

## **Community Development Committee**

Meeting date: June 17, 2019

For the Metropolitan Council meeting of June 26, 2019

<b>Subject:</b> West Lakeland Township 2040 Comprehensive Plan, Review File 21875-1
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### **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 West Lakeland Township to place its 2040 Comprehensive Plan into effect.
2. Revise the Township's forecasts upward, as shown in Table 1 in the Review Record.
3. Advise the Township to:
  - a. Update the maps and text in the Plan to reflect the Prairie Island Indian Community's purchase of land and application for Federal trust designation.
  - b. Implement the advisory comments in the Review Record for Transportation, Surface Water Management, Forecasts, Land Use, and Housing.

### **Community Development Committee Summary of Committee Discussion/Questions**

Senior Planner Corrin Wendell presented the staff's report to the Committee. There were no representatives from West Lakeland Township in attendance. The Community Development Committee unanimously recommended approval of the proposed action with no questions or discussion at its meeting on June 17, 2019.

## Community Development Committee

Meeting date: June 17, 2019

For the Metropolitan Council meeting of June 26, 2019

**Subject:** West Lakeland Township 2040 Comprehensive Plan, Review File 21875-1

**District(s), Member(s):** District 12, Francisco J. Gonzalez

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

**Staff Prepared/Presented:** Corrin Wendell, Senior Planner (651-602-1832)  
Angela R. Torres, Local Planning Assistance Manager (651-602- 1566)

**Division/Department:** Community Development / Regional Planning

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## *Advisory Comments*

The following Advisory Comments are part of the Council action authorizing West Lakeland 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

West Lakeland Township is located in south-central Washington County surrounded by Baytown Township, Afton, Lake Elmo, with Lakeland and the St. Croix River to the east (see Figure 1).

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).

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, with the proposed changes
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

## West Lakeland Township 2040 Comprehensive Plan

### Review File No. 21875-1, Business Item No. 2019-148

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 Township'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* for the Regional Parks System element. Washington County is the regional park implementing agency for Regional Parks System components in West Lakeland Township, for which the Plan accurately describes the Regional Parks System components (Figure 1). Regional Trails located within the Township include the Middle St. Croix Valley Regional Trail Search Corridor. The Plan also appropriately acknowledges state recreation lands within the Township, including Bayport Wildlife Management Area.

#### *Regional Transportation, Transit, and Aviation*

*Reviewers: Russ Owen, Metropolitan Transportation Services (MTS) – Systems Planning (651-602-1724); Heidi Schallberg, MTS – Systems Planning (651-602-1721)*

The Plan conforms to the *2040 Transportation Policy Plan (TPP)* adopted in 2015. It 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, except as detailed below.

#### **Roadways**

The Plan conforms to the Roadways system element of the TPP. The Township's Plan accurately accounts for the metropolitan highway system of principal arterials.

The Township's 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 Township'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 done consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

#### **Transit**

The Plan conforms to the Transit system element of the TPP. It acknowledges the Township is within Transit Market Area V. The Plan acknowledges that the Township is not within the Transit Capital Levy District and that the only transit services provided in this type of community are Transit Link dial-a-ride service and various ridesharing services.

## **Aviation**

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

The Plan identifies land owned by the Metropolitan Airports Commission (MAC) that is adjacent to the Lake Elmo Airport, which is itself outside of the Township. The Plan addresses issues including land use compatibility, noise sensitivity, and the protection of airspace from obstructions. The Plan incorporates planning principles from the Lake Elmo Airport 2035 Long Term Comprehensive Plan (LTCP) that was adopted by the MAC in 2016. Although the Township has concerns about the Lake Elmo Airport, the Township has expressed those concerns to both the MAC and the Council. The Lake Elmo Airport LTCP was adopted by the MAC and the Council made a determination that the LTCP conformed to the aviation system and was consistent with Council policies.

## **Bicycling and Walking**

The Plan is consistent with the Bicycle 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 is also consistent with Bicycle and Pedestrian policies of the TPP by planning for local pedestrian and bicycle connections. Please also refer to the advisory comments for Bicycling.

