

## Minutes of the

### REGULAR MEETING OF THE LAND USE ADVISORY COMMITTEE

Thursday, January 16, 2014

#### Committee Members Present:

Kristina Smitten, Chip Halbach, Elizabeth Wefel, Kathi Hemken, Bill Droste, Tami Diehm, Andy Hestness, Phillip Klein, Marvin Johnson, Colleen Ratzlaff-Labeau, James McClean

#### Committee Members Absent:

Amy Ihlan, Elizabeth Kautz, Jon Commers, Bill Neuendorf, Jon Ulrich

#### CALL TO ORDER

A quorum being present, Committee Vice Chair Diehm called the regular meeting of the Council's Land Use Advisory Committee to order at 4:02 p.m. on Thursday, January 16, 2014.

#### INTRODUCTIONS

Vice Chair Diehm noted that there were three new members in attendance and therefore asked all to introduce themselves and the areas that they represent. New members included Marvin Johnson, Colleen Ratzlaff-Labeau, and James McClean.

#### APPROVAL OF AGENDA AND MINUTES

It was moved by Hemken, seconded by Smitten to approve the agenda. Motion carried.

It was moved by Hemken, seconded by Smitten to approve the minutes of the November 21, 2013, regular meeting of the Land Use Advisory Committee. **Motion carried.**

#### BUSINESS

##### Appointment of Vice Chair

Diehm referenced the memo provided by staff and noted that she had spoken to Chair Commers who asked that she serve as Vice Chair for 2014. Diehm stated that she would be willing with the approval of this committee.

It was moved by Johnson, seconded by Halbach, to recommend that the Land Use Advisory Committee approve the appointment of Tami Diehm as the Committee's Vice Chair for 2014. **Motion carried.**

#### INFORMATION

##### 1. Roster of Committee Members and Orientation Material

Diehm referred to the copy of the committee's roster provided and asked members of the committee to forward any updates or changes to Recording Secretary, Sandi Dingle. She noted that the orientation materials were provided as a reference for returning members.

Diehm noted that there are vacancies in Districts 3, 4 (Carver County), and 9. She asked committee members if they know of anyone who may be interested in being on LUAC to please let them know of our vacancies.

##### 2. Draft 2014 Work Plan

Diehm reviewed the draft 2014 Work Plan provided and asked members for feedback including questions or additional topics to be covered.

Halbach asked what is meant under the goals of the work plan to tie LUAC activities to outcomes. Barajas responded that the outcomes being referred

to are identified in the draft Thrive [*Thrive MSP 2040*] document and include sustainability, prosperity, equity, livability, and stewardship.

Diehm noted that the topics for the March 20, 2014, meeting are identified, however, topics for other meetings are not listed and stated that if there are specific topics that members would like to discuss, staff and Chair Commers would be very open to suggestions.

### **3. Draft Land Use Strategies for Geographic Planning Areas – Lisa Barajas and staff Local Planning Assistance**

Barajas reviewed the Land Use Policy draft provided to members. She noted that this document will be integrated into the Thrive document.

Barajas stated that common strategies have been identified in the policies. She noted that staff, Council-wide, have worked on this. She asked the group for feedback, i.e., is the information clear, is there anything missing, etc.

Klein asked if the DNR has weighed in. Barajas stated that there have been discussions with several different groups at the DNR and they will continue to work with the DNR on land use strategies related to water supply and natural resource protection.

Klein asked if the Met Council will be stepping forward to help finance some projects, i.e., water usage, transportation, etc. Barajas stated that she cannot speak to that at this time, however, she felt this is something that the Council is working on.

Halbach stated he felt the strategies would relate to land use and pointed out a strategy on page 10 of the document that refers to the operation of transit and noted that this doesn't sound like a land use strategy. He stated this makes him wonder if everything should be included that pertains to what we'd like to see in the region. However, if we are trying to come up with a document that just pertains to land use strategies, it would narrow the comments. Barajas stated yes, that staff has been working on narrowing the document.

Diehm asked about the process and timeline of Thrive. Barajas discussed the current draft and integration of other components to Thrive and the overall structure of the document. Guy Peterson added, regarding timing, that the scheduled calls for Committee of the Whole discussions on February 5 and 19. The Council will adopt the draft for public comment on February 26. The month of March will be used for public engagement and receiving comments on the draft plan. It will go back to the Committee of the Whole in April and the Council is aiming at adopting the document on May 7, 2014.

Smitten stated that as she read the document she asked, for communities, how does this translate to the Local Planning Handbook and using this to prepare a comprehensive plan. She referred to things like 'support' and discussed different levels of expectations for different communities.

Smitten referred to page 4 and asked what is meant by coordinating wastewater conveyance projects with parks and trails system improvements. Barajas discussed when improvements of wastewater systems are needed and they run along the boundaries of our parks and within corridors of our trails. In some cases we are already making improvements in our parks/trails and if wastewater improvements are also needed, they should be done together, thereby coordinating capital improvements of our 'systems.'

