

# J Community Development Committee Environment Committee

For the Metropolitan Council meeting of April 28, 2010

## ADVISORY INFORMATION

**Subject:** White Bear Township 2030 Comprehensive Plan Update  
Review File No. 20548-1  
Tier II Comprehensive Sewer Plan

### Proposed Action

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

### Recommendations of the Community Development Committee:

1. Authorize White Bear Township to put its 2030 Comprehensive Plan Update into effect.
2. Adopt the revised forecasts for population and households for White Bear Township as shown in Table 1 in the Review Record, and revise the Township's share of the region's affordable housing need from 56 to 113 units.
3. Advise the Township to:
  - a. Send to the Council the dates that the Rice Creek Watershed District and Vadnais Lake Area Watershed Management Organization approve the Township's local surface water management plan (LSWMP) as well as a copy of the final LSWMP.
  - b. Participate in the Council's activities to monitor redevelopment in Developed communities.
  - c. Implement the advisory comments in the Review Record for Housing and Water Supply.

### Recommendation of the Environment Committee:

Approve White Bear Township's Tier II Comprehensive Sewer Plan.

### Summary of Committee Discussion / Questions

#### Community Development Committee

Planning Analyst Susan Hoyt presented the staff report and proposed actions to the Community Development Committee on behalf of Sector Representative Lisa Barajas. Council member Bowles asked Council staff for clarification on the process the Township would be expected to follow to meet the Township's share of the affordable house need of 118 units in order to be consistent with the Council's housing policies.

Chair Steffen and Director Peterson explained that the advisory comments to the community in the Review Record is that the Township change the guiding of some land to accommodate the full affordable housing need number with additional medium or high density land before local adoption of the Update. Since housing is not a regional system, the Council can not

compel the Township to make this change, but it can find that the Update does not appropriately address this requirement of the Land Planning Act.

If the Township chooses to comply with the Council's advisory comments, the Township will incorporate additional medium and high density residential acreage in the future land use plan in the final Update. This final Update will be adopted by the Township and submitted to the Council for the record. However, the Township is not allowed to make other revisions to the Update's future land use plan in the final Update without going through the formal Update amendment process.

Following the discussion, the Committee moved the recommendations, and the motion passed unanimously.

#### Environment Committee

Council Member Wittsack asked about the Township's inconsistency with the Council's housing policy requirement. Staff explained that the Township's plan is short on affordable housing in that it does not designate sufficient land area to accommodate the number of affordable housing units. The Township and Council staff are in discussions regarding this issue and are working toward a solution.

Council Member Leppik asked why the community still a township and has not incorporated. Staff explained that the Township consists of four separate non-contiguous areas within other adjoining communities. As such, it would be difficult for the Township to incorporate. It would be likely that any attempt by the Township to incorporate would result in the annexation of the four separate areas into the adjoining communities.

**C** Community Development Committee  
Meeting date: April 19, 2010

**E** Environment Committee  
Meeting date: April 13, 2010

<b>ADVISORY INFORMATION</b>	
<b>Subject:</b>	White Bear Township 2030 Comprehensive Plan Update Review File No. 20548-1 Tier II Comprehensive Sewer Plan
<b>District(s), Member(s):</b>	District 11, Council Member Georgeanne Hilker
<b>Policy/Legal Reference:</b>	Minnesota Statutes Section 473.175
<b>Staff Prepared/Presented:</b>	LisaBeth Barajas, Principal Reviewer, 651-602-1895 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566 Kyle Colvin, Engineering Services Asst. Manager, 651-602-1151
<b>Division/Department:</b>	Community Development / Planning & Growth Management Environmental Services / Engineering Services

**Proposed Action**

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

**Recommendations of the Community Development Committee:**

1. Authorize White Bear Township to put its 2030 Comprehensive Plan Update into effect.
2. Adopt the revised forecasts for population and households for White Bear Township as shown in Table 1 in the Review Record, and revise the Township’s share of the region’s affordable housing need from 56 to 113 units.
3. Advise the Township to:
  - a. Send to the Council the dates that the Rice Creek Watershed District and Vadnais Lake Area Watershed Management Organization approve the Township’s local surface water management plan (LSWMP) as well as a copy of the final LSWMP.
  - b. Participate in the Council’s activities to monitor redevelopment in Developed communities.
  - c. Implement the advisory comments in the Review Record for Housing and Water Supply.

**Recommendation of the Environment Committee:**

Approve White Bear Township’s Tier II Comprehensive Sewer Plan.

