

Working Draft

Eureka Township Strategic Vision

This is a working draft of a land use plan for Eureka Township. It is being presented to the public by the Citizens Advisory Committee to promote discussion about specific ideas and to help the committee refine the draft.

Summary Intent

Eureka Township intends to maintain for at least the foreseeable future a rural environment characterized by farms, private and public open space, very low density non-farm housing with private utilities, and a small number of businesses including home occupations and agriculture-related enterprises.

Opportunities for well-planned urban development will be considered by a subsequent plan and implemented if or when regional sanitary sewer service is made available (probably after the year 2030) and Eureka potentially incorporates as a municipality. Until that time, the present nature of the township will be generally maintained and future options protected.

Objectives of the Plan

- 1.** Protect agriculture and farm operators from development that may contribute to the loss of farmland, land use conflicts and/or nuisance complaints.
- 2.** Limit the subdivision of the township's best farmland for housing and other non-farm land uses.
- 3.** Allow limited non-farm development provided that the impact on farming is minimized.
- 4.** Allow owners of large agricultural tracts to gain revenue by selling housing rights.
- 5.** Protect high quality natural resources.
- 6.** Avoid excessive, costly local service demands resulting from land development.
- 7.** Protect opportunities for efficient and cost-effective land development for the time when public sewer and water services may become available.
- 8.** Create a plan that is understandable by citizens.
- 9.** Respect landowners' rights to use their land in a way that does not significantly harm others' property nor contradict the community interests stated above.
- 10.** Be fair and base the plan on objective criteria.

Land Use Policies

1. One House per Quarter-Quarter Section as the Basis

Every Quarter-Quarter Section of land in Eureka Township has a “native” right to one house. All of those housing rights would be preserved under this plan.

Base: 1 house per Quarter-Quarter Section.

Native housing rights may be used in the Quarter-Quarter where they originate, clustered within the ownership tract (refer to Policy 5) or sold on the open market and used to apply for a building permit somewhere else in Eureka Township subject to the regulations governing the maximum number of houses in the receiving Quarter-Quarter Section (refer to Policies 4, 5, 6 and 7).

(Native housing rights are those created by the April 12, 1982, township zoning ordinance. Approximately half of those “native” or “indigenous” rights had already been exercised by 2007 when a house was built in those Quarter-Quarter Sections. There are 576 Quarter-Quarters in the township, and approximately 280 of them did not have a house as of January, 2007).

2. Additional (Reserve) Housing Rights

Land in common ownership and a yet to be determined threshold number of acres (35?, 70?) or more acres in size will be granted one Reserve Housing Right regardless of whether there is already a house on that land. [This is yet to be finalized. As of April 18, the committee was still studying combinations of ways to grant Reserve Rights with the objective of allowing a total of approximately 1,000 houses in the township, including approximately 150 Reserve Rights. It is preliminarily estimated that up to approximately 175 houses could be built under this wording in addition to the approximately 200 to 280 that could still be built under the existing “1 per Quarter-Quarter Section” zoning. That means that approximately 455 houses could be built in addition to the 576 that presently exist in Eureka Township. There is no certainty that the total of 1,031 houses will be reached without public sewer and water systems.]

Additional housing rights, which may be used on-site or sold and used elsewhere in the township.

A Reserve Housing Right may be used on the ownership tract where it originates, clustered as described in Policy 5 or sold on the open market for use elsewhere in the township, subject to the regulations governing the maximum number of houses in the receiving Quarter-Quarter Section (refer to Policies 4, 5, 6 and 7).

Reserve Housing Rights will be in addition to “native” housing rights that are allowed at the rate of one per Quarter-Quarter Section of land.

Either ~~Contiguous or non-contiguous~~ land parcels under common ownership may have their acreage combined into one total in order to reach the threshold of (35 or 70) acres.

