Flexible Rural Development Standards

For Diversified Rural Areas within the Long-Term Sewer Service Area

Background

The Metropolitan Council distinguishes between urban and rural land areas to manage land consumption, including delivery of efficient regional services. Approximately half of the region's land area is within the Rural Service Area. For both the Urban and Rural Service Areas, the Council has community designations that outline policy guidance for the orderly and economical development of the region.

Imagine 2050 indicates that the Diversified Rural community designation includes agricultural land and farms, as well as large-lot residential development and clustered housing. Areas that are designated as Diversified Rural need to plan for growth not to exceed forecasts and in patterns that do not exceed 4 units per 40 acres. This pattern of development allows for future expansion of regional wastewater service within the Met Council's Long-Term Wastewater Service Area (LTSA) in a cost-effective manner.

Flexible Rural Development Standards and Eligibility

The Flexible Rural Development Standards (Standards) allow clustered residential development at densities that are greater than 4 units per 40 acres in areas. The Standards provide interim flexibility in density while also retaining the ability to provide future regional wastewater services based on regional system plans and long-term needs. Areas that are designated as Diversified Rural and within the Long-Term Wastewater Service Area are eligible to apply the Standards. If a community elects to utilize the Standards, it will need to follow the Flexible Rural Development Standards for Comprehensive Plans (page 3) and Ordinances (page 4).

For Diversified Rural areas outside the LTSA, the Met Council limits maximum densities to 4 per 40 to ensure there is not a proliferation of rural residential developments where there is a risk that failing individual and/or communal septic systems will require the extension of regional wastewater services into areas that cannot be efficiently served. This style of rural development can also remove agricultural lands from active production, increase risk to water quality, and negatively impact natural systems.

Areas that are not Diversified Rural and/or are outside of the LTSA are not eligible for flexibility under these Standards. However, the Council and communities may by mutual consent enter into an agreement providing for flexibility from the Council's rural density policy. The Standards will provide the basis for this agreement, but requirements may be modified or added to reflect the unique characteristics of the area. It is anticipated that such agreements will be rare, and the Council will only enter into such an agreement in cases where the flexibility provided is consistent with Council policy and substantially advances Council goals.

Local Responsibilities

It is the responsibility of local governments to follow all the Flexible Rural Development Standards and to adopt ordinances that implement these Standards. Statute prohibits ordinances which conflict with the comprehensive plan. Communities need to ensure that there are no inconsistencies between the ordinance and the land use plan. If there is a conflict, the comprehensive plan is the presiding document. As indicated in the Metropolitan Land Planning Act, local governments cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans, or which permit activities in conflict with the Met Council's metropolitan system plans (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2).

Jurisdictions that approve developments that do not meet the requirements of Met Council density policy, or the Flexible Rural Development Standards, may be assessed an inefficiency surcharge as discussed in the 2026 Municipal Urban Service Area (MUSA) Implementation Guidelines, if the Met Council is subsequently required to extend regional wastewater services to those developments. The community is responsible for ensuring that the community's flexible rural development ordinance is consistent with the Met Council's Standards and that the ordinance is followed in the short and long term.

Flexible Rural Development Standards – Comprehensive Plans

Communities that elect to use the Flexible Rural Development Standards need to discuss the Flexible Rural Development Standards in their comprehensive plan, including mapping where the Standards would apply, as well as their purpose and how they would be implemented. A community's comprehensive plan needs to demonstrate consistency with the Flexible Rural Development Standards.

Comprehensive Plan Completeness Requirements

Jurisdictions that utilize the Flexible Rural Development Standards must include the following in their comprehensive plan:

1) Identify the areas eligible for the Flexible Rural Development Standards on the Future Land Use map.
2) Discuss the Standards, their purpose, and how they will be implemented.
3) Discuss the Standards in the Plan's Implementation section and include the commitment and timeline to review and, if necessary, amend the community's rural development ordinance for consistency with the Flexible Rural Development Standards.

Communities will also need to:

- Submit a copy of the community's rural development ordinance to the Met Council after it is completed, and amended, if needed.
- Participate in a new Rural Area Development Monitoring Program by annually submitting the plats of all approved unsewered residential subdivisions to the Met Council.

Met Council Review

The Local Planning Handbook includes minimum requirements for comprehensive plans, including the Flexible Rural Development Standards. Comprehensive plans and amendments are reviewed for consistency with Council policies and conformance with regional system plans.