## **Freight**

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the Township, including accessibility to freight terminals and facilities. These specific needs include trucks traffic related to gravel quarries along County State Aid Highway (CSAH) 21 (Stagecoach Trail).

## **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 citywide forecast totals for all forecast years. Council and township staff have discussed increasing the townships population totals upward. If the Township decides to increase the population forecast, the TAZ's need to be revised to reflect the new population total.

## *Advisory Comments*

The existing shared use trail along I-94 maintained by MnDOT is concurrent with a portion of the Tier 2 RBTN, but west of Stagecoach Trail the alignment travels along 10th Street North, as shown in the map on p.36 of the Plan. The text should be corrected to reflect this. The current text says, "The existing path is consistent with Tier 2 Alignments as indicated within the 2040 Transportation Policy Plan Chapter 7, Regional Bicycle Transportation Network (RBTN)." The map shown in the Township's plan (p.36) also indicates an RBTN Tier 2 Alignment along Hwy 95; this should also be mentioned in the text.

## *Water Resources*

### **Wastewater Service**

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

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP). 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 Plan indicates continued wastewater services will be provided through the use of SSTs through 2040.

The Plan does not propose, nor anticipates, 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 Council does not have plans to provide wastewater services to the Township within the 2040 planning period.

### Surface Water Management

*Reviewer: Judy Sventek, ES – Water Resources (651-602-1156)*

The Plan is consistent with Council policy requirements and in conformance with the Council’s WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. The Township lies within the oversight boundaries of the Middle Saint Croix Watershed Management Organization (WMO) and Valley Branch Watershed District. The Township submitted a draft Local Water Management Plan (LWMP) in September 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the Township and watersheds in a letter dated September 24, 2018. The LWMP was approved by the Middle Saint Croix WMO on November 8, 2018. The Plan incorporates a revised version of the LWMP that was originally reviewed by the Council.

### Advisory Comments

When they are available, we request that the Township provide to the Council the dates the Valley Branch Watershed District approves the LWMP and the Township adopts the final LWMP.

### 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 Township’s Plan and find that it is consistent with the Council’s policies, as detailed below.

### Forecasts

*Reviewer: Todd Graham, CD –Research (651-602-1322)*

The Plan includes revised forecasts, per discussion between Council staff and Township officials (Table 1 in the Plan). Council staff find that average household size and overall population have grown more than expected in the current decade. The forecast change can be approved simultaneous with review of the Plan, as shown in Table 1 below.

**Table 1. Metropolitan Council Forecasts for West Lakeland Township**

	Census	Council System Statement			Revised Council Forecasts		
	2010	2020	2030	2040	2020	2030	2040
<b>Population</b>	4054	4200	4110	3980	4500	4500	4500
<b>Households</b>	1286	1400	1480	1500	1400	1480	1500
<b>Employment</b>	232	320	350	370	320	350	370

The Council requires the Plan address how land supply for future development accommodates the Township’s growth forecast. The Township estimates there is adequate supply for 300 additional single-family-home lots (p. 23).

### Advisory Comments

The Council requires 2020, 2030, and 2040 forecasts assigned to TAZs within the Township boundaries. Population totals for the eight TAZs (p. 33) need to be adjusted to sum to the revised population total discussed above: 4,500 people. Township officials have verbally committed to include this in the final version of the Plan; this information is required.



## *Thrive MSP 2040 and Land Use*

*Reviewer: Corrin Wendell, AICP, CD – Local Planning Assistance (651-602-1832)*

The 2040 comprehensive plan is consistent with *Thrive MSP 2040* and its land use and residential density policies for a Rural Residential community designation (Figure 2). Thrive acknowledges that Rural Residential communities have existing residential densities of 1 to 2.5 acre lots, and where opportunities exist, calls for them to plan for rural development at densities that are not greater than 1 unit per 10 acres.

As shown in Figure 3, the Existing Land Use pattern within the Township shows a majority of single-family residential uses with on-site sewer and private water. Other land uses in the Township include agriculture and compatible commercial operations such as mining/extraction. The mining operations provide construction material while providing income and employment opportunities for the landowner, the Township, Washington County, and the State of Minnesota.