3. Reserve Housing Rights create the ability to apply for a Township permit to build single-family (detached) houses but not multiple-family (attached) housing such as duplexes, townhouses or apartments. Define single family housing and remove reference to other types. Consider “mother-in-law” additions and seasonal farm

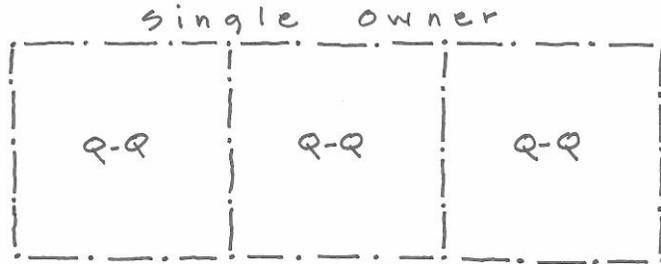
worker housing.

The number and location of Reserve Housing Rights will be calculated one time based on ownership status as of March 1, 2007.

4. Selling Housing Rights

Both Native and Reserve Housing Rights may be sold at rates determined by the market and used in any normally-developable location in Eureka Township within the density limit of the receiving location.

The private market will determine the value of Reserve Housing Rights.



Acres	0	40	80	120
Native Rights	0	1	2	3
Reserve Rights	Yet to be resolved as of April 18.			

Example of how to compute Native and Reserve Housing Rights

5. Maximum Number of Houses per Quarter-Quarter Section

When Housing Rights are transferred from where they originated, the maximum allowable number of houses per Quarter-Quarter Section is 4 east of Highview Avenue and 5 west of Highview Avenue.

**East of Highview: 4
West of Highview: 5**

6. Land within a Shoreland Zoning District

Shoreland Overlay Zoning Districts exist around Chub Lake (within 1,000 feet) and along the branches of the Vermillion River (300 feet from either side). Dakota County administers those zoning districts. See also Environmental Protection Policies Number 4, A - D

Protection for sensitive waters.

Owners of land in the Shoreland Overlay Districts may use their Native or their Reserve Housing Rights on-site but may not buy and import Housing Rights from other locations. However, Housing Rights may be sold and exported from a Shoreland Zoning District to another location in the township.

The maximum number of houses per Quarter-Quarter Section in a Shoreland Overlay District will be set by this plan and Eureka Township zoning (4 east of Highview Avenue and 5 west of Highview Avenue). The Shoreland Overlay zoning has additional regulations such as the minimum setback of houses from the

water.

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**Figure 1:
Land Use Plan Map**

**Parcels
Highview Avenue
Shoreland Zoning Districts
Area of High Groundwater Sensitivity**

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7. Wooded Land

Protection for wooded land.

Areas that are defined as wooded¹ may use their Native or their Reserve Housing Rights on-site but may not import Housing Rights from other locations. Housing Rights may be sold and exported from a wooded parcel to another location in the township. Refer also to Policy 2, page 12.

Within two years of the time this plan is adopted, the Township will use a professional forest scientist to determine which woods are of highest quality and deserving of protection. The Board may then decide whether lesser quality woods may be classified as receiving locations for purchased Reserve Housing Rights.

8. Area of High Groundwater Sensitivity

Protection for high-risk groundwater.

A portion of Eureka Township illustrated by Figure 1 is underlain with soils high in sand and gravel. In those locations, surface pollutants such as from individual wastewater systems can seep quickly to the groundwater from which wells draw drinking water.

In the area defined by the Dakota County Soil and Water Conservation District as having “High” risk for groundwater contamination, the maximum number of houses per Quarter-Quarter Section will be 3. [Minority opinion: limit to 2] Please refer also to Policy 6 on page 13.

9. House Clustering

Allows more than 1 per Q-Q either with your rights or with purchased rights.

Building more than one house per Quarter-Quarter Section is known in this plan as clustering.

Rights to build clustered houses may come from (1) Native Rights, (2) Reserve Rights that originate on-site or from the owner’s other parcels in Eureka Township or (3) Native or Reserve Rights that are purchased and imported from another location.

