

4.0 COMMUNITY PARTICIPATION

As part of the comprehensive planning process a series of seven community meetings were held to provide information to and to receive input from City residents and property owners. In addition, from 2001 to 2006 an Independence open space committee went through an extensive park, trail and open space planning process involving significant opportunities for public input. This section summarizes input received through these two series of public meeting.

4.1 Comprehensive Planning Process

The comprehensive plan meetings involved informational presentations followed by opportunities for public input. The input format generally involved people first writing down responses to questions independently of one another, persons sharing their responses in a small group, recording consensus/individual responses in the small groups and presentations from each of the small groups as to consensus and individual responses on the questions.

Input Received

Following are questions that were asked at the community gatherings, each followed by a summary of small group responses received:

1. What do you consider to be the best features (characteristics, landmarks, places, etc.) of Independence that should be preserved and enhanced?

Generally people feel that the best features in Independence that should be preserved and enhanced are natural features including wildlife, natural spaces and areas, open spaces, trees and woods, lakes and wetlands and parks and trails. People also feel that features associated with rural areas including farmland, horses and rural environment are important to preserve. Rural, small town values were also cited for preservation including openness, friendliness, community feeling, low crime, privacy and quietness.

2. What do you consider to be the conditions (factors, barriers, obstacles, etc.) that could prevent Independence from achieving its full potential?

Conditions identified that could prevent Independence from achieving its full potential included high taxes and tax structure, high cost of land, lack of consensus of vision for the community, too much density, development pressure from the west as well as from the east, Metropolitan Council planning requirements, lack of commercial and industrial tax and job base, lack of commercial services, lack of roads, sewers and water.

3. What is your vision of the ideal for Independence in the year 2030?

The most significant cluster of responses to this question suggested controlled, moderate, reasonable, gradual, planned and fair growth. Density responses were fewer and included low, 10-20 acre lots, 5-10 acre lots, and varying densities. Several responses suggested commercial and industrial development as part of the vision, particularly along Highway 12 to increase tax and job base. Several responses also emphasized maintaining rural, agricultural heritage and

preservation of open space. A number of responses addressed parks and trails as follows: the need for more parks and trails (neighborhood parks for children to play in, another community park and more trails along county roads and connecting parks) and maintenance of existing parks. A few responses relating to the vision of the ideal dealt with fairness and equitability of zoning and development. The following ideas each received a couple mentions: more affordable housing, environmental stewardship (generally and lakes specifically), and crime-safe.

4. Should more of the agricultural area of the community be opened up to rural residential development at this time? If so how much?

Responses to the question of expansion of rural residential were clustered at the ends of a spectrum with about 45% desiring to maintain current rural residential and allow slow, controlled development of rural residential with modest expansion and about 50% desiring to allow 5-acre lots city-wide/allow owners to decide on expansion of rural residential.

5. Should plans for rural residential development projects be required to show how they could be developed more intensely? If not why not?

Requiring rural residential developments to show how the development can be developed more intensely when central utilities are extended was supported by about half the respondents with the other half being opposed to the idea of making this a requirement.

6. Should the City be pursuing sewer from the metropolitan system and/or from others?

About 40% of respondents indicated that the City should not be pursuing sewer from the metropolitan system or from others while the remaining 60% believe the City should be pursuing sewer either generally or for a particular reason. The 60% who believe the City should be pursuing sewer are split evenly as follows:

- a. Pursuing sewer is a good idea, in general;
- b. Sewer should be pursued for industrial-commercial; and
- c. Sewer should be pursued for environmental reasons.

7. Should the Rural Residential-designated area continue to allow development at one unit per five acres or should the density be decreased to one unit per ten acres? Should density of one unit per 40 acres be maintained in the Agriculture area during this planning period?

Three-fourths of respondents indicated that density in the rural residential area should be maintained at one unit per five acres or decreased. Approximately one-fourth believes it should be increased or should be the same Citywide. About one-third think density in the agriculture area should be maintained at one unit per forty, whereas two-thirds believe it should be increased.