In addition, Figure 3 and 4 depict 112.79 acres of land that has been purchased by the Prairie Island Indian Community (PIIC), who has submitted an application to the Bureau of Indian Affairs to have the land placed into Federal trust. Once placed in the trust, the Township does not have land use authority over that land as it will lie with the sovereign nation of the PIIC, consistent with Federal law.

The Plan also identifies policies that promote the enhancement and encouragement of preserving rural open space, agricultural, and residential uses. However, the Plan continues to guide a currently agricultural parcel for additional commercial development along I-94 in the southwest corner of the Township. The Plan limits commercial development to uses that do not require urban services.

### **Advisory Comments**

The Council advises the City to acknowledge the Prairie Island Indian Community's purchase of properties in the southwestern portion of the Township. The Plan should also indicate that once the properties are placed in Federal Trust, the Township ceases to have land use authority over the properties. Council staff have also updated the Existing and Future Land Use maps to reflect this ownership and will provide these maps to the Township for inclusion in the Plan prior to final adoption.

## *Housing*

*Reviewer: Tara Beard, AICP, CD – Housing (651-602-1051)*

The Plan is substantially consistent with the *2040 Housing Policy Plan*. The Township is primarily rural residential with 18% of current land use either single family residential or undeveloped/agriculture. The Township's growth peaked in the 1990s with modest growth since. The median housing value for the Township's single-family homes was \$444,400, much higher than the regional average (American Community Survey 2013-2017).

The Township has 1,351 housing units, all of which are single family. Council data show that less than 1% of those units are affordable to households earning 80% of the Area Median Income (AMI) or less (or \$68,000 for a family of four). There are no publicly subsidized housing units, which is not uncommon for Rural Residential communities. Roughly 10% of the Township's households earning 80% AMI or less are currently housing cost burdened. The Township does not have an allocation of affordable housing need in the 2021-2030 decade as it will not experience any sewer-serviced growth.

The Plan notes the Township's desire to remain a Rural Residential community comprised of single-family homes. The Plan notes that the Township does not provide independent housing programs, but relies on larger units of government to meet this need. The Plan describes various programs offered by Washington County Community Development Agency and Minnesota Housing that would be available to their residents.

To be fully consistent with Council housing policy, the Plan must consider all widely recognized tools that could address the Plan's stated housing needs. While the data in the Plan identify the existence of some housing-cost-burdened households, the Plan needs to acknowledge the use of a Community Land Trust model as a potential tool to lower the cost of existing housing. The Two Rivers Community Land Trust serves Washington County and could be engaged by the Township to explore opportunities to create a few affordable homeownership opportunities. Acknowledgement and consideration of the Township's interest, or lack thereof, in partnering with Two Rivers Community Land Trust would make the Plan fully consistent with Council housing policy.

### ***Advisory Comments***

The Plan states that households experiencing housing cost burden are likely retirees living on a fixed income; Council staff advise that the data source (2010-2014 Comprehensive Housing Affordability Strategy) does not support this explanation. Staff suggest removing this statement from the Plan.

### ***Water Supply***

*Reviewer: Brian Davis, ES – Water Supply Planning (651-602-1519)*

The Plan is consistent with 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. Because the Township relies primarily on private wells and does not own/operate a municipal community public water supply system, no local water supply plan is required.

### ***Community and Subsurface Sewage Treatment Systems (SSTS)***

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

The Plan indicates that there are approximately 1,310 individual SSTS in operation serving all residents and businesses in the Township as of the end of 2015. There are no known Community Wastewater Treatment facilities in operation in the Township. Washington County administers the SSTS program for the Township, carrying out all permitting, inspecting, maintenance management, and enforcement. County SSTS Ordinance 206 is consistent with Minnesota Pollution Control Agency Chapter 7080-7083 Rules and Council WRPP 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 indicates, consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*, that there are significant viable aggregate resource deposits present within the Township. Some undeveloped parcels bearing aggregate resources are owned by aggregate mining entities, and others also support surficial environmentally sensitive characteristics (including the Bayport Wildlife and Belwin Foundation Conservation Areas) that will likely remain conservation areas for the foreseeable future. The Council recognizes the protection and preservation of such environmentally sensitive lands to be an acceptable and preferential long-term land use over mining of their underlying resources, which would destroy their environmentally sensitive surface attributes. The Township's zoning regulations manage mining through conditional use permits. Following mining, up to 500 acres of land area is proposed to be reclaimed as future residential development area.

