

C Community Development Committee

Meeting date: February 22, 2011

ADVISORY INFORMATION

Subject: Eureka Township 2030 Comprehensive Plan Update
Review File No. 20406-1

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 Eureka Township to put its 2030 Comprehensive Plan Update into effect.

ADVISORY COMMENTS

Eureka Township 2030 Comprehensive Plan Update Review File No. 20406-1 – Council Business Item No. 2011-57

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 Township 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 Eureka (Township) is located in the west, southern 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 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

Eureka 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 Chub Creek Greenway Regional Trail, which will connect the planned Empire Wetlands Regional Park in Empire Township and the planned Mill Towns State Trail in Randolph. The Update also indicates that the Township will take an active role in planning for the regional trail with Dakota County.

Transportation

Roads and Transit

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

The Update conforms with the transportation element of the *2030 Transportation Policy Plan* adopted in 2004 and addresses all the applicable transportation and transit requirements of a comprehensive plan.

There are no metropolitan highways located within the Eureka Township. The transportation chapter includes analysis of existing and future transportation deficiencies

and recommends improvements to the minor arterial, major and minor collectors, and local roadway networks.

Eureka Township is in Market Area IV, as they indicated. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing. General public dial-a-ride service and dial-a-ride service for seniors and persons with disabilities 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 *Water Resources Management Policy Plan (WRMPP)*. The Update summarizes the Township’s vision for the next 20 years or to year 2030. The Township is entirely provided wastewater service through the use of private wastewater systems, or ISTS’. The Plan indicates continued wastewater services will be provided through the use of ISTS’ through 2030.

The Township’s 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 Tier II Comprehensive Sanitary Sewer Plan for approval.

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. Eureka Township lies within the Vermillion River and North Cannon River watersheds. The Vermillion River Joint Powers Board’s watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2005. The North Cannon River Watershed Management Organization’s watershed management plan was approved by BWSR in 2003.

Eureka Township worked with the Dakota County Rural Collaborative to fulfill the requirement for a local surface water management plan for the part of the township in the Vermillion River watershed. Eureka Township also turned over its permitting authority to the Vermillion River Joint Powers Board to ensure consistency with watershed standards and rules. Eureka Township adopted the North Cannon River Watershed Management Organization watershed plan as its local water plan for the part of the township in the North Cannon River Watershed in 2008. This fulfills the Council’s requirements for local surface water management plans.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

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

Forecasts throughout the document are consistent with Metropolitan Council forecasts for Eureka Township (shown in the table below).

Table 1: Metropolitan Council forecasts for Eureka Township

	2000	2010	2020	2030
Population	1,490	1,500	1,650	1,800
Households	496	550	630	700
Employment	196	100	120	140

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.

Eureka Township is approximately 22,800 acres in size (over 34 square miles). As of 2009, the Township was developed primarily as *Agriculture*, with 14,758 acres (64%) as under cultivation. In 2009, there were also 707 acres (3.1%) of *Single Family Residential*, 2,268 acres of *Wetlands* (10%) and 3,216 acres of *Undeveloped* (14.1%). The Township does not anticipate any changes to its existing land use pattern from 2010 to 2030.

Table 2: Eureka Existing Land Use

<i>Land Use</i>	<i>Acres</i>	<i>Percent</i>
Agricultural	14,758	64.7
Farmstead	369	1.6
Single Family	707	3.1
Multifamily	2	<.01
Mixed Use Residential	3	<.01
Extractive	256	1.1
Airport	462	2.0
Park, Recreational, or Preserve	154	0.7
Industry or Utility	69	0.3
Institutional	156	0.7
Retail	30	0.1
Open Water	363	1.6
Wetlands	2,268	10.0
Undeveloped	3,216	14.1
Total	22,813	100.0%

Source: 2030 Eureka Township Comprehensive Plan, Table 3-1, p.3-4

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 150 households between 2010 and 2030 with 300 more people. In 2010, Council forecasts 2.72 persons per households in the Township; this is expected to drop to 2.57 persons by 2030.

In an agricultural community such as Eureka 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. As a community without regional sanitary sewer, the city does not have a numerical share of the regional need of affordable housing. The plan provides an assessment of the housing stock, and provides goals and strategies the township will use to address its local affordable and life cycle housing needs.

The Update states the township has explored a number of options for capturing residential development potential including exploration of a transfer of housing rights program through a Strategic Visioning process in 2007, adherence to its zoning ordinance that allows for clustering of housing on adjoining quarter-quarter sections, and working with Dakota County to explore a Transfer of Development Rights process. The plan also states the township is supportive of Dakota County HRA programs that are available to assist local residents with their housing needs.

