it does state that the City will work to adopt official controls prohibiting the discharge of these water sources to the sanitary sewer system.

Comprehensive Sewer Plan Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Emerging Suburban/Rural Residential communities. It was found to be sufficiently complete and consistent with Council policies. Upon adoption of the Plan by the City, the action of the Council to approve the Sewer Plan becomes effective. At that time, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the approved Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

Advisory Comments

The discharge of unpolluted water, including but not limited to, noncontact cooling water, rainwater, storm water, groundwater, or water collected from foundation drains or sumps, or roof drainage is prohibited under Section 406.17 of the Metropolitan Council's Waste Discharge Rules. The Plan does not cite this restriction but does state that the City will work to adopt local controls prohibiting the discharge of groundwater and stormwater into the sanitary sewer system. Once adopted, the City shall include a copy of said ordinance to the Council as an amendment to its Comprehensive Sewer Plan.

The Plan does not outline a program of system inspection, evaluation, or rehabilitation efforts at identifying or mitigating excess I/I in either the public or private wastewater collections systems. The Council will initiate a planning effort in 2022 or 2023 to monitor wastewater flow within the City to determine the local system's susceptibility to I/I and notify the City what steps will be necessary to mitigate any identified excess I/I.

Surface Water Management

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

The City of North Oaks is located within the oversight boundaries of the Vadnais Lake Area Watershed Management Organization. The local water management plan (LWMP) was submitted to the Council for review on August 19, 2019. A revised LWMP that adequately responded to the Council's comments was submitted in October of 2021. The revised LWMP was found to be consistent with Council policy and the WRPP. Therefore, the revised LWMP was found to be consistent with the surface water management plan requirements for the comprehensive plan.

Advisory Comments

The final Plan adopted by the City needs to incorporate the revised LWMP. Also, as part of the final Plan submittal, the Council requests that the City provide the date that the Vadnais Lake Area Watershed Management Organization approved the LWMP, and the date the City adopted the final LWMP.

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, except for Housing policy, as detailed below.

Forecasts

Reviewer: Todd Graham, CD – Research (651-602-1322)

The City has proposed a forecast change with higher numbers of households and population. The community total and sewer-served forecasts are more than previously forecasted. Council staff find the revised forecast reasonable. The proposed forecast is included in the Plan (tables 5 and 16) and shown below in Tables 1 and 2.

Table 1. City of North Oaks Forecasts

| | Census | Census | System Statement | | | City’s | | |
|-------------------|--------|--------|------------------|----------|----------|-------------------|-------------------|-------------------|
| | 2010 | 2020 | Forecast | Forecast | Forecast | Proposed Forecast | Proposed Forecast | Proposed Forecast |
| | | | 2020 | 2030 | 2040 | 2020 | 2030 | 2040 |
| Population | 4469 | 5272 | 4790 | 5000 | 5200 | <u>5370</u> | <u>5580</u> | <u>5700</u> |
| Households | 1746 | 1972 | 1900 | 2030 | 2100 | <u>2130</u> | <u>2270</u> | <u>2310</u> |
| Employment | 1260 | 1288 | 1400 | 1460 | 1500 | <u>1530</u> | <u>1530</u> | <u>1530</u> |

Table 2. City of North Oaks Sewer Served Forecasts (served by Metro Plant)

| | System Statement | | | | City’s | | |
|-------------------|------------------|----------|----------|----------|-------------------|-------------------|-------------------|
| | Forecast | Forecast | Forecast | Forecast | Proposed Forecast | Proposed Forecast | Proposed Forecast |
| | 2010 | 2020 | 2030 | 2040 | 2020 | 2030 | 2040 |
| Population | 1568 | 1800 | 1970 | 2050 | <u>2125</u> | <u>2412</u> | <u>2521</u> |
| Households | 622 | 710 | 800 | 830 | <u>841</u> | <u>981</u> | <u>1021</u> |
| Employment | 1260 | 1040 | 1080 | 1110 | <u>1530</u> | <u>1530</u> | <u>1530</u> |

With the revised forecast, the 2021-2030 Affordable Housing Need allocation increases to 68 units; 37 of which are needed at prices affordable to households earning 30% of AMI or less, 31 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and none of which are needed at prices affordable to households earning between 51 and 80% of AMI. The Plan acknowledges the 2021-2030 affordable housing need allocation based on their System Statement forecast, which is 44 units. The Council requires this be correctly acknowledged in the final version of the Plan that the City adopts (page 41 of the Plan).

The forecast revision and adjusted Affordable Housing Need allocations and will be approved simultaneous with Council action on the Plan.

The land use plan describes staging of 95 mixed use acres and 155 single-family rural acres (Plan table 2). If fully developed at the mid-point of allowed density ranges, this land supply could accommodate 237 sewer-served housing units and 130 unsewered single family lots. The land supply accommodates the community’s growth forecast.

