

## Minutes of the

### MEETING OF THE LAND USE ADVISORY COMMITTEE

Thursday, March 17, 2016

#### Committee Members Present:

Jon Commers, Pamela Harris, Chip Halbach, Phillip Klein, Marvin Johnson, Bill Neuendorf, James McClean, Karl Drotning, Michael Webb, Kathi Hemken, Kristina Smitten, and Jennifer Geisler

#### Committee Members Absent:

Elizabeth Kautz, Kathi Mocol, Bill Droste, Elizabeth Wefel, James Saefke, and Jamil Ford

#### CALL TO ORDER

Committee Chair Commers called the regular meeting of the Council's Land Use Advisory Committee to order at 4:04 p.m. on Thursday, March 17, 2016.

#### APPROVAL OF AGENDA AND MINUTES

Chair Commers asked for a motion to approve the agenda. A motion was made by Johnson, seconded by Hemken, to approve the March 17, 2016, agenda of the meeting of the Land Use Advisory Committee. **Motion carried.**

Chair Commers asked for a motion to approve the minutes. A motion was made by Webb, seconded by Johnson, to approve the January 21, 2016, minutes of the meeting of the Land Use Advisory Committee. **Motion carried** with Geisler abstaining.

#### INFORMATION

##### **Update on Oak Grove System Statement Hearing – Jon Commers, Chair LUAC and Lisa Barajas, Local Planning Assistance**

Barajas gave an update on the System Statement Hearing held on March 15, 2016, included in the materials provided. She discussed the two items requested by the City of Oak Grove. One was that the components in their system plan related to the long term service area for waste water services be removed entirely so they would not have to plan for long-term waste water service. That component of their community is in the southeast corner of their city – just to the west of East Bethel. The second component was to change the community designation for that same area from Diversified Rural (which has a 1 per 10 maximum density) to Rural Residential (which would allow 2-2.5 acre lots).

Barajas stated the hearing was held at the Office of Administrative Hearings, by Administrative Law Judge Jim Mortenson. She noted that staff gave an overview of how regional and local planning works in the region. The City then presented their case. Barajas stated that a Wastewater Technical Engineer from the Met Council presented information around the planning and timing work that had gone into the development of the East Bethel Wastewater Treatment facility and how that timing interrelated with both our regional plans and amendments to those plan as well as to local plans and our expectations from those local units of government.

Barajas stated that both the Council's brief and the City's brief that were submitted prior to the hearing and are available if anyone is interested in reading those.

Barajas reviewed the next steps which include both parties submitting proposed findings and conclusions to the Administrative Law Judge within 3 weeks. The judge then has 30 days to make a recommendation to the Metropolitan Council.

She stated that this will be before the full Council, and they will make the final determination. Detrick added that the hearing lasted about 4 hours. She noted that Council staff were either testifying or fielding questions almost the entire time and did a very good job.

Drotning asked if the outcome can be appealed. Detrick stated, yes, it can be appealed to the Minnesota Court of Appeals. Barajas clarified that what is coming from the Judge is a recommendation to the Met Council, but the Council would make the final determination.

### **Revised 2016 Work Plan and Proposed Agendas for 2016 – Jon Commers, Chair LUAC**

Commers presented the revised 2016 Work Plan and asked for feedback. Members were comfortable with the work plan.

### **PlanIt: Comprehensive Plan Training Program – Angela Torres, Local Planning Assistance**

Torres gave a presentation on the comprehensive educational program called PlanIt for local planners who will be working on updating comprehensive plans. She discussed project objectives and learning formats as well as CPU milestones.

Drotning asked if there is a vision for outreach for elected officials. Torres stated we have many forms of technical assistance including Sector Reps and Council Members who are available and can meet with cities at any time. Drotning stated he feels there's a need for local level education of elected officials. Torres stated that there isn't anything formal specifically geared towards elected officials, however, Sector reps are available and also have resources available.

Webb stated he feels it is up to the elected officials to reach out.

Smitten asked about a notice that went out regarding upcoming workshops on integrating climate resilience and equity into local comprehensive plan updates. She asked if the Council is working with these groups to ensure the resources are being provided in a consistent way. Torres stated we have many partnerships. Barajas noted there a lot of people are using the public data and reaching out to give aid and stated that the Council has not endorsed any of those. She stated the Council is doing a lot of planning right now developing partnerships with agencies that we coordinate our work with, but if you don't see our logo, it's not coming from the Met Council.

