Community Development Committee

Meeting date: July 15, 2019

Environment Committee

Meeting date: July 23, 2019

For the Metropolitan Council meeting of August 14, 2019

Subject: City of West St. Paul 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22157-1

District(s), Member(s): District 13, Chai Lee

Policy/Legal Reference: Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513

Staff Prepared/Presented:Patrick Boylan, AICP, Analyst (651-602-1438)
Angela R. Torres, Local Planning Assistance Manager (651-602-1566)
Kyle Colvin, Engineering Programs, Manager (651-602-1151)Division/Department:Community Development / Regional Planning
Environmental Services / Technical Services

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee

- 1. Authorize the City of West St. Paul to place its 2040 Comprehensive Plan into effect.
- 2. Advise the City to provide to the Council the date the City adopted the final Local Water Management Plan when it is available.

Recommendation of the Environment Committee

- 1. Approve the City of West St. Paul's Comprehensive Sewer Plan.
- 2. Require the City to submit to the Council a copy of the final adopted Ordinance that requires the disconnection of any identified prohibited discharges to the sanitary sewer system.



Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of West St. Paul to implement its 2040 Comprehensive Plan (Plan).

Community Development Committee

- 1. As stated in the Local Planning Handbook, the City must take the following steps:
 - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
 - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
 - c. Submit to the Council a copy of the City Council resolution evidencing final adoption of the Plan.
- 2. The Local Planning Handbook also states that local governments must formally adopt their comprehensive plans within nine months after the Council's final action. If the Council has recommended changes to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before "final adoption" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
- 3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the official controls are adopted. (Minn. Stat. § 473.865, subd. 1)
- 4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council's metropolitan system plans (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

Environment Committee

- The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit's governing body. After the Plan receives final approval from the City and the Comprehensive Sewer Plan becomes effective, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
- 2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.

Background

The City of West St. Paul is located in northern Dakota County. It is surround by the communities of St. Paul, South St. Paul, Inver Grove Heights, Sunfish Lake, and Mendota Heights.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. §§ 473.851 to 473.871) and the Council's 2015 System Statement requirements.

Review Authority & Rationale

Minn. Stat. § 473.175 directs the Metropolitan Council to review a local government's comprehensive plan and provide a written statement to the local government regarding the Plan's:

- **Conformance** with metropolitan system plans
- Consistency with the adopted plans and policies of the Council
- **Compatibility** with the plans of adjacent governmental units and plans of affected special districts and school districts

By resolution, the Council may require a local government to modify its comprehensive plan if the Council determines that "the plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans" (Minn. Stat. § 473.175, subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment, and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary (Minn. Stat. § 473.513).

The attached Review Record details the Council's assessment of the Plan's conformance, consistency, and compatibility, and is summarized below.

Review Standard	Review Area	Plan Status
Conformance	Regional system plan for Parks	Conforms
Conformance	Regional system plan for Transportation, including Aviation	Conforms
Conformance	Water Resources (Wastewater Services and Surface Water Management)	Conforms
Consistency with Council Policy	Thrive MSP 2040 and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent
Consistency with Council Policy	2040 Housing Policy Plan	Consistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

Thrive Lens Analysis

The proposed 2040 comprehensive plan is reviewed against the land use policies in *Thrive MSP 2040*. To achieve the outcomes identified in Thrive, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in Thrive.

Funding

None.

Known Support / Opposition There is no known local opposition to the 2040 comprehensive plan.

REVIEW RECORD

City of West St. Paul 2040 Comprehensive Plan

Review File No. 22157-1, Business Item No. 2019-199 JT

The following Review Record documents how the proposed Plan meets the requirements of the Metropolitan Land Planning Act and conforms to regional system plans, is consistent with regional policies, and is compatible with the plans of adjacent and affected jurisdictions.

Conformance with Regional Systems

The Council reviews plans to determine conformance with metropolitan system plans. The Council has reviewed the City's Plan and finds that it conforms to the Council's regional system plans for Regional Parks, Transportation (including Aviation), and Water Resources.

Regional Parks and Trails

Reviewer: Colin Kelly, AICP, Community Development (CD) – Regional Parks (651-602-1361) The Plan conforms to the *2040 Regional Parks Policy Plan (RPPP)*. Dakota County is the park implementing agency for Regional Parks System components in West St. Paul, for which the Plan accurately describes the Regional Parks System components. As shown in Figure 1, Regional Trails located within the City include the River to River Greenway Regional Trail (previously known as the North Urban Regional Trail). There are no state or federal recreation lands within the City.