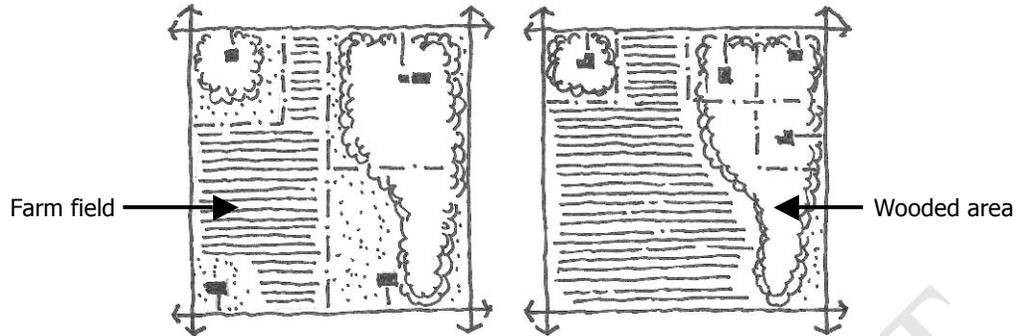
The minimum size of a house lot in a cluster is governed by Policy 18, Minimum Parcel Size.

Prior to preparing a plan for clustered housing, applicants must draw an analysis of site features and determine which areas should be kept open and which are most suited for housing, and review it with the Planning Commission.

Clustered houses should be grouped with the aim of preserving productive farmland, wetlands, floodplains, mature forest and rural views. The site analysis must also show how the land could be efficiently and attractively resubdivided to

¹ Wooded means a contiguous area of land which has trees that are confirmed to be of a desirable species, healthy and mature, 20 years or older, shade or evergreen trees with a minimum height of ten feet. The distribution of the trees must be such that there are no areas greater than ½ acre in size not covered by canopy in the summer months.

urban-sized lots and streets in the future when public sewer and water services may become available. Community driveways are encouraged in clustered areas.



Examples of House Clustering

10. One-Time Use of Native Housing Rights

Native housing rights that are clustered (either on their originating ownership tract or elsewhere) may not be re-used. The owner must record on the deed for the parcels from which house rights are shifted that those parcels have lost some or all of their housing rights under this plan. Eureka Township will keep a permanent record of house rights used and those still available, housing right origin, and clustered location as applicable.

No double-counting.

11. Split Ownership of a Quarter-Quarter Section

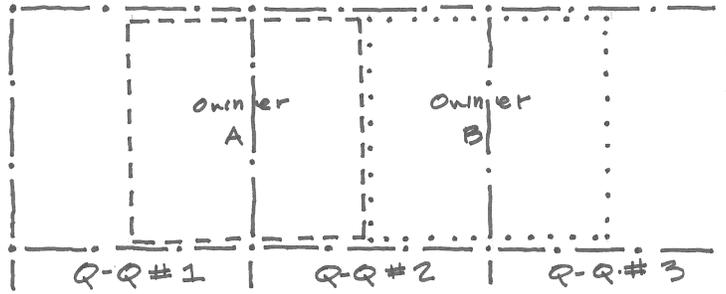
Unused Native Housing Rights that originate in a Quarter-Quarter Section in which there is more than one land owner will not be allowed to be used elsewhere in the township.

Native not mo

Such rights will remain available to the first landowner with holdings in the Quarter-Quarter Section who applies for the permit for use as provided in the "One per Quarter-Quarter" zoning of April, 1982.

The "Sooner" clause. Based on the current ordinance.

Use of these Native Rights will also be governed by the more restrictive clustering of the 1982 Zoning Ordinance. The 1982 ordinance provides that such rights may only be clustered to an adjacent Quarter-Quarter Section within the requesting owner's contiguous property. Such clustering will be subject to the density restrictions of the current Zoning Ordinance.



Example of a Split Quarter-Quarter Section

11. Lots Existing Prior to April 12, 1982

Old, small lots
e.g., ten acres)
retain their
original rights.

Lots that were under separate ownership from abutting lands on or before April 12, 1982, and would have been eligible for a building permit on December 12, 1978, may be developed to a density of four houses per Quarter-Quarter Section overall. (Source: Eureka Township Code of Ordinances.) Language is to be added regarding new ordinances, Sharon to supply.

Such parcels generate Native Housing rights but not Reserve (Salable) Housing Rights.

This provision should not be construed to permit subdivision to a density of four per Quarter-Quarter of those Quarter-Quarters that were not divided prior to April 12, 1982.

12. Future Urbanization

The plan may
change greatly if
or when regional
sewer becomes
available.

When public sanitary sewer and water services become available, Eureka Township may rezone property and greatly increase the allowable number of housing permits and housing density.

13. Record-Keeping

The Township
will track where
rights originate
and where they
are used.