Torres discussed a marketing plan that will roll out with all of our information prior to July.

Halbach discussed Metro Cities and how their perspective differs on affordable housing on the Council's role from some of the other housing organizations.

Barajas stated if there is ever a question of what your requirements are, be sure and ask staff.

The PowerPoint presentation by Angela Torres will be sent to members.

### **Housing Planning: Metropolitan Council Roles and Responsibilities and Handouts on Resources for Addressing Affordable Housing – Libby Starling and Tara Beard, Regional Policy & Research**

Starling introduced herself and the Housing Policy Planning Analysts, Tara Beard and Jonathan Stanley. She discussed the Housing Policy Plan and how it enables the Council to have a more clearly aligned and articulated housing policy.

Beard reviewed the Council tools and resources used to support housing elements in local comprehensive plan updates as outlined in the presentation provided. She also stated she would

identify opportunities to communicate and collaborate with local governments on their housing element and stated she would be seeking feedback from this group.

Webb asked how we know how much affordable housing will be needed based on where our city is today. Beard explained the methodology and stated that it starts out with forecasted growth. She noted that it is the responsibility of the city to make sure there is enough land set aside for affordable housing.

Halbach noted that it's land plus the implementation program of the public programs, fiscal devices and specific actions that a city might take to do their best, understanding resource constraints.

Webb discussed the importance of understanding the allocation of affordable housing needs.

Starling stated staff are trying to stay away from goals and targets and noted that the May agenda will discuss this further.

Beard noted that we may not be able to agree why it exists, how to address it or how we come up with the number, but if cities at least truly understand, this will help.

Beard continued her presentation and referred to the draft list of recognized tools and resources to address housing needs provided in the meeting packet. She noted that each of the listed items is a starting point and staff can provide as much or as little detail as communities need.

Klein stated, regarding the scoring, that this seems to fit more inner ring cities than suburbs. Beard stated that this will be discussed later in the agenda.

Starling responded in terms of how to encourage suburban communities to engage more in housing conversations. She feels part of it is having the comp plan and the expectations that are associated with that. We're seeing more conversation about the importance of the full range of housing affordability. She discussed some of the work that Beard has been doing through the Urban Land Institute housing initiative group about how to encourage the full range of housing diversity. She discussed the difficulty for employers to find the workforce that they need to fill the jobs.

Beard added that you can't score well for a Livable Communities Act grant if you're not a Livable Communities participant. Why communities choose not to participate and compete for funding is somewhat of a different conversation.

Halbach discussed the vulnerability of local elected officials supporting affordable housing. He feels that's why this planning process is so important. In addition to the politics of getting this done and the technical aspects, it's mostly an issue of money. He discussed the lack of resources and discussed his work on creating region-wide resources.

Geisler noted the problem with the word 'affordable' being seen as a negative. She stated that they have removed that word from the conversations. Stanley stated this is a good point and noted that the term 'work force housing' is now being used. Geisler noted that many of their rentals are more than a mortgage would be.

Klein agreed and discussed the problem is helping contractors show some type of profit so they can build more affordable housing.

Commers stated that this begins to get at the issue of how to we begin to implement housing strategies at the local level in a way that is not politically toxic and noted that this will be an ongoing conversation.

Halbach stated that he still wants to discuss the methodology the Council staff will be using to review the implementation program. Beard noted that methodology is a tough word because these are not all quantitative measures. This is why we ask communities to 'highlight the need' and also show where their biggest priorities are given their context and did they address the tools that are so widely accepted that they should at least be identified. If there is a need identified, and it's stated as a priority and one of the obvious tools that communities use is not mentioned, then that will get a staff comment.

Geisler stated that with calculations, how you frame the discussion is helpful. She discussed how gaps can be filled to meet the needs of your residents is a better approach than 'here's the target, goal, your requirements, etc.' Beard stated that the housing assessment, in this case, will be helpful. Geisler asked if there are any conversations on how planners and city staff can communicate to their Council. She feels there is a ton of information that is done at the planning level and then brought to the Council. She suggested to bring them (the Council) along for the ride.

