

C Community Development Committee

Meeting date: September 20, 2010

ADVISORY INFORMATION

Subject:	Vermillion Township 2030 Comprehensive Plan Update Review File No. 20477-1
District, Member:	District 16, Councilmember Wendy Wulff
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff	Patrick Boylan, Principal Reviewer, 651-602-1438
Prepared/Presented:	Phyllis Hanson, Local Planning Assistance Manager (651-602-1566)
Division/Department:	Community Development/Planning and Growth Management

PROPOSED ACTION

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

Recommendation of the Community Development Committee:

Authorize the Vermillion Township to put its 2030 Comprehensive Plan Update into effect.

ADVISORY COMMENTS

Vermillion Township 2030 Comprehensive Plan Update Review File No. 20477-1 – Council Business Item No. 2010-330

The following Advisory Comments are part of the Council action authorizing the Township to implement its 2030 Comprehensive Plan Update ("Update"):

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.A copy of the City Council resolution evidencing final approval of the Update should be submitted to the Council.
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).

Background

The Township of Vermillion (Township) is located in the east, central portion of Dakota County (Figure 1).

The *2030 Regional Development Framework (RDF)*, as adopted by the Metropolitan Council (Council) in January 2004, identified Vermillion Township as partially as an "agricultural area" geographic planning area in the *2030 Regional Development Framework* (Figure 2).

The Township submitted its 2030 Comprehensive Plan (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council's 2005 Systems Statement requirements.

Rationale – Standard of Review & Findings

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 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
(Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|---|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. 2030 Regional Development Framework and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply | Yes |

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

- | | |
|--------------------------------|-----|
| 1. Compatible with other plans | Yes |
|--------------------------------|-----|

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Vermillion Township 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive 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 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. 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

Parks and Trails

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

The Update conforms to the *2030 Regional Parks Policy Plan*. The Update acknowledges the proposed Vermillion River Greenway Regional Trail, which will connect the planned regional park in Empire Township to the Mississippi River Regional Trail in Hastings.

Transportation

Roads and Transit

Reviewer: Elaine Koutsoukos, MTS – Systems Planning (651-602-1717)

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 update.

The only metropolitan highway located in Vermillion Township is TH 52 and there are no expansion plans for TH 52 in Vermillion Township. The need to construct new interchanges on TH 52 near Coates at CSAH 42 in Rosemount and at CSAH 66 in Vermillion Township were identified.

Vermillion Township lies within Transit Market Area IV. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing. General public dial-a-ride service is provided by Dakota Areas Resources and Transportation for Seniors (DARTS).

Aviation

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

The Update conforms with Aviation policies in the *2030 Transportation Policy Plan*.

Water Resources Management

Wastewater Service

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

The Update is in conformance with the *2030 Water Resources Management Policy Plan (WRMPP)*. The Update summarizes the Township’s vision for the next 20 years to year 2030. The Township is entirely provided wastewater service through the use of private wastewater systems (ISTS). The Plan indicates continued wastewater services will be provided through the use of ISTS through 2030.

The current Rural Residential district shown in the Township is pre-existing and at a density of 2 acres per unit. The plan indicates there will be no additional residential units in the Rural Residential district. The rest of the Township is an Agricultural district with a density of 1 unit per 40 acres, which will continue through the year 2030 and consistent with regional policy.

The Metropolitan Council does not have plans to provide wastewater services to the community within the 2030 planning period.

Surface Water Management

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

The Update conforms with the WRMPP for local surface water management. Vermillion Township lies within the Vermillion River watershed. The Vermillion River Joint Powers Board’s watershed management plan was approved by the Board of Water and Soil Resources in 2005.

The Township was part of the Dakota County Rural Collaborative. To fulfill the requirement for a local surface water management plan, the Township adopted the Dakota County Rural Collaborative local water plan as their local surface water management plan. The Township also adopted the Collaborative’s ordinance related to storm water. These actions address the Council’s requirements for local surface water management plans.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

Reviewer: Dennis Farmer, CD - Research, (651-602-1552)

The Update is consistent with the 2030 Regional Development Framework. The Update contains the required forecast-related material, and forecasts used within the document are consistent with Council forecasts for Vermillion Township (shown in the table below).