Advisory Comments

The final Plan adopted by the City needs to acknowledge the revised affordable housing need allocation based on the revised forecast for the City.

Thrive MSP 2040 and Land Use

Reviewer: Michael Larson, CD – Local Planning Assistance (651-602-1407)

The Plan is consistent with *Thrive MSP 2040* (Thrive) and its land use policies, with a proposed change in Community Designation. Thrive assigns two Community Designations to the City: *Rural Residential*, which covers the majority of the interior of the City with large lots served by subsurface treatment systems; and *Suburban*, which covers areas at the periphery of the City that are served by, or planned for, urban services including regional wastewater treatment.

The Plan proposes a change in Community Designation of the portion the City identified in its System Statement as Suburban. Council staff concur that *Emerging Suburban Edge* is more consistent with the development stage and pattern of that portion of the City, a designation that is shared with the neighboring community of Lino Lakes to the north (Figure 2). The Plan acknowledges the Thrive policies for both the Rural Residential and Emerging Suburban Edge designations.

As shown in Figure 3, the City is 8.6 square miles, 10% of which is undeveloped. Residential uses, primarily low density, represent 46% of the land area. Approximately 41% of the City is park, recreational, open space, or open water. The City has one 4.5-acre light industrial location, which is the maintenance center for the North Oaks Home Owners' Association (NOHOA). There is a commercial node at the southwest corner of the City at Highway 96 and Hodgson Road that is approximately 1% of the City's land area.

The City of North Oaks is unique in the region that, with few exceptions, the entire City is part of the North Oaks Home Owners' Association (NOHOA). Perpetual covenants are part of all deeds and declarations since 1950, except for 14 properties, 12 of which are on the City's western border. Some neighborhoods include sub-associations that have more restrictive provisions, but they remain subordinate to the NOHOA. Police and fire are the sole responsibility of the City, but there are overlapping responsibilities with respect to development review. 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), which is memorialized in the Plan.

Rural Residential

Rural Residential communities have residential patterns characterized by large lots and do not have plans to provide urban infrastructure, such as centralized wastewater treatment. Communities like this have topographical development limitations and development patterns with lot sizes that generally range from 1-2.5 units per acre. Rural Residential communities are expected to discourage future development of rural residential patterns and, where opportunities exist, plan for rural development at densities that are not greater than 1 unit per 10 acres.

In the case of North Oaks, the Rural Residential designation represents the majority of the City, including areas protected from development through conservation easements. The area includes open water, wetlands, and soils with varying degree of limitation for development (e.g., slopes, groundwater, and soil suitability), as identified in the Plan on Map 6 (Waters & Wetlands) and Map 7 (Soils). The guiding land use for this portion of the City carries forward the Low Density Residential and Recreation/Open Space designations and policy direction from the 2030 comprehensive plan. Low Density Residential emphasizes single family homes on large lots with sites suitable for subsurface treatment systems (SSTS). While the minimum lot size is 1.25 acres, the Plan states that it will continue to enforce stringent standards for the proper siting, design, installation, inspection, and maintenance of these systems. This development pattern is largely established, but additional development opportunities remain and are reflected in the revised forecast. They include the Nord (#3) and Red Forest (#9) neighborhoods identified in Figure 5.

Emerging Suburban Edge

Thrive describes Emerging Suburban Edge communities as in the early stages of transitioning into urbanized levels of development. Emerging Suburban Edge communities are expected to plan for forecasted population and household growth at average densities of at least 3-5 units per acre for new development and redevelopment. Emerging Suburban Edge communities typically have a full range of urban services including sewer.

Map 17 in the Plan identifies areas served by existing or future sewer, which are consistent with the area of the City proposed for the Community Designation of Emerging Suburban Edge (located on the City’s western, northern, northeastern, eastern, and southeastern edges).

The Plan carries forward the planned land uses and densities of the 2020 and 2030 comprehensive plans, which are identified in the Plan on Map 11 (Figure 4). The Council’s review of the 2030 comprehensive plan update found that the Tier II Sewer Element was consistent with Council policies for developing communities; and the land use review found that the Plan met the Council’s policy for sewer development of 3.0 units per net acre.

Development status is identified on Map 12 (Figure 5) and includes areas guided for Low Density Residential (both sewer and unsewer), Mixed Residential, and Mixed Use. Table 3 below identifies the guiding land uses and development status for the sewer portion of the East Oaks Planned Unit Development (PUD). The PUD provides limited flexibility to reallocate units among the neighborhoods and convert commercial space in the Mixed-Use districts to residential uses. This updated land use review results in a revised finding of a net density of 3.3 units per acre due to updated assumptions regarding developable acreage.

