

WRIGHT COUNTY PLANNING COMMISSION

WORKSHOP – May 3, 2007

NORTHEAST QUADRANT LAND USE PLAN

The following members, Ralph Douglas, Franklin Denn, Jack Russek, Lawrence Bauman, David Pederson and Gordon Weber, met at 1:00 p.m. in the County Board Room with Planning & Zoning Administrator, Tom Salkowski; Dan Jochum of SEH.

1. NEQ Plan – Background and Process

Salkowski stated they invited the Task Force members, although not a public comment meeting. This is to go over the background and the public hearing. He was mistaken regarding Monticello Township's action on the Plan. Formal action had not been taken at the time; they met last night and voiced concerns about the Aggregate Resources or Resource Lands. He plans to meet with them prior to the second public hearing on May 17 to get a better understanding and try to resolve their concerns. He explained the Plan is a County Plan and he necessarily takes direction from the County Board. They are elected to represent all residents and interests of the County. He noted there are State laws they have to abide by and they cannot ignore cities. The previous Plan in 1988 did not effectively involve the Cities because Cities at that time did not foresee the extensive growth that has occurred since, and did not seek inclusion. Due to recent growth, some changes in State law, and primarily the issues rising from the "hostile annexation" attempt by the City of Monticello, the Mayor's Association has asked the County Board to be more inclusive in the county planning process. Some of the controversy with this plan is a direct result of the realistic need to include Cities more directly in the County Planning process.

Salkowski led a discussion about concerns expressed about public input, the planning process, the role of the Task Force and domination by County Staff. County staff and the consultant, SEH, Inc. take their primary direction from the County Board, who are elected to provide such guidance. The 11/21/2005 memo adopted by the County Board to start the process was reviewed. Staff and the consultant are hired to apply their professional planning education and experience to consider all the factors necessary to propose a plan for the good of the entire County. An assessment of public sentiment was conducted at the beginning of the process, and that is what staff have relied on for the best assessment of public priorities. The later they get into the process, the more likely it is that people who attend meetings have an "axe to grind" or have their own personal interests in mind. While there is nothing wrong with voicing personal interests, we cannot assume that is the same as the public interest we are supposed to protect. Staff believe that the first meeting in the Rockford Town Hall when there was no specific agenda or plan to cause reaction is the best representation of what the residents felt priorities should be. These priorities were identified, summarized in group responses and voted on and the summary (referred to as the SWOT analysis) is in the Plan. Staff have used those as the primary indication of the priority of the public.

Salkowski noted in the past he has worked primarily with Townships. He explained the makeup of the Task Force was weighted toward the townships and noted there has been some criticism of that. Partly to placate the Cities, the Task Force was deliberately established as an advisory body without

voting powers, but rather as a sounding board and link back to Townships, Cities and to the rest of the community. (2/23/2006 memo reviewed.) The final decision rests with the County Board. He did not believe Staff dominated the Task Force and felt attacking the process is disingenuous at this point. He made an effort to get around to everyone at meetings to make sure each member had a chance to speak. It was Mr. Jochum of SEH and Salkowski who were ultimately responsible for assembling a professional plan based on all the input from all sources including the Task Force.

Russek noted everyone has an expectation for a Plan and they cannot make everyone happy. He noted overdeveloping would drive the value of the lots down. There are many things to consider and they have 16 townships to consider. Two townships want the “1-20” residential density and claim they are different from the rest, however this impacts the entire County.

Weber felt whether an individual Township wants the “1 per 20” density should be their choice. The process was questioned because he wondered if the Task Force had any teeth without the power to vote and actually impact what comes out of the Plan. Salkowski explained that besides acting as a sounding board, the main goal and purpose of the Task Force was to get the cities and townships to sit down together. All of the language in the plan was reviewed in detail with the Task Force and a consensus reached on the vast majority of it. Weber agreed but expressed his concern that in regard to Schmidt Lake and the “1 per 20”, a poll of Task Force members did not get reflected in the Plan. He suspected this might have been more of a bias rather than taking direction. Salkowski felt his recollection was different than Weber’s, but the important thing is that the “1 per 20” was included in the Plan after much discussion.

Denn stated one of the most important issues to remember is that they are working on a Land Use Plan and have an Ordinance that is applied County-wide. Douglas agreed with that statement.