Metropolitan Council Forecasts for Vermillion Township

	2000	2010	2020	2030
Population	1,243	1,250	1,350	1,500
Households	395	430	500	550
Employment	280	80	90	100

2030 Regional Development Framework and Land Use

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update is consistent with RDF policies for the “agricultural area.” The Township City has guided enough residential land to accommodate the forecasts presented in the Update and the Township restricts residential development in agricultural areas to one unit per 40 acres.

Vermillion Township is approximately 21,900 acres in size (over 34 square miles). As of 2009, the Township was developed primarily as *Agriculture*, with 27,307 acres (97%) as under cultivation. In 2009, there were also 66 acres (.03%) of *Rural Residential*, 2,629 acres of *Wetlands/Open Space* (12%) and 156 acres of roads (1%). The Township does not anticipate any changes to its existing land use pattern from 2010 to 2030.

Vermillion 2030 Land Use				
Land Use	Gross	Wet/FLP	Net	Percent
Rural Residential	66.57		66.57	0.03%
Commercial	8.81		8.81	0.04%
Agricultural	21,490.31	2,609.18	18,881.13	86.36%
Wet/FLP			2,628.86	12.02%
Conservancy	298.42	19.68	278.74	1.27%
Total	21,864.11	2,628.86	21,864.11	100.0%

Source: 2030 Vermillion Township Comprehensive Plan, Table 13, page 18

Residents and policy makers have expressed through the planning process to remain agricultural. Expected growth in the planning period is minimal. The Township is forecasted to grow by 120 households between 2010 and 2030 with 250 more people. In 2010, Council forecasts 2.90 persons per households in the Township; this is expected to drop to 2.72 persons by 2030.

In an agricultural community such as Vermillion Township, growth will occur mainly through very small increments.

Housing

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

The housing element fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act. Vermillion Township is a community that does not have a numerical share of the regional need of affordable housing.

The Update provides an assessment of the housing stock, and provides goals and policies the Township will use to address its local housing needs. The Update indicates the Township will work with the Dakota County Community Development Agency Development Agency (CDA), which offers a number of services to assist in the creation and preservation of affordable housing. The CDA partners with local communities to develop and manage housing choices for seniors, low- and moderate-income families and minorities.

Subsurface Sewage Treatment Systems (SSTS) Program

Reviewer: Jim Larsen, Regional Growth Strategy and Parks and Open Space, (651-602-1159)

The Update is consistent with the Council’s WRMP for SSTS. The Update indicates that SSTS provide all wastewater treatment within the Township, where an estimated 420 systems are in operation serving residences and commercial establishments.

The Township has adopted Dakota County SSTS Ordinance #113, which is consistent with revised MPCA Rules and Council policies. Dakota County maintains maintenance management recordkeeping and SSTS owner notification responsibilities for the Township, and the Township is responsible for review, permitting, inspections of new and existing SSTS, and enforcement of maintenance management requirements. Violations, complaints, and potential system repairs are referred to the Building Official for enforcement. If the Building Official cannot remedy violations and corrections through normal enforcement procedures, the matter is turned over to the Township Attorney for prosecution.

Water Supply

Reviewer: Christopher Elvrum, ES – Water Supply Planning, (651-602-1066)

The Update is consistent with the Council’s Water Resources Management Policy Plan for water supply.

Resource Protection

Historic Preservation

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update contains a section on Historic Preservation as required by the MLPA.

Solar Access Protection

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update contains a section on Solar Access Protection as required by the MLPA.

Aggregate Resources Protection

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

The Update is consistent with requirements for aggregate resources. The Update indicates that there are substantial quantities of viable aggregate resources within the Township. It further indicates that there are currently active resource extraction operations within the Township, and Section 518 of their Zoning Ordinance establishes performance standards for mineral extraction operations. The majority of viable aggregate resources on non-environmentally sensitive or protected lands in the Township’s Agricultural areas will remain available for mining well into the future.

PLAN IMPLEMENTATION

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update includes a description of:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- SSTS Codes Yes
- Housing Implementation Program Yes

The Update contains a description of zoning categories, a CIP summary and a description of the City’s implementation tools.

