

2015 System Statements

Oak Grove System Statement Challenge

June 1, 2016

Committee of the Whole



Agenda

- Regional Planning Background
- Summary of Planning History
- City's System Statement Amendment Request
- Staff Recommendation

Regional Planning Background

10-year Regional Planning Cycle



Regional
Development
Guide
2013-2014

System and
Policy Plans
2014-2015



Decennial
Census
2010-2011



Local
Comprehensive
Plans
2018



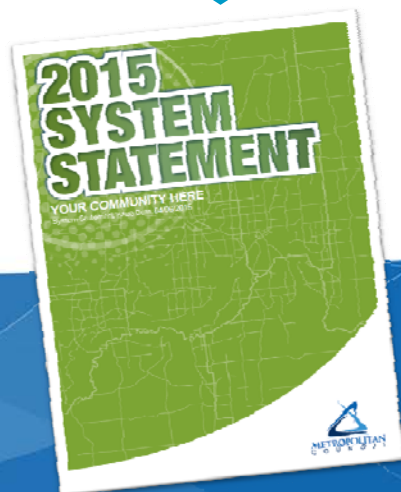
System
Statements
2015
*Local Planning
Handbook*



System Statement Purpose

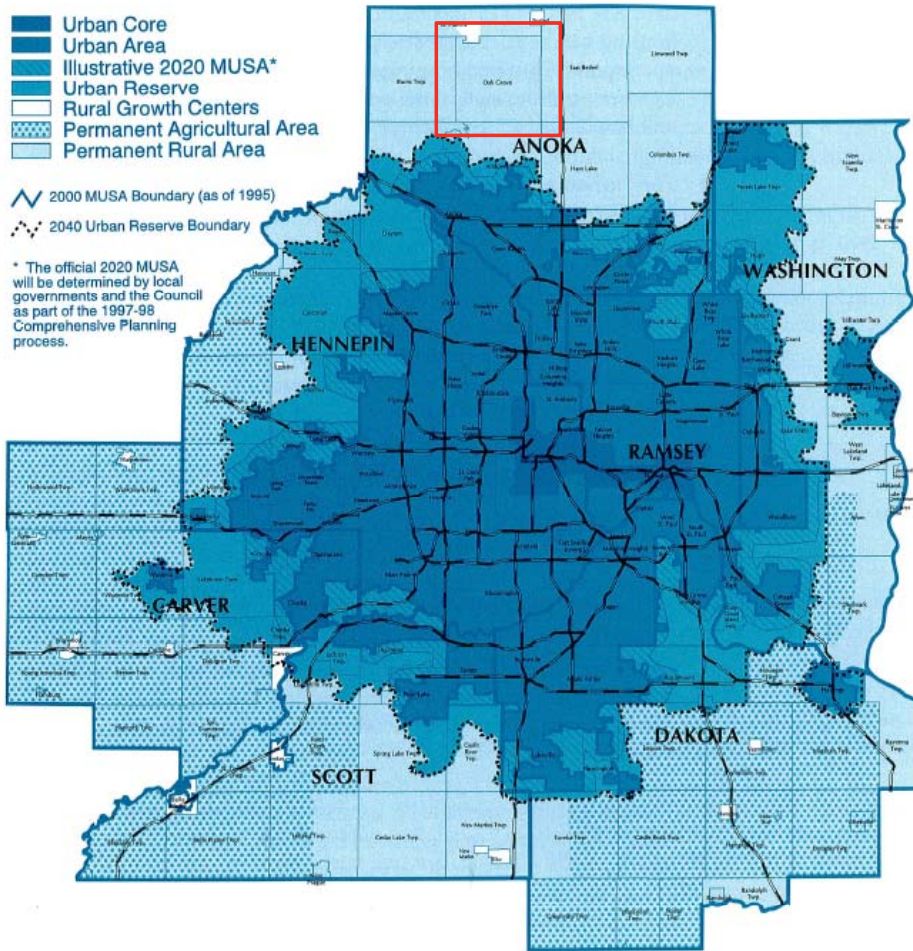


- ✓ Individualized for the local unit of government
- ✓ Explains the implications of system plans and capital budgets *in that community*
- ✓ Includes forecasted growth and general development expectations



