

Committee Report

Business Item No. 2018-74

Community Development Committee

For the Metropolitan Council meeting of March 28, 2018

Subject: Stillwater Township 2040 Comprehensive Plan, Review File 21795-1

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 Stillwater Township to place its 2040 Comprehensive Plan into effect.
2. Revise the Township forecasts downward, as shown in Table 1 in the Review Record, to reflect the reduced land capacity after annexation by the City of Stillwater.
3. Advise the Township to implement the advisory comments in the Review Record for Transportation, Surface Water Management, and Housing.

Summary of Committee Discussion/Questions

Senior Planner Raya Esmaeili presented the staff's report to the Committee. Representatives from Stillwater Township were in attendance as well. Council Member Commers asked about the approach to reviewing comprehensive plans for compatibility with plans of affected jurisdictions, when the other jurisdictions have not yet updated their plans. Local Planning Assistance Manager, Lisa Barajas, responded that communities are required to send their plans to the affected jurisdictions for a six-month review period, and then include any comments received or lack thereof in the comprehensive plan update submittal. Council staff rely on these comments to make any compatibility determination. Additionally, the compatibility issue is an uncommon situation.

Council Member Dorfman asked about next steps and the process for ensuring whether advisory comments in the Review Record are addressed by the community. Senior Planner, Raya Esmaeili, responded that this report will go to the full Council meeting on March 28, 2018, and will authorize the Township to put their plan into effect. The Township then has nine months to adopt their final plan and send the updated plan with the adopting resolution to the Council. Any provided advisory comments are typically encouraging the community for policy consistency.

The Community Development Committee unanimously recommended approval of the proposed action at its meeting on March 19, 2018.

Community Development Committee

Meeting date: March 19, 2018

For the Metropolitan Council meeting of March 28, 2018

Subject: Stillwater Township 2040 Comprehensive Plan, Review File 21795-1

District(s), Member(s): District 12, Harry Melander

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

Staff Prepared/Presented: Raya Esmaeili, AICP, Senior Planner (651-602-1616)
LisaBeth Barajas, Local Planning Assistance Manager (651-602-1895)

Division/Department: Community Development / Regional Planning

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1. Authorize Stillwater Township to place its 2040 Comprehensive Plan into effect.
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Advisory Comments

The following Advisory Comments are part of the Council action authorizing the Stillwater Township to implement its 2040 Comprehensive Plan (Plan).

Community Development Committee

1. As stated in the *Local Planning Handbook*, the Township 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 Town Board 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).

Background

The Township is located in eastern Washington County. It is surrounded by May Township to the north, the St. Croix River to the east, the City of Stillwater to the south, and the City of Grant to the west. The Township also includes a non-contiguous area south of Highway 36 and west of Stillwater Boulevard North. This 50-acre area was detached from the City of Lake Elmo and attached to the Township in 2012.

The Township 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).

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	<i>Thrive MSP 2040</i> and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent, with proposed revisions
Consistency with Council Policy	<i>2040 Housing Policy Plan</i>	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

Stillwater Township 2040 Comprehensive Plan

Review File No. 21795-1, Business Item No. 2018-74

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. Council staff have 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

Reviewer: Jan Youngquist, Community Development – Regional Parks and Natural Resources (651-602-1029)

The Plan conforms to the *2040 Regional Parks Policy Plan (RPPP)* for the regional parks system element. The Regional Parks System components in the Township as identified in the RPPP include Pine Point Regional Park and the Central Greenway Regional Trail Search Corridor (Figure 1). Washington County owns and operates Pine Point Regional Park and will lead a future planning process to determine the alignment of the Central Greenway Regional Trail.

Although not part of the Regional Parks System, the Gateway State Trail and the Brown's Creek State Trail traverse through Stillwater Township. These state trails are owned and operated by the Minnesota Department of Natural Resources and are afforded protection through the RPPP. The Plan acknowledges and plans for these regional and state recreation facilities. It also includes goals and policies to provide local trail connections to the regional and state trails

Regional Transportation, Transit, and Aviation

Reviewers: Russ Owen, Metropolitan Transportation Services – Systems Planning (651-602-1724); Heidi Schallberg, Metropolitan Transportation Services – Systems Planning (651-602-1721); Scott Thompson, Metro Transit – Service Development (612-349-7774)

The Plan conforms to the *2040 Transportation Policy Plan (TPP)*, adopted in 2015, for the roadways, transit, and aviation system elements. It accurately incorporates and integrates 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 transportation analysis zones (TAZ) allocations for employment, households and population appropriately sum to the Metropolitan Council's township-wide forecast totals for all forecast years.