2. Transition Areas/Annexation Law/Rockford Township

Salkowski reviewed the issue is primarily with Rockford Township and the Commission may recall the conflict for which reports were distributed several months ago. He felt the Rockford Township position is now 90% in agreement with the new Plan with the exception of the transition areas next to the city of Hanover and Rockford. Supervisor Eckblad had commented at the public meeting about two issues, the “1 per 20” density and Transition areas. He addressed the fundamental difference between the County and some of the Township’s aspirations. The County Board has made it clear that they do not intend to operate a suburban zoning agency and will only support a plan to preserve agricultural land with limited development in township areas. The County provides most of the services to the people in the townships, but once a Township becomes suburban and more commercial, residential and industrial growth happens there are a number of responsibilities and services that come with that. Basic lot and road standards, and virtually no special standards for commercial or industrial development is all that the County provides for a rural area, that is why they have made it clear that if a township wants to be something different, it is time for it to become incorporated as a City. This is based both on clear statements in state law and has been adopted as County Board policy. Annexation laws were reviewed as directly relevant to the situation in Wright County, and especially Rockford Township. Whether or not we think state law is fair to Townships, that is the system of law we have to work within. SEH worked with City plans and studies and

helped us decide on reasonable compromises between city and township interests. He summarized the responses received from the cities of Buffalo, Hanover, and Rockford. Salkowski emphasized he has always been the voice for townships in the Courthouse, and is especially bothered that he must make a recommendation that is not supported by the Rockford Township Board. He noted the Monticello Orderly Annexation Area Board has been in place many years, and it is partially as a result of good planning that the attempt to annex most of the Township did not work. In the current environment in Wright County, no reputable planner would recommend large residential lots surrounding a city. The cities have a right to plan for the future and have to make decisions regarding the investment of millions of dollars for sewer and water facilities. The Plan for Rockford Township does include some industrial in the middle that could be a central core (near the Town Hall) if they become a city in the future, but even that may be questioned in regard to the statements in the annexation law. Salkowski felt there was no choice but to recommend the Plan as presented, although he does not say that easily. He would continue to work with the Township to develop orderly annexation areas, but it is essential that the City and Township come to an agreement. The City response letters speak for themselves in their support for the Plan, but the Rockford Township Board proposes smaller Transition District, and around the city of Rockford they also request to reinstate the residential-large lot designations.

Russek asked Rockford Township Supervisors present if they are currently working to develop an OAA area with the City of Rockford? Karen McDougall – stated no. Russek stated he would like to see that happen and mentioned his involvement with the City of Delano on an OAA when he was on the Franklin Town Board.

Greg Eckblad – Township Supervisor – stated he was recently elected to the Town Board. They are talking with the cities of Hanover and Rockford about an annexation agreement and they already had an agreement with the City of Buffalo that is up in two years. They did not sign the agreement with the City of Hanover because of some differences they had on furnishing sewer and water and that was about the time the NE Quadrant study was to begin. They plan to work with all three cities in the near future. Denn stated they should try to resolve the annexation issues, it is a difficult matter and upcoming legislation in 2008 is expected, however, the rules are stacked in favor of cities.

Weber questioned how long it is expected to take to fill in the transition zones? Salkowski felt depending on whether the city or township is asked, the answer may be different. The City feels it might be ten years. The plan Rockford Township was negotiating with Hanover had three times as much land, was nearing completion until the sewer issue came up. The City of Rockford had about twice the size transition area as in shown. Weber asked if the projections were based on units added per year? Salkowski responded yes, although they found conflicts in what the current plant can handle. The amount of money planned to spend on sewer treatment expansion was considered. This is not exact science, for example new development expected last year and this year did not happen; whereas, what happened in St. Michael and Otsego over the past several years was unprecedented. Russek noted three development proposals in Delano went back to the owners because predictions were off. Weber understood the need for a buffer, but did not want to harm those people further out. Salkowski agreed a primary concern is for those on the outer edge and they are hoping the Township and City can agree to work out the details for those areas because they might be impacted most.

