

C Community Development Committee
For the Metropolitan Council meeting of November 12, 2008

ADVISORY INFORMATION

Date Prepared: October 21, 2008

Subject: City of Stillwater Comprehensive Plan Update Extension Request

Proposed Action:

That the Metropolitan Council extend the City of Stillwater's comprehensive plan update submission deadline from December 31, 2008, to June 30, 2009.

Summary of Committee Discussion / Questions:

Council staff presented the report and proposed action to the Community Development Committee (CDC) on October 20, 2008. Committee Chair Steffen noted that Council staff should urge communities to aggressively pursue comments from adjacent and overlapping jurisdictions. Committee members did not have any other comments or questions.

The Committee unanimously adopted the proposed action.



Community Development Committee

Business Item

Item: 2008-272

Meeting date: **October 20, 2008**

ADVISORY INFORMATION	
Subject:	City of Stillwater Comprehensive Plan Update Extension Request
District(s), Member(s):	District 12, Sherry Broecker
Policy/Legal Reference:	Metropolitan Land Planning Act (Minn. Stat. § 473.175)
Staff Prepared/Presented:	Lisa Barajas, Principal Reviewer (651-60-1895) Phyllis Hanson, Manager, Local Planning Assistance (651-602-1566)
Division/Department:	Community Development / Planning & Growth Management

Proposed Action

That the Metropolitan Council extend the City of Stillwater’s comprehensive plan update submission deadline from December 31, 2008, to June 30, 2009.

Background

Minnesota Statutes section 473.864 requires all local governments in the seven-county metropolitan area to review and update their local comprehensive plans submit those updates to the Metropolitan Council for review and comment by December 31, 2008. Section 473.864 authorizes the Council to grant extensions to local government units if they need additional time to complete their comprehensive plan review and revisions. According to statute, any extensions granted by the Council “must include a timetable for completion of the review.” The Metropolitan Land Planning Act requires the Council to establish guidelines and procedures to which local government units must conform when preparing, adopting, and submitting their plans. In June, the Council adopted guidelines and procedures for communities to follow when requesting extensions to the comprehensive plan update submission deadline.

Pursuant to the guidelines adopted by the Metropolitan Council on June 25, 2008, the City of Stillwater has submitted the required materials to request an extension to the statutory submission date for comprehensive plan updates. The City has requested that their submission date be extended from December 31, 2008, to June 30, 2008.

In the request materials, the City explains that early planning staff turnover and rehiring, in addition to additional effort and time spent on public involvement and review have delayed the planning progress by about one year. The City indicates that the draft of the comprehensive plan will be complete by early December 2008, with the adjacent community and affected jurisdiction review being initiated by December 15, 2008. The 6-month review period would then be complete in mid-June, allowing the community time to make any necessary changes and the City Council to take action to submit the plan to the Council by June 30, 2009.

Rationale

Anticipating that some communities may encounter issues in completing and submitting their plans by the statutory December 31, 2008 submission date, the Council adopted a process and guidelines that allow for the extension of the submission date. Requests for extensions up to May 29, 2009 may be administratively reviewed and granted, while requests for extensions to a date beyond May 29, 2009 require Community Development Committee action.

The City’s request for an extension to June 30, 2009 is one month beyond that which could be administratively reviewed to accommodate a full six-month adjacent review period. It has been Council staff’s experience that many communities have been able to obtain comments from the affected jurisdictions prior to the termination of the full six months. The City’s planning progress is also documented on their website (stillwater.govoffice.com), beginning with meeting dates in April 2007 and including agendas, handouts, presentations, maps, reports, newsletters, and drafts of different sections of their comprehensive plan. The website also includes a detailed

timeline of upcoming meetings and actions, demonstrating the City's commitment to completing the planning process and comprehensive plan update.

Funding

No Metropolitan Council funding involved. The City did not receive a comprehensive planning grant or loan.

Known Support / Opposition

No known support or opposition.



SEP 22 2008

September 18, 2008

Metropolitan Council
Community Development Committee
390 Robert St. North
St. Paul, MN 55101-1805

RE: Request for Extension of Planning Period

Committee Members:

The City of Stillwater is nearing completion of the draft of its 2030 Comprehensive Plan. We have been working aggressively on our plan update for over 16 months now. Each chapter is now completed in draft form, except for the implementation chapter, which will be finished within the week.

We have completed review of the draft chapters with various committees and will now revise the draft and review it with the Planning Commission, Park Board, Joint City/Township Planning Board and the City Council. We feel fairly confident that a final draft of the plan can be approved by the City Council for jurisdictional review beginning in early December. After the six month jurisdictional review period the Stillwater City Council could then hold a hearing and submit the plan to the Metropolitan Council towards the end of June 2009.

Since we will not be ready to submit the plan to the Metropolitan Council by the end of 2008, we respectfully request an extension of our planning period to June 30, 2009.

Should you have any questions regarding this letter or attached information, please feel free to contact me at 651.430-8821 or bturnblad@ci.stillwater.mn.us.

Sincerely,

CITY OF STILLWATER

Bill Turnblad
Community Development Director

CITY HALL: 216 NORTH FOURTH STREET • STILLWATER, MINNESOTA 55082
PHONE: 651-430-8800 • WEBSITE: www.ci.stillwater.mn.us



REQUEST FOR EXTENSION OF PLANNING PERIOD

Completed request form and accompanying Resolution must be received at the Metropolitan Council offices by **November 1, 2008**. Your responses to the following questions will provide the Metropolitan Council with information needed to help ensure plan completion.