Regional Transportation, Transit, and Aviation

Reviewer: Russ Owen, Metropolitan Transportation Services (MTS) (651-602-1724) The Plan conforms to the *2040 Transportation Policy Plan* (TPP), adopted in 2015. The Plan accurately reflects transportation system components of the TPP as well as applicable land use policies for regional transitways. The Plan is also consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight. The Plan is compatible with the plans of adjacent and affected governmental units.

Roadways

The Plan conforms to the Roadways system element of the TPP. The Plan accurately accounts for the metropolitan highway system of principal arterials. The Plan accurately reflects the regional functional classification map of A-minor arterials and has delineated major and minor collectors.

The Plan identifies all the required characteristics of the City's roadways, including existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials. Forecasting was completed consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

The Plan identifies the Smith Avenue Revitalization Plan, which includes recommendations regarding alignments, changes in access, and multimodal service. Smith Avenue is an important transportation corridor that connects residents to amenities and commercial services. The Revitalization Plan is consistent with TPP policies for supporting multi-modal transportation options within the community.

Transit

The Plan conforms to the Transit system element of the TPP. The Plan shows the location of existing transit routes and facilities and acknowledges the City is within Transit Market Areas II and III.



The Plan incorporates the Robert Street Transitway, which is part of the Increased Revenue Scenario in the TPP. The Plan addresses community roles related to its Community Designation(s), as well as the opportunities and challenges related to its Transit Market Areas. Transportation staff recommends that Figure 11 change "Planned Robert Street Transitway" to "Potential Robert Street Transitway" and that text needs to acknowledge the uncertainty of this transitway.

Aviation

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions.

The Plan identifies the Downtown St. Paul Airport and the South St. Paul Airport, as the City is within their respective influence areas. The Plan addresses elements of the airports long-term comprehensive plan. The Plan addresses issues including land use compatibility, noise sensitivity, and the protection of airspace from obstructions. The City participates in a Joint Airport Zoning Board (JAZB).

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies existing and future segments of and connections to the Regional Bicycle Transportation Network (RBTN) and regional trails. The Plan proposes a preferred alignment for RBTN corridors, and identifies the alignment as "Local RBTN Designation." The Plan is also consistent with Bicycle and Pedestrian policies of the TPP by planning for local pedestrian and bicycle connections to transit, and regional trails.

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the City.

Transportation Analysis Zones (TAZs)

The Plan conforms to the TPP regarding TAZ allocations. The City's TAZ allocations for employment, households, and population appropriately sum to the Metropolitan Council's city-wide forecast totals for all forecast years. The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecasted allocations in the Plan, and at densities consistent with the community's Thrive designation.

Water Resources

Wastewater Service

Reviewer: Kyle Colvin, Environmental Services (ES) – Engineering Programs, (651-602-1151)

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP). The Plan represents the City's guide for future growth and development through the year 2040. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by Metropolitan Council Environmental Services. All wastewater generated within the City is conveyed through Council Interceptors; 1-SP-241, 1-SP-236, and 1-SP-230. All flow is treated at the Council's Metropolitan Wastewater Treatment Plant in St. Paul. The Plan projects that the City will have 9,990 sewered households and 9,300 sewered employees by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth forecasts.

The Plan provides sanitary flow projections in 10-year increments. The rationale for the projections is given in the Plan and determined appropriate for planning local services. The Council is committing to provide the level of wastewater service based on the sewered forecasts as stated in the sewer element of the Plan.

The Land Use Plan reflects an overall minimum residential sewered density guiding of over 21 units per acre, thus satisfying the Council's policy for future sewered residential densities for Urban Center communities.

The Plan defines the City's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (*I*/I) in both the city owned, and privately-owned collection systems. The City's *I*/I mitigation program was initiated in response to Council's *I*/I program in 2006 and since that time much of the City's public wastewater collection system has been rehabilitated. The City performed flow monitoring early in its *I*/I program and prioritized *I*/I mitigation work based on the results of the flow monitoring. Since 2007 the City has invested over \$5.3 million toward *I*/I reduction work and has included in its Capital Improvement Program \$375,000 per year in *I*/I abatement activities for 2019 and 2020, and \$150,000 per year for 2021 and 2022.