Where the extension of long-term regional sewer service may be under consideration or planning, the Council evaluates the overall impact of interim uses in the rural area to ensure conformance with regional system plans and that development is not being planned at densities that preclude future regional wastewater service. Met Council comprehensive plan and/or amendment review includes determining if there is potential to have substantial impacts on — or contain substantial departures from — metropolitan wastewater system plans, which affects how the Met Council constructs, operates, and maintains the regional wastewater system and can result in system inefficiencies.

Comprehensive plans need to include actions to implement the plan and ensure conformity with metropolitan system plans. Implementation, including description of zoning, must provide sufficient detail to establish existing or potential effects on/or departures from metropolitan system plans and to protect metropolitan system plans.



Flexible Rural Development Standards - Ordinances

Diversified Rural areas within the Long-Term Sewer Service are considered temporarily rural. Since the Council is planning to extend regional wastewater service to these areas they must develop in a manner that facilitates the future efficient extension of urban services. Developments may only exceed the Diversified Rural area's 4 per 40 density maximums if the comprehensive plan requirements have been met and the community's ordinance meets all the following requirements:

1. **Include a purpose or intent statement within the ordinance that describes the need to reserve land for efficient future urbanization when appropriate infrastructure is available to support that development.**
   Clearly state the purpose of the flexible rural development ordinance is to reserve land for efficient future urbanization. Defining the purpose and intent of any ordinance provides a basis for the regulations and gives potential applicants a better understanding of the regulations as they apply to individual properties.

2. **Describe the characteristics of the land required for future urbanization and seek to reserve tracts of land in a size and configuration capable of supporting future development.**
   The ordinance must define the lands that are considered developable. Lands that are restricted due to federal and state regulations, as well as any features that the local government has defined for protection or conservation cannot be used to meet developable land requirements.

   Concept Plans and Preliminary Plat submittals shall include a Ghost Plat or similar mechanism indicating how the subdivision could be redeveloped when municipal sewer/water becomes available. The Ghost Plat needs to take into consideration the adopted Comprehensive Plan and overall minimum net residential density requirements for regionally sewered areas.

3. **Allow no more than 25% of the *developable* land in a project to be developed. For the purposes of future urbanization, large contiguous future urbanization parcels should be reserved, limiting the cluster to a development area that a covers a minority of the area.**
   For the purposes of future urbanization, communities need to limit the initial development envelope to no more than 25% of the total developable area of the project parcel. The ordinance should state that development proposals must identify the developable land and then of that developable land, only 25% can be developed. To ensure that land is available for future development, the local unit of government should specify the maximum amount of developable land that is allowed to be used for the initial residential development. The ordinance should outline what is considered developable/buildable and should take into consideration natural systems priorities identified within the community's comprehensive plan.

4. **Require that the parcel(s) set aside for future urbanization be covered by a temporary easement or deed restriction.**

   Communities should place temporary easements or deed restriction on the future urbanization parcel that contain "triggers" for the removal of such restrictions. The restrictions must prevent the land from being developed before urban services are available, though they could allow for interim uses such as agriculture. The ordinance should detail the triggers, or conditions, under which such restrictions would be removed and the parcel made available for development. Such conditions may include the rezoning of the parcel, a change in the comprehensive plan, and the provision of urban infrastructure and utilities, among others deemed appropriate by the local unit of government. Portions of the development that are designated as undevelopable or are to be set aside for recreational use or conservation purposes, on the other hand, should be either dedicated to the public or covered with a permanent conservation easement or permanent deed restriction. The community should not place permanent restrictions on the capability of the land to be developed.

5. **Community wastewater treatment systems may be used to serve the temporary cluster if there are strong maintenance terms.**

   Clustering homes on smaller lots facilitates the connection of those homes to future sewer services and ensures that these services are being efficiently and economically utilized. These small lot sizes, however, are often too small to provide the necessary space for individual sewage treatment systems on each lot, in addition to the required back-up site in case of primary system failure. In this case, a community wastewater treatment system may be used. By employing a shared drainfield located in a common open space area, individual lots no longer need to be large enough to accommodate two on-site septic treatment sites.

   Community wastewater treatment systems may be used to serve the rural cluster if there are strong maintenance terms. The community wastewater treatment system should only be utilized in areas where the City can reasonably extend municipal services in the case of failure or when the City is willing to operate the facilities.

   If a community wastewater treatment system is not being considered, Preliminary Plats should identify a house pad, primary and secondary septic drain fields (with a soil boring log at each drain field), and well location. The ordinance should include minimum lot size served by individual subsurface septic treatment systems (SSTS). Minnesota Rules 7080-82 govern the design, construction, maintenance, and record keeping administration of SSTSs. For these reasons the Council, and most rural developed communities, require a minimum of 2.5 acre lots for septic systems. The community should coordinate with its respective County, if the County administers SSTS for the community.