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

The City submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in December 2006. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were indicated.

DOCUMENTS SUBMITTED FOR REVIEW:

- Vermillion Township 2030 Comprehensive Plan, dated January 29, 2009
- Comprehensive Plan Transmittal form
- Supplemental Information, received July 29, 2010

ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing Land Use
- Figure 4: 2030 Planned Land Use

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Figure 1. Location Map Showing Regional Systems
Vermillion Twp.

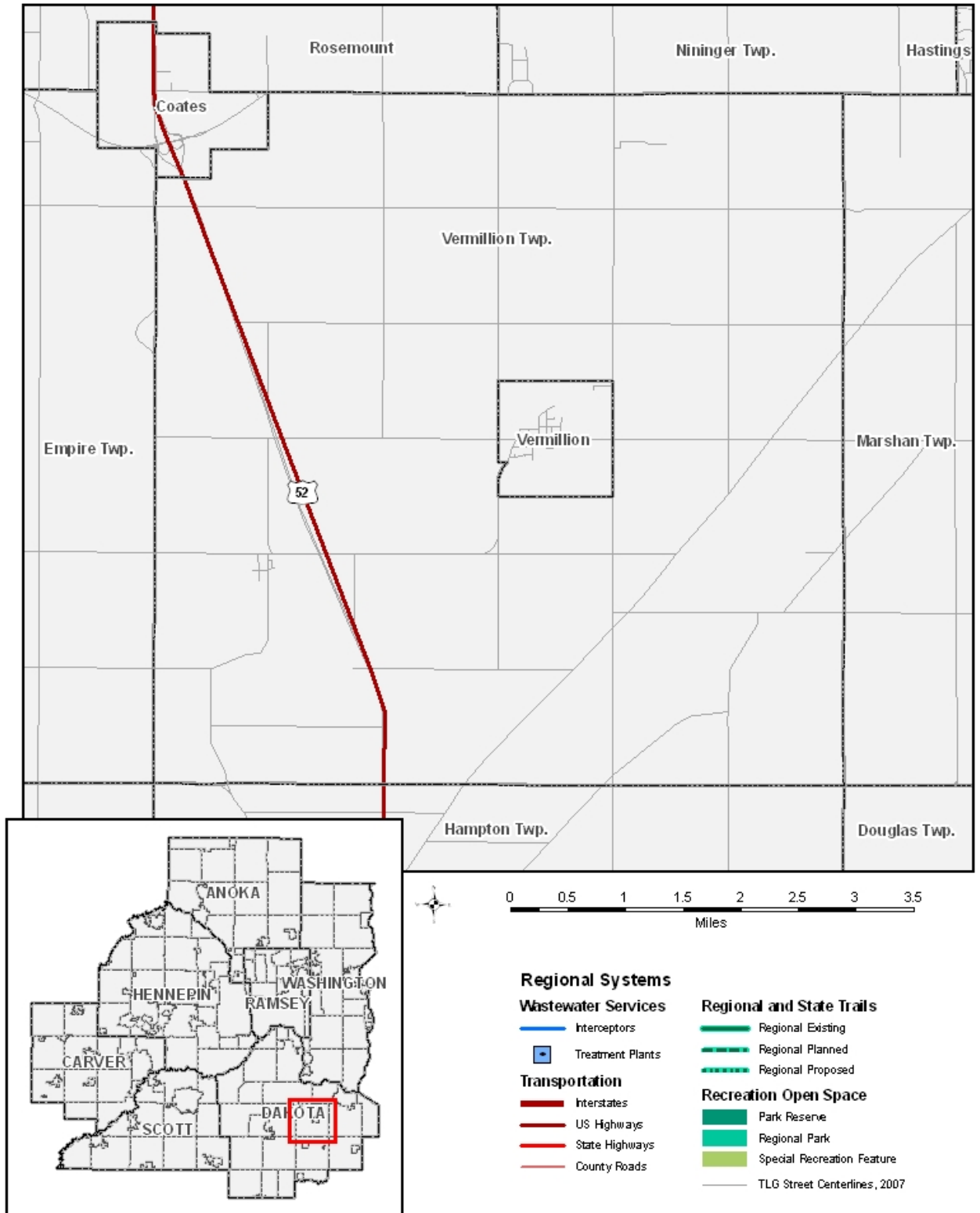


Figure 2. 2030 Regional Development Framework Planning Areas
Vermillion Twp.