Recognizing the significant challenges that faced the City from private property I/I sources, the City and Council entered into a Memorandum of Understanding (MOU), in 2016, which identifies specific strategies and implementation schedules for the City to continue its I/I mitigation efforts. The MOU allows the City to implement a longer-range approach to eliminating excess I/I than what the Council's typical I/I work plan assignment would allow under its program. Work, under an assigned work plan, is typically required to be completed in four years. The MOU includes guidelines towards private property I/I mitigation and I/I policy implementation and commits to adopting and implementing ordinances that include:

- 1. Point of sale compliance inspection for owner-occupied single-family properties, whereby noncompliant properties will be brought into compliance within 12 months of sale,
- 2. Properties affected by the City's annual Pavement Management Program shall be provided a free I/I service line inspection,
- 3. Rental properties shall be required to become compliant within 24 months of the property's annual rental license renewal, and
- 4. Commercial properties and homeowner associations shall be required to become compliant within 24 months after the ordinance becomes effective.

The City plans to inspect an estimated 250-500 properties annually and to replace or repair lateral connections as necessary. Additionally, the City agreed to report a list of non-compliant properties with cost of service lateral repair details to the MCES by March 31 of every year.

The Plan describes the requirements and standards for minimizing I/I and references a City Code (Section 50.08) that prohibits discharge of clear water discharges from sump pumps, foundation drains, rain leaders, cistern overflows, yard fountains, ponds, and nonresidential air conditioning condensate to the sanitary sewer system and requires the disconnection of such connections if discovered.

The Plan describes the sources, extent, and significance of existing I/I within the entire collection system. It does not provide a breakdown nor characterize the significance between the public collection system and private property sources. The Plan estimates that over 73% of the total housing units in the City were built prior to 1970. Approximately 225 private services have been repaired in the last ten years. In 2018, the City received a Council demonstration grant to evaluate the effectiveness of private property mitigation efforts. The City is currently collecting post-repair flow data and expect to have the results in 2020-2021.

Sewer Element Comments

The Sewer Element of West St. Paul's Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Urban Center communities. It was found to be complete and consistent with Council polices and the regional wastewater system plan. Upon adoption of the Plan by the City, the action of the Council to approve the Sewer Plan becomes effective. At that time, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the approved Comprehensive Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Council for its records.

Advisory Comments

Once approved, the City shall submit to the Council a copy of the final adopted Ordinance that requires the disconnection of any identified prohibited discharges to the sanitary sewer system.

Surface Water Management

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan is consistent with Council policy requirements and in conformance with the Council's 2040 WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. West Saint Paul lies within the oversight boundaries of the Lower Mississippi River Watershed Management Organization (WMO). West Saint Paul submitted a draft Local Water Management Plan (LWMP) to the Council in October 2017. Council Water Resources staff reviewed and commented on the draft LWMP to the City and WMO in a letter dated November 21, 2017. The WMO approved the LWMP on December 13, 2018. The Plan incorporates the City's final LWMP in an Appendix that was approved by the WMO.

Advisory Comments

The Council requests that the City provide to the Council the date the City adopted the final LWMP when it is available.

Consistency with Council Policies

The Council reviews plans to evaluate their apparent consistency with the adopted plans of the Council. Council staff have reviewed the City's Plan and find that it is consistent with the Council's policies, as detailed below.

Forecasts

Reviewer: Paul Hanson, CD – Research (651-602-1642)

The Plan is consistent with Council policies for forecasts. The Plan includes the Council forecasts for the City, as shown in Table 1 below.

Table 1. City of West St. Paul Forecasts

	Census	Estimated	Council Forecasts		S
	2010	2017	2020	2030	2040
Population	19,540	21,085	20,800	21,900	23,100
Households	8,529	9,060	9,200	9,600	10,100
Employment	7,471	8,150	8,400	8,800	9,300

The inventory and capacity of the City's land supply accommodates forecasted growth. Development of vacant land or redevelopment can accommodate 1,330 new housing units at the mid-point of allowed density ranges. The Plan discusses redevelopment of underutilized land use sites, including sites guided as Mixed Use, with a residential component. These sites could contribute to future housing supply.

Thrive MSP 2040 and Land Use

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The West St. Paul 2040 comprehensive plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the Thrive community designation of Urban Center. Thrive expects Urban Center communities to plan for forecasted population and household growth at average densities of at least 20 units per acre for new development and redevelopment. Thrive also directs these

communities to target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the 2040 TPP.

West St. Paul are predominately residential (59%), most of the existing commercial/office (12%) and industrial areas (2%) are near transportation corridors. Approximately 1.6% of the City is parks/open space (Figure 3).

The City has planned for and is programming local infrastructure needs to implement their Plan. The Plan uses regional forecast growth and plans for average densities expected of at least 41.6 units per acre to a maximum of 74.2 units per acre, as shown in Table 2 below.

