

Minutes of the

MEETING OF THE LAND USE ADVISORY COMMITTEE

Thursday, January 21, 2016

Committee Members Present:

Jon Commers, Pamela Harris, Chip Halbach, Phillip Klein, Bill Droste, Elizabeth Wefel, Marvin Johnson, James Saefke, Bill Neuendorf, James McClean, Karl Drotning, Michael Webb, Kathi Hemken, Kristina Smitten, and Jamil Ford

Committee Members Absent:

Elizabeth Kautz, Kathi Mocol, and Jennifer Geisler

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, January 21, 2016.

APPROVAL OF AGENDA AND MINUTES

Chair Commers asked for a motion to approve the agenda. A motion was made by Saefke, seconded by Klein, to approve the January 21, 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 Neuendorf, seconded by Klein, to approve the November 19, 2015, minutes of the meeting of the Land Use Advisory Committee. **Motion carried.**

BUSINESS

Appointment of Vice Chair

Commers noted that a Vice Chair appointment for a one-year term was needed in order to comply with LUAC Bylaws and recommended Kristina Smitten. A motion was made by Saefke and seconded by Droste that the Land Use Advisory Committee approve the appointment of Kristina Smitten as the Committee's Vice Chair for 2016. **Motion carried.**

INFORMATION

Update on System Statement Hearings – Jon Commers, Chair LUAC

Commers reviewed the update provided on System Statement Hearings included in the materials provided. At this point it looks like LUAC will not have a role in the system statement hearings.

Detrick clarified that staff are still communicating with Bloomington regarding employment forecasts. They feel it will be worked out but noted they are still not sure.

Harris asked what the issues are with Oak Grove. Barajas stated they requested amendments to their community designation from Diversified Rural for the southeastern portion of their community to Rural Residential. They've also requested a change to their long term service area so they are no longer part of our long-term service area for wastewater.

Klein clarified if they're on the fringe of the region. Barajas stated they are on the northern edge of the metro where we recently opened a regional wastewater treatment plant.

Water Resources Policy Plan – Judy Sventek, Water Resources Assessment

Sventek gave a quick overview of the Water Resources Policy Plan adopted in May of last year outlined in the materials provided.

Smitten clarified that with the new requirement that the local water supply plans be updated in the same time frame as the comprehensive plan, are they [local governments] asked that this be a chapter or an addendum to the comprehensive plan. Also, will the Local Planning Handbook (LPH) have to be updated to incorporate this requirement? Sventek stated the LPH was updated to include guidance on this new requirement. The 2015 System Statements have information on this as well.

Droste suggested this might be a good item for the monthly Met Council newsletter.

Klein asked if the Met Council is looking at water infrastructure throughout our region or at least asking cities where they stand. He discussed Flint Michigan. Sventek responded that this is not her area, however, she noted that all cities with a municipal water supply are required to have a water supply plan as part of the comprehensive planning process so this would give us information on the type of conservation they are doing and other elements. She stated that staff are looking at the issue of lead pipes still in place in some older cities.

Commers stated he presumed that we have data for the regional water infrastructure and local units have data for age, quality, etc. He asked if these are integrated in our data stores – can we do an integrated analysis across the local and the regional water infrastructure system. Sventek responded that there is no regional system for water supply. The water supply plans do require this information.

Commers asked if there an inventory of age and quality of local infrastructure. Lanya Ross, responded that this is the responsibility of individual water suppliers and they work closely with the Department of Health who does do sanitary surveys. When it comes down to maps of infrastructure, that is at the local level, and we do not have a region-wide map of infrastructure.

Wefel discussed a tool that that the State Auditor has been working on. The challenge she is running into is the availability of data. There are gaps and significant funding needs.

Ford asked who would step in (State or Met Council) to support cities' aging infrastructure. He discussed the role of creating a game plan for funding.

Saefke discussed changes in technology that can make it more affordable, i.e., lining existing pipes. He discussed the lead and copper pipes and noted that samples are taken by the Department of Health.

Harris discussed the broadness of the Water Resource Policy Plan and concern with duplicative work of other entities. Sventek discussed coordination done with Watershed Districts, state agencies and local governments.