## ADVISORY COMMENTS

### White Bear Township 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20548-1 – Council Business Item No. 2010-133

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update (“Update”) and approving the City’s Tier II Comprehensive Sewer Plan:

#### Community Development Committee

1. The Council-adopted *Local Planning Handbook* states that the City must take the following steps:
  - a. Adopt the Update in final form after considering the Council’s review recommendations; and
  - b. Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.
  - c. Submit to the Council a copy of the City Council resolution evidencing final approval of the Update.
2. The Council’s *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, local governments should incorporate those recommended changes into the plan or respond to the Council before “final approval” of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governmental units must adopt official controls as described in their adopted comprehensive plans and must submit copies of the official controls to the Council within 30 days after 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 nine months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

#### Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update also receives final approval from the City’s governing body. After the Update receives final approval from the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand, or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

## Background

White Bear Township is located in northeastern Ramsey County and is comprised of four noncontiguous pieces resulting from annexation and incorporation efforts of the surrounding municipalities. The Township is adjacent to the City of Lino Lake to the north, the City of Hugo to the north, the City of Grant to the east, the City of Dellwood to the east, the City of Mahtomedi to the east, the City of Birchwood Village to the east, the City of White Bear Lake in the south, the City of Gem Lake on the southwest, the City of Vadnais Heights to the southwest, the City of North Oaks to the west, and the City of Shoreview to the west.

The *2030 Regional Development Framework* (RDF) identifies the Township as a Developed planning area (see Figure 2). The Township submitted its 2030 Comprehensive Plan Update (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. State. 473.175) and the Council's 2005 System Statement requirements.

## Rationale

1. Does the proposed Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?
3. Is the Update compatible with the plans of adjacent governmental units and plans of affected special districts and school districts?

### Conformance with Regional Systems Plans

- |   |     |
|---|-----|
| 1. Regional Parks   | Yes |
| 2. Transportation, including Aviation   | Yes |
| 3. Water Resources Management<br>(Wastewater Services and Surface Water Management) | Yes |

### Consistent with Council Policy Requirements

- |  |     |
|--|-----|
| 1. Forecasts   | Yes |
| 2. Housing   | No  |
| 3. <i>2030 Regional Development Framework</i> and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program      | Yes |
| 5. Water Supply  | Yes |

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

- |                             |     |
|-----------------------------|-----|
| Compatible with other plans | Yes |
|-----------------------------|-----|

## Funding

None.

## Known Support / Opposition

There is no known opposition.

## REVIEW RECORD

### Review of the White Bear Township 2030 Comprehensive Plan Update

#### STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans (plans) and plan amendments to the Council for review and comment (Minn. Stat. § 473.864, Subd. 2). The Council reviews plans to determine:

- *Conformance with metropolitan system plans,*
- *Consistency with other adopted Plans of the Council, and*
- *Compatibility with the Plans of other local jurisdictions in the Metropolitan Area.*

The Council may require a local governmental unit to modify any plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes that the Update 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. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

#### CONFORMANCE WITH REGIONAL SYSTEMS

##### Regional Parks

*Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)*

The Update conforms to the *2030 Regional Parks Policy Plan*. There are several regional parks system facilities in the Township, including: Bald Eagle Otter Lakes Regional Park, Highway 96 Regional Trail, and Birch Lake Regional Trail, the planned Highway 96-Lake Links Regional Trail and Bruce Vento Regional Trail; as well as the proposed Rice Creek Chain of Lakes-Bald Eagle Regional Trail. The Update acknowledges these regional parks and trails and facilitates long-term planning for Bald Eagle Otter Lakes Regional Park by guiding the future land of inholding parcels and "Park."

##### Transportation

###### *Roads and Transit*

*Reviewer: Ann Braden, MTS – Systems Planning, (651-602-1705)*

The Update conforms to the *2030 Transportation Policy Plan (TPP)*, adopted in 2004, and addresses all the applicable transportation and transit requirements of a comprehensive plan.

The Township is served by I-35E, a principal arterial, and several "A" minor arterials. There are not any expansion plans for I-35E.

The Township is within the Metropolitan Transit Taxing District and lies within Market Area III. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. General public dial-a-ride service is provided by Lake Area Bus. ADA paratransit service is provided by Metro Mobility.

## **Aviation**

*Reviewer: Chauncey Case, MTS – Systems Planning, (651-602-1724)*

The Update conforms to the TPP and is consistent with Council policies for aviation.