## Historic Preservation

*Reviewer: Corrin Wendell, AICP, CD – Local Planning Assistance (651-602-1832)*

The Plan appropriately addresses historic preservation within the community. The Township currently does not have any historic structures or historic districts on the National Register of Historic Places. The Township understands the importance of preserving its heritage, supports preservation of cultural, architectural, and historic sites, and will continue to work with the Washington County Historical Society to further protect and preserve aspects of its historical records.

## Plan Implementation

*Reviewer: Corrin Wendell, AICP, CD – Local Planning Assistance (651-602-1832)*

The Plan includes a description of the zoning, ordinances, and policies that support implementation. The Township does not anticipate substantial additions to infrastructure or services and therefore, no capital improvement plan is proposed at this time. Specific budgetary requirements will be developed or revised as identified and approved at their annual Town Board meeting.

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

The 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

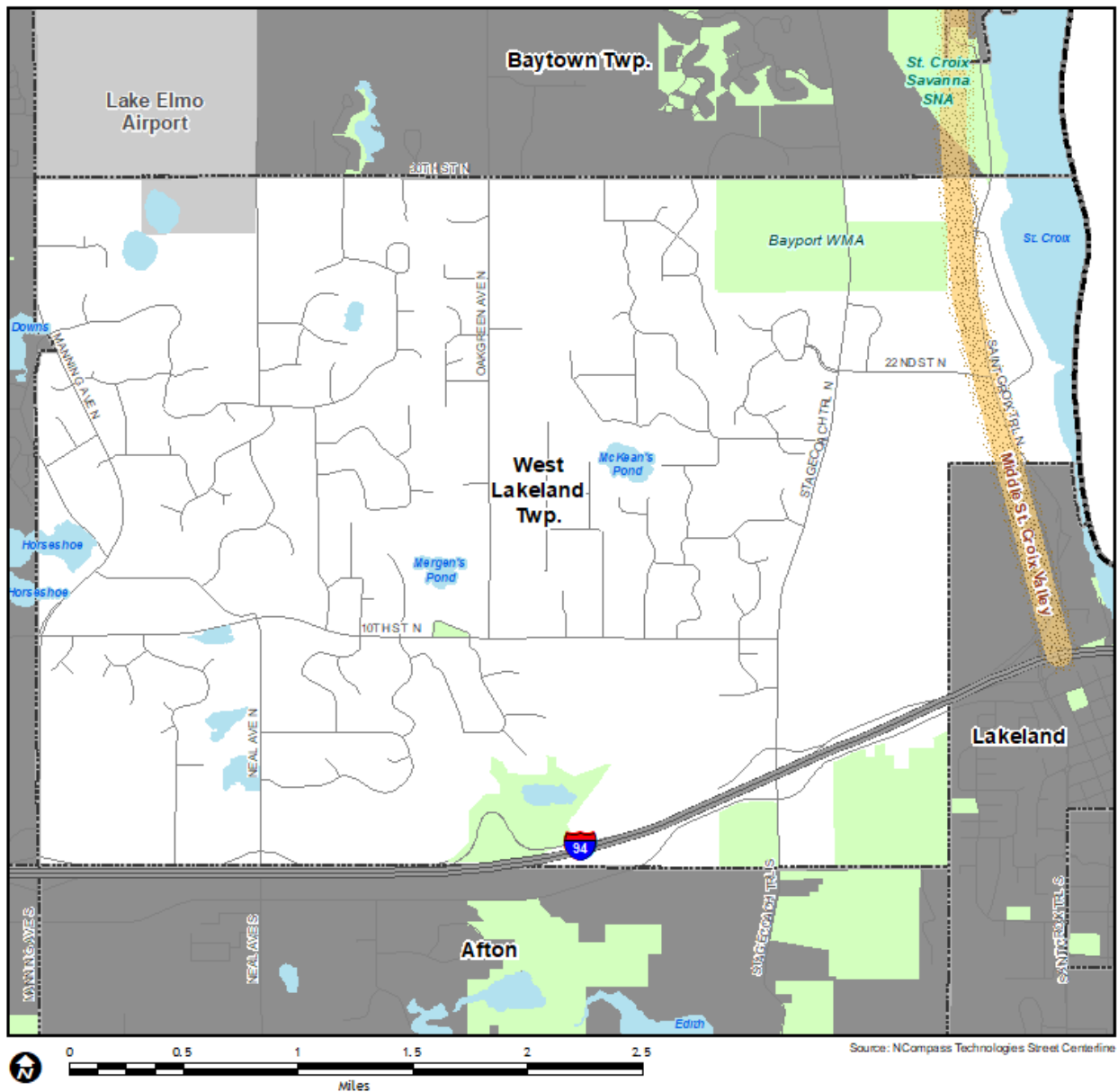
In response to the 2015 System Statement, the Township submitted the following documents for review:

- January 20, 2018: West Lakeland Township 2040 Preliminary Plan
- February 8, 2019: West Lakeland Township 2040 Comprehensive Plan for official review
- March 4, 2019: Resubmittal of 2040 Plan responding to completeness comments for TAZ allocation.
- March 22, 2019: Resubmittal of 2040 Plan responding to completeness comments for TAZ allocation and housing.
- April 2, 2019: Resubmittal of 2040 Plan responding to completeness comments for TAZ allocation.
- April 8, 2019: Resubmittal of 2040 Plan responding to completeness comments for TAZ allocation and housing.
- April 30, 2019: Resubmittal of 2040 Plan responding to completeness comments for TAZ allocation and housing.

## Attachments

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

Figure 1. Location Map with Regional Systems



**Regional Systems**

**Transportation**

**Regional Highway System**

- Interstates
- US Highways
- State Highways
- County Roads
- Local Streets

**Transitways**

- Existing Fixed Guideway Alignments
- Existing Bus Rapid Transitways
- Planned Fixed Guideway Transitways
- Planned Bus Rapid Transitways
- Existing Fixed Guideway & BRT Stations
- Planned Fixed Guideway Stations

**Recreation Open Space**

**Regional Parks**

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units

**Regional Trails**

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned

**Wastewater**

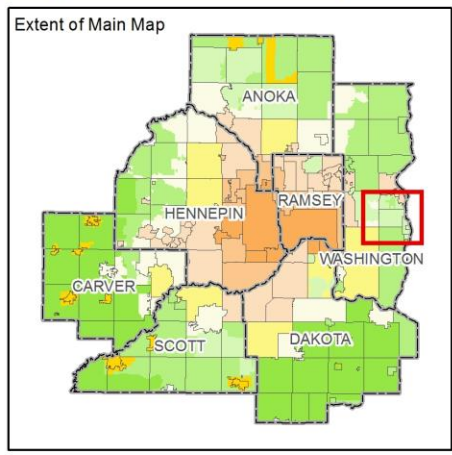
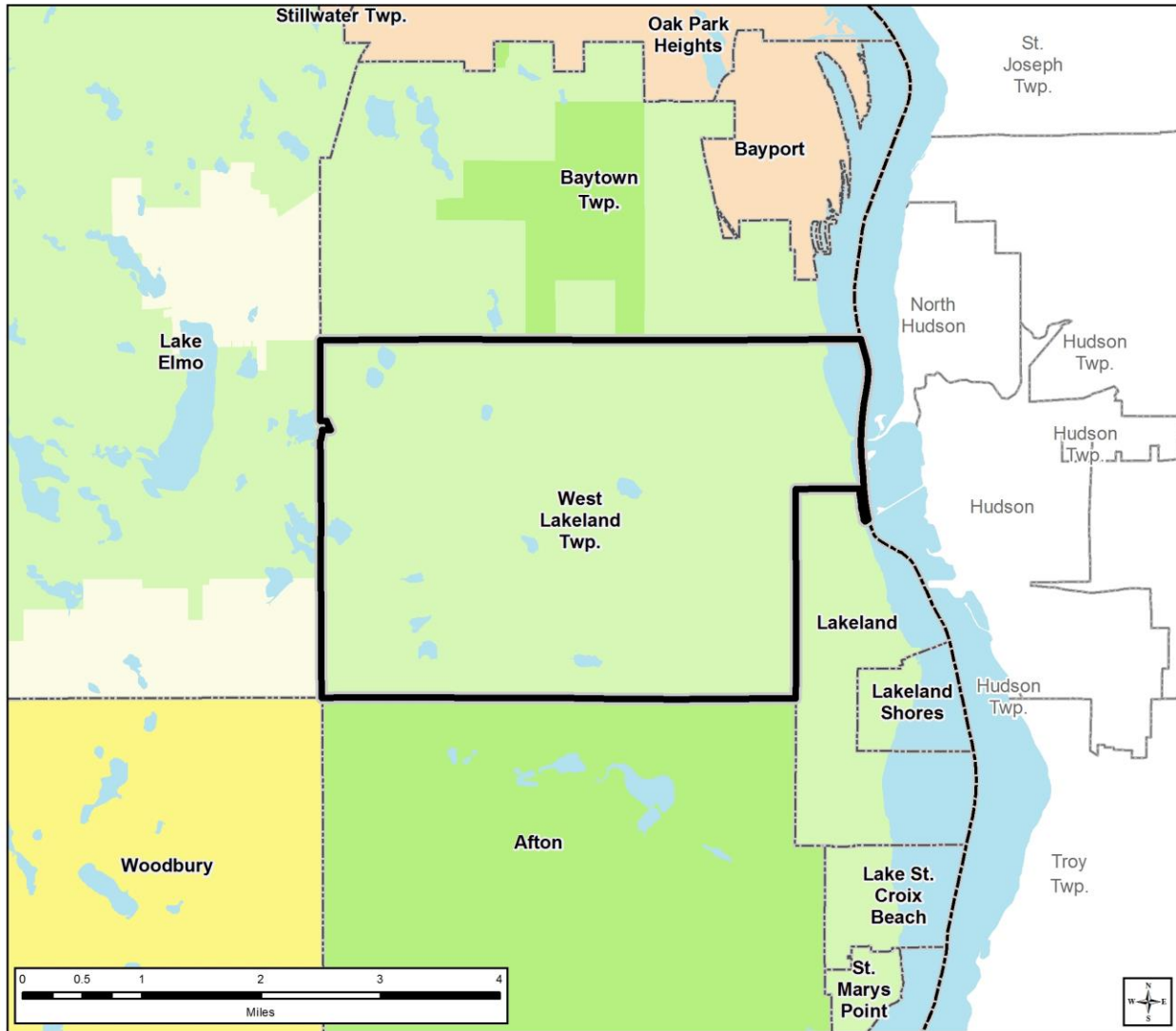
- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

**Regional Park Search Areas and Regional Trail Search Corridors**

- Boundary Adjustment
- Search Area
- Regional Trail Search Corridors
- Other Parks, Preserves, Refuges and Natural Areas
- Existing State Trails

Figure 2. Thrive MSP 2040 Community Designation

**Community Designations  
West Lakeland Township, Washington County**



**Community Designations**

Outside Council planning authority	Emerging Suburban Edge
Agricultural	Suburban Edge
Rural Residential	Suburban
Diversified Rural	Urban
Rural Center	Urban Center