Summary of Planning History

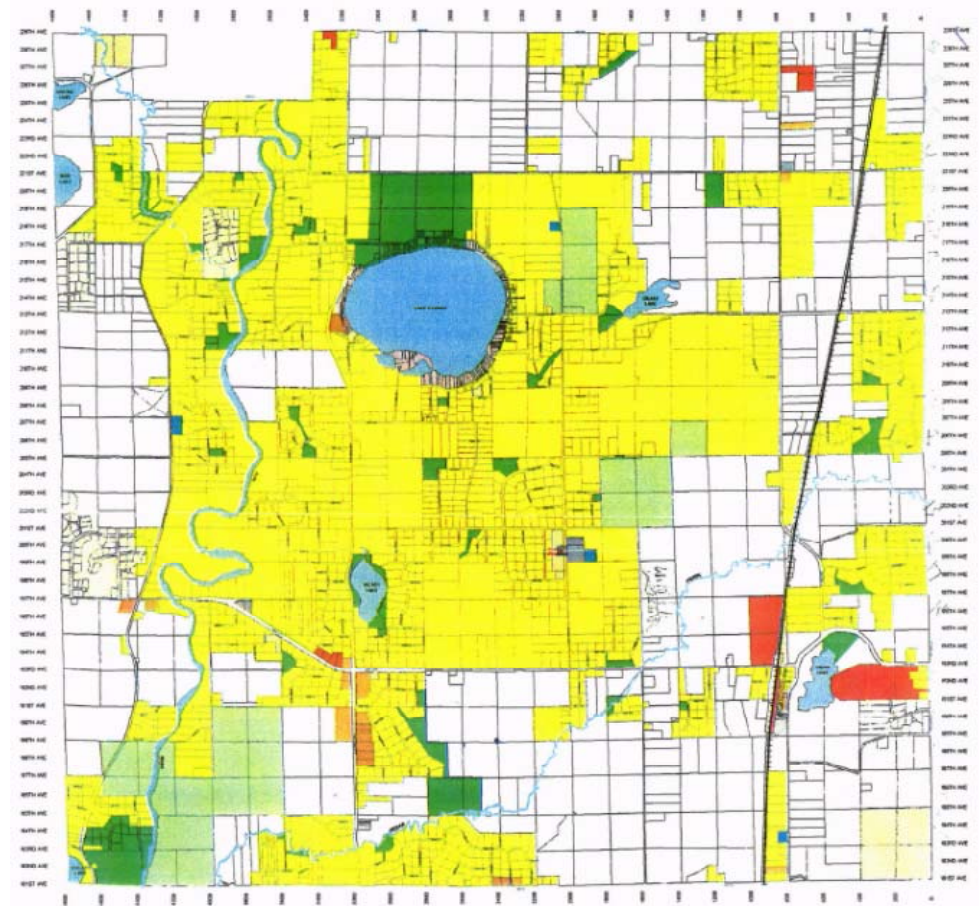
Oak Grove in Rural Service Area since early Regional Plans



- 1988 Metropolitan Development Investment Framework & 1996 Regional Blueprint
- Maximum densities of 1 dwelling unit per 10 acres

Comprehensive Planning, 1990s

- 1993 plan included limited area of additional development
- 2020 comprehensive plan retained and expanded that slightly
- Council found these patterns **inconsistent** with rural area development policy