## **Water Resources Management**

### **Wastewater Service**

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

The Update conforms to the *2030 Water Resources Management Policy Plan* (WRMPP). The Update summarizes the Township's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's recommended forecasts for population, households, and employment.

The Metropolitan Council Environmental Services currently provides wastewater treatment services to the Township. Wastewater generated within the Township is conveyed to and treated at the Metropolitan Council's Metropolitan Wastewater Treatment Plant in St. Paul. The Township is provided with wastewater conveyance service through interceptors 6901, 7122, and 1-WL-416. The Update projects that the Township will have 4,840 sewer households and 6,800 sewer employees by 2030. The Metropolitan Disposal System with its planned improvements has, or will have, adequate capacity to serve the Township's growth needs as identified in the Update.

The Update provides sanitary flow projections in 5-year increments. The rationale for the projections is given in the Update and determined appropriate for planning for local services.

The Township is not currently identified as a community impacted by wet weather occurrences. The Update, however, does include a description of an I/I reduction plan, which includes televised inspection, repair, and routine maintenance of the sanitary sewer system. Township ordinance does not permit storm water from sump pumps and footing drains to discharge into the sanitary sewer system.

### **Tier II Comments**

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for Developed communities. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the Township, the action of the Council to approve the Tier II Plan becomes effective. At that time, the Township may implement its Update to alter, expand, or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the Town Board Resolution adopting its plan needs to be submitted to the Metropolitan Council for its records.

### **Surface Water Management**

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

The Update conforms to the WRMPP for local surface water management. The Township lies within the Rice Creek and Vadnais Lake Area watersheds. The Board of Water and Soil Resources (BWSR) approved the Rice Creek Watershed District's latest watershed management plan in 1997 and Vadnais Lake Area Watershed Management Organization's watershed management plan in December 2007.

The Township submitted a draft local surface water management plan (LSWMP) for review in January 2010. The plan was found to provide an overall framework for the Town to successfully manage its water resources. The plan was also found to be consistent with Council policy and the Council's WRMPP.

Advisory Comments

The Township will need to send to the Council the dates that the watersheds approve the LSWMP as well as a copy of the final LSWMP.

**CONSISTENCY WITH COUNCIL POLICY**

**Forecasts**

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

The forecast-related content in the Update, including supplemental information, is consistent with the Council's forecasts and with regional policies. The Township's planning uses revised forecasts, based on slower growth, low density, and limited land availability.

Council staff have reviewed the Township's preferred projections and find that the projections are realistic and acceptable. Metropolitan Council's forecasts will be officially revised, as shown below in Table 1, effective upon Council action on the Update.

**Table 1. White Bear Township Revised Forecasts**

	2010	2020	2030
Population – Unsewered	220	110	30
Population – Metro Sewered	12,080	12,690	12,670
Population – TOTAL	12,300	12,800	12,700
Households – Unsewered	80	40	10
Households – Metro Sewered	4,370	4,760	4,840
Households – TOTAL	4,450	4,800	4,850
Employment – Unsewered	0	0	0
Employment – Metro Sewered	4,150	5,900	6,800
Employment – TOTAL	4,150	5,900	6,800

The revised forecasts in Table 1 will replace the System Statement forecasts shown in Table 2 below.

**Table 2. Metropolitan Council System Statement Forecasts**

	2010	2020	2030
Population	13,100	13,500	13,500
Households	4,850	5,100	5,200
Employment	4,150	5,900	6,800

**2030 Regional Development Framework and Land Use**

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update, with supplemental materials, is consistent with the *2030 Regional Development Framework (RDF)*, which classifies the Township as a Developed community. The RDF directs Developed communities to maintain current infrastructure; renew and improve infrastructure, buildings, and land to provide for additional growth, particularly at centers along transit corridors; and to support developments that integrate land uses.

The Township has developed policies to ensure compatibility among adjacent land uses; minimize negative impacts between adjacent land uses; planning for orderly development to maximize investments in existing infrastructure; foster reinvestment in existing areas



through preservation, renovation, and redevelopment; identify appropriate areas for redevelopment with mixed uses; and locating commercial and convenience uses along transportation corridors.

Open water bodies cover approximately one third of the Township's area, with single family residences covering about 22% of the community. Comprised of four non-contiguous pieces, the Township is faces some planning and development challenges. Due to the history of development in the area, each of these pieces has developed into distinct neighborhoods, with little remaining vacant land. Most of the vacant developable land lies between Centerville Road and I-35E with scattered vacant parcels in the northeastern and southern parts of the Township. The Township plans to accommodate forecasted growth primarily in the development of these vacant and underdeveloped parcels.

