

Business Item

Community Development Committee



Committee Meeting Date: April 3, 2023

For the Metropolitan Council: April 26, 2023

Environment Committee Date: April 11, 2023

Business Item: 2023-62

City of Afton 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22810-1

District(s), Member(s):	District 12, Gail Cederberg
Policy/Legal Reference:	Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513
Staff Prepared/Presented:	Raya Esmaeili, Planning Analyst (651-602-1616) Angela R. Torres, Local Planning Assistance Manager (651-602-1566) Kyle Colvin, Wastewater Planning and Community Programs Manager (651-602-1151)
Division/Department:	Community Development / Regional Planning Environmental Services / Technical Services

Proposed Action

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

Recommendations of the Community Development Committee

1. Authorize the City of Afton to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Transportation and Water Supply.

Recommendation of the Environment Committee

1. Approve the City of Afton's Comprehensive Sewer Plan.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City 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. § 473.864, subd. 1)
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

1. 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 Afton is located in southeastern Washington County. It is surrounded by the communities of West Lakeland Township, Lakeland, Lake St. Croix Beach, St. Mary's Point, Denmark Township, Cottage Grove, Woodbury, and Lake Elmo.

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	<i>Thrive MSP 2040</i> and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent
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 opposition.



REVIEW RECORD

City of Afton 2040 Comprehensive Plan

Review File No. 22810-1, Business Item No. 2023-62 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, Community Development (CD) - Regional Parks (651-602-1361)

The Plan conforms to the 2040 Regional Parks Policy Plan (RPPP) for the Regional Parks System element. Washington County is the Park Implementing Agency for Regional Parks System components in Afton, for which the Plan accurately describes the Regional Parks System components. Regional Trails located within the City include the St. Croix Valley Regional Trail and the Afton Bluffs Regional Trail Search Corridor. The Plan also appropriately acknowledges State recreation lands within the City, including Afton State Park (Minnesota Department of Natural Resources).

Regional Transportation, Transit, and Aviation

Reviewers: Jed Hanson, Metropolitan Transportation Services (MTS) (651-602-1716); Stephen Baisden, Metro Transit (MT) (612-349-7361)

The Plan Conforms to the 2040 Transportation Policy Plan (TPP) adopted in 2015 and amended in 2021. It accurately reflects transportation system components of the TPP. 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 Plan accurately accounts for the metropolitan highway system of principal arterials, of which there is one, I-94.

The Plan accurately reflects the regional functional classification map of A-minor arterials. The City should address some minor inconsistencies with the identification of major and minor collectors as mentioned in the advisory comments below.

The Plan identifies all the required characteristics of the City's roadways, including existing and future functional class 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. There are no transit routes in the City and the Plan acknowledges that the City is within Transit Market Area V.

The Plan acknowledges that the City 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, volunteer driver programs, and ridesharing.

Aviation

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions. There are no airports or landing strips in Afton.

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). There is one Tier 2 alignment and one Tier 2 corridor within the city.

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the City, citing accessibility to an Amazon warehouse facility.

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.

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.

Advisory Comments

The City should make the below minor revisions prior to final adoption of the Plan:

- Figure 3 should be updated to relabel County Roads 71 and 21 as Major Collectors. These roads are currently mislabeled as Other Arterials.
- Figure 3 should also relabel 15th Street. The Council's functional classification map labels this road as a Minor Collector only west of County Road 71, while the Plan currently labels it as a Minor Collector east of County Road 71 as well.
- Council staff encourage the City to adjust the order of layers on its maps (Afton Regional Bicycle Transportation Network and Afton Heavy Commercial Average Traffic Volumes figures) to better show these layers over the city boundary.
- The Plan should remove reference to proposed I-94 and Manning Avenue Park and Ride as this facility has been removed from consideration and will not be moving forward.
- The Plan should remove the mention of transit advantages (existing bus shoulders and Tier 3 MnPASS expansion) along I-94 by the northern border. Council staff erroneously requested this information earlier.