The Plan states that if any phases of the East Oaks PUD (executed in 1999) fail to receive final subdivision approval by the termination date of the Planned Development Agreement (PDA) (February 11, 2029), such land use guidance will be subject to future regional density requirements for developable land established by the Metropolitan Council.

Table 3. Planned Residential Density (Emerging Suburban Edge), City of North Oaks

| Category: Neighborhood | Status | Net Acres | Planned Units |
|--|-------------------|--------------|---------------|
| Mixed Residential: Rapp Farm (#4) | Developed/platted | 92.0 | 156 |
| Mixed Use: East Wilkinson (#5) | Developed/platted | 31.4 | 283 |
| Mixed Residential: Anderson Woods (#6) | Developable | 19.9 | 13 |
| Mixed Use: Gate Hill (#7) | Under development | 29.1 | 73 |
| Mixed Use: Island Field (#8) | Developable | 10.1 | 74 |
| TOTALS | | 182.4 | 599 |
| Overall Density | | | 3.3 |

Housing

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

The Plan is inconsistent with the 2040 Housing Policy Plan (HPP). As of 2016, the City has more than 2,000 homes including 270 multifamily units and more than 1,600 single-family homes. Approximately 400 homes are rented. More than 140 housing units are currently affordable to households earning under 80% of Area Median Income (AMI), however, nearly 300 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. There are about 25 units affordable to households with income at or below 30% AMI and more than 110 cost burdened households with incomes at or below 30% AMI.

The Plan identifies existing housing needs including maintenance and reinvestment in existing housing stock, and senior housing. The City does not currently have any publicly subsidized housing.

The Plan acknowledges the 2021-2030 affordable housing need allocation based on their System Statement forecast, which is 44 units. With the revised forecast, however, that allocation increases to 68 units; 37 of which are needed at prices affordable to households earning 30% of AMI or less, 31 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and none of which are needed at prices affordable to households earning between 51 and 80% of AMI. The Plan does not guide any land expected to develop in the 2021-2030 time period at a minimum of eight units per acre to allow for development of any affordable housing units. The Plan denotes that the City will attempt to build 44 new units of affordable housing between 2021 and 2030 through mixed use residential sites, but this statement does not make the Plan consistent with Council housing policy in terms of available land supply for affordable housing.

The City states that they will work to maintain effective referrals for residents who need housing assistance and consider partnerships with Twin Cities Habitat for Humanity and funds from Minnesota Housing. The housing implementation plan component of the Plan describes that the City will not consider TIF and does not anticipate using tax abatement to build affordable housing. The Plan also indicates that the City will not consider working with a community land trust.

Advisory Comments

The final Plan adopted by the City needs to acknowledge the revised affordable housing need allocation based on the revised forecast for the City.

City and Council staff discussed housing policy consistency throughout the review process. In those conversations, the City was advised that their Plan would be determined “inconsistent with Council housing policy.” Please know that if the City wishes to evaluate local housing policy further, Council staff are available to help discuss guiding land use and density changes needed to address any policy inconsistencies. Communities inconsistent with Council housing policy are unable to enroll in Livable Communities Act programs.

Water Supply

Reviewer: Brian Davis, ES – Water Supply Planning (651-602-1519)

The Plan is complete and 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 the City does not own/operate a municipal community public water supply system (PWS), no local water supply plan is required.

Community and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan indicates that there are 1,289 individual SSTS and no identified public or privately-owned Community Wastewater Treatment Systems in operation in the City. The Plan states that the City continues to educate its residents on the proper use and maintenance of on-site sewage treatment systems. City SSTS Code of Ordinances Chapter 51 is consistent with Minnesota Pollution Control Agency Chapter 7080-7083 Rules as well as requirements of the WRPP.

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 required solar planning elements are included in the Plan.

Aggregate Resource Protection

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

The Plan indicates that there are no known aggregate resources available for extraction within the City. This is consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*.

Historic Preservation

Reviewer: Michael Larson, CD – Local Planning Assistance (651-602-1407)

The Plan identifies two sites of historical significance within the City. They include the James J. Hill North Oaks Farm on the southwest side of Pleasant Lake; and Mary Hill Park on the north side of Pleasant Lake (originally the cemetery for James J. & Mary Hill). The former is owned by the Hill Farm Historical Society and zoned for Historic Preservation, while the latter is owned by the North Oaks Home Owners' Association.

Plan Implementation

Reviewer: Michael Larson, CD – Local Planning Assistance (651-602-1407)

The Plan addresses implementation in Chapter 4, which discusses official controls; the role of the City versus the homeowners' associations and commercial association; the surface water management plan; and the East Oaks PUD / Planned Development Agreement. Implementation of the Plan is largely determined by the East Oaks PUD; and the City is unique in that many responsibilities that ordinarily belong to a City are responsibilities of the North Oaks Home Owners' Association. These include parks/recreation, roads, trails, and water/sewer utilities. As such, the City does not have major responsibilities related to capital improvement planning.