8. Should more of the City be designated for Commercial/Industrial development and if so what part of the community?

Consensus is that more of the City should be designated commercial/industrial with about one-third indicating along Highway 12, and about one-sixth each indicating adjacent to existing, on the west end and adjacent to Maple Plain. The remaining support for more commercial-industrial designation suggested along County Road 6 and in Lyndale neighborhood.

9. Should urban density development be considered in parts of the community when Highway 12 is upgraded to expressway and other urban infrastructure is in place? Three-fourths of respondents indicated that they feel urban density should be considered when Highway 12 is upgraded to expressway standards and other urban infrastructure is in place. About one-half of those supporting urban density when Highway 12 is upgraded modified their response with the following: on highway, adjacent to Delano, commercial-industrial and not residential and senior-high density.

10. Do you agree with the vision of the City of Independence as a rural community and why? One-third of respondents agreed with the vision of Independence as rural community because that's why they moved here, even though some change in zoning and development should be made. Two-thirds of respondents see the ideal for Independence as uniform density allowed (possibly 5-acre lots), also more commercial zoning for more tax base. These two-thirds say land can't be sold as farmland, 40-acre/lot owners are stuck, majority of households are non-agriculture and that City is surrounded by development. Their attitude is that fire, safety, road, parks and trails are all good (presumably implying ready for more density) but that addressing sewer problems, particularly around Lake Independence, should be a priority.

11. Do you agree generally with the goals and policies as presented in the draft? What goals or policies do you disagree with and why? If there are goals that are missing what are they?

As part of the discussion on the vision of Independence as a rural community, proposed goals and policies were circulated for review and feedback on them was solicited. Responses to this question were based on the initial draft of goals and policies that was circulated. Goals and policies were adjusted to address responses received.

Significant public participation occurred as part of the comprehensive planning effort with more than five hundred people attending eight community meetings and providing input. It should be noted that this count includes many who were counted multiple times for attending multiple meetings.

Community Vision

Consensus concerning a vision for the City did not emerge and input concerning the vision changed during the comprehensive planning process. General agreement about the best features that should be preserved and enhanced emerged with natural features such as wildlife, natural areas, open spaces/areas, trees, woods, lakes, wetlands, parks and trails being listed. Second in order of importance for preservation were features associated with rural areas including farmland, rural environment and farm animals including horses specifically. Later in the process over half responded that they did not agree with the vision of Independence as a rural community even though the features cited as in need of preservation are consistent with such a vision.

A likely explanation for these seemingly contradictory responses were the economic realities identified initially as conditions preventing the City from achieving its full potential rather than

as part of their initial “vision” for Independence. In the first public meeting high taxes and tax structure, high cost of land and development pressure from the west as well as from the east (missed opportunity for tax base growth) were cited as conditions that could prevent Independence from achieving its full potential (Question #2). The more involved participants became in the planning process the greater impact economic realities had on participant’s vision for the City.

Community Vision and Regional Plan

The vision of Independence of 2030 as a rural community is consistent with the Metropolitan Council’s designation of the western two-thirds of the community for 40-acre maximum density. In the late stages of public participation, two-thirds of respondents did not agree with a vision for the future of Independence consistent with 40-acre maximum density in the western two-thirds of the community. The majority of Independence participants felt that maintaining agriculture and 40-acre maximum density is economically unrealistic and that uniform density of 5-acre lots throughout the community as a vision is more attuned to the realities of land economics. Minnesota law requires that local plans be consistent with the regional plan and as a result regional planners were invited to discuss implications of the regional plan on the City plan.

Presentations by regional planners concerning the implications of adopting a community plan that is inconsistent with the regional plan were given at community and City Council-Planning Commission meetings. While people at these meetings disagreed with this consistency requirement of law, the meetings seemed to move people towards acceptance. The idea of expanding areas designated for commercial, higher density housing and sewer-serviced single-family on the west side of Lake Independence provided reassurance to the Council and Planning Commission.

4.2 Comprehensive Park and Trail System Planning

From 2001 to 2006 an Independence Open Space Committee went through an extensive park, trail and open space planning process. The Committee was established by the City Council with representation from the City Council, the Planning Commission, the Parks Commission, and volunteers interested in preserving the natural heritage and scenic beauty of Independence in 2001. The mission of the Committee was to develop recommendations regarding education, voluntary incentive-based approaches and local ordinances that would provide long-term protection of open space and natural areas in the City. The Committee provided the groundwork for the parks, trails and natural areas planning process that included the completion of a citywide natural resource inventory and the development of a conceptual greenway based on high quality natural resources.