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 *WRMPP* for SSTS. Metropolitan wastewater collection facilities are not available within the Township, save for portions of Airlake Airport. All 500+ homes in the Township are served by SSTS. The Township has contracted with Dakota County to provide for all SSTS inspections and maintenance monitoring in the community. The Township requires SSTS to conform to the requirements of Dakota County's SSTS Ordinance 113, which is consistent with MPCA Rules and Council policies.

Water Supply

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

The Update states that the Township does not own and operate a water supply system. The Township is not required to have a water supply plan.

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. The Update notes that the residents of the Township prize their community's rural character. Farms, waterways, woods and forests, high quality natural habitat, rural historic and cultural sites, and wide open spaces are defining features of Eureka's rural character. These attributes are considered the Township's natural, agricultural, and cultural resources.

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. The Update notes that large lots typical in predominantly agricultural areas allow for adequate solar access.

Agricultural Preserves

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

The Update contains a section on Agricultural Preserves. Agricultural land and farmsteads make up approximately sixty-five percent (over 14,000 acres) of the Township’s area. Farming in Eureka includes row crops, produce, livestock, and nurseries.

Eligible properties are zoned appropriately and are certified at a maximum density of one housing unit per 40 acres. Property owners in the Township take advantage of the Dakota County Farmland and Natural Areas Program (FNAP). Properties enrolled and land eligible for the program are shown on the Cultural Resources map on page 2-12.

Aggregate Resources Protection

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

The Update contains a section on aggregate resources protection as required by the MLPA. It identifies the locations of known sand and gravel aggregate resource deposits within the Township, consistent with the Council’s Aggregate Resources Inventory information. Natural Resource and Land Use Goals and Policies in the Update address and minimize land use conflicts with respect to aggregate resource extraction and required site restoration. Township Ordinance No. 6 provides mining safeguards and controls.

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 Township’s implementation tools.

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

The Township submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in October, 2008. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were indicated.

DOCUMENTS SUBMITTED FOR REVIEW:

- Eureka Township 2030 Comprehensive Plan, dated October 23, 2008
- Comprehensive Plan Transmittal form
- Supplemental Information, received December 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