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:

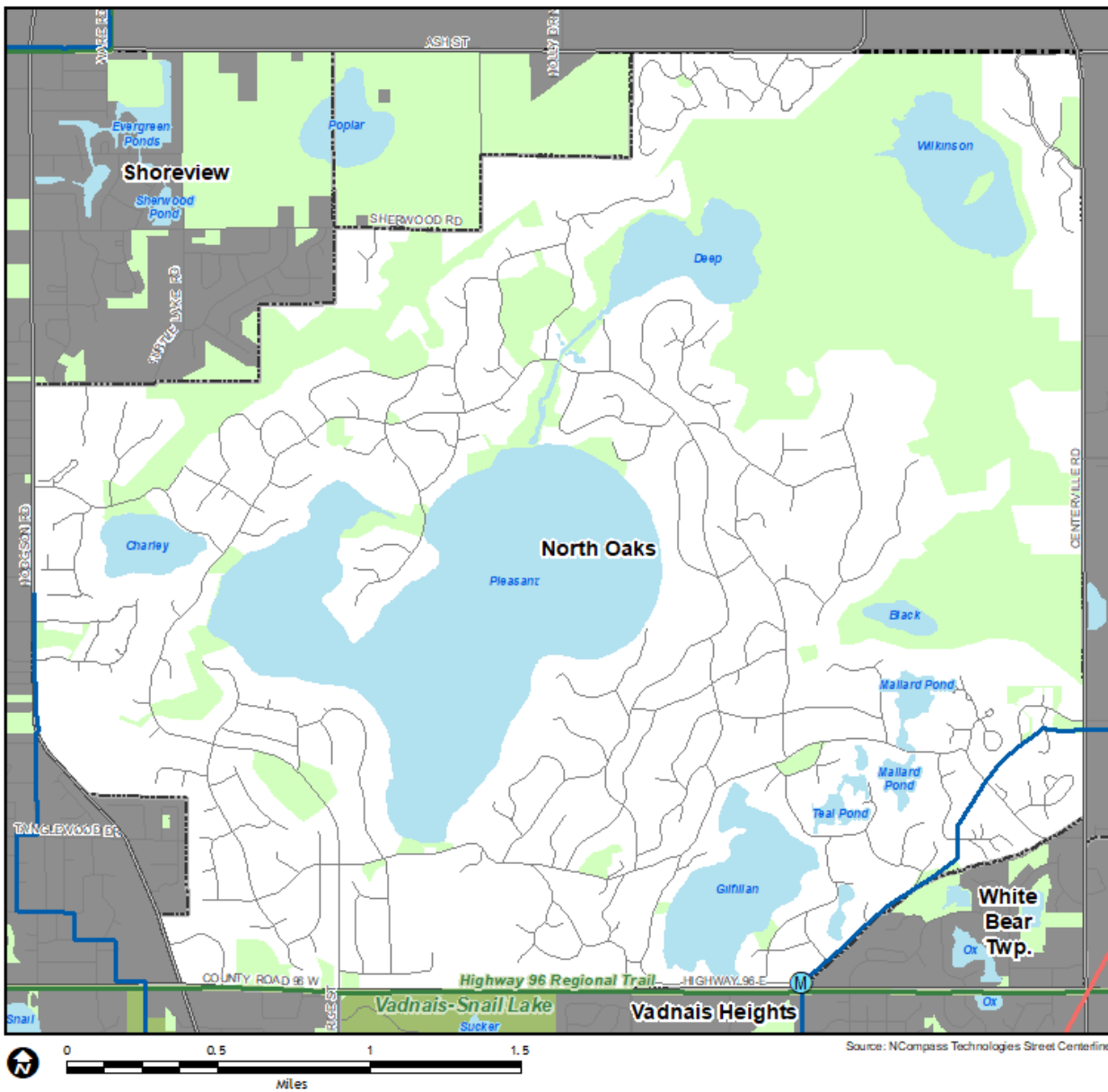
- November 1, 2017: North Oaks 2040 Preliminary Plan
- August 13, 2019: North Oaks 2040 Comprehensive Plan
- August 19, 2019: Supplemental material regarding Surface Water Management Plan and comments from adjacent jurisdictions
- October 18, 2019: Supplemental information regarding Master Joint Powers Agreement with White Bear Township
- May 26, 2021: Revised North Oaks 2040 Comprehensive Plan
- June 1, 2021: Supplemental information regarding revised Surface Water Management Plan
- June 9, 2021: Supplemental information regarding Existing Zoning Districts Map
- September 27, 2021: Revised North Oaks 2040 Comprehensive Plan