Eureka Township will keep a permanent record of Housing Rights (either “native” or “reserve”) that are available and that are sold. The Township will determine the number and location of available Housing Rights as of a given date, which will be prior to the date this plan feature was proposed (example: March 1, 2007). This will be a one-time-only calculation and there will be no subsequent recalculation after the Board certifies the available rights.

14. Notice of Reserve Housing Rights Available

The Township may establish and publish on its Website a listing of salable housing rights whose owners wish to publicize their availability for sale. Alternatively, such a list may be maintained and published by a private entity,

such as the Multiple Listing Service.

15. Quarter-Quarter Sections Divided by a Major Feature

If a land owner has 30 or more acres in a Quarter-Quarter Section in which the remaining acreage is owned by another party and has been made impractical to farm because features such as roads, a stream and/or a railroad have separated it from the larger field, then the owner of the larger tract is entitled to the same Native housing density rights as if he owned the entire Quarter-Quarter Section.

Any Pre-1982 lot is allowed a least one house.

16. Preferred Locations for New Houses

New houses should be located where they will cause the least interference with farming (example: the corner or edge of a site or the perimeter of a wooded area rather than the middle of either) and have minimal environmental impact.

17. Minimum Parcel Size

Land parcels for housing need only be large enough to accommodate at least two on-site wastewater systems, a well, a house, a garage and a storage structure while observing all normally required setbacks. Thus, the minimum parcel size will vary depending on soil conditions. The Township encourages small parcels but low density in order to keep land in cultivation, minimize interference with farming and reduce complaints about farm operations such as odors or machinery noise.

Lots should be kept small.

18. Home Occupations

It is the intent of this policy to provide for those small-scale activities that are conducted in conjunction with a residential or residence-farmstead use. It is not the intent of this provision to provide for a stand-alone site for business or industry scattered about the township. Land uses that may be permitted under this policy should be located on a site either with an existing residence, or residence/farmstead, and fall into one of the following categories.

- **Home Occupation:** The business is of a type typically considered a home-based business, home occupation, or adaptive re-use of existing buildings. Examples would include, but are not limited to, a CPA office, beauty shop, bed and breakfast inn, or cabinet shop.
- **Off-Site Services:** Businesses that provide a service off the site with the primary use of the land being for storage and maintenance of equipment used off the site. The typical use of this type would be a small contractor yard (e.g., road building, construction, landscaping, well drilling). This provision is intended to accommodate those operations that are small and of low intensity and can be accommodated on the typical residential or farm homestead site.
- **Farm-Related:** The land use is farm-related in that it is directly supportive of commercial agriculture (e.g., repair or maintenance service for equipment

Types of allowable home occupations.

unique and necessary to agricultural operations; produces a product or involves a process that utilizes locally grown or produced commodities; sales and/or purchasing of products of the local agricultural economy or of goods unique and necessary to agricultural operations).

The following criteria should be used to evaluate uses proposed under this policy. An affirmative answer to several of the criteria may generally indicate the use is not appropriate in Eureka Township:

- The scale of operation (number of trucks, on-site employees, trips generated) does not generally fit a rural setting;
- The average daily traffic on a gravel road would exceed 200, or heavy equipment use would exceed the road design.
- The principal operator of business does not reside on site;
- Would result in a permanent conversion of a significant amount of highly productive agricultural land.
- Sewage discharge would require approval from the Minnesota Pollution Control Agency;
- The size or number of new structures exceeds reasonable relationship to parcel size, or does not generally fit rural setting.

valuation
criteria for
home
occupations.

19. Commercial and Industrial Areas

No additional properties should be zoned for commercial or industrial purposes in the foreseeable future, nor should the range of business types eligible for conditional use permits be expanded. This policy is consistent with the recommendations of the Eureka Township Commercial Task Force Report, 2003.

Appendix B illustrates two general locations tentatively planned for commercial and industrial development for the time when public sewer and water services become available.