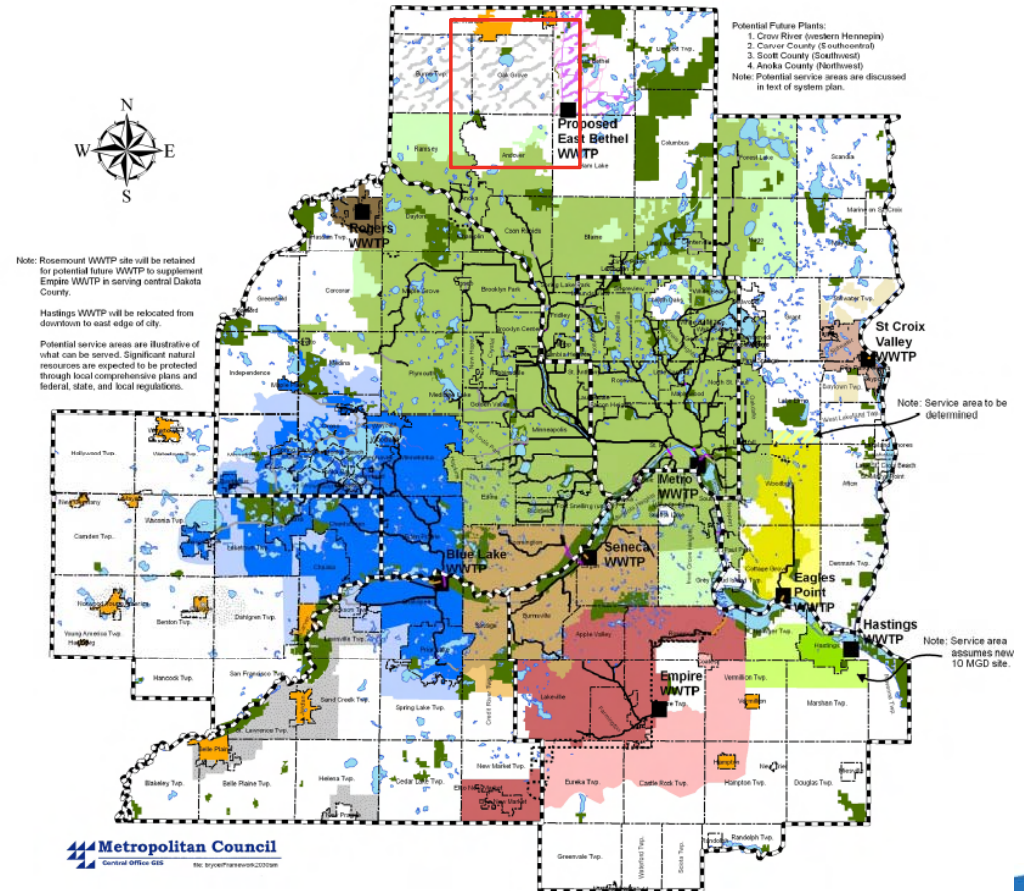


Amendments, 2000 - 2005

- City submitted 14 amendments
 - Half were consistent and conformed to Council plans and policies
- The other 7 were inconsistent for the Rural Area density policy
 - Did not “constitute a substantial departure from regional system plans.”
 - Council cannot require a “plan modification”
- Council found that the City was “beginning to change its rural character to a more suburban atmosphere...without regional wastewater services.”

2030 Regional Development Framework & WRMPP

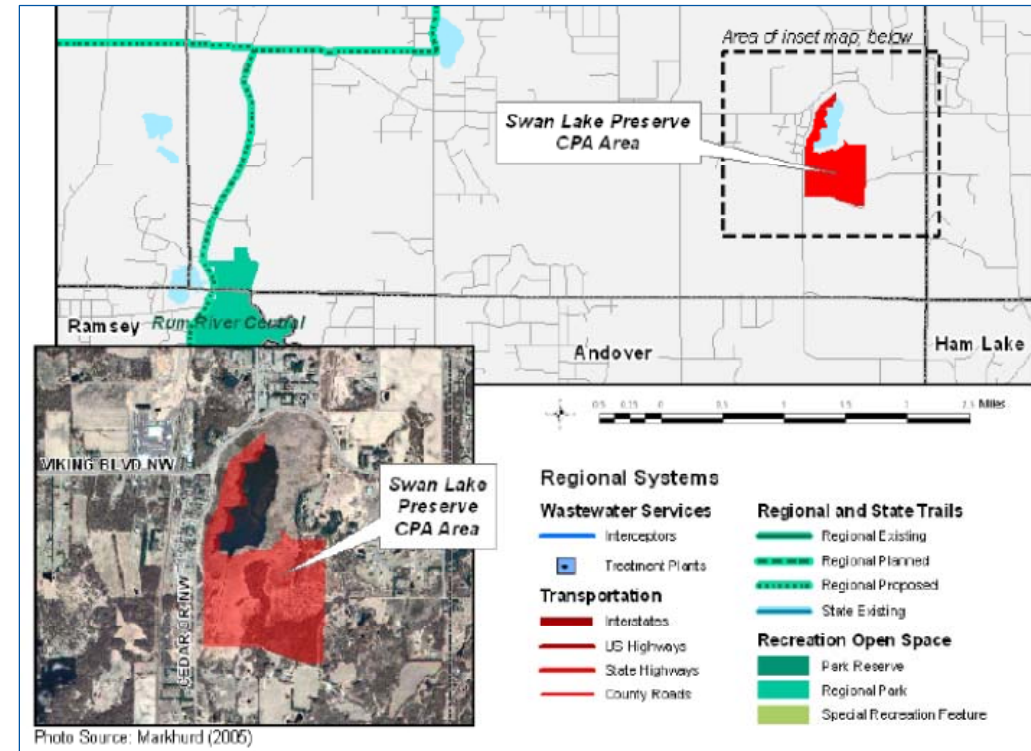
- Adopted in early 2005
- May 2005, City submitted its 14th amendment
 - Increased density to 2.5 acre lots on 90 acres
- Council found amendment inconsistent



“Council may conclude that future amendments proposing rural residential development greater than 1 unit per 10 acres density in Diversified Rural are more likely than not be a substantial departure from a system plan.”