Webb asked how we get our communities involved. The public hears 'Section 8' or 'affordable' rather than workforce housing. He stated that he won't be re-elected after allowing 68 units of affordable housing – how can he put in 1,400. Starling stated this is what the May agenda will revolve around.

Barajas noted all information in the LPH is available to the public. She reiterated that staff are always available. Starling discussed trainings/workshops to train residents to lobby their elected officials.

Halbach discussed where they do agree with Metro Cities.

Detrick underlined that the work plan was put together listening to this group's ideas and questions.

### **Housing Performance Scores – Jonathan Stanley and Libby Starling, Regional Policy & Research**

Starling stated this discussion is to look at how we evaluate housing performance to inform grant evaluations.

Stanley gave a presentation on the Housing Performance Scores process and changes made over the past year as outlined in the materials provided. He talked about what they are and how they are used. He discussed next steps and stated staff are looking for feedback from this committee and posed a couple of questions. Do we have the right set of criteria? How do we get more buy-in at the local level? He also noted that a number of cities (over 70) didn't complete the survey.

Harris asked what funding is available. Stanley stated that all grant funding is from Livable Communities Act programs. He stated that there is also federal transportation funding.

Starling stated that cities that are looking to apply for a grant pay more attention to this survey.

Harris suggested that if developers were to be informed, they might inform cities. She stated that her city is fully developed so there wouldn't be a need. Stanley stated that these are not just for new construction but can be for rehab, too.

Commers stated there may be lots of reasons to strengthen communications with cities on what Livable Communities grants accomplish. He stated there are probably many examples of cities of similar profile that have received grants and asked if it would be helpful to show these. Klein stated he felt that would be very useful and would highly recommend doing this. He feels townships don't participate because they don't feel there's a point.

Halbach stated that cities of different scales have much different levels of resources. He asked if this has been considered in some way in the scoring system. Stanley stated that the housing narrative section addresses this and gave examples. He noted that when staff 'look back' and ask for recent reconstruction, they're actually looking back 10 years.

Starling highlighted some of the differences among the cities. She stated that they have weighted the differences between points for new construction and preservation according to the types of cities; recognizing that a city like Falcon Heights (for instance) doesn't have a lot of opportunities for new construction in the same way that Carver does. This way, both cities get credit but at different levels for how much they're putting into the preservation of their existing housing stock vs. how much they're putting in for new construction and new projects.

Geisler discussed 'Homes for Generations' in her city where homeowners can apply to the city for a loan to enhance and remodel their homes, thereby encouraging residents to maintain the current housing stock.

Webb asked how you combat that the Met Council is really focused on Ramsey and Hennepin Counties with their perfect scores. Starling discussed (parallel to the Housing Policy Plan) changes to the guidelines to combat some of the patterns that the Council has seen. She stated they've made the commitment to review these changes after one year to see the impact the differences are making. She noted that staff are trying to peel away where there are inherent geographic biases in how the system is set up.

Neuendorf stated that the perfect score is interesting but where is the breakpoint where they will receive priority. Also, he asked if the adjusting is just making people already close to the top, at the top.

Starling discussed how the scoring works for the different grants and noted that the Local Housing Incentives Account gives more points in the grant criteria for a lower score.

Stanley answered, regarding the second question, that there is a benefit to having more cities more towards the top.

Commers stated that this has been a productive and dense conversation and looks forward to more.

Geisler asked if staff look at best practices or unique practices that are models. Starling stated staff have so much information gathered from all the cities about all of the range of things they are doing that they are considering a summer intern project in the summer of 2016 to analyze it to see if anything emerges to show what the key drivers are, or what are the key tools, etc.

Geisler suspects that there are communities that are unaware of what other cities are doing and it might be successful to share. Starling discussed the list of tools and resources available. Barajas added that the Local Planning Highlights in the Local Planning Handbook was created for this and encouraged people to share successes.

Commers stated that staff will follow up with an email with the timetable (for PlanIt), housing scores, and a link to the "Highlights" section of the Local Planning Handbook.

## **ADJOURNMENT**

Business completed, the meeting adjourned at 5:55 p.m.

**Next Meeting** – May 19, 2016

Respectfully submitted,

Sandi Dingle  
Recording Secretary