The Plan accurately accounts for the regional system of principal arterials including planned additions and improvements identified in the Current Revenue Scenario, and any right-of-way preservation needs. This includes a planned interchange at Trunk Highway 36 (TH 36) and Manning Avenue (CSAH 15) that has been reviewed by the Minnesota Department of Transportation/Metropolitan Council joint interchange

committee. The Plan accurately accounts for the regional system of A-minor arterials and has delineated major and minor collectors. The Plan identifies all the required characteristics of the community's roadways. These characteristics include existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials that are consistent with the regional methodology. The Plan also incorporates or refers to guidelines on how access will be managed for principal and A-minor arterials.

The Plan is consistent with the policies of the Transit system element of the TPP. The Township is within Transit Market Area V.

While the Township does not include a regional airport, the Plan contains policies that protect regional airspace from obstructions, addresses seaplane use, and describes how off-site air navigation aids will be protected.

The Plan accurately identifies and plans for existing and planned segments of the Regional Bicycle Transportation Network (RBTN).

The Plan identifies the needs of freight movement in and through the community including accessibility to freight terminals and facilities. These specific needs include two facilities, a Canadian National rail route and TH 36.

Advisory Comments

The Plan should clarify whether the number of lanes for A-minor arterials is expected to change in the future, specifically for the principal arterial (TH 36) within the Township.

Transit Market Areas reflect potential demand based on existing conditions. The Plan should address the relationship of transit-supportive planned land use and potential transit opportunities, even if none exist.

Council staff also encourage the Township to address local pedestrian connections to the trail network in the final Plan.

As a note, the rail line along the northern boundary of the Township is owned by Canadian National, and not Canadian Pacific as noted in the Plan.

Water Resources

Wastewater Service

Reviewer: Kyle Colvin, Manager, Environmental Services - Engineering Services (651-602-1151)

The Plan conforms to the *2040 Water Resources Policy Plan (WRPP)* for the wastewater system element. The Plan represents the Township's guide for future growth and development through the year 2040. The Township is entirely provided wastewater service through the use of individual private subsurface treatment systems, or SSTS. The only exception is the Washington County Public Works Facility which is provided service by the City of Stillwater through a joint powers agreement, signed and executed in December 2014. The Plan indicates continued wastewater services will be primarily provided through the use of SSTS through 2040.

The Plan does not propose or anticipate requesting connection to the Regional Wastewater Disposal system within the 20-year planning period; therefore, the Township is not required to submit a comprehensive sewer plan for approval.

The Metropolitan Council does not have plans to provide wastewater services to the community within the 2040 planning period.

Surface Water Management

Reviewer: Judy Sventek, Environmental Services – Water Resources (651-602-1156)

The Plan is consistent with Council policy requirements and in conformance with the Council’s 2040 *Water Resources Policy Plan (WRPP)* for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. The Township lies within the boundaries of the Carnelian-Marine-Saint Croix, and Browns Creek Watershed Districts. The Township’s Local Surface Water Management Plan (LSWMP) has been reviewed by both Districts and Council staff. The Township has adopted each watershed district’s entire plan by reference.

Advisory Comment

After both Watershed Districts approve the LSWMP and the Township adopts its LSWMP, the Township should forward a final copy to the Council for our records, along with the two approval dates and local adoption date of the final plan.

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: Dennis Farmer, Community Development – Regional Policy and Research (651-602-1552)

Forecast-related material within the Township’s Plan is complete and consistent with Council policy. The Township uses revised forecasts previously recommended by Council staff and uses them consistently throughout the Plan. These revisions, as well as the original Metropolitan Council forecasts for the Township, are shown in Table 1 below.