Water Resources

Wastewater Services

Reviewer: Kyle Colvin, Environmental Services (ES) – Wastewater Planning and Community 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 assigned forecasts for population, households, and employment.

Current wastewater treatment services are provided by a wastewater treatment facility owned and operated by the City. The Plan projects that the city will have 77 sewer households and 200 sewer employees by 2040.

Centralized wastewater services within the city are provided through one communal treatment facility that currently serves 11 homes, and a "Large Subsurface Treatment System" (LSTS), both are owned and operated by the City. The Plan indicates that the LSTS was intentionally sized to accommodate the 2030 forecasted growth, including the phase-out of the existing communal system and the connection of the 11 homes to the City's LSTS. An expansion would be necessary to provide service to accommodate the 2040 forecasted growth.

In 2013 the City completed a facility plan identifying potential wastewater treatment alternatives for accommodating its short-, and long-term service needs. Regionalization of service by the Metropolitan Council was one alternative considered. However, that alternative was not the most cost effective. The Plan reflects continued self-reliance for wastewater services through Individual

Subsurface sewage Treatment System’s (ISTS) and the LSTS system and does not state that the City is considering a request to connect to the Metropolitan Disposal System by 2040 or reflect an anticipated request for the City’s wastewater treatment works to be acquired by the Metropolitan Council. The Minnesota Pollution Control Agency issued a National Pollutant Discharge Elimination System and State Disposal System permit, for the City’s LSTS in 2022.

Given the relative recent construction of the City’s wastewater collection systems, it is not likely that the local collection and treatment system is impacted by excessive Inflow and Infiltration (I/I). The Plan includes a copy of City Ordinance Section 12-1984 that prohibits the discharge, either directly, or indirectly, of any stormwater, groundwater, roof runoff, subsurface drainage, or unpolluted cooling water to the sanitary sewer system, unless permitted by the City for extenuating circumstances.

Comprehensive Sewer Plan Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Diversified Rural communities. It was found to be complete and consistent with Council policies. 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 Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

Surface Water Management

Reviewer: Maureen Hoffman, ES – Water Resources (651-602-8026)

The Plan is consistent with Council policy requirements and in conformance the Council’s WRPP for local surface water management. The City lies within the oversight boundaries of the South Washington Watershed District (SWWD), Valley Branch Watershed District (VBWD), and Middle St. Croix Watershed Management Organization (MSCWMO). The City submitted a draft Local Water Management Plan (LWMP) update in January of 2019. Council staff reviewed and commented on the draft LWMP to the City and watershed management organizations in February of 2019. The LWMP was approved by the SWWD on July 9, 2019; by the VBWD on March 28, 2019; and by MSCWMO on March 14, 2019. The Plan includes the LWMP as Appendix E.

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

The Plan includes the Metropolitan Council forecasts for the City. For reference, Metropolitan Council forecasts are shown below in Table 1.

Table 1. Metropolitan Council City of Afton Forecasts

	Census 2020	Council Forecast		
		2020	2030	2040
Population	2,955	3,070	3,120	3,140
Households	1,091	1,200	1,260	1,300
Employment	378	510	530	550

Thrive MSP 2040 and Land Use

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

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the Thrive community designation of Diversified Rural (Figure 2). Thrive describes Diversified Rural

communities as home to a variety of farm and nonfarm land uses including very large-lot residential, clustered housing, hobby farms, and agricultural uses. Diversified Rural communities are expected to plan for growth not to exceed forecasts and in patterns that do not exceed 4 units per 40 acres. They are expected to manage land uses to prevent the premature demand for extension of urban services, and so that existing service levels will meet service needs.

The majority of the City's current land uses are either agricultural (about 45%) and rural residential (about 47%). In the City, rural residential lots require a minimum of five acres and are served by private wells. Several retail and commercial uses are part of the City's Old Village, which has been certified by the City as an Historic District. Several industrial sites are located in the northern part of the city, along the south side of I-94.

The Plan supports growth in the same pattern as current development, as the City does not expect additional development beyond the limited growth that is forecasted. With constrained development due to the topography of the majority of the land in rural residential, the density of development remains at an average of one unit per 10 acres, consistent with the City's community designation.