The Plan targets opportunities for more intensive development along Robert Street, an important commercial and transportation corridor that is served by three Metro Transit routes. The primary areas identified for redevelopment are adjacent to or close to this corridor, which is well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.

	2020-2040 Change				
Category	De Min	nsity Max	Net Acres	Min Units	Max Units
Single Family	3	6	1.26	4	8
Multi Family	20	40	21.7	434	868
Mixed Use*	25	40	20.72	518	829
	TOTALS 43.68		43.68	956	1704
* 50% residential	Overall Expected Density			21.9	39.00

Table 2. Planned Residential Density, City of West St. Paul

* 50% residential

Planned residential density shows that the Plan has identified 43.68 acres to redevelop between 956 and 1,704 units at a minimum expected density of 21.9 units per acre. The Mixed Use areas are expected to develop at 50% residential.

Housing

Reviewer: Hilary Lovelace, CD – Housing (651-602-1555)

The Plan is consistent with the *2040 Housing Policy Plan*. The City currently has more than 9,300 homes including over 4,200 multifamily units and more than 5,000 single-family homes. Approximately 4,100 homes are rented. More than 8,000 housing units are currently affordable to households earning under 80% of Area Median Income (AMI); however, more than 2,500 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. Notably, there are about 380 units affordable to households with income at or below 30% AMI and more than 1,000 cost burdened households with incomes at or below 30% AMI. The City has more than 240 publicly subsidized units, including more than 160 age-restricted for seniors.

The Plan identifies existing housing needs including housing maintenance especially for low-income households, providing for the demand of senior housing and allow residents to age in place, and reducing overall community cost burden especially for households earning 50% of AMI and below, preserving naturally occurring affordable housing opportunities, and exploring opportunities to increase transit oriented development.

The Plan acknowledges the 2021-2030 affordable housing need allocation of 120 units, 60 of which are needed at prices affordable to households earning 30% of AMI or less, 17 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and 43 of which are needed at prices affordable to households earning between 51 and 80% of AMI. As shown in Figure 5, the Plan guides sufficient land expected to develop in the 2021-2030 time period at a minimum of eight units per acre to allow for development of at least 1,222 new housing units. Although the Plan specifies a residential land use with a density greater than 8 units per acre, no land guided as this land use is expected to develop between 2021 and 2030. More than 97 acres of Mixed Use land use, guided with a minimum density of 25 units per acre are expected to develop as 50% residential.

The housing implementation plan component of the Plan describes that the City will consider housing bonds for affordable housing projects that serve households earning between 50 and 80% AMI. The Plan also indicates that the City will consider tax abatement for development of units affordable to households earning below 80% AMI, to fight blight, and give priority to proposals that include rehabilitating existing multifamily housing stock or innovative types of affordable housing. The City states that they will support applications to the Livable Communities Account that are affordable to households at or below 50% AMI and within a half-mile walking radius to transit.

Water Supply

Reviewer: Dave Brown, ES – Water Supply Planning, 651-602-1072

The Plan is consistent with WRPP policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

Because the City does not own/operate a municipal community public water supply system, no local water supply plan is required. The City's drinking water is supplied by St. Paul Regional Water Services, which owns and operates the entire system.

Community and Subsurface Sewage Treatment Systems (SSTS)

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

There are approximately 28 SSTS currently in operation in the City and no public or privately-owned Community Wastewater Treatment Systems. The City has adopted Minnesota Pollution Control Agency (MPCA) Chapter 7080-7083 Rules and Dakota County Ordinance 113 by reference, and Dakota County has been delegated the responsibility of homeowner notification and system maintenance tracking. The City and County programs are consistent with MPCA Rules and Council 2040 Water Resources Policy Plan requirements.

Special Resource Protection

Solar Access Protection

Reviewer: Cameran Bailey, CD – Local Planning Assistance (651-602-1212)

The Plan is consistent with statutory requirements (Minn. Stat. 473.859) and Council policy regarding planning for the protection and development of access to direct sunlight for solar energy systems as required by the Metropolitan Land Planning Act (MLPA). The Plan includes the four required solar planning elements.

Aggregate Resource Protection

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan is silent on the potential for aggregate mining in the City. The Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46* indicates there are no viable aggregate resource deposits available for extraction within the fully developed community.