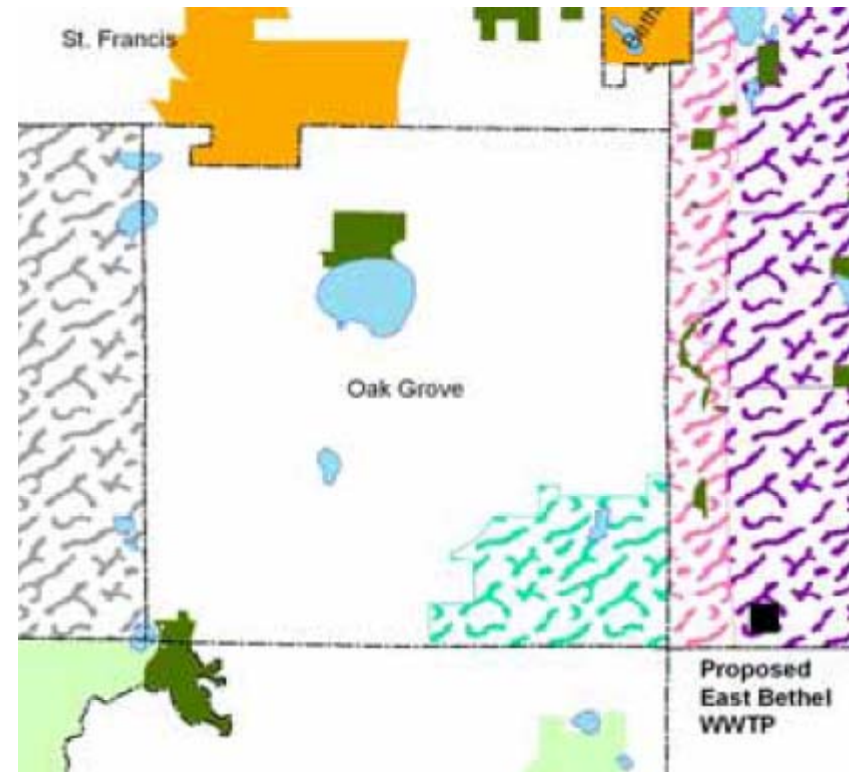
Swan Lake Amendment

- 172 acres
- Change from 1 unit per 10 acres to 2.5 acre lots
- Council required a plan modification
 - Found that “this proposed CPA and the cumulative effect of previous CPAs may have a substantial impact on regional systems...”



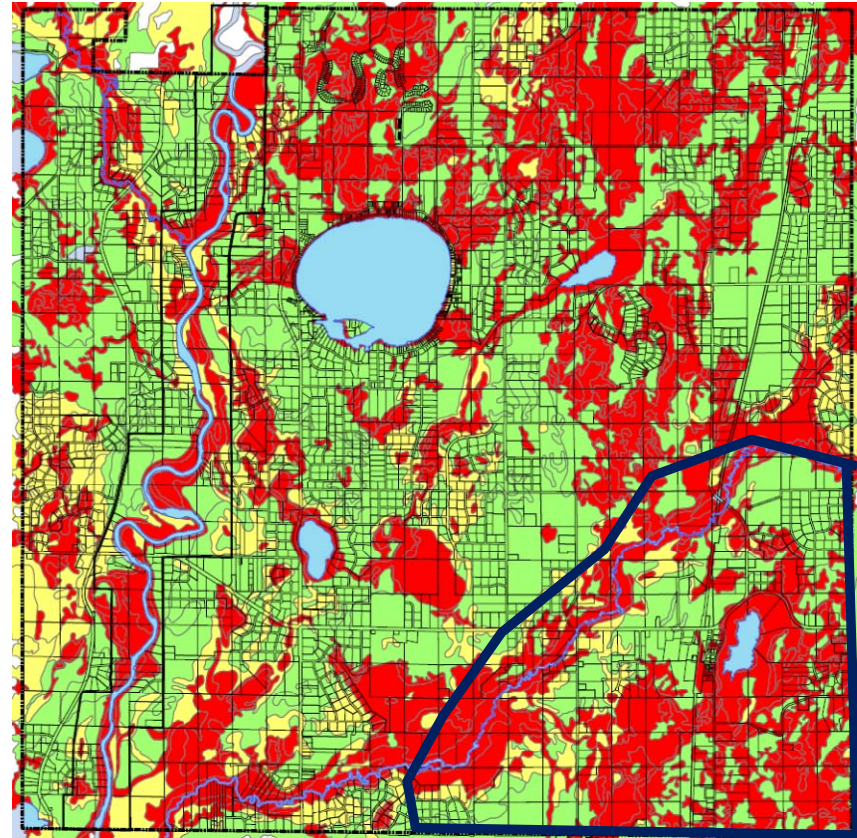
2030 Designation Compromise

- 2005-2007: East Bethel Wastewater Reclamation Facility planning underway
- July 2007: City letter proposing a refined Long Term Service Area
- Council amended WRMPP to reflect new Long Term Service Area