Agricultural Preserves

There are several properties within the City that are currently enrolled in the Agricultural Preserves Program (Program). Parcels enrolled in the Program must reflect an agricultural designation in the future land use with a maximum density of 1 unit per 40 acres, as required by state law (Minn. Stat. § 473H), until they expire out of the program. The Plan is consistent with statutory requirements for properties enrolled in the Program. The City identifies an Agricultural Preserves Overlay District policy that limits the density of rural development for parcels enrolled in the Program to one unit per 40 acres.

Housing

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

The Plan is consistent with the *Housing Policy Plan (HPP)*. As of 2016, the City has more than 1,190 homes, including mostly single-family homes and fewer than five multifamily units. Approximately 60 homes are rented. More than 100 housing units are currently affordable to households earning under 80% of Area Median Income (AMI), however, 150 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. There are 40 units affordable to households with income at or below 30% AMI and more than 70 cost-burdened households with incomes at or below 30% AMI.

The Plan identifies existing housing needs including "character, market needs, and quality." The City does not currently have any publicly subsidized housing.

The City does not have an allocation of affordable housing need in the 2021-2030 decade, as it is not expected to experience any sewer-serviced residential growth during that time.

The housing implementation component of the Plan describes that the City will utilize its code, land development regulations, and the funding tools listed below to meet these needs and reach its goals. The City will also maintain its ability to refer residents and potential residents to any applicable housing programs available to them, as well as maintain a Fair Housing Policy. The Plan also states that the City is unlikely to find a need to work with Washington County Community Development Agency (CDA) or offer tax abatement and development regulation changes for affordable housing. The City states that it is unlikely to partner with a community land trust to assist with residential development in the Old Village.

Water Supply

Reviewer: John Clark, ES – Water Supply Planning (651-602-1452)

The Plan is consistent with the 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 City relies primarily on private wells to meet its water supply needs and does not own/operate a municipal community public water supply system (PWS). Therefore, no local water supply plan is required. However, the Plan should, and does,



include information about water sources, including plans to protect private water sources and infrastructure in appropriate sections of the Plan.

Advisory Comments

Council staff appreciate the Plan's stated commitment to water resource sustainability and recognizing the challenges associated with environmental preservation and natural resource protection. Staff offer the following comments to help the City meet the values described in the Plan's philosophy and vision statement to strengthen implementation of the Plan:

- Consider developing policies, ordinances, and actions that promote the efficient use of water indoors and outdoors; and in commercial, residential, and agricultural settings. The Council has resources and staff that can help the City with these activities.
- Collaborate with neighboring communities, water agencies, and local experts to identify potential challenges and conflicts, share perspectives, and develop shared strategies to support the City's environmental resources goals and policies. Council staff, tools, and forums can support these local actions.
- The City's 2015 system statement includes maps of water supply issues that can be included in the final adopted Plan and can be found online:
https://metro council.org/Communities/Planning/Local-Planning-Assistance/System-Statements/System-Statements/02393887_Afton_2015SS.aspx.
- The City's 2001 Water Resource Evaluation is referenced in the groundwater section of the water resources plan. Some significant changes to groundwater resources have occurred over the past 20 years. The City should consider updating and adding to this information with references from the Washington County Conservation District, the Minnesota Department of natural resources, and other natural resource agencies and experts.

Community and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan indicates that there are 1,044 SSTS in use within the City and one communal wastewater treatment system that provides service to 11 homes. All other residences and businesses in the City are served by the local sanitary sewer collection system, which includes a municipal Large Subsurface Treatment System facility. The Plan refers to a City Ordinance that adopts by reference, the Minnesota Pollution Control Agency Chapter 7080-7083 Rules. The City has deferred all program oversight and maintenance management responsibilities to Washington County. The County SSTS program and Development Code Chapter 4 are consistent with the Minnesota Pollution Control Agency Chapter 7080-7083 Rules and the WRPP requirements.