After considerable effort and deliberation the Committee was unable to reach agreement relative to a Park, Trail and Open Space Plan to recommend for adoption by the City Council. Conclusions reached from this planning effort were as follows:

- Although the committee conducted a substantial amount of community education and communication during the planning process regarding the concept of natural

resource area preservation, these activities have not been sufficient to gain widespread community support for the City updating its park, trail and natural areas system plan and policies.

- Residents seem to support preservation of natural areas, farming, and the rural character of the community, but are less supportive of government involvement and public access to preserve land.
- Current residents seem to have minimal desires for additional city parks, trails and natural areas. Rural residential and agricultural residents also question the need for public involvement in natural resource preservation on private land.

4.3 Community Issues

As indicated in a previous section of this chapter a number of issues surfaced as part of receiving community input during the comprehensive planning and comprehensive park and trail system planning processes. This section of the plan identifies major community issues identified that were addressed in the comprehensive plan.

Restoring Quality of Lakes

According to responses received during the public participation phase of the comprehensive planning process, lakes are one of the features of Independence that should be preserved and enhanced. Lake Sarah, Lake Rebecca and Lake Independence, the three largest water bodies in Independence, are all classified as “impaired” or polluted by the Minnesota Pollution Control Agency because they fail to meet one or more federal water quality standards. The Clean Water Act requires the MPCA to identify and restore impaired waters. Lake Sarah and Lake Rebecca are both affected with unidentified nutrient/eutrophication biological indicators. Target start/completion dates for the study process to identify the nutrient/eutrophication biological indicators and determine Total Maximum Daily Load (TMDL) for Lake Sarah are 2007/2012 and for Lake Rebecca are 2008/2010. The study process for Lake Sarah is underway in accordance with the schedule.

Lake Independence has been found to have high phosphorus and a Total Maximum Daily Load (TMDL) has been established for the lake. Phosphorus loading needs to be reduced by 45% or 872 lbs/year in order to achieve the quality goal of 36 part per billion. The Implementation Plan to reduce TMDL to the established quality goal sets forth sources and volumes of proposed reduction of phosphorus as follows:

Agricultural Cropland	284 lbs.
Animal Waste	370 lbs.
Urban Development	146 lbs.
Failing Individual Sewage Treatment Systems	8 lbs.
Loretto Sewage Treatment Facility	53 lbs.
Geese	<u>11 lbs.</u>
Total	872 lbs.

According to the Implementation Plan, “implementation of Best Management Practices necessary to achieve the total maximum daily load phosphorus targets will be the responsibility of the Cities of Independence, Loretto and Medina”. Specific responsibilities of the various stakeholders in reducing phosphorus loading are set forth in the Plan. Specific responsibilities of the City of Independence as set forth in the Plan are as follows:

1. **Animal Waste:** To revise existing Conditional Use Permits or Zoning Ordinances to require compliance with pasture and feedlot management plans if voluntary implementation of manure management plans does not occur and, cooperatively with other affected local units of government, to develop a manure hauling and disposal service to assist landowners with manure management.
2. **Urban Development:** To sweep streets in areas immediately adjacent to Lake Independence, focusing on springtime removal of debris accumulated during the winter and during leaf drop in the fall.
3. **Failing Individual Sewage Treatment Systems:** To increase inspections of septic systems and require remediation of failing systems and more frequent pump-out of all septic system tanks.

The City of Independence’s Stormwater Pollution Prevention Program (SWPPP) adopted in May 2006 to satisfy the requirements of the City as an MS4 community (Mandatory Small Municipal Separate Storm Sewer System) was amended to include TMDL requirements in July 2008. The SWPPP is formatted and organized using Best Management Practices (BMP) summary sheets that are required by the MPCA and identifies parties responsible for each BMP. The primary goal of the SWPPP is “to restore and maintain the chemical, physical and biological integrity of Waters of the State through management and treatment of urban stormwater runoff”. As indicated in Natural Environment Drainage/Water Quality policies the City of Independence will implement the SWPPP with TMDL amendments which will move Lake Independence towards the phosphorous loading goal of 36 parts per billion.