- October 18, 2021: Revised North Oaks 2040 Comprehensive Plan regarding sanitary sewer plan
- November 4, 2021: Revised North Oaks 2040 Comprehensive Plan removing Tables 13/14 and related content

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations (as proposed)
- Figure 3: Existing Land Use
- Figure 4: 2040 Planned Land Use
- Figure 5: East Oaks Planning Unit Development

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

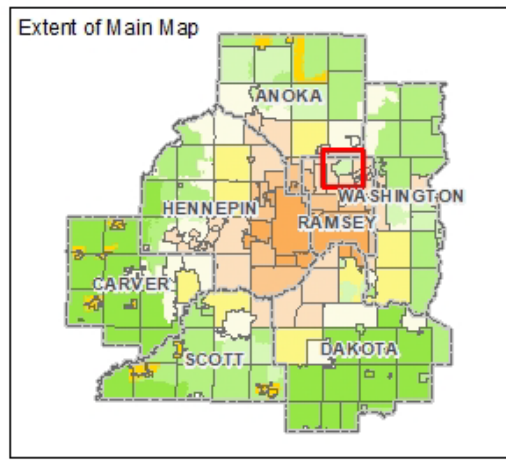
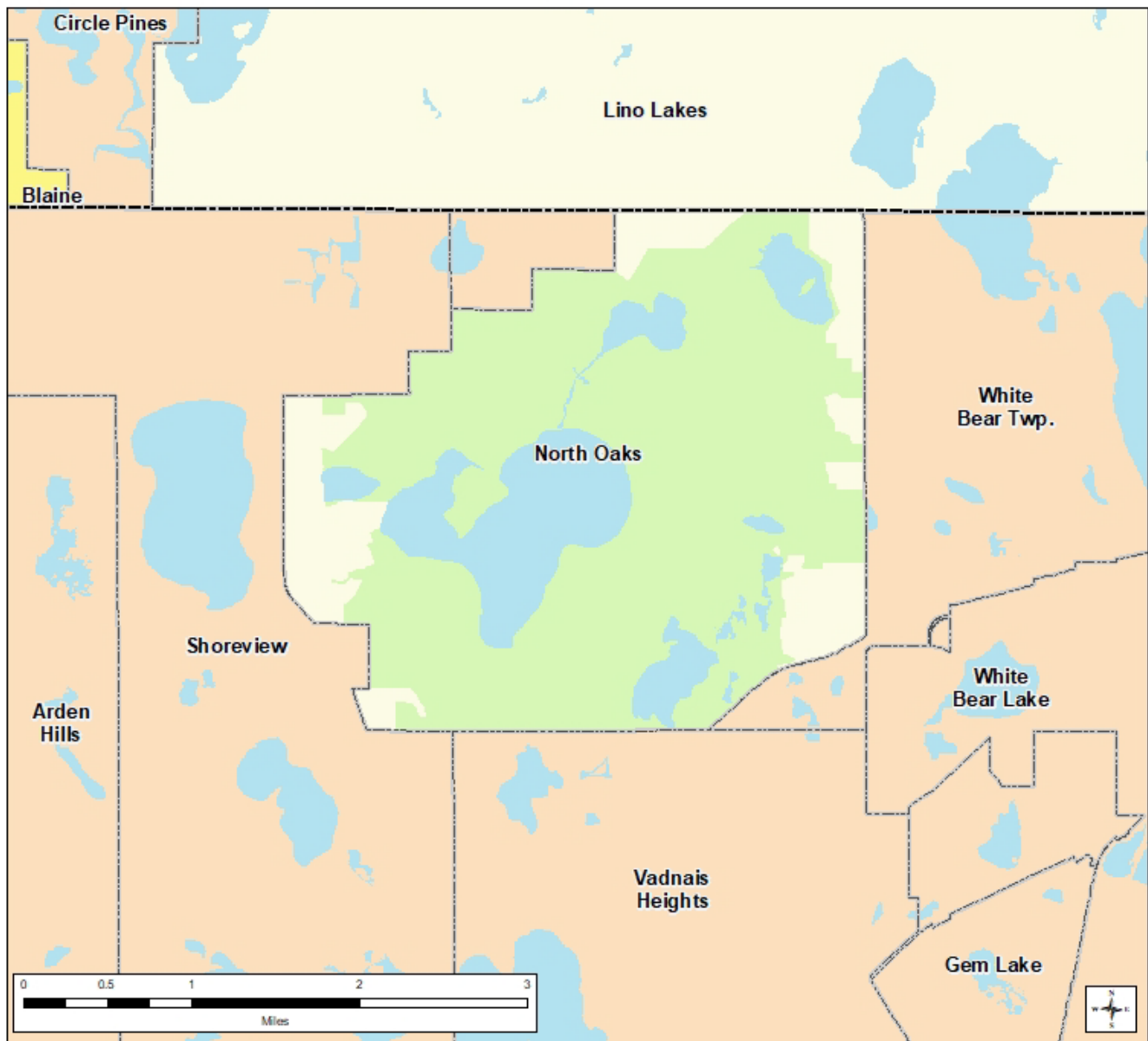
- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