Special Resource Protection

Solar Access Protection

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

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 required solar planning elements. The City identifies minimum lot sizes, open space, yard setbacks, and maximum building heights in order to protect access to direct sunlight.

Aggregate Resource Protection

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

The Plan identifies, consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*, the presence of viable aggregate resources within the City. Most remaining aggregate resources, however, are either within existing residential neighborhoods or encumbered by a permanent conservation easement. The rest are identified primarily as Industrial, which allows for extraction pursuant to a permit.



Historic Preservation

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

The Plan addresses historic and cultural resources as required by the Metropolitan Land Planning Act. It includes information about the Old Village area that is certified locally as an Historic District, which includes many structures of historical interest. The City intends to support renewal and reuse of the vacant buildings in this area to promote unique residential and small commercial opportunities.

Plan Implementation

Reviewer: Raya Esmaeili, CD – 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, the housing implementation program, and the Capital Improvement Program.

The Plan, with supplemental materials, describes the official controls and fiscal devices that the City will employ to implement the Plan. Additional implementation strategies are contained in individual chapters of 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:

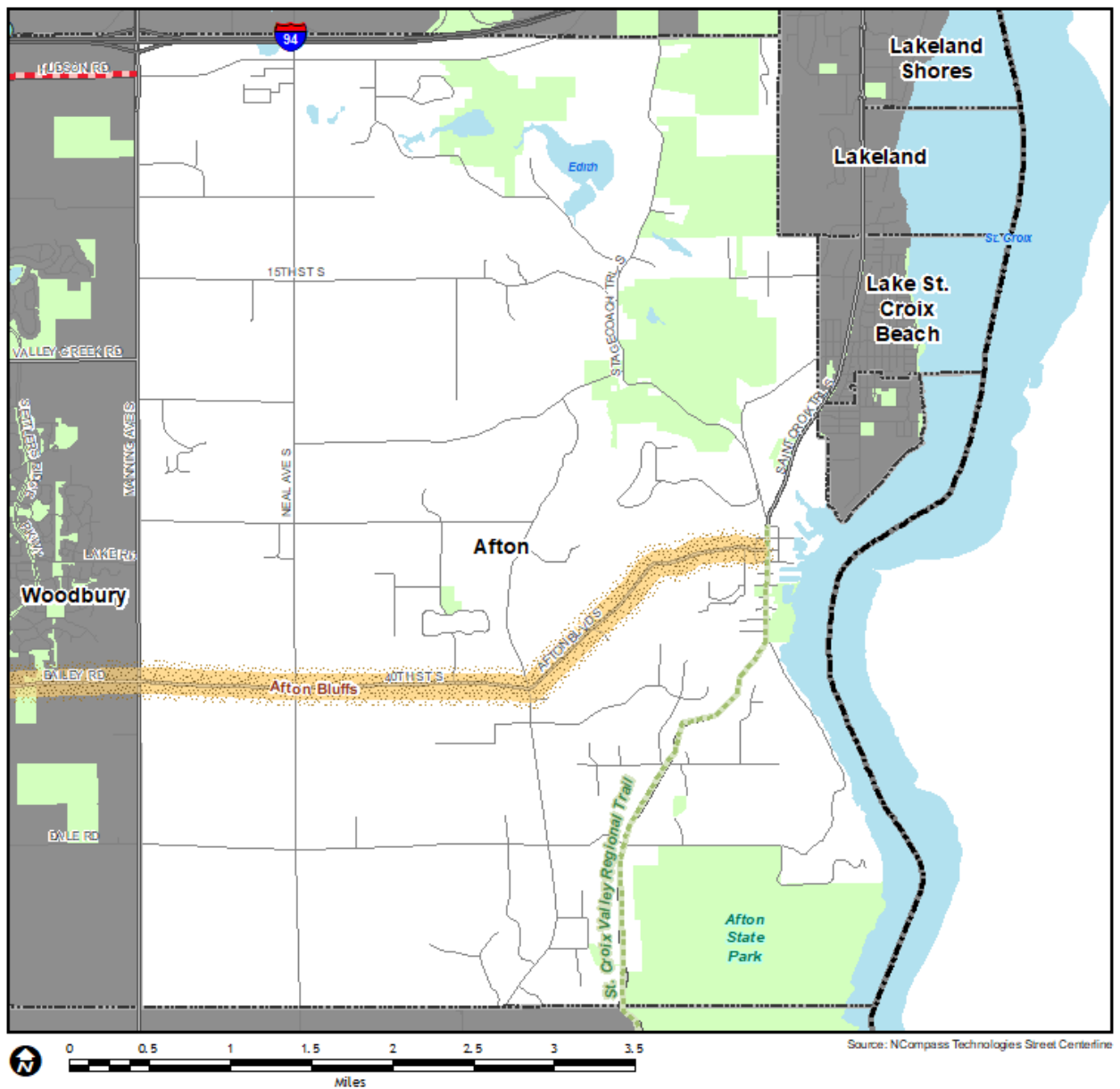
1. September 28, 2022: Afton 2040 Comprehensive Plan
2. December 27, 2022: Revised 2040 Comprehensive Plan Responding to Council Incomplete Items for Authorizing Resolution, Affected Jurisdiction Review, Wastewater, Transportation, Forecasts, Land Use, Housing, and Implementation.
3. January 3, 2023: Signed resolution and National Park Service comments
4. January 23, 2023: Inflow and infiltration appendix
5. January 27, 2023: DNR and MnDOT comments
6. February 1, 2023: Revised 2040 Comprehensive Plan
7. February 17, 2023: Adjacent and affected jurisdiction comments