3. “1 per 20”

The position of the Buffalo Town Board as presented by Supervisor Weldele was reviewed. Salkowski stated he agrees completely with the position of Buffalo Township and the wording of the petition as submitted by Mr. Danielson and quoted the petition: “We, the undersigned residents of Buffalo Township, would like to see serious consideration given to implementing a 1:20 designation”. The Plan says that exactly, and commits the County to seriously considering and making a decision on 1:20 before the entire County Plan is completed. Salkowski might differ only with Weldele’s comments that this part of the County is significantly different than others. Franklin, Woodland and Marysville face the same issues with Montrose and Delano. Clearwater and Corinna Townships are experiencing some of the same pressure from the other direction, St. Cloud. Other townships want to be in this discussion and some have voiced initial concerns. How it would be implemented, how it might affect large feedlots and commercial agricultural operations, exactly how 1:20 would work, and other issues need to be discussed with the entire County.

Weber felt it is important to keep in mind that rural means something different to everyone and 1:20 is rural to a lot of people. He noted it is the right of people whether they want to use them or not. Russek felt if they allow it that parameters must be set, such as a Planned Unit Development districts, clustering lots like used in 1:10 (A/R). Otherwise, they would lose any chance of farming land split into 20-acre lots. A cluster might leave large tracts that could be farmed. Bauman noted areas would have to be established such as the river used as a border in Franklin Township. (Everything east was designated for A/R.) Salkowski quoted Denn who often said “any time you draw a line on a map you have a fight on your hands”.

Russek felt we have to be careful because the State legislature is watching development in the state. If they see that Townships are opening up to hodge-podge development we will lose Townships and he does not want to see that happen. Denn stated the Legislature created cities and townships and townships play an important part. Pederson noted there is tremendous competition for land. There is only so much land and the smaller the lots the better. Personally feels the homes belong in the City and we need land to produce food and he would be opposed to moving swiftly toward a 1:20. Salkowski indicated that would not be settled today and referred to the implementation of the plan (last chapter) addresses the issues. He was surprised at the reaction to this issue, because it is included in the Plan, but it is not possible to implement simply or quickly.

4. Resource Lands

The two new designations in the Plan were reviewed. These are based on State law that makes it clear the plan has to consider natural resources and especially that the aggregate resources are taken into account. This is new and so it is understandable people are concerned. It is important that everyone understands that the Plan is not the zoning ordinance. Whatever is adopted for a Plan, zoning would remain the same for those people in the resource areas, although there may be some impact on potential for rezoning in the future. Natural resources were identified in the initial public hearing a year ago and received the highest number of votes in the “opportunities” section of the SWOT analysis: the ability to plan around natural resources. The “Big Woods” was one thing the citizens in Wright County wanted protected.

Salkowski reviewed the data and process used to help identify these unique and particularly sensitive areas. He described an exercise at a Task Force meeting where the Task Force and all attendees except staff were asked to identify on maps natural features and areas that are particularly special. The Resource Lands are primarily a result of this process. The Buffalo Town Board and landowners around Schmidt Lake have made it clear that there is a little or no support for the Schmidt Lake Resource Land designation. Salkowski has met with the primary landowners and believes that, with time, they might see the advantages of the designation, but they are not convinced. The owners have all made it clear they all would prefer to go back to the AG designation. Although it was identified by a number of people, and there are some good reasons for the Resource Land designation, Salkowski indicated that the Commission may also find good reason to leave the Schmidt Lake area as Agricultural. There are relatively new homes on the lakeshore, much of the land has already been divided among family members, it is a relatively small area and there is no similar plan for the St. Michael side of the lake. He feels however, the other Resource Land areas are very defensible and would argue that they should be maintained.

The Aggregate Resource area is a response to a requirement in state law that plans must address the preservation of gravel resources. People might be reading into the Plan things that are not there, but the Plan is a “big picture” document and not meant to include specific regulations. We know there is gravel in those areas and it is stated there is a need for a more specific study of the areas within that designation. It is not a good idea to put a lot of homes within that area. One property owner has been asked to be added to the Aggregate Area.

Russek noted a large landowner in the Aggregate Resource Area brought his concerns to him and he also explained that the Plan does not change zoning. That owner seemed satisfied. Douglas thought the Plan mainly identifies where the gravel is located. Denn stated in his township the concerns were that once they designate an area it would always be that. Weber felt they have to identify the area and wants to make sure they have identified enough areas. It makes sense the land does not get developed until it is mined out. Salkowski stated time and budget did not allow for complete study within this area as part of this plan, but it alerts all concerned to the likelihood of continued mining in this area. It is anticipated this would be a bigger issue in the Annandale area, which is the other primary area in the County to have gravel resources. Regulations do not change without new public hearings.