Regional Park Search Areas and Regional Trail Search Corridors

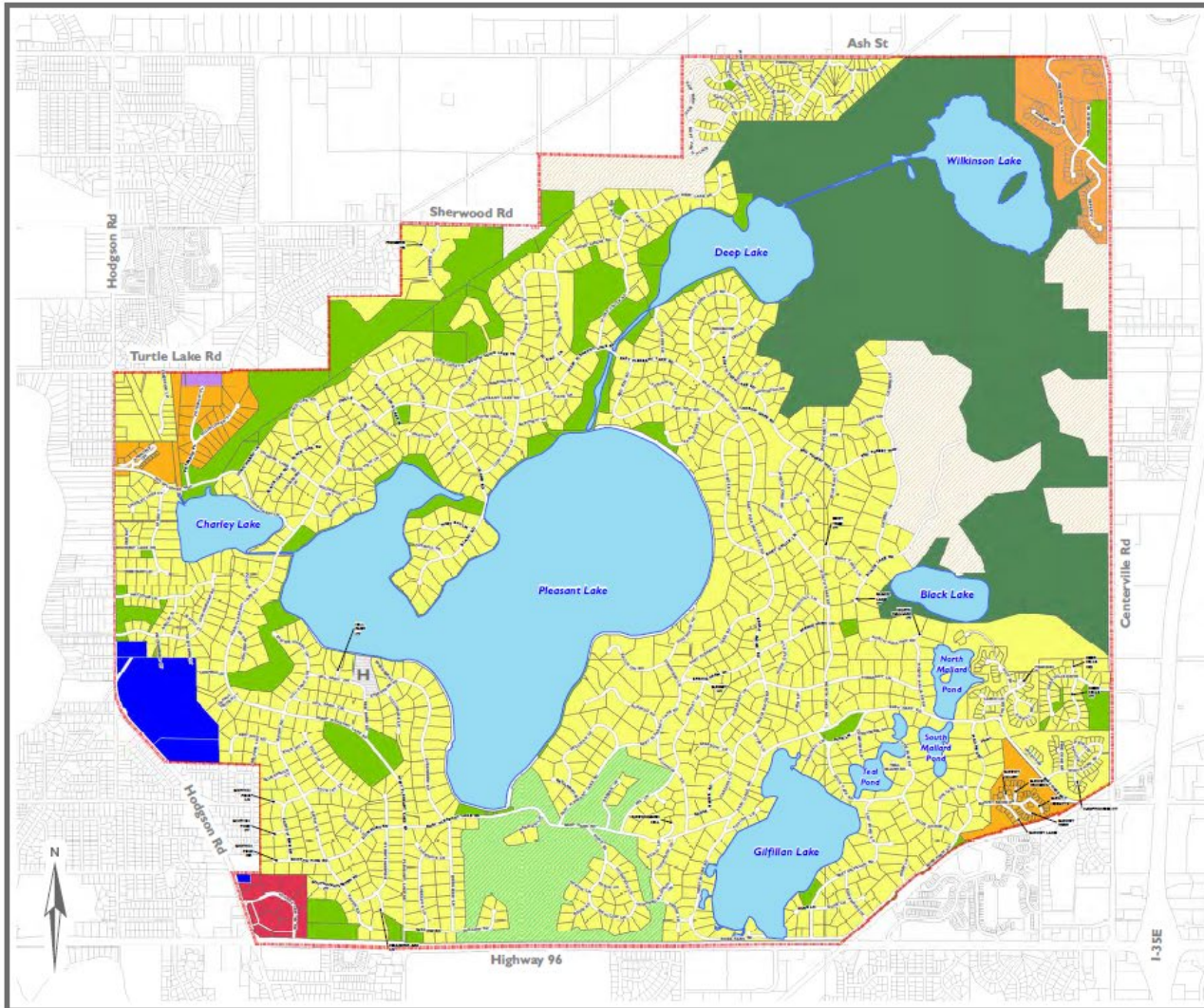
- Boundary Adjustment
- Search Area
- Regional Trail Search Corridors
- Local Streets
- Existing State Trails
- Other Parks, Preserves, Refuges and Natural Areas

* Counties Transit Improvement Board (CTIB)

Figure 2. Thrive MSP 2040 Community Designations (as proposed)