20. Aviation

21. Utilities, i.e. Pipelines, Power Lines, Cables, Telephone, Electric etc.

In support of the objectives of this plan and the environmental protection objectives as written in this document, Eureka Township opposes any additional utility corridors within its boundaries. Should it become absolutely necessary to enter Township boundaries, the Township encourages utilities to minimize their footprint on the Township. The Township further encourages utilities to use the exploration and use of renewable energy sources and requests the following criteria for route selection of public utilities:

A. That any transmission line that crosses the Township be designated to:

1. Not be excessively costly
2. Use the lowest possible voltage
3. Stay on roads and existing corridors
4. Move us toward renewable and community based energy

to new
commercial
or industrial
locations.

B. That any utility route crossing the Township be designed to:

1. Follow current and proposed street, railroad and utility right-of-ways, and established property lines, to avoid adversely affecting prime agricultural lands
2. Avoid crossing and irreparably damaging organic agricultural lands
3. Avoid crossing properties that will suffer significant limitations on potential future uses as a result of the construction process or the permanent easement associated with the pipeline
4. Avoid crossing and irreparably damaging lands which are producing fresh market produce for local consumption
5. Avoid crossing lands within Shoreland zoning
6. Avoid crossing biologically significant land
7. Avoid crossing lands in conservation easement

C. If any route crosses the Township of Eureka, land appraisals to compensate landowners shall take into consideration both existing uses and future development potential of the land and reflect current market prices for land where such development potential is imminent.

22. Gravel Mining

Eureka Township will continue to enforce the provisions of its current ordinance regulating gravel mining (Ordinance 6). The Township will coordinate with the efforts of Dakota County to map and regulate mineral extraction county-wide. The Township will consider adding a provision that requires new houses to be set a minimum distance from any existing mining operation.

Follow the current gravel mining ordinance.

23. Land Uses Requiring a Rural Location

While long-term agriculture will continue to be the primary use of land in Eureka Township, it is recognized that certain other uses of land may be necessary or appropriate. It is not the intent of this policy to provide an alternate location for uses that belong in an urban area.

Certain land uses customarily require an isolated or rural location. These may be allowed by conditional use permit if they fall into one of the following categories:

- The land use must be located in Eureka Township to utilize or extract a natural resource that is located in the township, for example, a gravel mine.
- Recreational, educational or institutional uses (public, private or non-profit) that require a location in a rural area because of a need for seclusion or a natural setting such as retreats, educational or summer camps or churches
- Activities that require a relatively large land use area for low intensity use. The land uses are of a nature that not require substantial grading and the structures are limited to clubhouses, maintenance buildings and accessory structures. Examples would include but are not limited to golf courses, shooting ranges, hunting preserves and recreational areas for motor vehicles or similar recreational areas.

Types of conditional uses in Eureka Township.

- Special facilities, typically public or semi-public in ownership, that because of land area, location or other unique needs must locate in the Agricultural Area, such as an airport.

These criteria may be used to evaluate uses proposed under this policy. An affirmative answer to several of the criteria may generally indicate that the land use is not appropriate in Eureka Township:

- Would mandate an Environmental Assessment Worksheet
- Would require a National Pollution Discharge Elimination System permit.
- Would require a Department of Health Wellhead Protection Plan.
- Sewage discharge would require approval from the MPCA.
- Would require a Water Appropriation Permit from the Minnesota DNR.
- The average daily traffic on a gravel road would exceed 200, or heavy equipment use would exceed the road design.
- Would result in a permanent conversion of a significant amount of highly productive agricultural land.
- Would require significant storm water infrastructure.
- Would use a substantial percentage of the access road capacity.
- There is no reasonable relationship between the proposed number of residents to residential density permitted under this plan.
- There is a need for additional police or fire protection above current levels.
- There would be a substantial impact on nearby surface and/or ground water.
- There would be substantial conflicts with existing nearby land or water uses.
- Substantial negative impact on nearby land values because of traffic, light, odors or other measurable criteria.

Evaluation criteria for conditional use permits for certain rural activities.

24. Dakota County Park Search Area

It is acknowledged that Dakota County may study the vicinity of Chub Lake for possible acquisition as a county park. The Metropolitan Council has identified it as a search area for a proposed future regional park. See also Environmental Protection Policies Number 4

25. Regional Trail Search Area

Eureka Township will cooperate with Dakota County in studying the feasibility of a multi-use bicycling and walking path that would run from Farmington and Lakeville to Chub Lake and Elko-New Market. Potentially, segments of this path could be located on the abandoned railroad right-of-way that runs diagonally between Farmington and Elko-New Market. (Portions of that right-of-way appear to have been sold to adjacent land owners.) Other segments of the route might consist of paved shoulders along County or Township roads.