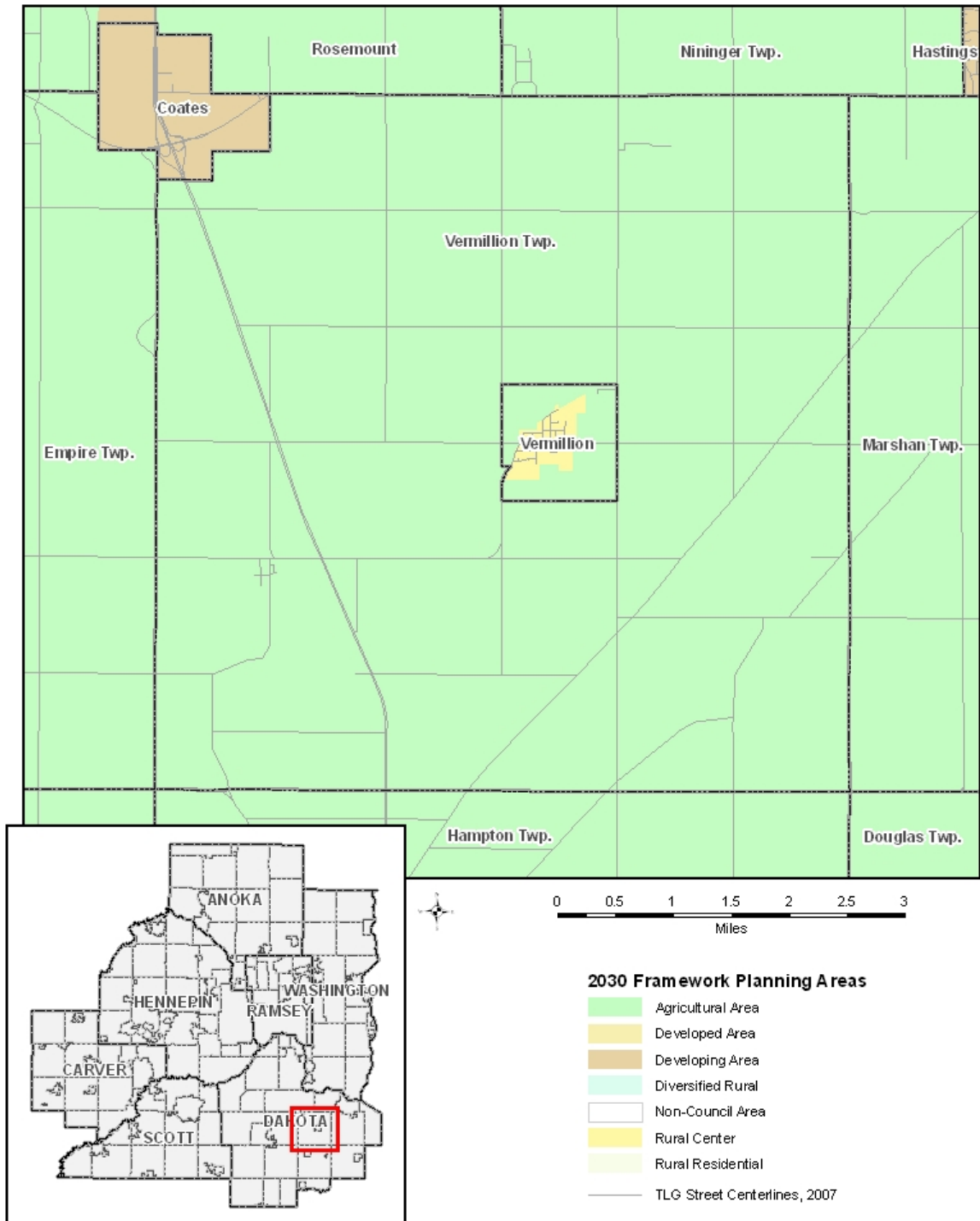


Figure 3. Existing Land Use