- 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



City of North Oaks Comprehensive Plan

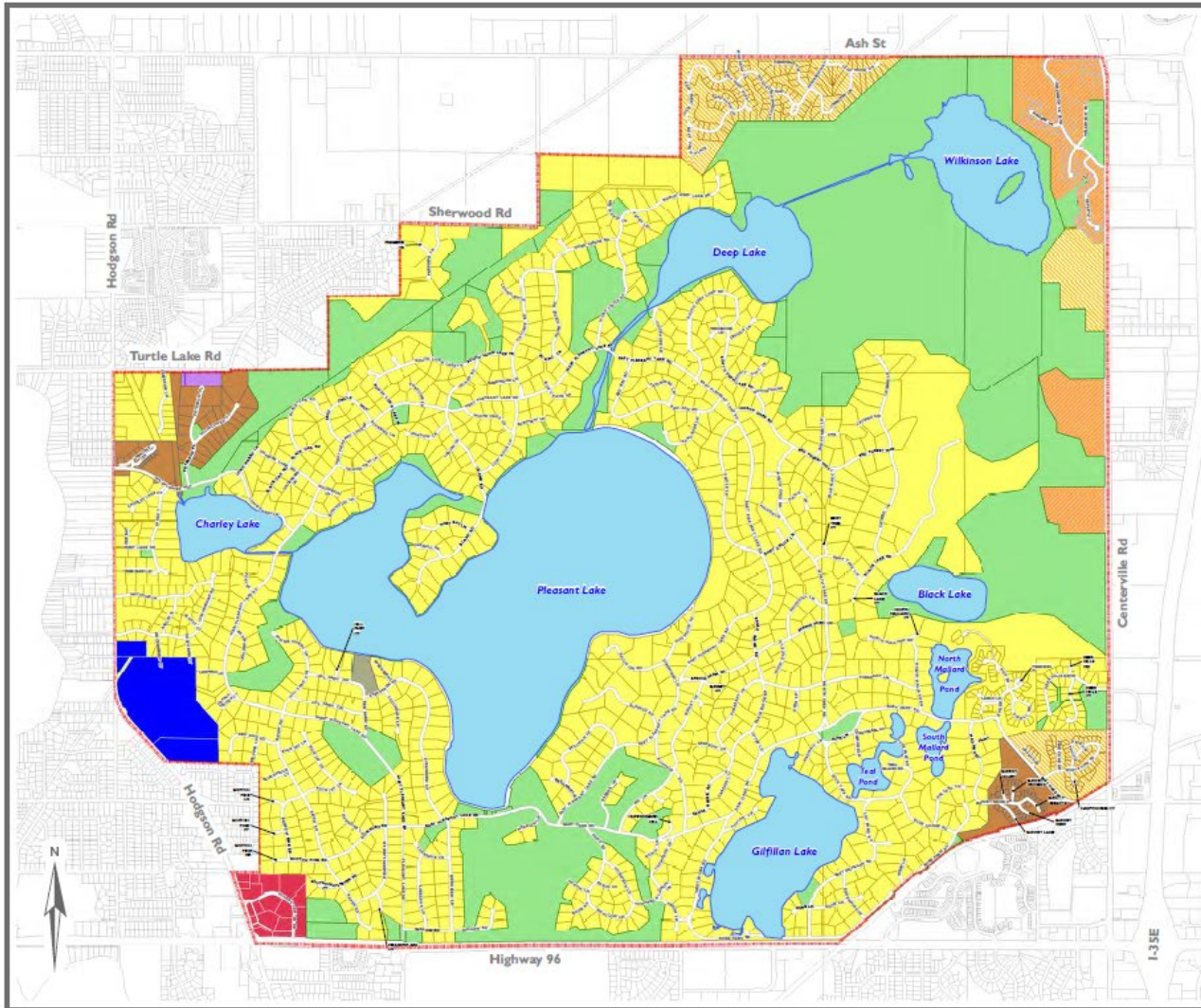
MAP 9 2016 Existing Land Uses

- Low Density Residential
- East Oaks PUD (vacant & developing -- see map 12)
- Medium Family Residential
- Mixed Residential
- Mixed Use
- Commercial
- Limited Industrial
- Institutions
- Historic Preservation
- Golf Course
- Recreation
- Conservation Open Space
- North Oaks Boundary
- Water

Source: City of North Oaks
2 - 6 - 18

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Figure 3. Existing Land Use



City of North Oaks Comprehensive Plan



MAP II 2040 Land Use Plan

- Low Density Residential
- Medium Density Residential
- Mixed Residential
- Mixed Use
- Commercial
- Light Industrial
- Institutions
- Historic Preservation
- Recreation/Open Space
- Neighboring Communities
- water