26. Dakota County Farmland and Natural Areas Protection Program

Eureka Township believes that preservation of relatively small but high-quality natural areas and farmland is an appropriate use of the Dakota County Farmland and Natural Areas Protection Program in this township. Examples of such land acquisition may include floodplain along the Vermillion River or

pockets of undisturbed native forest. See also Environmental Protection Policies Number 4

27. Chub Lake Wildlife Management Area

The *Eureka Township Strategic Vision* recognizes the Chub Lake Wildlife Management Area, located south of Chub Lake, is owned and managed by the Minnesota Department of Natural Resources. See also Environmental Protection Policies Number 4 and 4C

28. Land Enrolled in the Metropolitan Agricultural Preserves Program

All land parcels enrolled in the Metropolitan Agricultural Preserves Program will be zoned to a housing density of 1 house per Quarter-Quarter Section. Housing Rights may not be imported to these parcels although the Native and Reserve Rights may be sold and used elsewhere in the Township subject to the regulations governing the maximum number of houses in the receiving Quarter-Quarter Section. The Township recognizes that these parcels are intended for long-term agriculture. Any parcels enrolled in the program in the future must also be zoned 1 per Quarter-Quarter Section.

29. Right-to-Farm

The Township will continue to support the right to farm when using generally accepted agricultural practices, as mandated by the State of Minnesota.

Environmental Protection

Objectives

- Minimize the conversion of highly productive agricultural soils to non-farm uses until planned urbanization occurs in the distant future.
- Minimize the disruption of the large tracts of woodland habitat.
- Protect the quality and function of wetlands and floodplains.
- Protect surface water and ground water.
- Achieve orderly extraction of mineral resources through sound mining management practices, mitigation of adverse environmental impacts and planning for the re-use of the sites.
- Cooperate with other units of government to study the feasibility and location of a county park and a regional trail in the township.
- Preserve evidence of the cultural and social history of Eureka Township.
- “Make it easy to do the right thing.”

Policies

1. Woodlands (perhaps refine terms following the examples of the St. Cloud ordinance obtained through Glen)

Eureka Township will allow housing development in woodlands but strive through zoning regulations and subdivision reviews to minimize the tree loss of home sites and roads. (See also Policies 4, 5 and 6 under the Land Use objectives, above.)

2. Biologically Significant Lands

3. Water

A. Surface Water

B. Surface Water Management and Erosion Control

Eureka Township will continue to administer (through the Dakota County Soil and Water Conservation District) Ordinance 9 regulating surface water runoff, wetland protection (including state and federal wetland regulations), flood plain protection and erosion control.

Eureka Township will cooperate with the two watershed management organizations that overlap the township: the Vermillion River WMO and the North Cannon River WMO. Cooperation will take the form of continuing to enforce the provisions of the township’s comprehensive surface water

Continue current surfacewater protections.

management ordinance (Ordinance 9), appropriately regulating land use and public works, and promoting use of the technical assistance programs of the WMOs.

C. Ground Water

4. Shorelands

Dakota County and other authorized authorities will continue to administer supplementary land use regulations within 1,000 feet of designated lakes and within 300 feet of designated streams, consistent with the model ordinance developed by the Minnesota Department of Natural Resources. See also Land Use Policies Number 5

A. Vermillion River Corridor

Eureka Township recognizes and will cooperate with initiatives by authorized authorities to preserve and protect the Vermillion River Corridor. Eureka Township also recognizes the initiatives to acquire development rights in a band along the Vermillion River for the purpose of environmental protection. See also Land Use Policies Number 27

B. Cannon River Corridor

Eureka Township recognizes and will cooperate with initiatives by authorized authorities to preserve and protect the Cannon River Corridor for the purpose of environmental protection.

C. Chub Lake

Eureka Township recognizes initiatives by authorized authorities to preserve and protect the Chub Lake area for the purpose of environmental protection. See also Land Use Number 25 and 28

D. Rice Lake (is this necessary?)

Eureka Township recognizes initiatives by authorized authorities to preserve and protect the Rice Lake area for the purpose of environmental protection.