Table 1. Metropolitan Council Forecasts for Stillwater Township

	Census	Previous Council Forecasts			Revised Council Forecasts		
	2010	2020	2030	2040	2020	2030	2040
Population	2,364	2,430	2,560	2,680	2,090	2,230	2,360
Households	855	920	1,020	1,100	790	890	970
Employment	165	210	240	250	190	220	230

The Council’s original forecasts projected net growth of 180 households between 2020 to 2040. The revised forecasts maintain the same net growth over next 20 years as the original Council forecasts, but are slightly lower to account for recent household and employment decreases incurred during the 2015 annexation of portions of the Township to the City of Stillwater

Thrive MSP 2040 and Land Use

Reviewer: Raya Esmaeili, Community Development – Local Planning Assistance (651-602-1616)

The Plan is consistent with *Thrive MSP 2040* and its land use policies. Thrive designates the Township as Diversified Rural (Figure 2). Diversified Rural communities are home to a variety of farm and non-

farm land uses including very large-lot residential, clustered housing, hobby farms and agricultural uses. Thrive encourages Diversified Rural communities to plan for growth not to exceed forecasts and in patterns that do not exceed 4 units per 40 acres and preserve areas where post-2040 growth can be provided with cost-effective and efficient urban infrastructure. Thrive directs communities to manage land uses to prevent the premature demand for extension of urban services, and so that existing service levels (such as on-site wastewater management, gravel, and other local roads) will meet service needs.

The Plan is consistent with Thrive policies for Diversified Rural communities. The Township's 2040 land use plan continues the same guided land uses as those in the 2030 comprehensive plan. The majority of the Township is guided as Agricultural with a maximum residential density of 4 unit per 40 acres (Figure 3). Areas along the St. Croix River include properties that had previously been subdivided into smaller lots. These areas continue to be guided as Scenic Riverway with a maximum density of 8 units per 40 acres. The Township does not plan to provide municipal wastewater services within the Township.

The Plan identifies a St. Croix River Overlay District (SCR) that contains development standards for this district. Washington County, as the jurisdiction with statutory authority in Lower St. Croix River Bluffland and Shoreland Management, allows for 16 units per 40 acres in the district. The Township's Zoning Ordinance allows a maximum of 8 units per 40 acres (1 unit per 5 acres) in this area. This ordinance is consistent with Flexible Development Guidelines adopted by the Council.

The Plan is also consistent with Thrive land use policies for natural resources protection, water sustainability, economic competitiveness, and resilience.

Housing

Reviewer: Tara Beard, Community Development – Regional Policy and Research (651-602--1051)

The Plan is consistent with *2040 Housing Policy Plan*. The Township's existing housing is primarily single family, homesteaded, and priced at some of the highest values in Washington County. Approximately 17% of the households in the Township are housing cost burdened lower-income households; that is, households that both earn 80% of the Area Median Income (AMI) or less AND pay more than 30% of their household income on housing costs. Currently, the Township permits some accessory dwelling units, allows temporary housing for farm workers, and refers residents to and supports housing programs provided by the Washington County Community Development Agency.

The Township is not planned to support sewer-serviced household growth and therefore does not need to plan for a share of the region's need for affordable housing in the 2021-2030 decade. However, the Township does anticipate 100 additional households in that decade and will continue to provide referrals for new residents and options through its zoning ordinance to provide a variety of housing options consistent with a rural development pattern.

Advisory Comments

The Council has updated data for the Township's existing housing characteristics and the owner-occupied home values map. The Township is encouraged to include the updated data in the tables currently located on page 23 and 24, respectively, prior to final adoption of the Plan.

The Township is encouraged to examine more local controls that could be used to diversify its relatively similar housing stock. The needs of aging residents are changing and growing. The Township may wish

to consider more cluster developments, tiny homes, or other flexible zoning tools to allow for more housing types consistent with a rural development pattern.

Water Supply

Reviewer: Brian Davis, Environmental Services – Water Supply Planning (651-602-1519)

The Plan is consistent with the 2040 Water Resources Policy Plan (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. The Township relies primarily on private wells and does not own or operate a municipal community public water supply system (PWS).

Community and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan is consistent with the policies of the 2040 Water Resources Policy Plan (WRPP) for community and subsurface sewage treatment systems. Metropolitan wastewater collection facilities are not available within the Township, with exception of the Washington County Public Works Facility at 11660 Myeron Road North, which phased out its SSTS in 2015 and connected to the City of Stillwater's sanitary sewer system via a 2" force main to a connection point along State Highway 96.