The Update is consistent with Council policy in establishing a minimum residential density for future new development of at least 3 units per net acre. As is shown in Table 3 below, new residential development will occur at a minimum net density of 3.26 units per acre.

**Table 3. Net Residential Density Calculation**

Category	Density Range		Net Acres	Min Units	Max Units
	Min	Max			
Residential PUD - Low	3	3	6	18	18
Residential PUD - Medium	6	6	4	24	24
Residential PUD - High	10	10	2	20	20
Low Density Residential	3	3	85	255	255
Medium Density Residential	6	6	2	12	12
Infill/Redevelopment - Low	3	3	25	75	75
<b>TOTALS</b>			124	404	404
<b>Overall Density</b>				<b>3.26</b>	<b>3.26</b>

*Land use and density information provided in supplemental materials received February 18, 2010.*

Advisory Comments

As a Developed community, the Township is advised to participate in the Council's activities to monitor development and redevelopment in Developed communities.

**Housing**

*Reviewer: Linda Milashius, CD – Livable Communities, (651-602-1541)*

The Update is inconsistent with Council housing policy and does not fulfill the affordable housing planning requirements of the Land Planning Act. Although the Update acknowledges the Township's share of the region's affordable housing need, which is 113 units, the Update's proposed land use does not accommodate this housing need. The Update does not identify a sufficient amount of medium and high density residential land to provide the opportunity for the development of new affordable housing units consistent with the Township's share of the region's affordable housing need through 2020 of 113 units. Based on the amount of land guided for medium and high density residential development in the Update, the Township has only designated enough land for the potential development of 56 units of such housing.

This absence of appropriately guided land to facilitate affordable housing development raises concerns about the Township's ability to pursue its affordable and lifecycle housing goals as a Livable Communities Act participating community.

The Update does identify the implementation tools and programs that the Township will use to promote opportunities to address its share of the region's housing need. The Update indicates that the Township will partner with Ramsey County and the Metro HRA

to access local, state, and federal resources for the construction of affordable housing, as well as housing maintenance and rehabilitation programs to preserve existing affordable housing stock. The Township will permit flexibility in residential design and encourage innovative housing approaches, and will not impose development restrictions that could increase housing costs. The Update identifies a new Residential Planned Unit Development (PUD) for a mix of low, medium, and high density residential land use, but again not enough land is guided within this area to accommodate the Township's affordable housing need.

#### Advisory Comments

Before the Township confers final adoption of the Update, the Update should be amended to include sufficient land that could be developed at medium or high residential densities to accommodate the Township's share of the region's affordable housing need.

### **Community and Individual Sewage Treatment Systems (ISTS)**

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

The Update is consistent with the WRMPP for ISTS. It indicates that there are approximately 83 residences and businesses in the community that continue to be served by ISTS. Township ISTS Ordinance No. 70, accessible on the Township's website, is consistent with MPCA Rules and with Council policy requirements.

### **Water Supply**

*Reviewer: Sara Smith, ES – Water Supply Planning, (651-602-1035)*

The Update is complete and the City's water supply plan (WSP) is consistent with the WRMPP policies for water supply. The Council recommends that the City continue to implement conservation programs targeted at reducing residential water use.

#### Advisory Comment

The population projections for 2010, 2020, and 2030 in the WSP are inconsistent with the projections in the Update. The Update needs to be revised to use consistent projections in the WSP.

### **Resource Protection**

#### ***Historic Preservation***

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update addresses historic preservation in the community as required by the MLPA. The Update indicates that the Township will develop approaches to preserving historical sites in the community in conjunction with the Minnesota and Ramsey County Historical Societies.

#### ***Solar Access Protection***

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update appropriately addresses the protection of access to solar energy as required by the MLPA in the Resource Protection section of the plan. The Update contains a goal of incorporating solar access protection into its development codes.

#### ***Aggregate Resources Protection***

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

Consistent with *Minnesota Geological Survey Information Circular 46* data, the Update indicates that there are not any viable aggregate resource deposits in the Township.

## **PLAN IMPLEMENTATION**

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update includes a description of and schedule for any necessary changes to:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- ISTS Code Yes
- Housing Implementation Program Yes

The Update contains an Implementation Program, which describes the official controls and fiscal devices that the City will employ to implement the Update, with a plan for revising or modifying ordinances to implement the plan. Specific implementation strategies are contained in individual chapters of the Update, with priorities and capital improvements planning detailed in the implementation chapter.