Attachments

- Figure 1: Location Map with Regional Systems
Figure 2: Thrive MSP 2040 Community Designations
Figure 3: 2016 Generalized Land Use
Figure 4: 2040 Future Land Use



Figure 1. Location Map with Regional Systems



Metropolitan Council

Regional Systems

Transportation

Transitways

2040 Transportation System Policy - adopted January 2015

- Existing
- - - - Planned Current Revenue Scenario
- - - - Planned Current Revenue Scenario - CTIB* Phase 1 Projects
- Potential Increased Revenue Scenario

Regional Highway System

- Existing Principal Arterials
- - - - Planned Principal Arterials
- Existing Minor Arterials
- - - - Planned Minor Arterials
- Existing Other Arterials
- - - - Planned Other Arterials

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

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

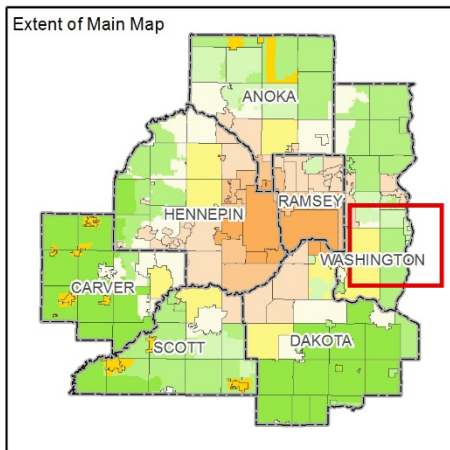
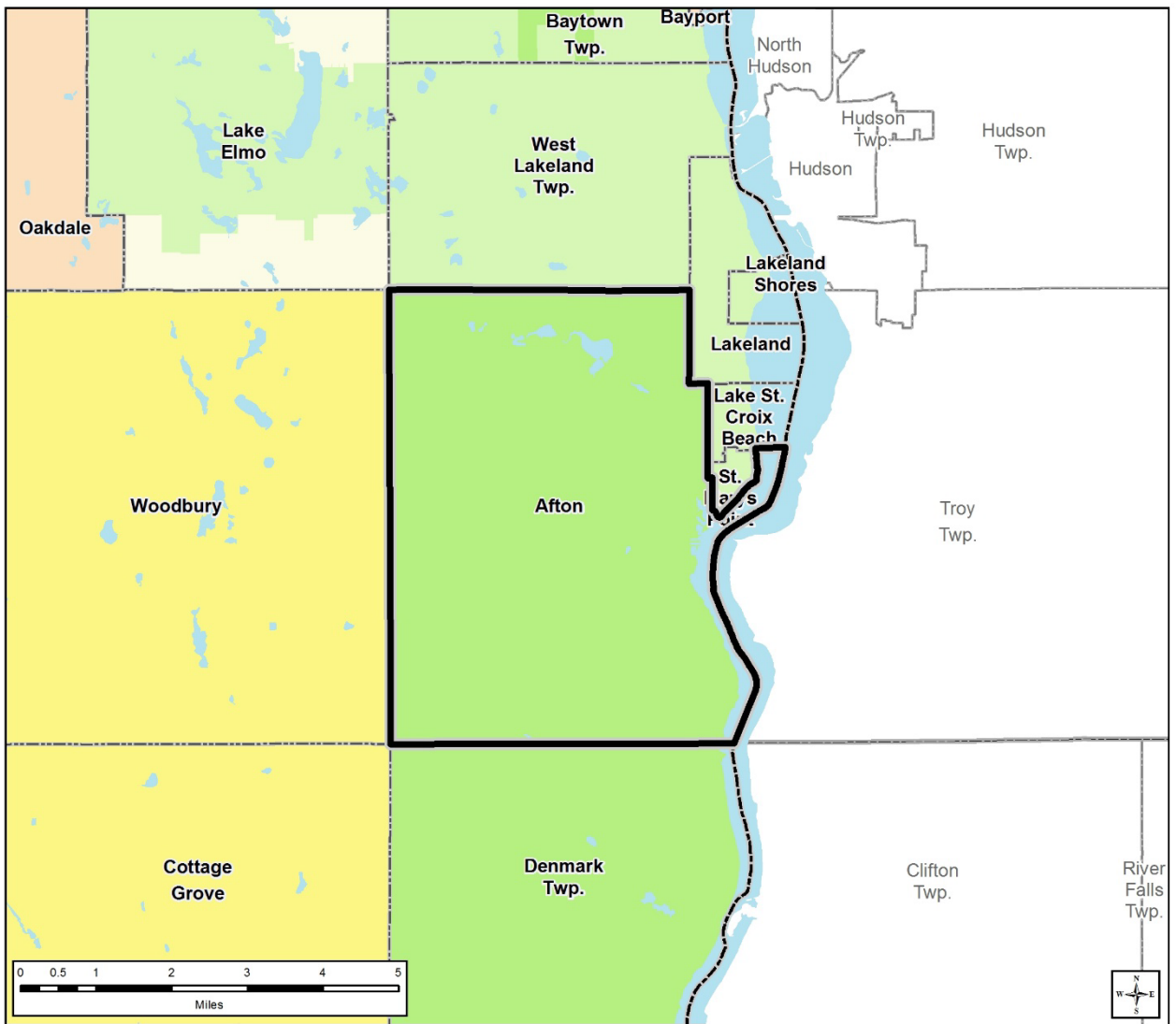
Regional Park Search Areas and Regional Trail Search Corridors

- Boundary Adjustment
- Search Area
- - - - Regional Trail Search Corridors

- Local Streets
- Existing State Trails
- Other Parks, Preserves, Refuges and Natural Areas

* Counties Transit Improvement Board (CTIB)