Community Name	<u>City of Stillwater</u>	Request Date	<u>September 17, 2008</u>
Community Contact Person	<u>Bill Turnblad</u>	Phone	<u>651.430-8821</u>
Email Address	<u>bturnblad@ci.stillwater.mn.us</u>	Fax	<u>651.430-8810</u>

PLANNING PROCESS TIMELINE: Please provide the target dates for each step of the planning process identified below.

Process Step	Target Date
Completion of draft plan text and mapping	December 2, 2008
Initiation of 6-month review/comment period by adjacent jurisdictions, affected special districts, and school districts	December 15, 2008
Public hearing date	June 15, 2009
City Council / Town Board / County Board action	June 16, 2009
Date of plan submission to Metropolitan Council	June 30, 2009
Completion of fiscal devices and official controls review/amendment	March 30, 2010

Please note that a target date for plan submission to the Metropolitan Council after May 29, 2009 will require a presentation to and formal action by the Metropolitan Council. If the Target Date for plan submission is prior to May 29, 2009, the extension may be administratively granted by the designated Metropolitan Council staff.

PLANNING ISSUES: Please place a checkmark (✓) next to the issue(s) identified below that are contributing to the need for the requested extension.

- | | |
|---|--|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Staff workload Contract planner delays Issues affecting adjacent communities Data/mapping/GIS MUSA expansion issues Area development or redevelopment plan(s) in process <input checked="" type="checkbox"/> Planning Commission/City Council/Board member concerns Population, household, employment forecast issues Sewer flow forecast issues Growth staging plan <input checked="" type="checkbox"/> Public participation process Metropolitan Council density policy issues | <ul style="list-style-type: none"> Development of plan components: Existing land use Future land use Housing Surface water management Transportation Sewer Plan Park/Open Space Plan Water Supply Plan Historic Preservation Plan Implementation Plan Critical Areas/MNRRRA <input checked="" type="checkbox"/> Other: goals, objectives took an extra two months |
|---|--|

OTHER COMMENTS: Please provide any additional comments here, included explanations as needed of planning issues checked on the previous page. Include a realistic appraisal of your community's ability to submit your updated plan for review by indicated deadline as well as the subsequent review/amendment of fiscal devices and official controls. (Use additional sheets as necessary.)

The City of Stillwater and its planning consultant team have been working aggressively on the comprehensive plan update for 16 months now. We have finished drafts of each chapter except for the implementation chapter. That chapter will be finished within the week. We are currently in the midst of reviewing those chapters with various committees, appointed officials, and elected officials.

However, work on the comprehensive plan update began later than it should have since both of the city's staff planners left employment with the city just prior to commencing the update project. Filling both positions and bringing the new employees up to speed cost at least eight months of project time. In addition, in the midst of working with various committees and the general public on goals, objectives, policies and programs, it was decided by the City Council to create a sub-committee to further scrutinize the goals. This added an additional two months to the update process.

The delays and vigorous public participation has placed the city a year behind in its update process. None the less, update draft is substantially complete and we feel fairly confident that a draft of the entire comprehensive plan can be approved by the City Council early in December of this year. We anticipate a few weeks of production work after Council approval of the draft. This would allow us to distribute the approved draft to other agencies for their review in the middle of December. After the six month review period the council could then hold a hearing and submit the plan to the Metropolitan Council towards the end of June 2009.

RESOLUTION NO. 2008-120

**RESOLUTION REQUESTING ADDITIONAL TIME
WITHIN WHICH TO COMPLETE COMPREHENSIVE PLAN
"DECENNIAL" REVIEW OBLIGATIONS**

WHEREAS, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their "decennial" reviews by December 31, 2008; and

WHEREAS, Minnesota Statutes section 473.864 authorizes the Metropolitan Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete the "decennial" review and amendments; and

WHEREAS, any extensions granted by the Metropolitan Council must include a timetable and plan for completing the review and amendment; and

WHEREAS, the City will not be able to complete its "decennial" review by December 31, 2008, for the following reasons:

1. A simultaneous turnover of both staff members in the City of Stillwater's planning division caused at least a six month delay in beginning the process to review the city's comprehensive plan, fiscal devices and official controls.
2. Midway through the review process, a sub-committee was required to form for the purpose of revising goals, objectives, policies and programs drafted by the comprehensive plan committee as a whole. This resulted in a two month delay.

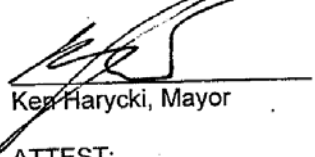
WHEREAS, the City Council finds it is appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF STILLWATER, MINNESOTA, AS FOLLOWS:

1. The Community Development Director is directed to submit to the Metropolitan Council no later than November 1, 2008, a request for an extension until June 30, 2009.
2. The Community Development Director must include with the request a reasonably detailed timetable and plan for completing: (a) the review and amendment by June 30, 2009 and (b) the review and amendment of the City's fiscal devices and official controls.

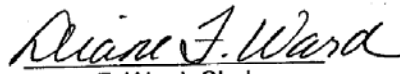
Adopted by the City Council of the City of Stillwater, Minnesota on this September 16, 2008.

CITY OF STILLWATER



Ken Harycki, Mayor

ATTEST:



Diane F. Ward, Clerk