“Management of Individual Sewage Treatment Systems (ISTS)” is one of the BMPs added to the SWPPP with July 2008 amendments to include TMDL requirements. Implementation steps include developing an annual ISTS maintenance inspection and reporting program to ensure septic tanks are pumped on a 3-year interval and requiring the repair or replacement of failing and non-conforming ISTSs. In addition City Code 705.13 requires that a compliance inspection of an ISTS on a property be conducted when a bedroom is to be added on the property or when the property is the subject of a purchase agreement. If the compliance inspection indicates that the ISTS is failing or not in compliance, the system is required to be upgraded, replaced or repaired within three years of a notice to the property owner of noncompliance.

Alternatives to upgrading or repairing failing or non-conforming systems is replacing such systems or hooking them to the metropolitan sewer service. Replacement of such systems could take the form of installing a new system on site or off-site. Off site systems could take the form of a community system that would serve a number of failing or non-conforming systems.

As noted on the Land Use Plan properties on the west side of Lake Independence and around Lake Sarah are designated “Environmental Protection Residential” because of their proximity to these lakes and the impact failing or nonconforming ISTSs on these properties have on these lakes. A number of these properties are connected to the metropolitan sewer system but many others have failing or nonconforming systems. The intention of this designation is to require that no development be allowed on a property in this area until any failing or nonconforming system on the property is, in some manner, brought into compliance.

Independence has historically had a rural, small-town character and maintaining this character in the community is important to the City’s sense of historical identity. As indicated above, the TMDL study for Lake Independence indicates that the phosphorous sources with the largest reduction goals to achieve desired lake quality are Agriculture Cropland and Animal Waste. Conversion of agriculture to 5-acre lot development has little impact on contribution to phosphorous loading. Conversion of agriculture to urban residential would result in a significant increase in contribution to phosphorous loading. Thus maintaining rural character/ agriculture land use coupled with implementation of the SWPPP as amended per TMDL requirements is the development scenario most conducive to achieving the phosphorous loading goals for Lake Independence. The requirement that no development be allowed on a property in the Environmental Protection Residential area until any failing or nonconforming system on the property is, in some manner, brought into compliance (as described above) goes beyond the SWPPP as amended.

Expanded Commercial

A significant number of persons involved in the comprehensive planning process believe that high taxes and tax structure, high cost of land, lack of consensus of vision for the community, too much density, development pressure from the west as well as from the east, Metropolitan Council planning requirements, lack of commercial and industrial tax and job base, lack of commercial services, lack of roads, sewers and water could prevent Independence from achieving its full potential. Many of these issues are economic in nature and generally people feel that commercial expansion in the City would address a number of them.

A consensus of the input received to a question about expanding designated land for commercial-industrial was that more of the City should be designated in that manner. The strongest support for commercial expansion was for the area along Highway 12. Other support was voiced for expansion adjacent to the existing, on the west end and adjacent to Maple Plain and County Road 6 and the Lyndale neighborhood were also mentioned. The Comprehensive Land Use Plan shows a commercial area along Highway 12 on the west side of the City adjacent to Delano. This area was identified for commercial development because of its proximity to commercial across County Line Road to the west in Delano. The Land Use Plan maintains the remainder of the land along T.H. 12 in Rural Reserve to facilitate the eventual upgrading of the road to freeway standards.

Urban Residential for Elderly and Affordability Adjacent to Maple Plain

There are not many affordable senior housing alternatives currently in the City. This notion was reinforced by residents during the public input process. As a result, there is a drop off in the number of residents age 65 and older (see Table 5). The City is proposing a medium density land use area just north of the City of Maple Plain in an effort to attract affordable senior housing development. This area is proposed to be serviced with the metropolitan sewer system and water from the City of Maple Plain. This area is proposed to be designated as Urban Residential and would provide a wide variety of housing options. The housing types considered by this plan would include small lot single family, duplex, townhouse and those similar in character and density. The density for the Urban Residential area is designated as medium with a range of 4.1 to 7 units per acre.