## **COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS**

The Township submitted its Update to the adjacent communities, Ramsey County, affected school districts, affected watershed districts, and other special districts for comment on August 11, 2009. There do not appear to be any conflicts with the plans of adjacent and affected jurisdictions.

## **DOCUMENTS SUBMITTED FOR REVIEW**

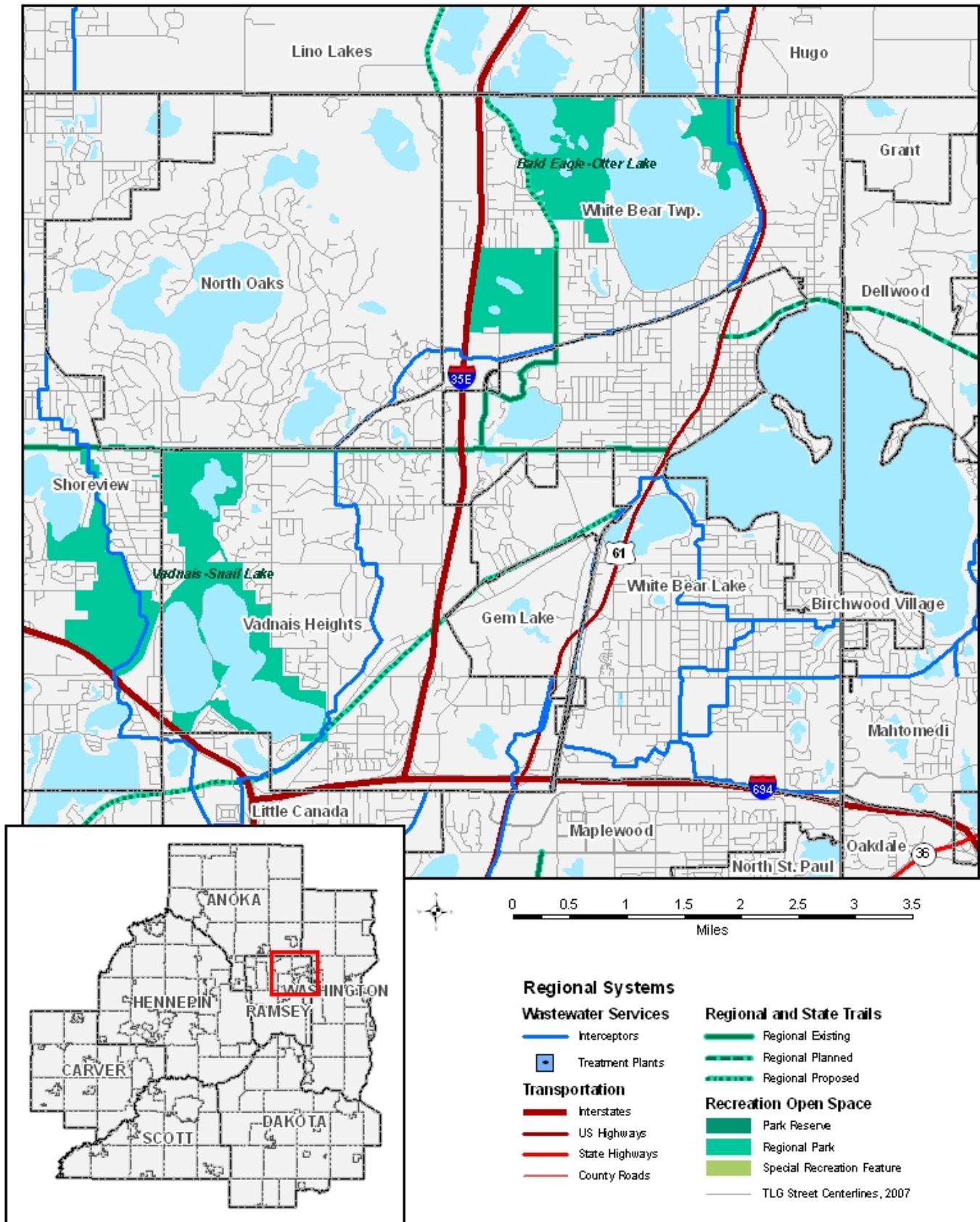
- White Bear Township 2030 Comprehensive Plan (April 24, 2009)
- Revisions to forecasts, individual sewage treatment, land use, parks, transportation/transit, and wastewater sections (September 4, 2009)
- Revisions to land use, housing, and transportation (February 18, 2010)