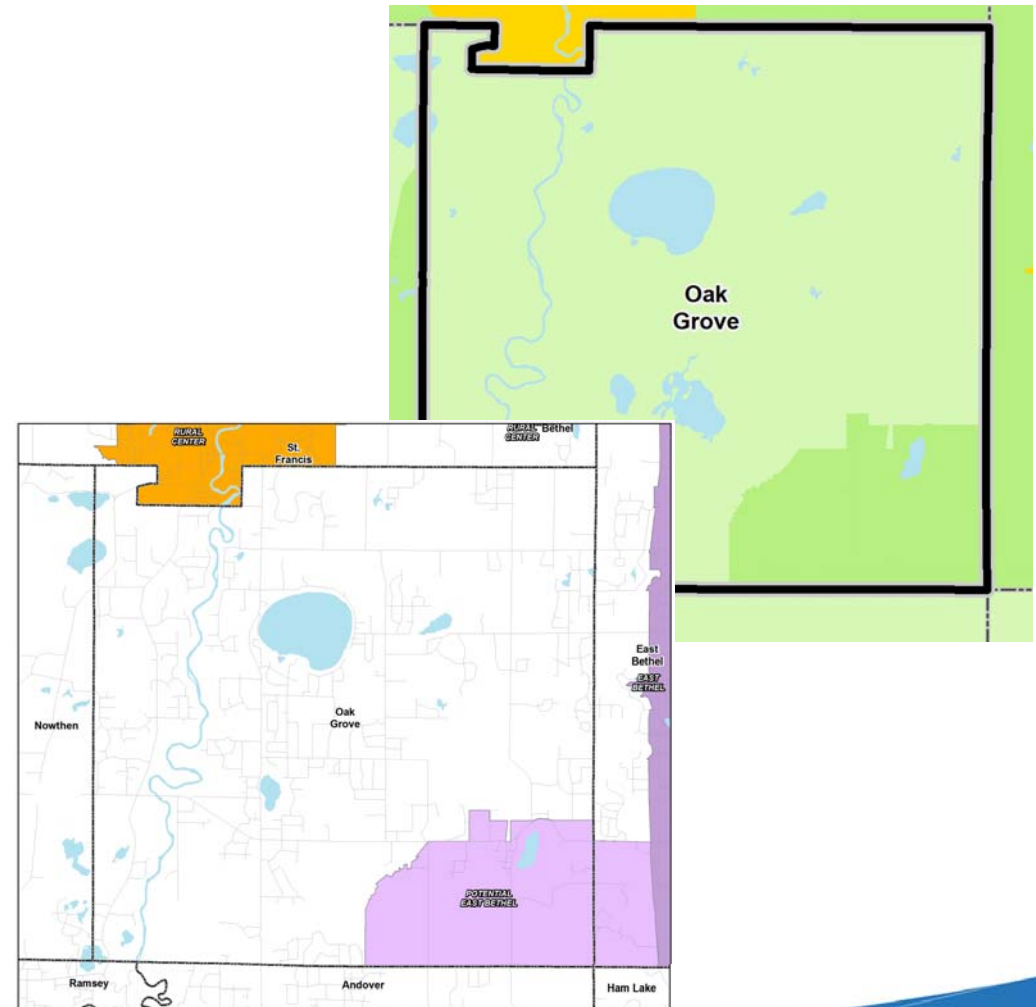
2030 Designation Compromise

- City updated its 2030 comprehensive plan with revised designations
- Identified severe limitations for septic use in this same area
- Council reviewed plan in 2009, revised the City's designation to Rural Residential for the balance of the City



Thrive MSP 2040 & WRPP

- Carried forward Long Term Service Area and Diversified Rural
- City submitted comments requesting the designations be changed
- Council declined to make those changes