Historic Preservation

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The Plan includes a section detailing the protection of historic sites. The City is committed to protecting the historical and cultural resources of the City's natural and structural heritage that contribute to the high quality of life in West St Paul, such as the Dodge Nature Center. The Plan notes that the City will continue its policies of assisting in efforts to preserve historical sites and buildings, and utilizing State, County, and private historic preservation resources.

Plan Implementation

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438) The Plan includes a description of and schedule for any necessary changes to the capital improvement program, the zoning code, the subdivision code, the SSTS code, and the housing implementation program.

The Plan, with supplemental materials, describes the official controls and fiscal devices that the City will employ to implement the Plan. Specific implementation strategies are contained in individual subject areas of the Plan, while chapter 13 provides a detailed implementation matrix related to the various goals identified in the Plan.

Compatibility with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

The proposed Plan is compatible with the plans of adjacent jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

Documents Submitted for Review

In response to the 2015 System Statement, the City submitted the following documents for review:

- December 21, 2018: West St. Paul 2040 Comprehensive Plan
- March 3, 2019: Revisions to the land use, wastewater, housing, and transportation section
- April 19, 2019: Supplemental materials for transportation analysis zones and housing
- May 10, 2019: Supplemental materials for sanitary sewer flows

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: Thrive MSP 2040 Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Planned Land Use
- Figure 5: Land Guided for Affordable Housing