## **ATTACHMENTS**

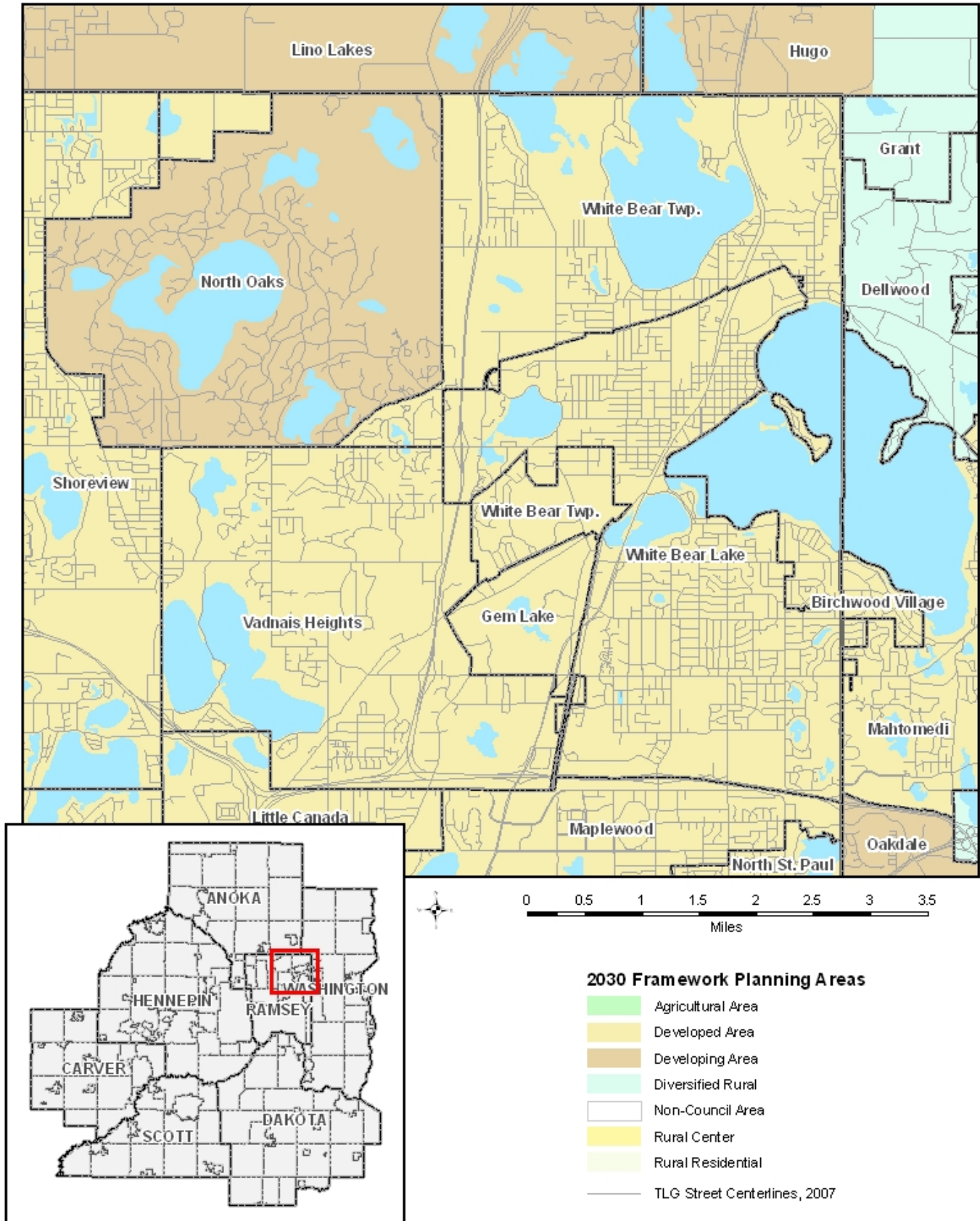
- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: 2030 Land Use
- Figure 4: Existing and Future Land Use Tables
- Figure 5: Existing Land Use