Smitten asked if this presumes that for all other system improvements the Council has that this is being done. She suggested it should be broader to include all of our systems when doing infrastructure improvements, not just parks and trails. Barajas agreed.

Smitten noted that the geographic planning areas seem consistent with what LUAC members discussed.

Halbach agreed and added that in some cases there is so much repetition that some things don't 'pop out' and requested if there is any way to specify that for any type of developed areas 'these things hold' and then specific to urban 'these things hold.' Barajas discussed the work being done to remove quite a bit of repetition.

Halbach also shared his concern that in the Framework it says for an urban community or suburban, it says your land use density is 20 units/acre or 5 units/acre and he feels it is too much of a rough cut and asked where do these numbers come from. He asked if it makes more sense to come up with density targets related specifically to sub-areas within a community. Barajas discussed where the numbers come from and the use of overall average densities to meet what communities have planned for.

Halbach referred to Eden Prairie and noted when the Southwest Light Rail is built it is in the same density target as Minnetonka that doesn't have that transitway. Barajas discussed verbiage on page 19 that recognizes targeting opportunities for more intensive development near our regional transit investments and then makes the link to our Transportation Policy Plan.

Halbach stated this sounds good but still feels that having gross density numbers across communities with very different strategies for transit is not helpful.

Hestness discussed the layers that we talked about and asked if we need to separate land use sections based on cities' typologies and have separate recommendations based on these and their proximity to activity centers. For example you may have recommendations specific to their location to a particular type of transitway. This way, all of the layers we talk about get their own set of recommendations.

Halbach stated that in terms of thinking about where density should occur, he felt the last line on page 3 is not consistent with our encouragement of where it should occur. Barajas agreed but noted that the land use authority lies within each city - decisions are made at the local level. Halbach suggested adding language that encouraged local communities to adhere to guidelines based on incentives or disincentives.

Diehm stated that she feels this sentence is an important one at the local level. She felt we need to be sensitive to this but agreed it may be a good idea to talk about incentives/disincentives.

Barajas discussed where this type of language does occur and talked about the desire to partner with communities.

Halbach encouraged staff to be very clear about the Council's expectations and also what it wants to achieve while recognizing the role of local governments.

Diehm asked for thoughts from members who represent the more rural areas.

Johnson commented that in Hennepin County the only city that has ag preserves [agricultural preserves] is the City of Independence. He discussed what has been happening with ag preserves and the green acres approach. The law is making it so their farms are being compared in values to large rural farms. He stated they're literally forcing folks to give up open space because they're being valued too high and they can't afford the taxes. He noted that their valuations have increased 200% and therefore taxes have increased as well. He feels there's a need to express this dilemma in this report somehow.

Droste stated he thought that this is a legislative issue. He also discussed the importance of pulling out ag preserves in the document. He added that he struggles with how to communicate this document to the public. He referred to the need for a 'civilian version' of this document.

Barajas noted that this is a struggle for staff as well in making sure this document is comprehensible to the public.

Halbach stated he struggles with Council strategies and community strategies and what they mean. He feels community strategies are 'soft.' He feels using the strongest, politest language is needed to get communities to acknowledge local and regionally significant economic places but also to plan the further development of them consistent with the overall growth of the regional economy.

Hemken cautioned creating unfunded mandates to cities.

Diehm agreed and felt that many of the community strategies were 'soft,' however, others are strong. Halbach stated that if it's a mandate, it must be a law.

Smitten asked if the Council will provide tools and resources for some of the suggestions, i.e., water resource protection, etc. She also asked in regards to the recharge areas – how are we going to help communities plan for the protection of these areas.

Barajas talked about tools being developed by staff and technical assistance that will be offered.

Halbach clarified that on strategies we need to be clear if this is a mandate or suggestion.

Klein feels the document is fine. Corridors that are developed will take density. He feels this document needs to be all encompassing. He feels communities don't need mandates. This document lets communities know what the goals are.

Hemken likes the 'roles' identified.

Wefel referred to page 14 and asked about ensuring access to solar energy and asked if it should talk more about renewable energy. Barajas noted that this one is based on state statute and so it is more of a directive.

Smitten noted if a piece is specifically mandated by statute it would be good to note that. Also, she noted overall it is a very good document.

Halbach asked where are we in the process and if this committee will discuss this again.

Diehm stated that in February the version that will be published (incorporated into Thrive) will be adopted. Barajas added that she will touch base with Chair Commers. She noted that this document will be out for public comment in March.

Barajas stated she would welcome any additional comments and stated they could be sent to the Recording Secretary to be forwarded.

Hemken discussed emergency water well drilling being done and asked if this is something this group could also discuss.

Diehm stated this ties into the presentation that was given a couple of meetings ago.

Barajas discussed coordination being done with water supply staff and the DNR and specific land use strategies and water resource strategies.

**Next Meeting – March 20, 2014**

## **ADJOURNMENT**

Business completed, the meeting adjourned at 5:09 p.m.

Sandi Dingle  
Recording Secretary