Commers discussed outcomes and stated that the suggestion that changes to the Policy should be communicated with cities through the newsletter was a good idea. He also discussed the issue of data continuity in the region and felt that we have a really effective collaboration in Metro GIS which has all kinds of shared information amongst the seven counties and this might be a high value application of that kind of structure. This would help to look at how to prioritize and also how to work together to pursue some kind of funding strategy that is regional in scale.

Droste asked who monitors wells. Sventek thought it was the DNR and the Health Department. She noted that the Met Council gets this data as well.

Updated 2016 Work Plan - Jon Commers

Commers reviewed the updated work plan provided in the meeting materials and asked for any additional topics committee members would like to discuss.

Halbach suggested adding to the housing point, if there's support, the idea that it's input and feedback on Council tools and resources to support the housing elements. He feels one of the toughest jobs the Council will have in reviewing the Comprehensive Plans is to figure out how they should be evaluating housing. He felt that this committee could provide feedback on this topic. Commers summarized that what he's hearing is what is the different between statutory mandates and the funding that's available to local communities to implement and realize those requirements.

Halbach stated that this is the context. You have the mandate that communities should plan to meet their share of the region's housing need but it's stated in the Housing Policy Plan that there's limitations on what communities can be expected to do. However, they're still required to do the elements, the plan for how they're going to get it done. He feels that the Council has to evaluate this understanding that communities have limitations but also, there is a mandate. How the Council draws the line in its evaluation is a very tough but important task and he feels this committee can help provide feedback of how they can do this.

Webb agrees with affordable housing in some context but doesn't know what goes into the assignment of the number of affordable housing units required. He discussed having an effective communication tool for elected officials would be helpful. Commers discussed communications strategies, techniques and tools as part of the 'softer side' of the implementation tool box is a really fitting piece of the conversation for this committee.

Drotning discussed innovation and stated it is something that many communities will need help with.

Commers discussed timing of the housing discussion. Barajas stated that early feedback is always appreciated. Detrick discussed today's discussion on housing and how this will give an overview on the subject with the idea of possibly coming back in March in more depth. She stated staff will be talking more internally before coming back to LUAC about the timing of future discussions.

Ford asked if case studies have been done of how other communities have dealt with affordable housing and stated these strategies could be helpful.

Commers discussed a couple initiatives underway to look at this. Local Planning Highlights in the Local Planning Handbook is one effort within the region to identify promising strategies to accomplish a range of goals. There are also a number of partnerships that staff have been exploring for the comp plan process in order to do more of this 'looking outside' that will be helpful.

Halbach stated the Urban Land Institute has an affordable housing toolbox. Also MN Challenge has a report on 11 major strategies that communities have used to address affordable housing. He suggested having a list of resources available at the March meeting.

Halbach stated that the Met Council has two roles in housing. One is to help with technical assistance and help communities complete the plans consistent with state law and provide the examples. The other role is to evaluate whether or not the plans themselves meet the requirements under state law. He feels there is a role that LUAC has in providing feedback on both of those approaches.

Webb discussed state law and asked where does it state how much affordable housing each city needs (based upon land use, water use, population, highways, etc.) to provide. Halbach noted the upcoming

presentation will discuss this and noted that it is the community's proportionate share of the region's need for affordable housing.

Webb clarified that ultimately the need is defined by the Met Council and evaluated by the Land Use Advisory Committee. Commers noted that there's a methodology that this group could spend an entire meeting discussing.

Webb stated if we really want to make a change, rather than mandate a philosophy or an ethical thought process – how do we make that viable and real. He felt that 'working with' communities rather than dictating or mandating would be better and felt that perhaps this group could come up with an approach.

Commers noted that the statute doesn't read like a negotiating tool. It's a very clear statement that is written for a reason.

Drotning discussed the work of local planning commissions and outside help that will be needed.

Commers discussed growing interest in solar installations in cities and challenges and opportunities presented and asked if this would be of interest to this group. Webb stated he would be interested.

Halbach felt possibly – he sees us as a body that supports the work of the Council and if the Council is going to delve into solar installations then it would be appropriate for this body to take a look at that.

Ford stated he would support this.

Droste gave one caution that if power companies were here, this is uncharted turf. He felt that Wi-Fi technology is another area that could be looked at.