**Figure 1. Location Map with Regional Systems**

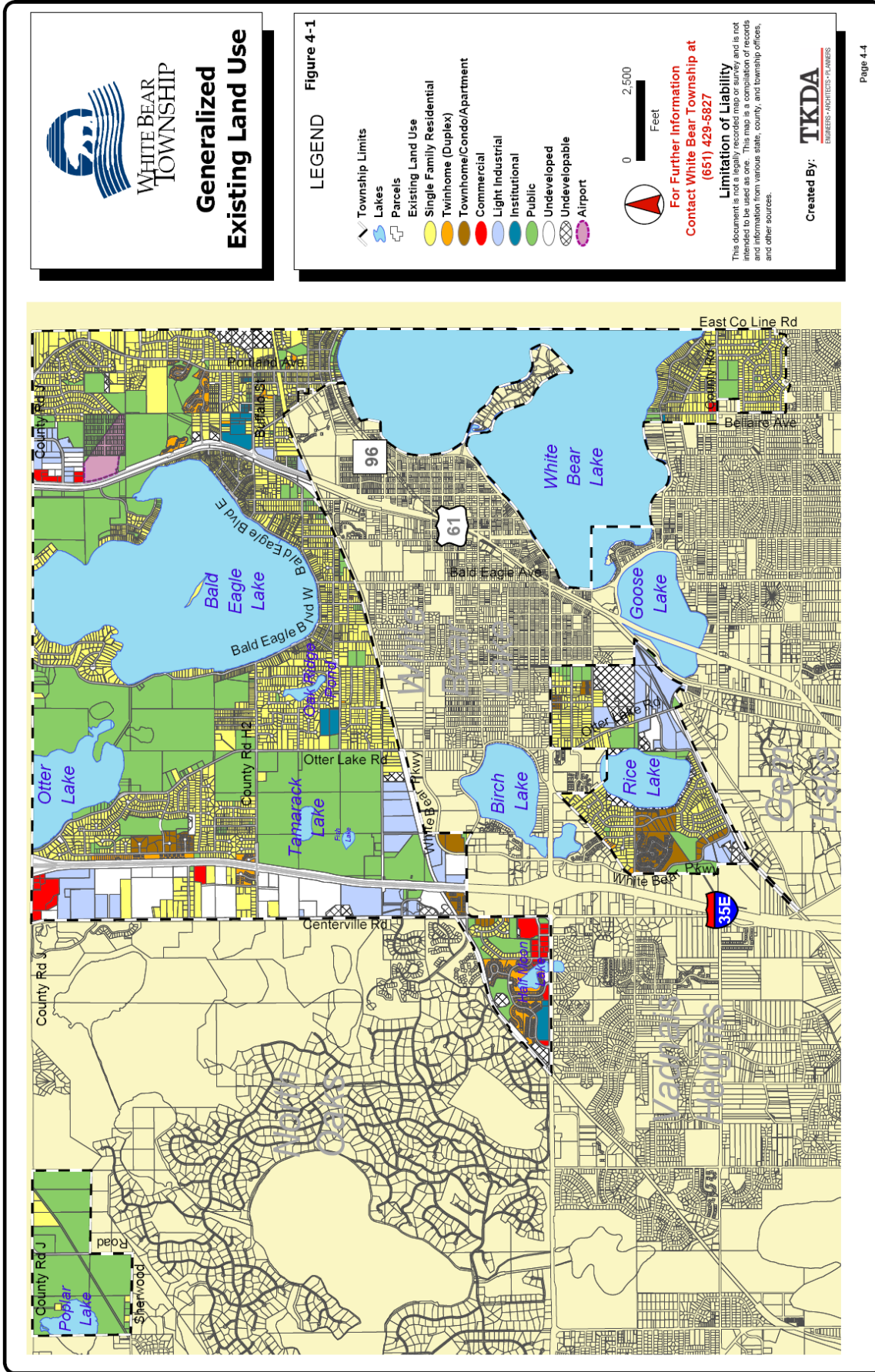
White Bear Township



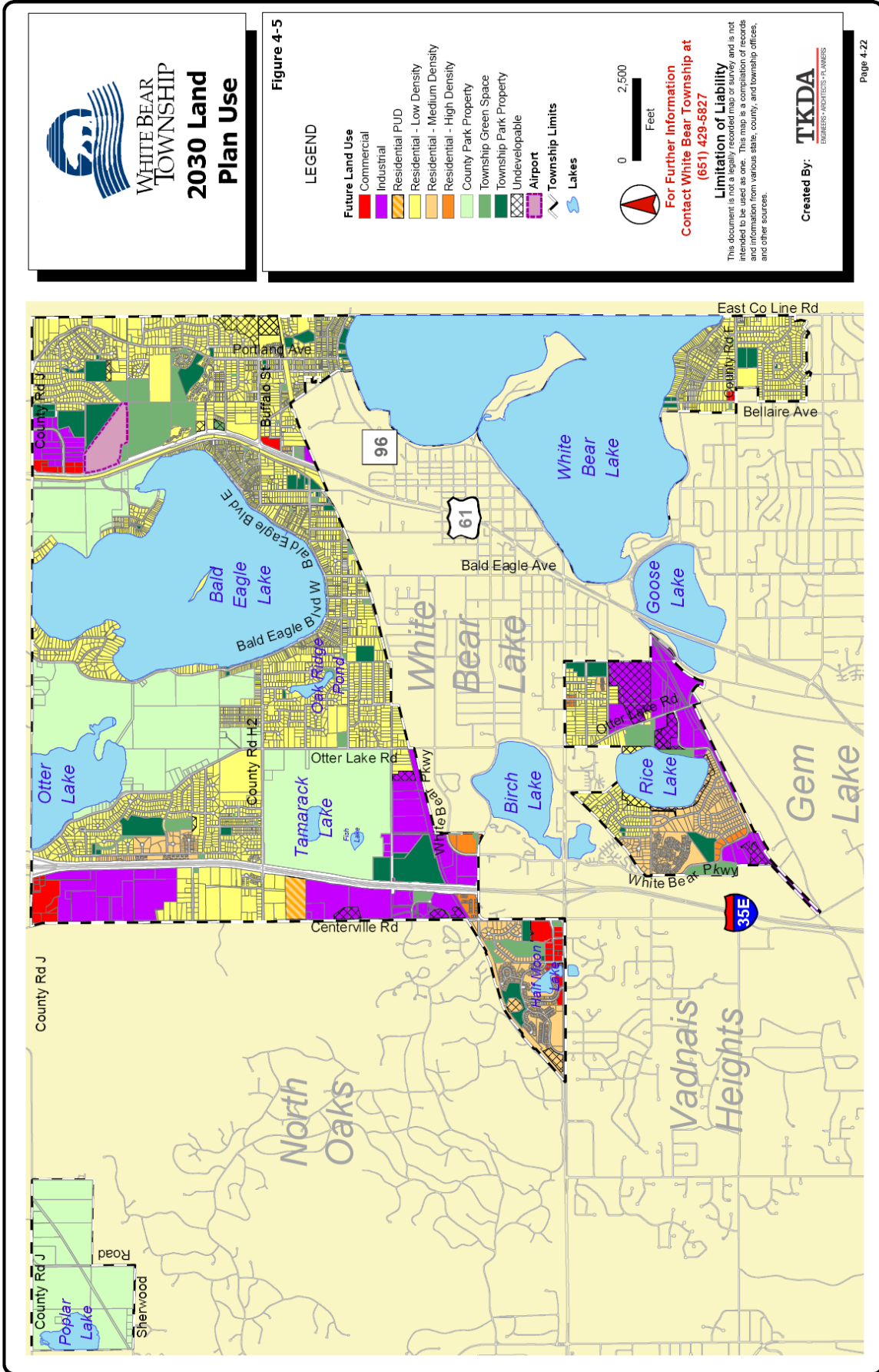
**Figure 2. 2030 Regional Development Framework and Planning Areas**  
 White Bear Township



**Figure 3. Existing Land Use**  
White Bear Township



**Figure 4. 2030 Land Use**  
White Bear Township



**Figure 5. Existing and Future Land Use Tables**  
White Bear Township

Land Use	Existing (acres)	2030 Planned Land Use (acres)
<b>Within MUSA</b>		
Residential - single family (3 units per acre)	1618	1698
Residential - multiple family (6 units per acre)	193	199
Residential - multiple family (10 units per acre)	0	2
Commercial	48	52
Industrial	214	337
Public-Semi Public	101	101
Airport	37	37
Parks and Recreation	1393	1398
Roadways and Rail	640	640
Open Water	2390	2390
Environmental Protection: wetlands and shorelands	61	61
Public-Semi Public	30	30
Vacant: Developable	--	0
Residential - Low Density (3 units per acre)	75	
Residential PUD - Low Density (3 units per acre)	6	
Residential PUD - Medium Density (6 units per acre)	4	
Residential PUD - High Density (10 units per acre)	2	
Commercial	4	
Industrial	129	
<b>Outside MUSA</b>		
Residential - Single Family	14	14
Ramsey County Poplar Lake Park Reserve	293	293
<b>TOTAL LAND AND WATER AREA</b>	<b>7,252</b>	<b>7,252</b>

Source: White Bear Township