There are no community wastewater treatment systems currently in use in the Township. As of 2016, 894 SSTS were in operation serving residences and commercial development in the Township. Washington County manages all aspects of SSTS installation, inspection, and maintenance management for the Township. Information regarding known non-conforming SSTS or systems with known problems in operation within the Township is available through the County. County SSTS Ordinance 196 is consistent with Minnesota Pollution Control Agency Rules (Minnesota Rules Chapter 7080-7083) and Council WRPP requirements

Special Resource Protection

Solar Access Protection

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

The Plan is complete and consistent with statutory requirements (Minn. Stat. § 473.859. Subd. 2) 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 appropriately includes a Solar Suitability Analysis Map, calculations of the community's gross solar and rooftop solar resource, a policy addressing the development of access to direct sunlight for solar energy systems, and supporting strategies for that policy.

Aggregate Resource Protection

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

The Plan identifies the locations of know viable aggregate resources in the Township, consistent with the Council's aggregate resources inventory information found in *Minnesota Geological Survey Information Circular 46*. At present, there is only one active aggregate extraction facility in operation in the Township. Goals and policies are in place calling for protection and management of aggregate resources for extraction prior to nonagricultural development of resource areas, as well as for protection

of natural resources and functions both during and after extraction activity. No new aggregate mines will be permitted in areas covered by scenic easements on properties within the St. Croix Riverway.

Historic Preservation

Reviewer: Raya Esmaeili, Community Development – Local Planning Assistance (651-602-1616)

The Plan appropriately addresses historic preservation in the community. The Plan identifies historic and cultural resources with historic structures, locations of notable events, and significant architectural values, including the Township's Town Hall. The Plan also outlines goals and policies that the Township will implement to preserve those resources.

Plan Implementation

Reviewer: Raya Esmaeili, Community Development – Local Planning Assistance (651-602-1616)

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 contains an implementation section, which describes the official controls and fiscal devices that the Township will employ to implement the Plan. The Plan contains the Township’s zoning map and describes policies for making changes to that map. Because the Township does not have any pending or proposed public projects or facilities, the Township does not currently have a capital improvement program. The Implementation Plan describes the community’s financial planning policies for maintenance of roadways.