Figure 1. Location Map with Regional Systems

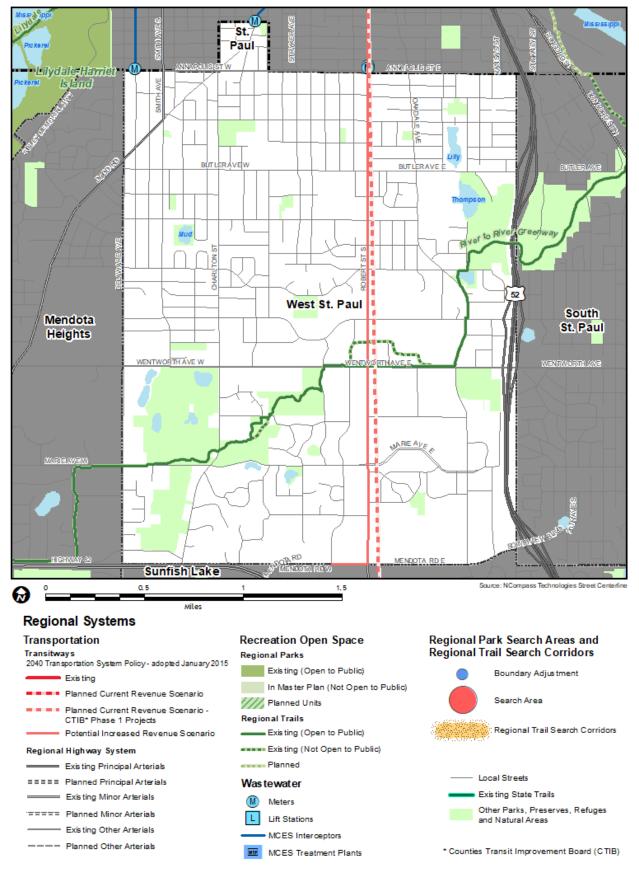


Figure 2. Thrive MSP 2040 Community Designations

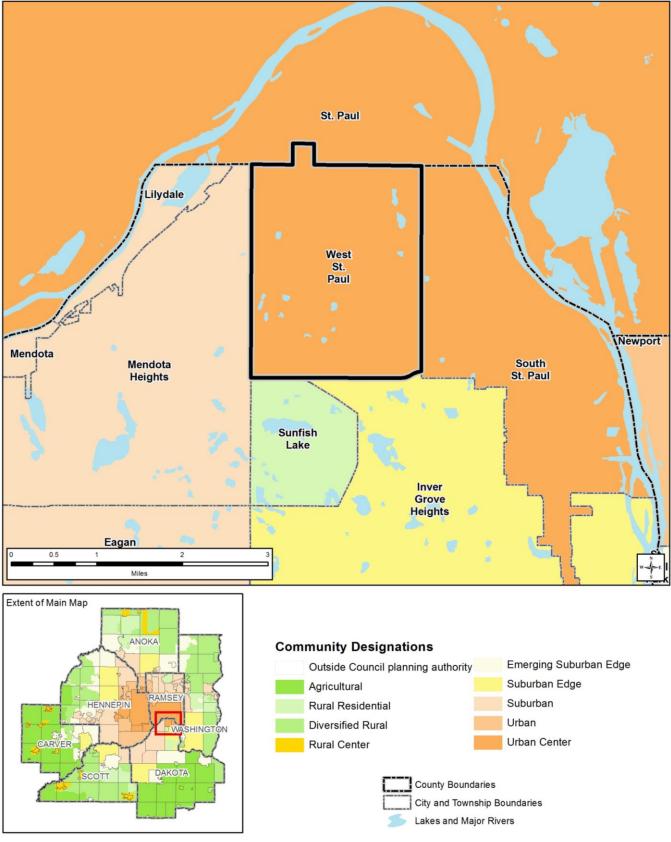


Figure 3. Existing Land Use

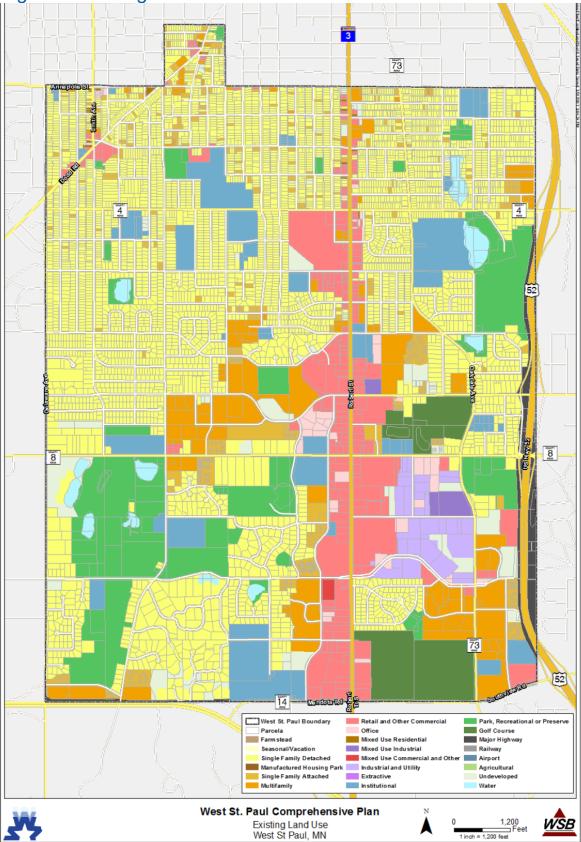
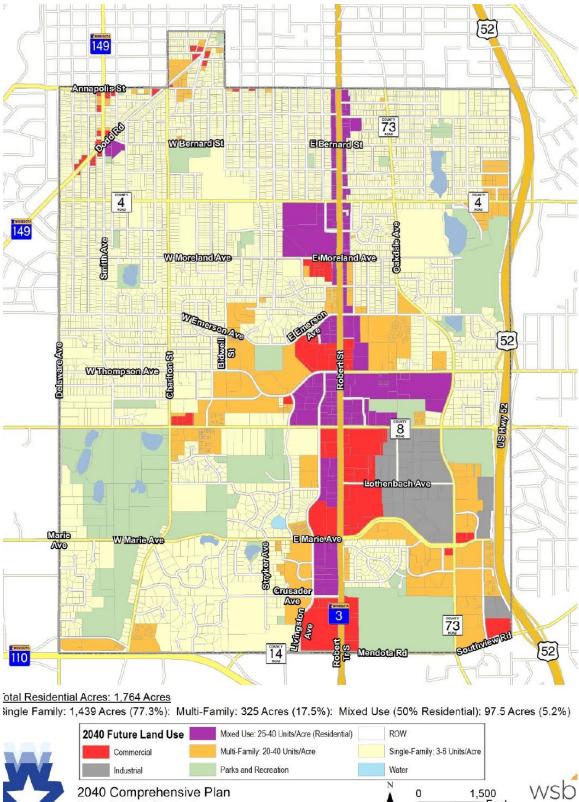


Figure 4. 2040 Planned Land Use



1,500



Figure 5. Land Guided for Affordable Housing

2021	-2030 share of regional ne	129 units		
2021-2030 total regional need for Affordable Housing:			37,900 units	
	Available Acres	Minimum C Density (units per acre)	Expected % Residential =	Minimum = Units Possible
Multi-Family	0.00	20	100%	0

Total	98			1,222	
Mixed Use	97.71	25	50%	1,222	
Residential	0.00	20	100%	0	

Sufficient/(insufficient) units possible against share of regional need: 1,093

Affordable units built since 2021: 0

Sufficient/(insufficient) units possible adjusted for affordable units built: 1,093

Number of Comp Plan Amendments approved since Comp Plan Update: **0**



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