Key Points

Council designated Oak Grove as Rural for nearly 30 years

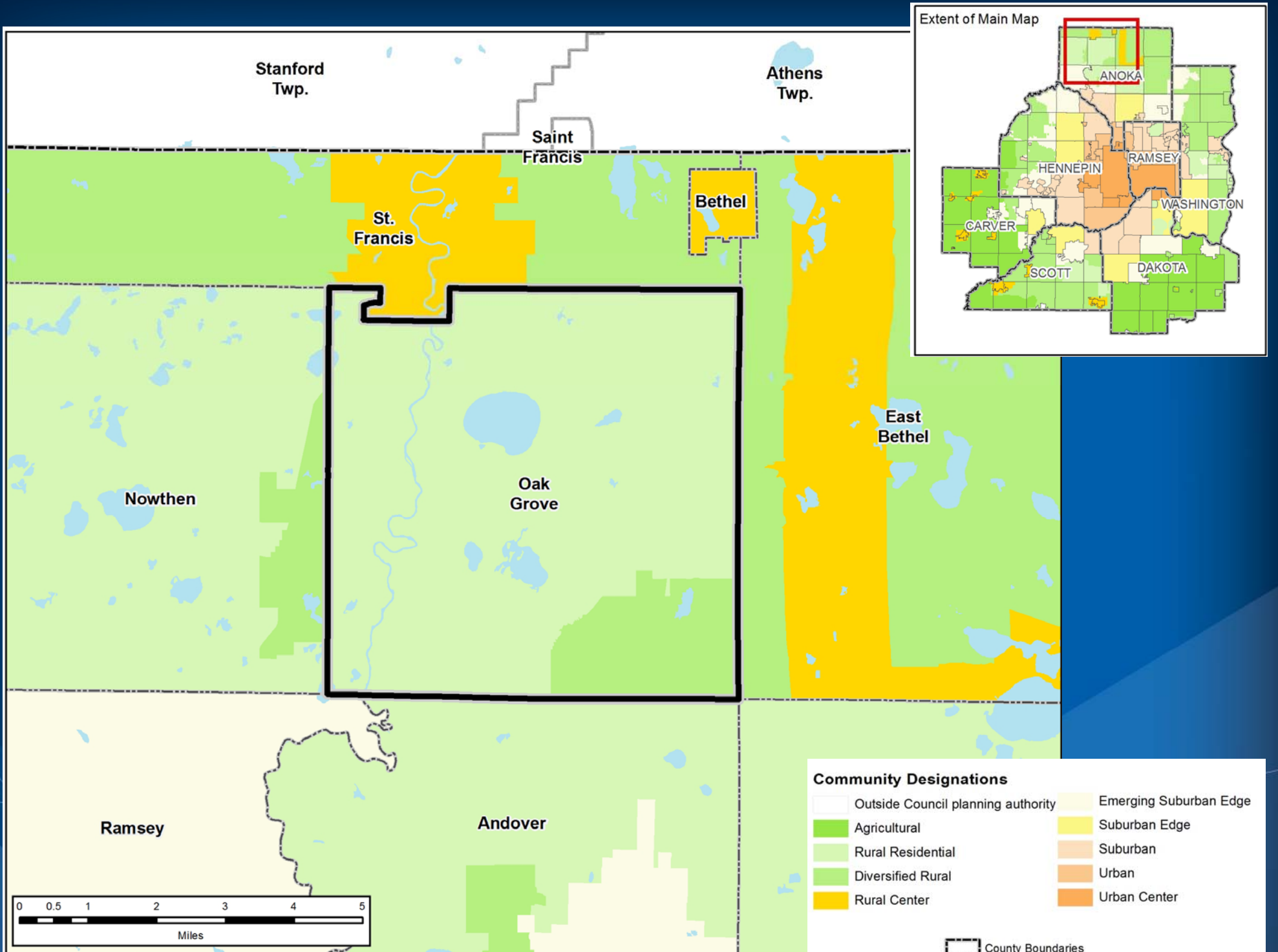
Council direction for maintaining low density development patterns consistent throughout plans