**Figure 1. Location Map Showing Regional Systems
Eureka Twp.**

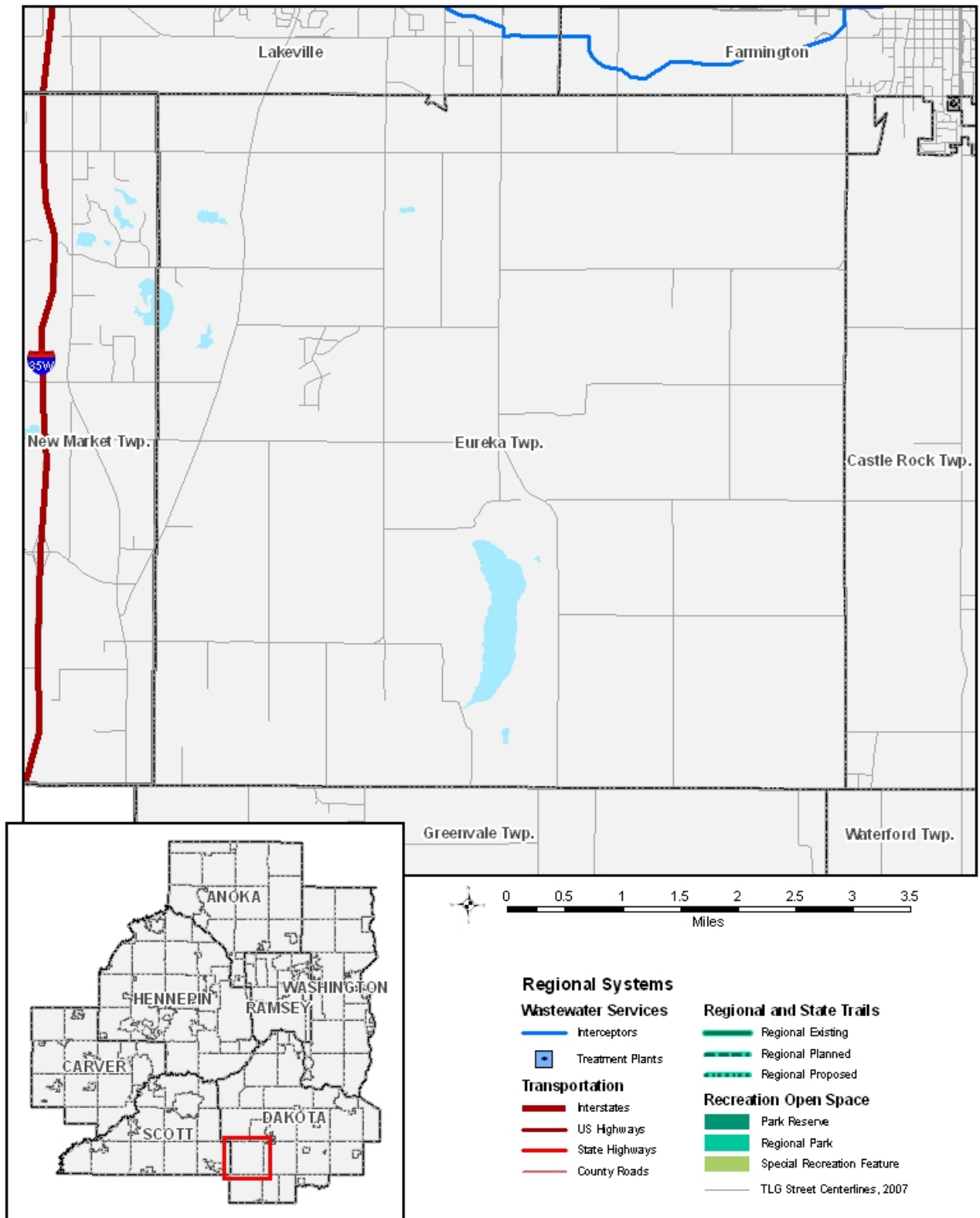


Figure 2. 2030 Regional Development Framework Planning Areas

Eureka Twp.