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

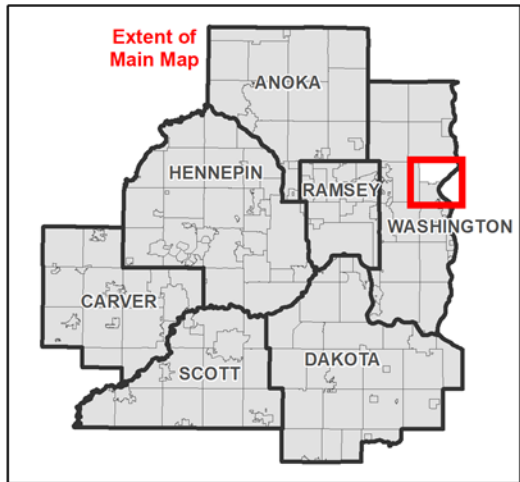
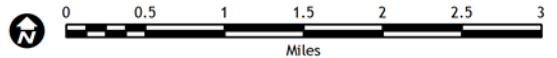
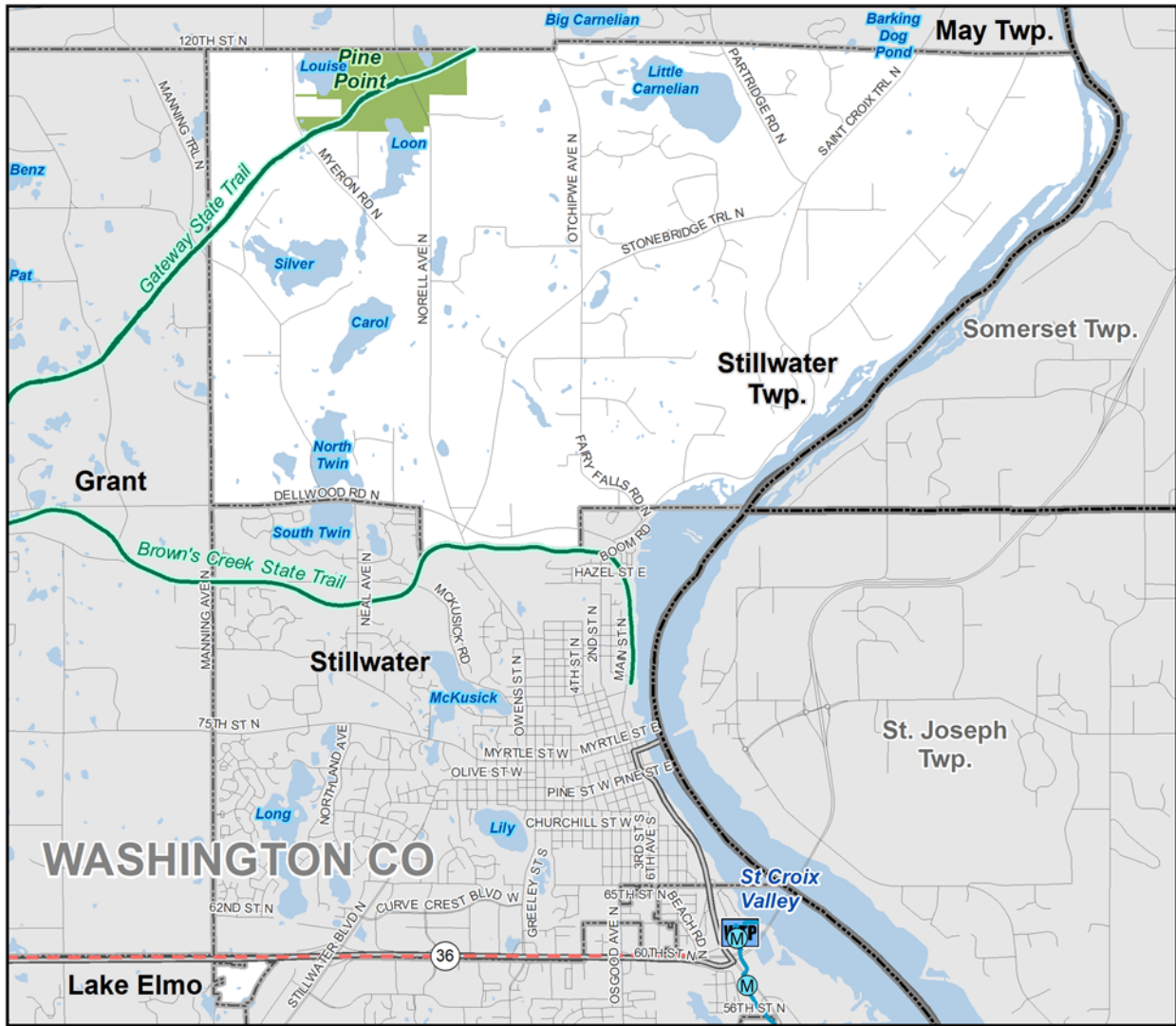
In response to the 2015 System Statement, the Township submitted the following documents for review:

- September 9, 2017: Stillwater Township 2040 Preliminary Plan
- December 7, 2017: Stillwater Township 2040 Comprehensive Plan for official review
- December 27, 2017: Revised future land use categories and table
- February 12, 2018: Updated traffic forecasts

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing 2030 Planned Land Use
- Figure 4: 2040 Planned Land Use

Figure 1. Location Map with Regional Systems



Regional Systems

Regional Highway System

- Interstates
- US Highways
- State Highways
- County Roads

Regional Transitways

- Existing, Fixed Guideway
- Proposed, Fixed Guideway
- Existing, Bus Rapid Transit
- Proposed, Bus Rapid Transit
- Existing Fixed Guideway Stations
- Planned Fixed Guideway Stations
- MN State Trails