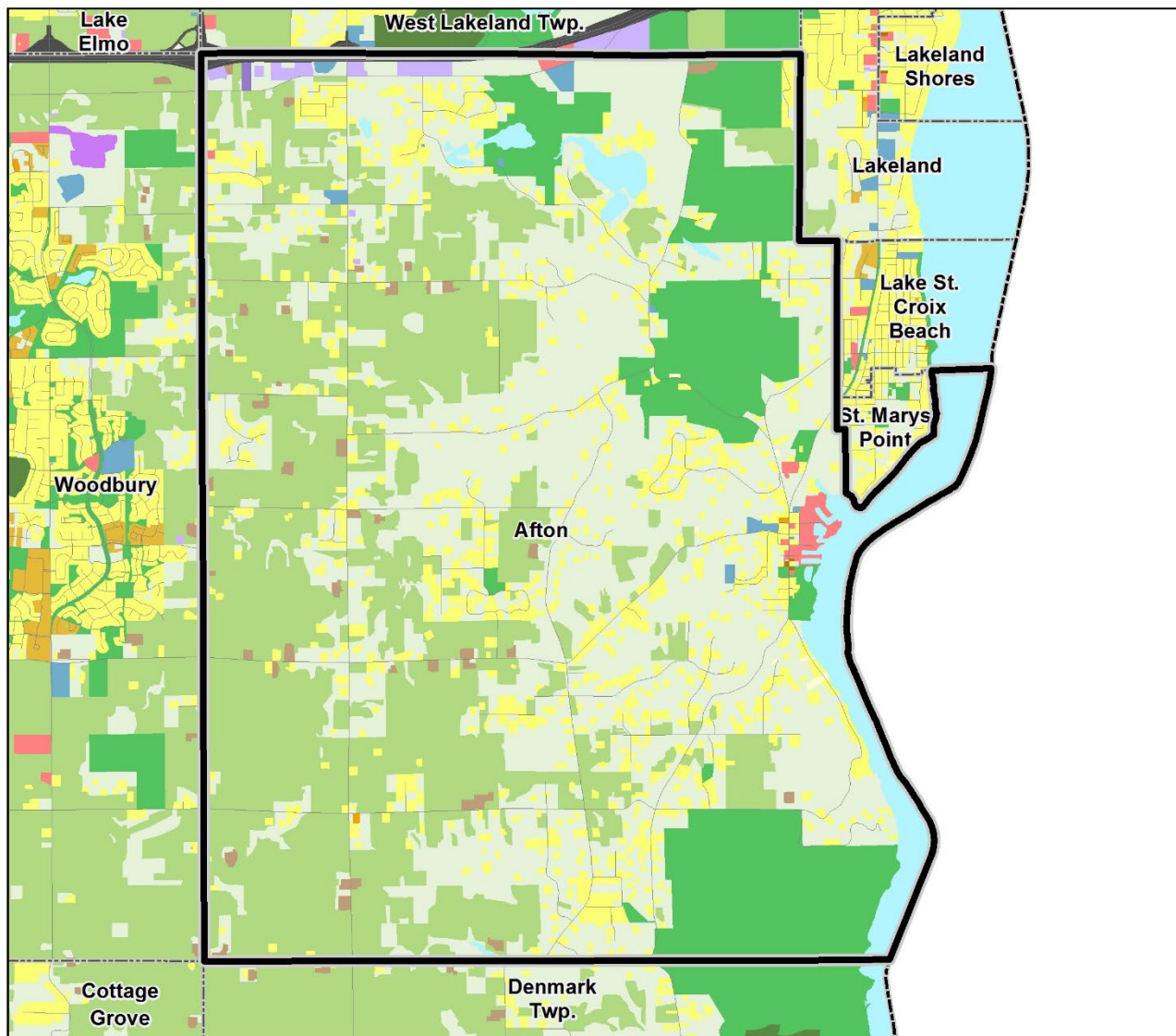
Figure 2. Thrive MSP 2040 Community Designations



Community Designations

- Outside Council planning authority
- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center
- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

