

Eureka Township Commercial Task Force Minutes from April 1, 2003

Meeting called to order at 7:10 pm. Present: Ken DeMaster, Mike Greco, Chris Nielsen, Bob Papke. Not present: Mark Malecha, Bob Ruddle, Clyde Thompson.

1. Minutes from January 21, February 25, and March 25 meetings were approved.

2. Bob Papke reported on an interview with Ken Betzold, former chair of Castle Rock Township. Bob handed out a one-page summary of the interview (see attached).

Castle Rock created several commercial zones in 1998 totaling about 200 acres. They were located where they are both for access to major roadways, because nonconforming businesses already existed there, and because the land was not particularly suitable for agriculture. The township is not actively looking to encourage commercial development, but assumes that any future commercial would be located in the designated commercial zones.

The Castle Rock zoning ordinance has provisions for conditional use permits that would allow some limited commercial development. However, the ordinance does not clearly define "commercial" or specify what kinds of businesses would be included or excluded, so it offers little guide how on to regulate such development. Castle Rock has quite a few nonconforming businesses, but chooses to look the other way on most of these. Viking Auto Salvage, one such business, successfully sued to remain in the township several years ago.

Castle Rock has adopted state building codes with respect to commercial enterprises, does inspections of all buildings (including pole sheds), and has created aesthetic standards for all commercial buildings.

Bob purchased a copy of the Castle Rock comprehensive plan and zoning ordinance and will place it in the library.

3. The group discussed creating a map of existing businesses based on the list of businesses that applied for a nonconforming use permit. Members agreed that this base information about existing businesses is necessary to determine whether additional commercial development is advisable. The location of existing businesses also may help to identify logical places for future commercial zone(s). Members discussed attempting to identify other nonconforming businesses and commercial conditional uses in the township for inclusion on the map.

4. Future meeting date: April 15, 2003 at 7:00 pm at the town hall. Ken will contact all members by phone to remind them of the meeting.

Meeting adjourned at 8:25 pm.

Respectfully submitted,
Mike Greco, recorder

Castle Rock Township Commercial Zoning Embedded in an Ag-Zoned Community

GENERAL

On June 20, 2002, the township approved their Zoning Ordinance 2002, which had been developed under contract with Resource Strategies Corporation. Supplementing the ordinance is the Comprehensive Plan, dated May 12, 1998. Prior to the new ordinance, the township was zoned agriculture but commercial enterprises existed, presumably illegally, but tolerated: e.g., Castle Rock State Bank, Castle Gardens, Viking Auto Salvage, etc. After a lawsuit, Viking Auto Salvage is now an accepted member of the community.

COMPREHENSIVE PLAN

The Comprehensive Plan provides for: “commercial and industrial uses that are consistent with the rural nature of the township.”

It specifically requires that commercial use be confined to the three zones mentioned below.

It specifies minimum acreage size lots for both commercial (2 acres) and light industry (5 acres) in the Commercial District.

It requires the development of standards. [Set forth in Section 7.19 of the Zoning Ordinance.]

Prohibits non-agricultural commercial and light industry in specified agriculture areas.

COMMERCIAL/INDUSTRIAL (C/I) ZONING

The township created three zones for commercial and light industrial growth:

- a. An 80 acre site on the southeast corner of TH 50 and TH 3.
A smaller commercial site also exists a short distance south on TH 3.
- b. An 80 acre site on the northeast and northwest corner of TH 3 and CSAH 186.
TH 3 divides the 80 acres into two 40 acre parcels.
- c. A 40 acre site presently occupied by Castle Rock State Bank and the Castle Rock Elevator. The site runs from CSAH 186 north to roughly in line with 270 St. W.
The site is divided by Danville Ave.

It is the intent of the township that if commercial growth does develop it will be confined to the C/I Districts. They are not actively recruiting C/I Districts. Other existing businesses not in the C/I Districts are “tolerated”. No action is contemplated to bring them into legal status. Section 5.03 provides for structure or use that existed prior to the adoption of the ordinance to apply for limited nonconforming use: Some of these businesses may be already permitted under Section 5.03.

C/I DISTRICT

Section 6.07 of the Zoning Ordinance provides detailed information on permitted uses allowed in the Commercial Zones. Setbacks and landscaping requirements are also provided.

“Adult Establishments” are covered under conditional uses but a definition of such enterprises is not provided.

The only businesses that appear to be excluded are those that do not meet the standards of MPCA Chapter 7080.

APPLICATION FOR BUILDING PERMITS

Under Section 8.07 of the ordinance, a company or person who wants to start a business in one of the commercial zones, would apply for a building permit. The standards set forth in Sec. 5.03, 6.07 and 7.19 of the ordinance would have to be met.

Data Source: Castle Rock Township Ordinance 2002, Comprehensive Plan, and an interview with Kenny Betzold, Town Chair. This document prepared by Bob Papke, March 3, 2003. Amended 4.2.03