Council regularly made findings and provided guidance to the City regarding 2.5-acre lot developments

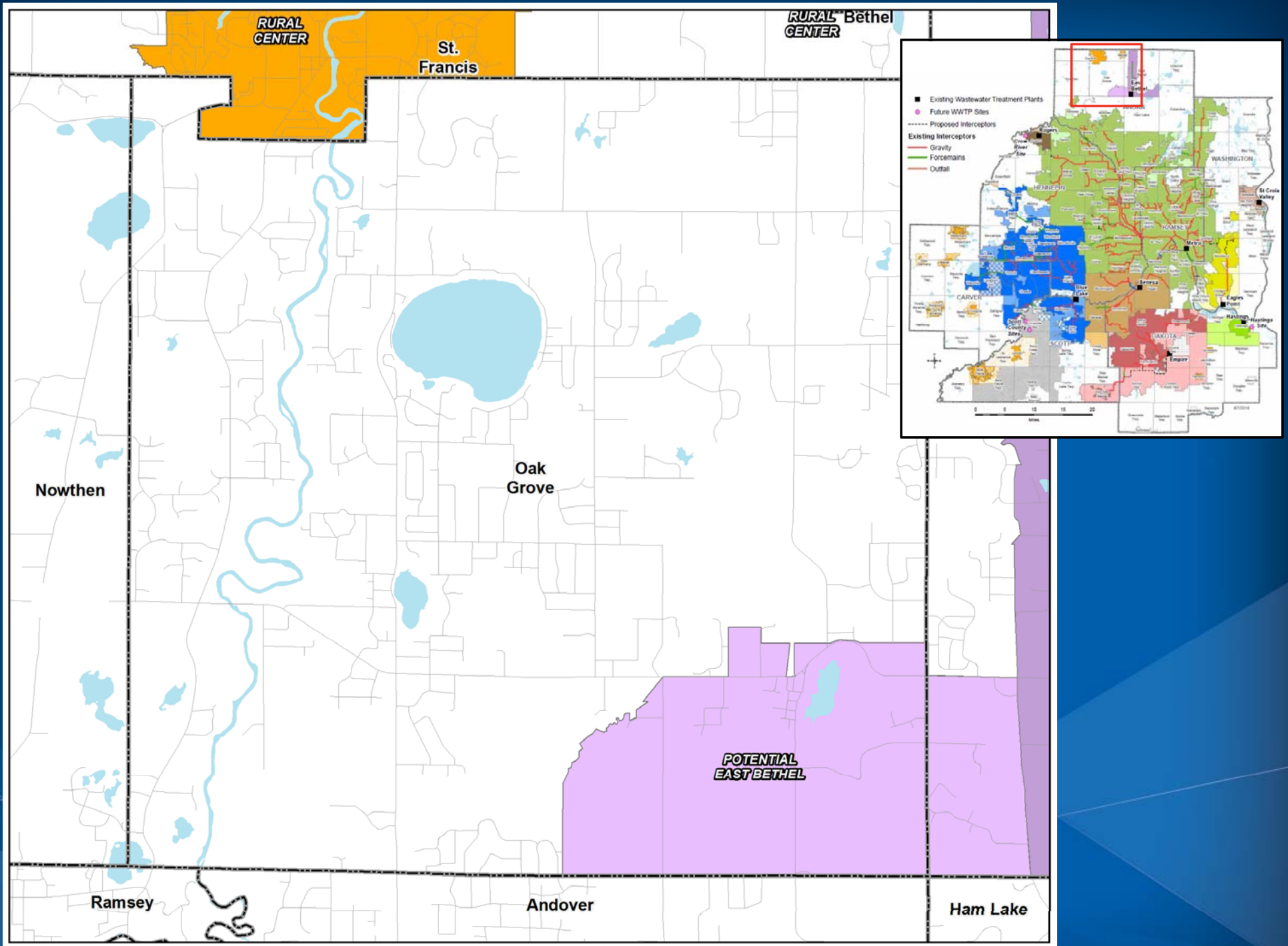
City adopted Diversified Rural and Long Term Service Area as part of its 2030 comprehensive plan