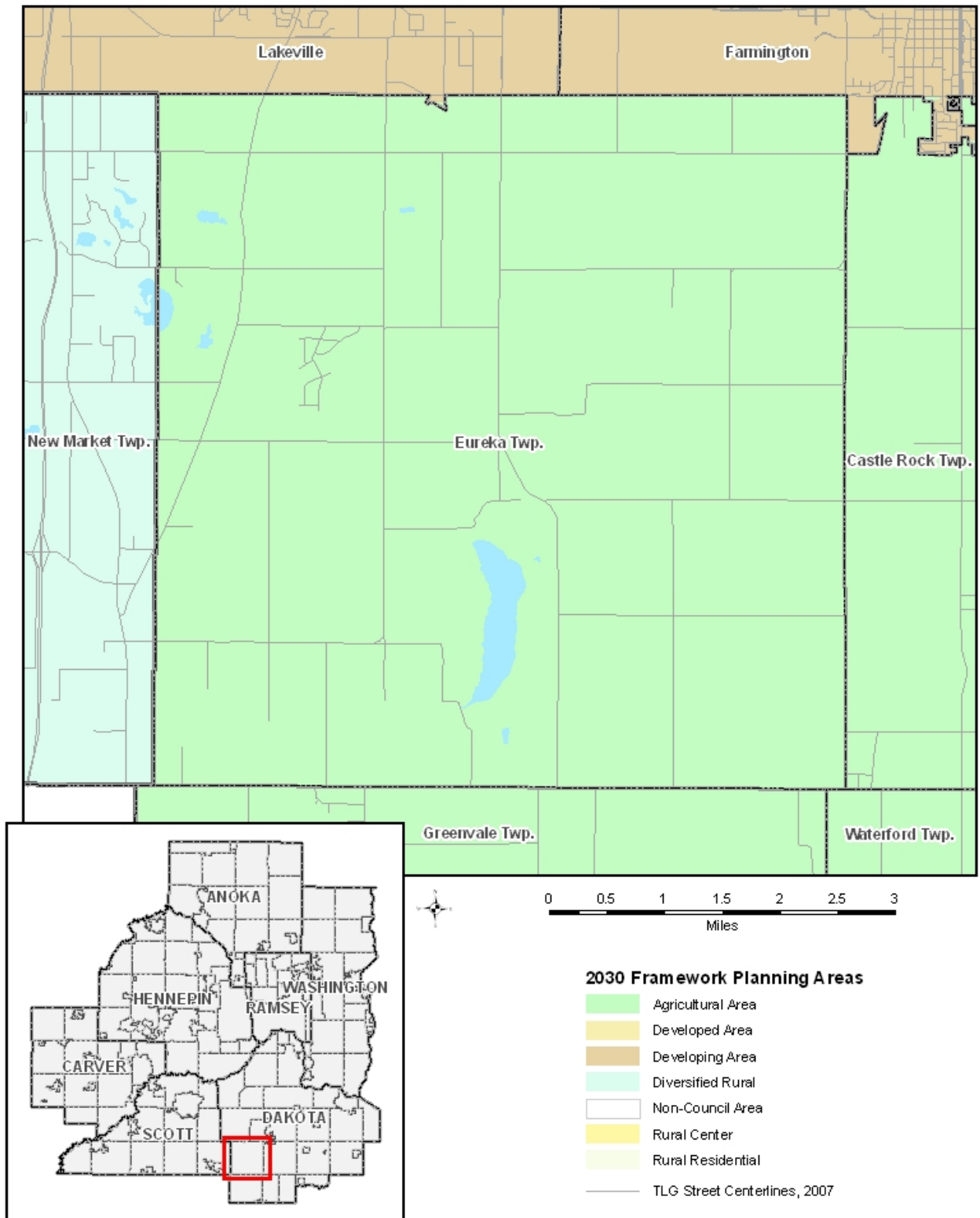
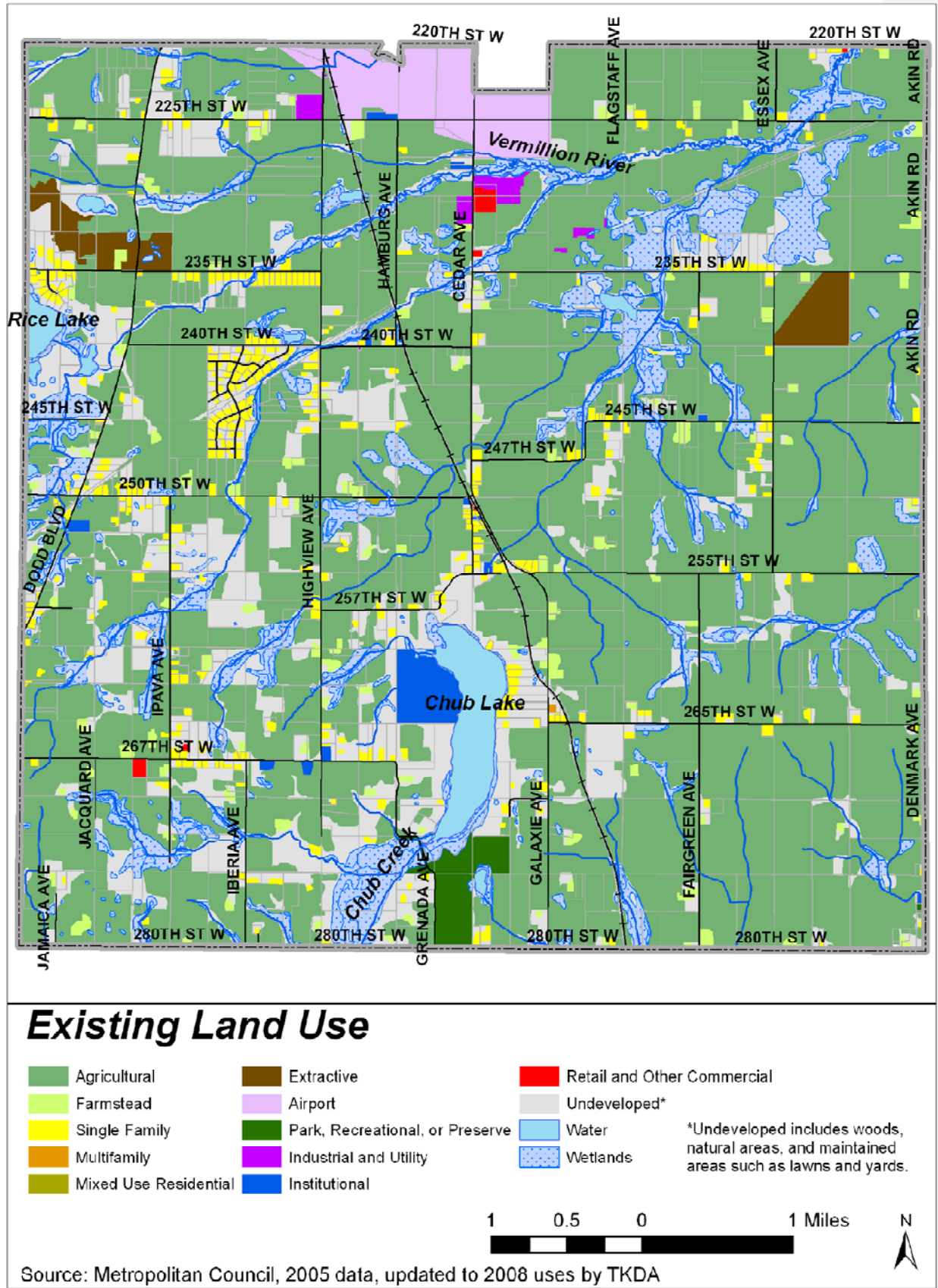


Figure 3. Existing Land Use



Eureka Township
 Figure 4. 2030 Planned Land Use