County Boundaries  
 City and Township Boundaries  
 Lakes and Major Rivers



Figure 3. Existing 2030 Planned Land Use

Figure 9 - Existing Land Use

### West Lakeland Township

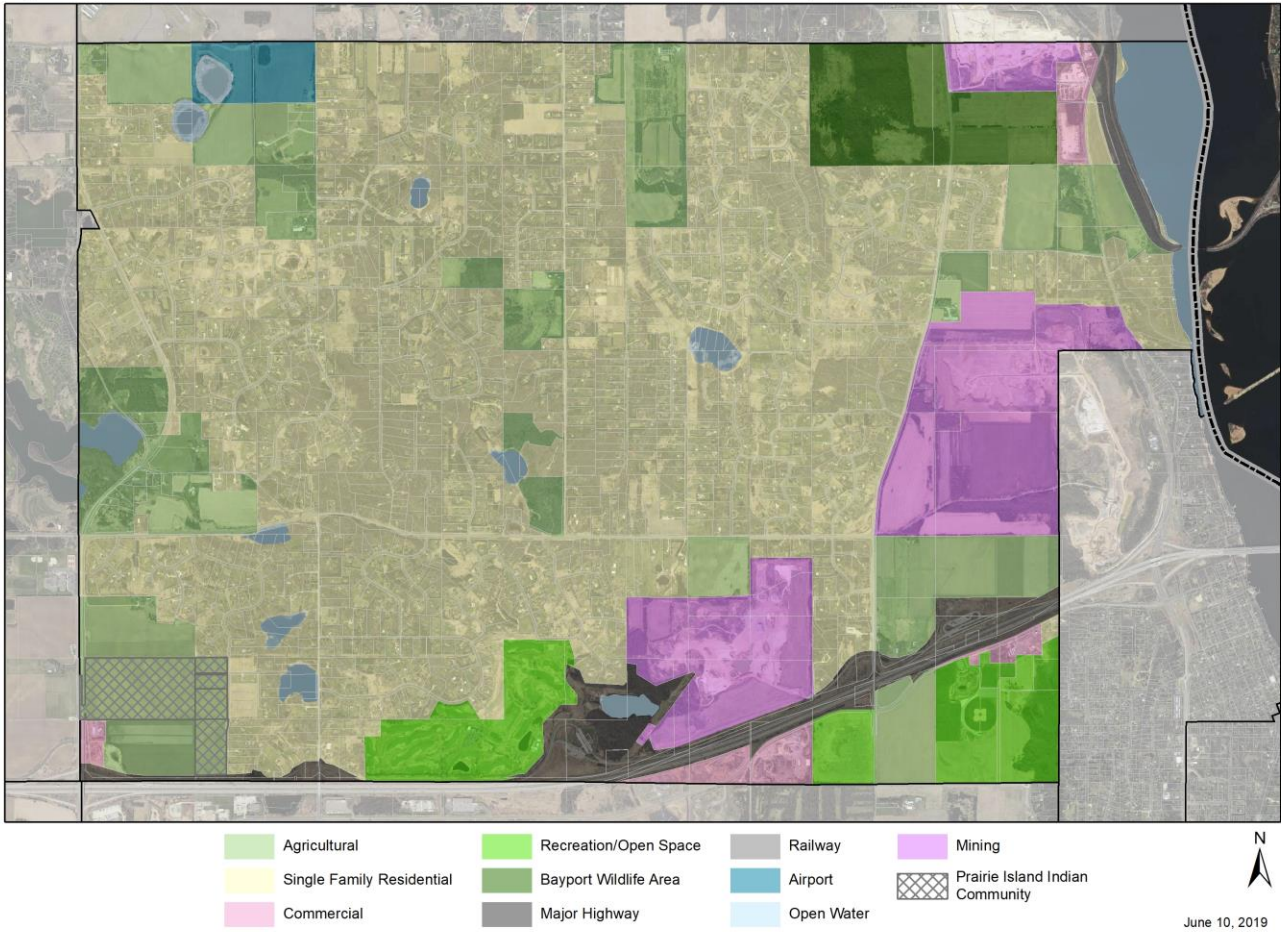


Figure 4. 2040 Planned Land Use

Figure 10 - Future Land Use

### West Lakeland Township