Weber strongly encouraged the Commission to remove the Resource Area around Schmidt Lake. Douglas indicated he would not agree, noting the current owners are doing a good job, but as owners change that may not continue. Salkowski stated the Resource Land says it has to stay “1 per 40” and the main concern he heard from the owners is if everything around them goes to 1:20 they want the same option. He did not hear that anyone wants to develop, but wanted the ability to give a lot to a child. The further down you go in generations, the more development that may be. At this point, Salkowski would ask that the Commission make decisions about the relatively few issues, including the Schmidt Lake Resource Land that the public hearing has identified in the Plan.

Board recessed for ten minutes and reconvened at 3:10.

5. Review of Township/City/Public Comment

Salkowski noted it is important to keep in mind that many people understandably confuse zoning and the Plan, which are related but are two very different things. He clarified that no zoning would change as a result of the Plan, although in some cases the potential to rezone in the future is impacted. A complete packet of all responses received as of Noon, May 2 is included in your packets. Those responses that made specific requests for a different plan designation are coded and mapped for the Commission.

Naturally, many of the responses at this point are requests for more development than proposed in the Plan. Although those requests should be reviewed and considered, it is important to keep in mind, that this is a County Plan for the good of the entire community. We cannot operate like a lottery where we simply designate areas for development based solely on individual requests. Since all three Township Boards have noted no conflict with the residential areas in the Plan, Salkowski urged the Commission not to start adding more.

Salkowski reviewed the primary changes from the current Land Use Plan map for each of the Townships. He also referred to the tables distributed with the executive summary at the public hearing to show the changes by Township. There is actually quite substantial room for new rural development in each of the Townships. Even if the County did not adopt a 1:20 system, there is the potential for several hundreds of new homes in each of the townships. As a further indication of the delicate balance achieved by this Plan, Salkowski asked the Commission to pay special attention to the letters received from each of the Townships and Cities. The City of Buffalo, while approving the Plan, notes several serious concerns about the amount and type of development allowed in the townships.

6. Proposed Edits and Changes

Salkowski addressed some edits they could make today if the Commission is willing, based on letters received and further review by staff. The Commission was referred to letters R-9 and R-10 and the map was reviewed. Aside from the Schmidt Lake area, letter B-2 in Buffalo Township refers to property on Highway 25 that the Town Board asked for a small commercial zone on a corner. However, the landowner prefers the Aggregate Resource designation. The map was reviewed. Salkowski stated the Commission could make a decision on some of these changes at this time or wait until the public hearing. The two in Rockford Township are minor the Town Board members present concurred. Weber noted these minor changes could be dealt with but he felt the Schmidt area and Aggregate Resource area in Monticello might warrant more discussion. Zins stated the workshop allows them to direct Staff to make changes. Based on a consensus of the Commission, Salkowski clarified the two minor edits would be made. The Plan is not adopted until the County Board gets a recommendation from the Planning Commission and acts on it.

Weber commented on the Transition area and Schmidt Lake and indicated that could be addressed at the May 17 meeting. Weber stated he would like to see better background on the City of Rockford to determine what is reasonable as a transition area. Eckblad addressed the Township proposal and explained this represents what the existing Rockford City sewer plant can handle. Salkowski noted

that the City is in the process of preparing for an expansion of their sewer plant, and since this is a long-term plan, the proposed County Plan provides a transition area for the next plant expansion also. He noted there are people who want to be added to the transition area and others that want to be left out.

Denn since he has been involved in Planning & Zoning since the 1970's he has not seen so many properties on the market and a lack of market for them. He wondered what that tells them.

Salkowski reminded the Commission the second public hearing is set May 17 at 7:30 p.m.

Jochum did not know whether he could be present at the May 17, meeting and thanked the Commission noting it has been a pleasure working with everyone. The Commission thanked Jochum and commended him for the good work done for the County.

Meeting adjourned at 3:50 p.m.

Respectfully submitted,

Tom Salkowski
Planning & Zoning Administrator

Cc: Planning Commission
County Board/Zins