Smitten agreed with Halbach if the Council is interested, she feels it would be appropriate. She discussed long leases of land to accommodate this sort of thing and its affect regionally on growth.

Barajas added that the Land Planning Act requires local governments address solar access planning as part of their comprehensive plans.

Klein stated his community (Hugo) just passed an ordinance regarding solar farms.

Harris agreed with Droste that technology infrastructure planning is equally as important.

Droste discussed long-range land use issues looking at solar gardens or solar farms.

Wefel agreed we need to see what the directive from the Council is and wait until we get through the legislative session.

Neuendorf stated it would be helpful if there was a Community Highlights page to look at best practices.

Ford noted the other component of this is reintroduction of new jobs and the ability to create a new workforce.

Commers asked Harris what other issues come to mind. Harris discussed adequate infrastructure to residents and also how it attracts industry. She discussed community wide Wi-Fi.

Commers noted that the work plan would be updated and redistributed.

Water Supply Policy Plan – Layna Ross, Water Supply Planning

Ross discussed the Master Water Supply Plan (noting it is not a policy plan although it is related to the Water Resources Policy Plan) as outlined in the materials provided. She also discussed how it relates to the local water supply plans and to the DNR's process. Staff see key issues when they take a more regional view versus local plans. She also discussed considerations as staff relate to land use and some of the decisions made. Ross also highlighted services staff provide in water supply planning and stated there is a new grant program she will share information on.

Webb clarified that it is not a system, but is a required part of the Comprehensive Plan. Ross confirmed that communities with a public water supply system must submit a local water supply plan as part of their comprehensive plan.

Droste clarified cities, in the last comprehensive planning process, had to do water demand/population projections. He stated he would be curious if there's feedback on how accurate these projections were. Ross stated projections varied by about 20%. One of the 'wrinkles' they ran into was that no one predicted the recession.

Droste discussed smaller cities that don't have staff and asked if there are best practices/tools regarding conservation. Ross stated that there is a water conservation toolbox on the Met Council's website. She stated staff are also asking communities, as part of the grant program, to report quarterly on their water savings. She discussed a new project starting now with the University of Minnesota, working with an irrigation specialist on outdoor water use and ways to be more efficient.

Klein noted that the grant program is good but more is needed and discussed possibly going to the legislature for additional funding. Ali Elhassan, Manager Water Supply Planning, Environmental Services, commented on the need and how they are working to communicate this to the legislature and encouraged committee members to reach out to the Clean Water Council as well.

Halbach asked for an example of desired outcomes and asked when the comprehensive plans are reviewed what are they evaluated against? Ross stated staff are trying to find outcomes to show success. She discuss the goal, as a region, to have residential water use to be less than 75 gallons per person, per day. She noted some communities have already achieved this while some are using much more. She stated if, as a region, we can achieve total usage of 90 gallons per person, per day we could meet our 2040 population needs with no increase, as a region, in water use.

Webb asked what we use now as a region. Ross responded it is about 125 gallons per person, per day.

Smitten questioned the sustainability of the plan and asked if information is being provided to cities on their usage and information on how to conserve. Ross discussed targets within water supply template developed in conjunction with the DNR to be used by communities.

Webb asked what percentage of water is being used for green lawns. Ross stated staff has looked at summer usage versus winter usage and noted staff see three times more usage in the summer.

Webb discussed the opportunity to require using non-treated water for lawns.

Droste stated he is for full-transparency and noted that habits will change.

Smitten asked where we are at in using gray water and building codes to require this. Ross stated that awareness is growing and discussions are happening – paying attention to public health is an issue. She discussed golf course projects where they are using stormwater for irrigation.

Elhassan stated that plumbing code requires separate pipes for gray water versus clean water. He noted regarding irrigation, the University of MN is doing a study on this. He noted one place where efficiencies will be shown will be at the State Fair.

Housing Planning: Metropolitan Council Roles and Responsibilities – Libby Starling and Tara Beard, Regional Policy & Research

Vice Chair Smitten noted this Information Item would be reviewed at the next meeting due to the time.

ADJOURNMENT

Business completed, the meeting adjourned at 6:15 p.m.

Next Meeting – March 17, 2016

Respectfully submitted,

Sandi Dingle
Recording Secretary