Recreation Open Space

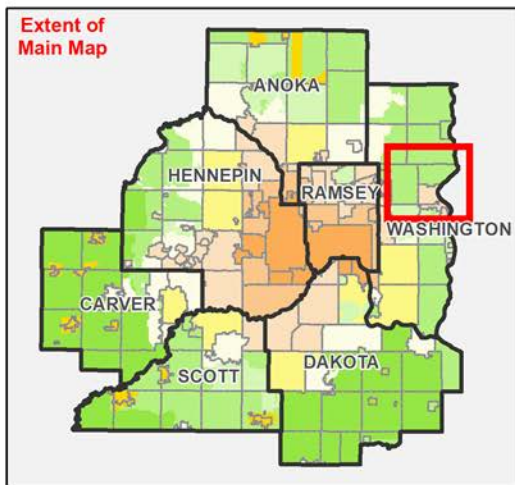
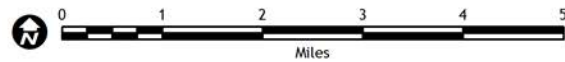
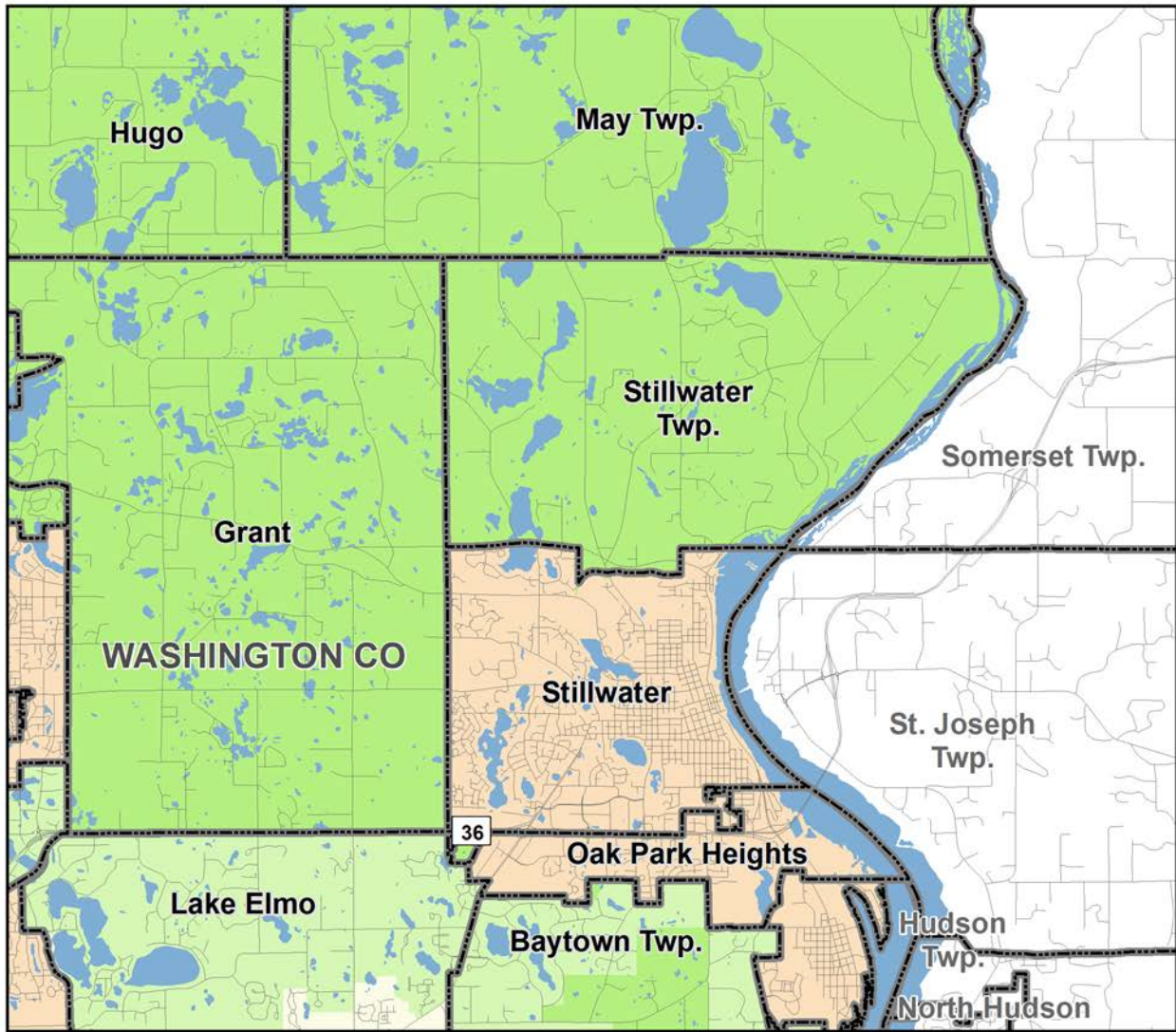
- Existing Regional Parks
- Planned Regional Parks
- Existing Regional Trails
- Planned Regional Trails