Thrive MSP 2040 discourages the expansion of the Rural Residential areas

City's System Statement Amendment Request

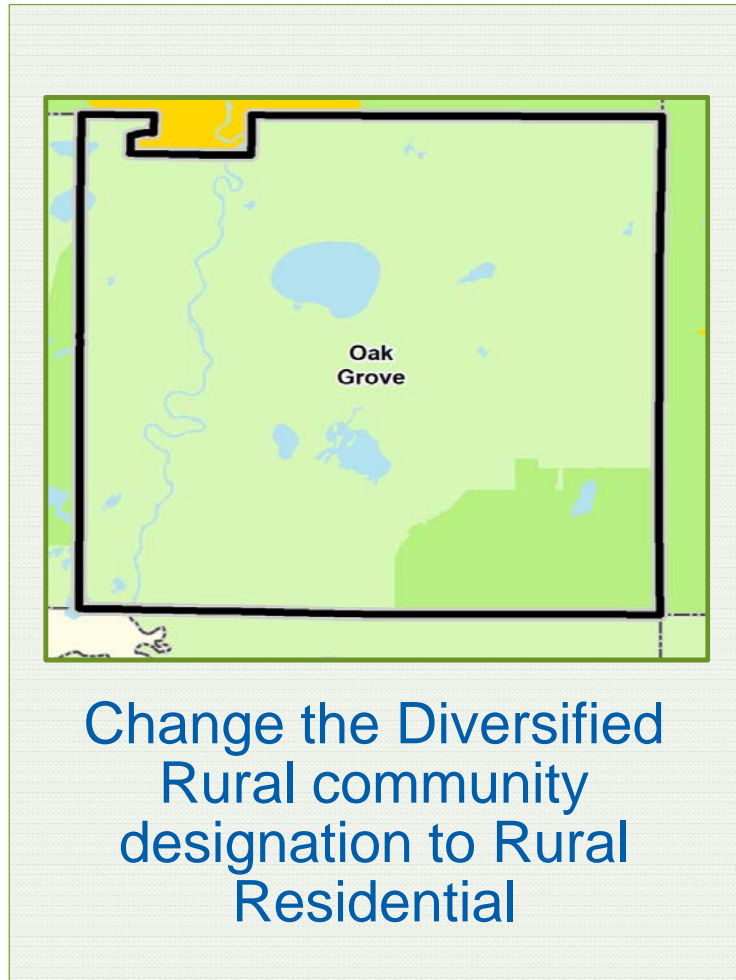


Oak Grove Community Designation

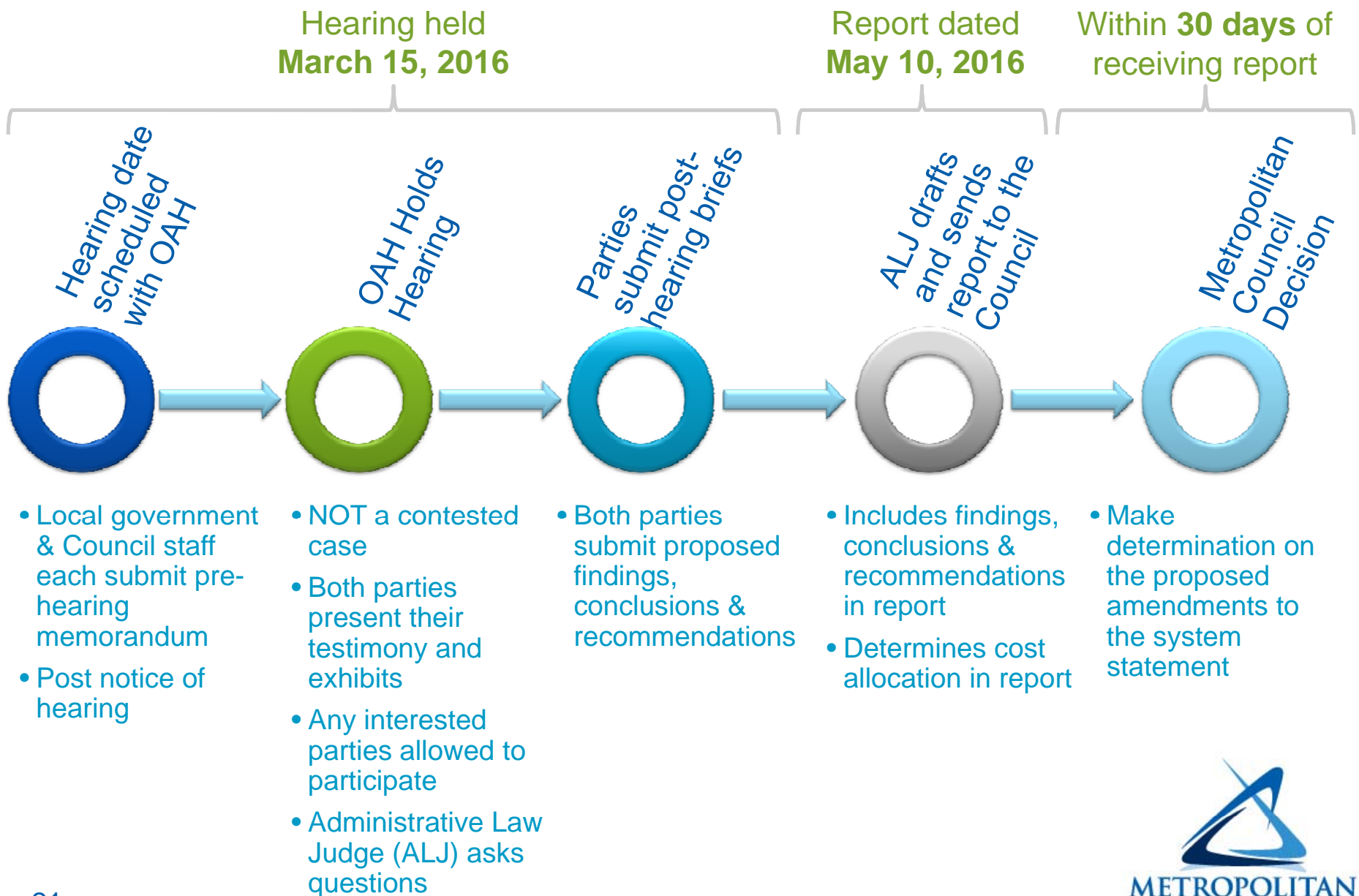


Oak Grove Long Term Wastewater Service Area

City's Requested System Statement Amendments



Hearing Process



Limitations on a System Statement Hearing

“The hearing shall not consider the need for or reasonableness of the metropolitan system plans or parts thereof.”

[Minn. Stat. § 473.857, subd. 2](#)

ALJ's Recommendation

“The City’s request to amend its 2015 System Statement by changing the designation of the southeast corner of the City from Diversified Rural to Rural Residential and removing references to that portion of the City being included in the regional wastewater service area be **DENIED**, pursuant to Minn. Stat. § 473.857, as an impermissible challenge to the need for or reasonableness of a part of a metropolitan system plan.”

Staff Recommendation

Proposed Resolution

1. Adopt the ALJ's findings, conclusions and recommendation as the Council's own
 - a) Clarifications to make clerical corrections

2. Deny the system statement amendments proposed by Oak Grove

Proposed Resolution

- Consistent with the Council's argument
 - Impermissible challenge to the need for or reasonableness of the metropolitan system plans
 - Made factual findings that the City has not demonstrated that its proposed amendments should be granted on the merits

ALJ's Memorandum

- “The record does not support finding that the Council acted arbitrarily or in excess of its statutory authority...”

Questions?

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