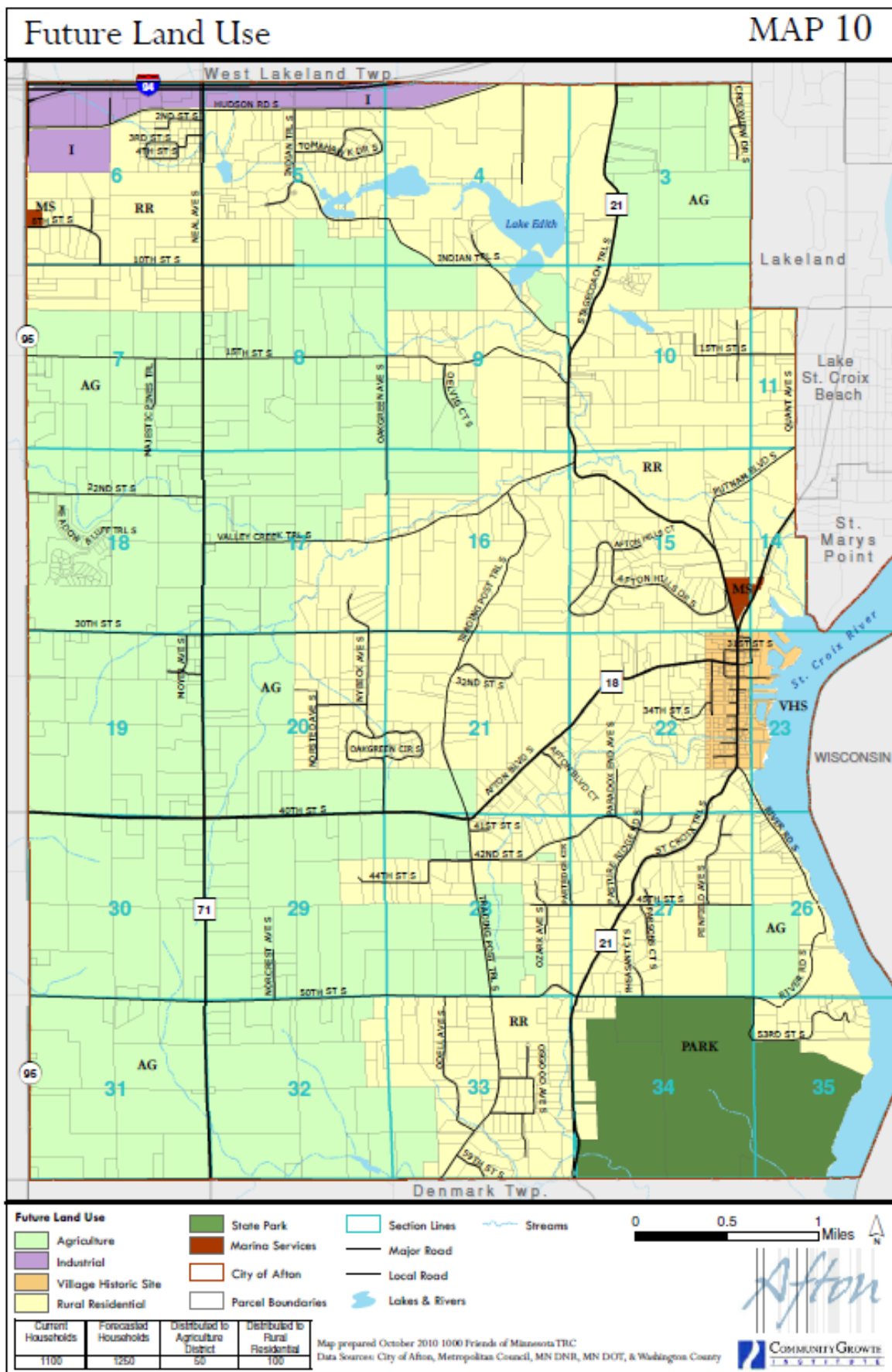
Figure 3. 2016 Generalized Land Use



2016 Generalized Land Use

- | | | |
|-----------------------------|--------------------------------|------------------------------|
| Farmstead | Mixed Use Residential | Major Highway |
| Seasonal/Vacation | Mixed Use Industrial | Railway |
| Single Family Detached | Mixed Use Commercial and Other | Airport |
| Manufactured Housing Park | Industrial and Utility | Agricultural |
| Single Family Attached | Extractive | Undeveloped |
| Multifamily | Institutional | Water |
| Retail and Other Commercial | Park, Recreational or Preserve | County Boundaries |
| Office | Golf Course | City and Township Boundaries |
| | | NCompass Street Centerlines |

Figure 4. 2040 Future Land Use



Metropolitan Council