Wastewater Treatment

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants
- Airports

Ncompass Street Centerlines

Figure 2. Thrive MSP 2040 Community Designations



ThriveMSP 2040 Community Designations

- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center
- Ncompass Street Centerlines

Figure 3. Existing 2030 Planned Land Use

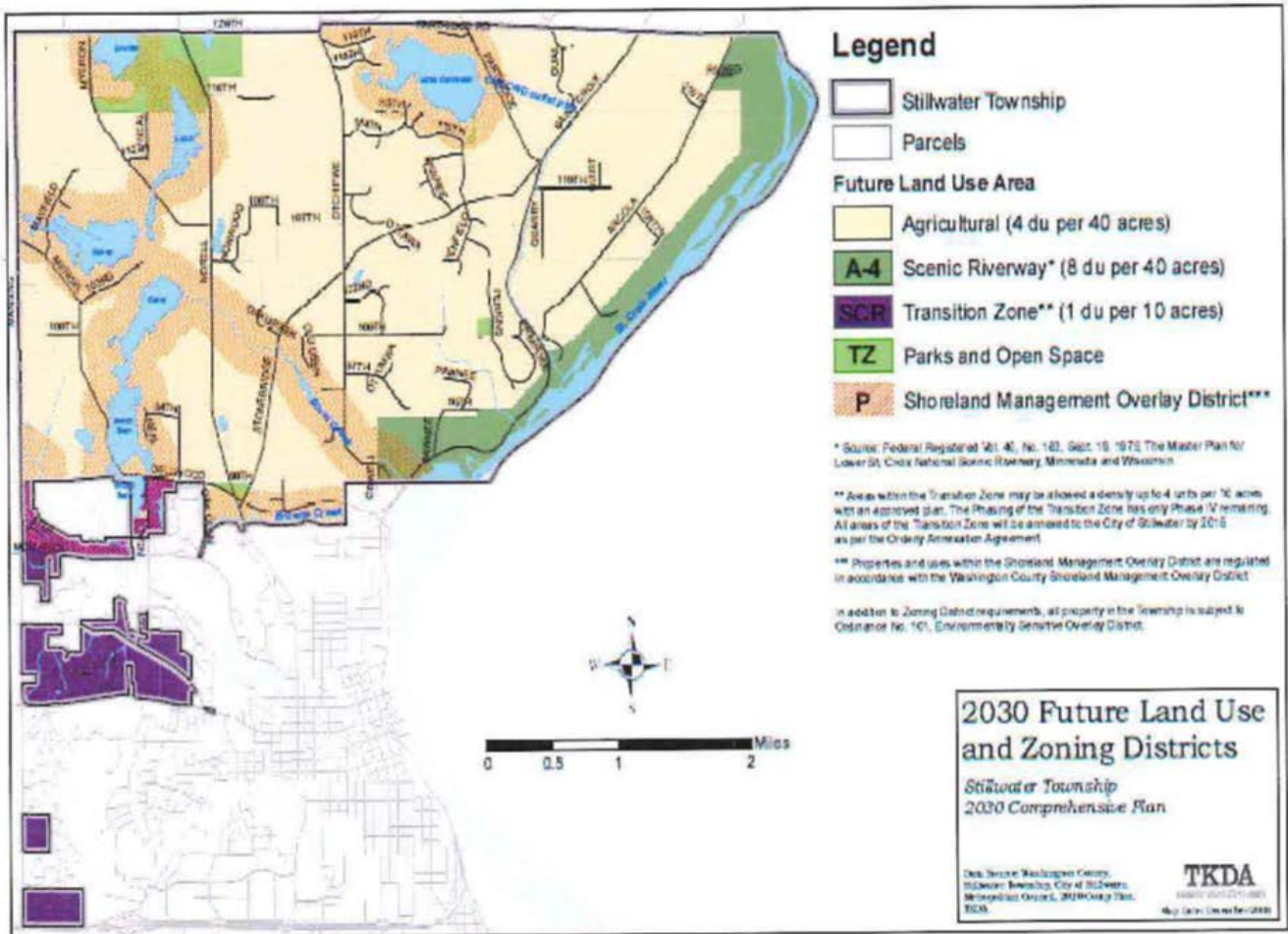


Figure 4. 2040 Planned Land Use