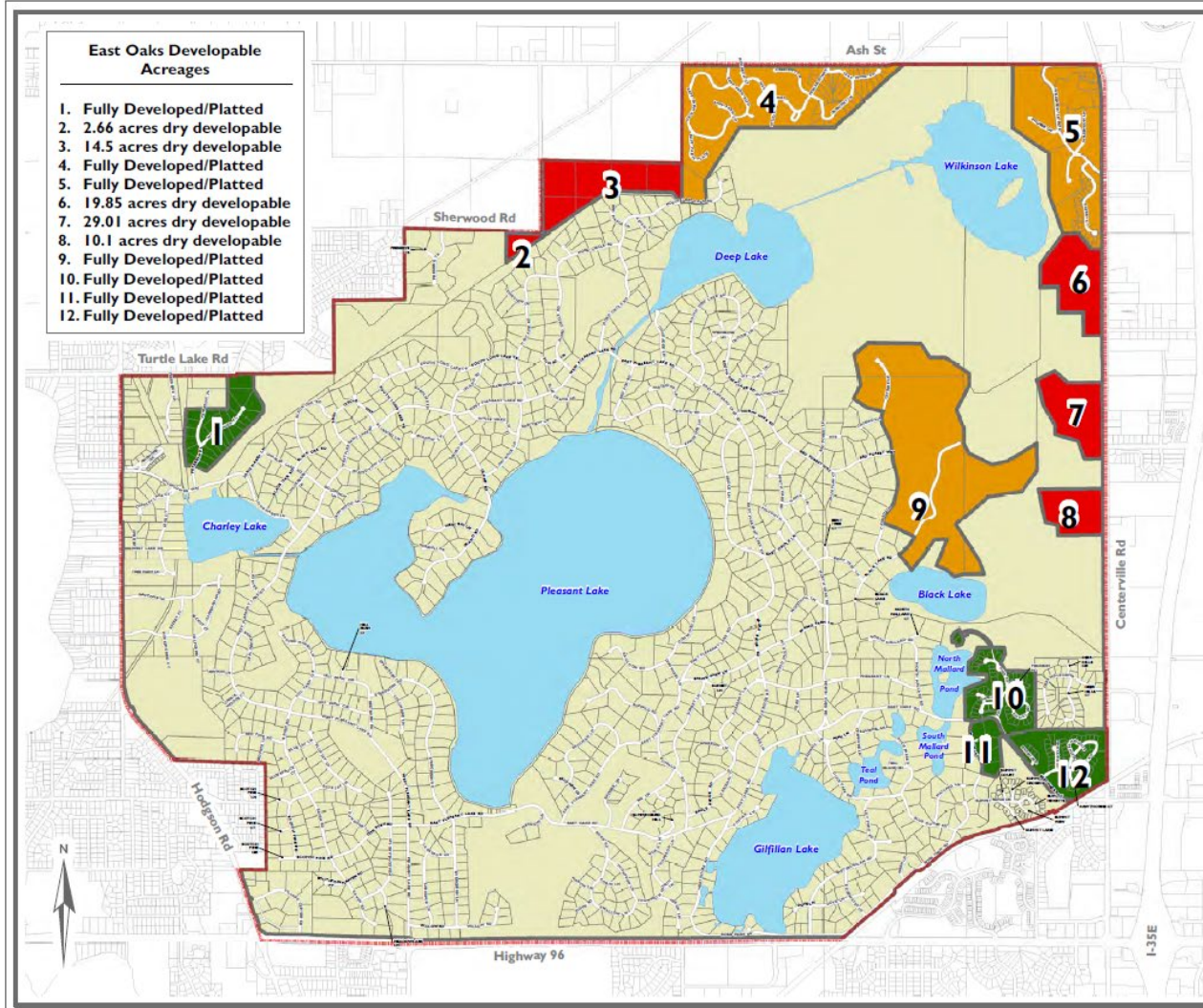
NOTE: The 2040 Land Use Plan is identical to the 2030 Land Use Plan. The City will continue to implement the East Oaks PUD approved in 1999 to govern development in accordance with this map over the next twenty years.



Source: City of North Oaks
2 - 6 - 18

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Figure 4. 2040 Planned Land Use



City of North Oaks Comprehensive Plan



MAP 12 East Oaks Planned Unit Development

The East Oaks Planned Unit Development (PUD), approved in 1999, authorized a master plan for development on the City's remaining acreage in compliance with the 1999 Comprehensive Plan as amended. The lands within the PUD will continue to develop per the approved PUD over the next twenty years.

Current and future neighborhoods that are part of the East Oaks PUD include:

- 1) Peterson Place (Wildflower)
- 2) East Preserve
- 3) Nord
- 4) Rapp Farm
- 5) East Wilkinson
- 6) Anderson Woods
- 7) Gate Hill
- 8) Island Field
- 9) Red Forest
- 10) The Pines
- 11) Ski Hill
- 12) South East Pines

- Future Development
- Currently Developing
- Development Complete
- NOHOA & Protected Open Space

Source: City of North Oaks
1 - 11 - 18

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Figure 5. East Oaks Planned Unit Development