5. Private Wastewater Systems

Eureka Township will work with Dakota County to investigate the advisability of requiring a higher level of on-site wastewater treatment for houses and businesses located in the area of High Groundwater Sensitivity as defined by Dakota County.

6. Feedlot Setbacks

Eureka Township will study the feasibility of adopting an ordinance requiring that new non-farm houses be separated from existing confined animal feedlots or manure storage facilities by the same distances that those new facilities must be

**Consider
requiring new
houses to be
separated
from feedlots.**

separated from existing houses. Ordinance 3, Chapter 5, Section 2 of the Eureka Township Code of Ordinances specifies these setbacks:

Setback of a Feedlot from a New House Not Owned by Feedlot Owner, Family or Employee

Number of Animal Units	Minimum Setback Distance
0 – 50	250 feet
51 – 150	500 feet
151 – 750	1,000 feet
751 or more	One-quarter mile

This policy is intended to reduce the number of objections to feedlot odors from new non-farm residents and safeguard the right to operate feedlots in Eureka Township. (See also Policy 21, Right to Farm, under the Land Use objectives.)

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Roads and Public Services

Objectives

- Minimize the costs to the Township and the County of maintaining or improving roads.
- Minimize the mileage of new township roads.
- Protect traffic safety on township and county roads.
- Protect natural resources
- Protect public investments in roads and other infrastructure or services.

Policies

1. Road Access for New Housing

New housing should preferably be accessed by a township road. A driveway may be connected to a County road if the access management guidelines of Dakota County and the Minnesota Department of Transportation must be followed.

2. Service and Development Standards

The public services existing and planned in Eureka Township are those necessary to support agriculture and limited residential development: on-site sewer, private well, gravel road, contract fire protection. Urban services (sewer, water, hard surfaced streets) will not be available in Eureka Township prior to 2030; in most parts of the township, urban services will not be available for the foreseeable future. Much of the land in Eureka Township is served by gravel township roads.

The maximum capacity of a gravel township road is typically 200 average daily trips, and in some cases much less. The County and State highways are designed to carry larger volumes of traffic at high speeds. Proper spacing and design of private access is critical to protecting this capacity and providing safe roads. Eureka Township contains natural resources such as lakes, streams, wetlands, valleys and woods that can be adversely affected by more developed land uses.

The following standards are intended to ensure that land uses in Eureka Township are compatible with a rural, agricultural area and the level of services available.

- Alternatives must be investigated in cases where the approval of a change in land use would raise traffic on a gravel road substantially above 200 average trips per day.
- Individual land uses that will generate high levels of traffic and/or heavy vehicle traffic may be required to participate in the upgrading of facilities.

Manage land use consistent with rural service levels.

**Service and
development
standards.**

- Shared access to and from an existing road from clustered housing should be used when feasible.
- House access may be via easement across another land owner's parcel. The driving surface must be suitable for emergency vehicle access. (The current Township requirement that the parcel for each house must abut the public road right-of-way will be eliminated.)
 - Typically, individual lots should have no more than one access to a public road.
 - When a single land use will be generating substantial amounts of sewage, the most effective treatment system should be installed, and monitoring of the treatment facility will be considered.
- At least one, and potentially two, alternative treatment sites shall be required for any land use requiring an ISTS Permit for treatment of sewage.
- In areas where development will result in a number of wastewater systems in close proximity, land may be required to be set aside for a community treatment system, or the installation of such a system may be required.
- Measures shall be taken to prevent erosion and sediment during and after construction including meeting all standards of the Eureka Township .
- Lakes, wetlands, streams, bluffs and other sensitive natural features shall be protected from the adverse impacts of construction and development. All measures and standards contained in the County Water Plan shall be met.
- Land use changes and development should be designed so as to minimize disturbance of natural systems. Building sites should remain in their natural state to the greatest extent possible.
- Natural drainage should be used to the greatest extent possible.

Comprehensive Planning

Objective

Make sound public decisions through a structured and transparent process for the wise long-term use of land, water and financial resources in Eureka Township.

Policies

1. Comprehensive Plan

Prepare and adopt a comprehensive plan based largely on the *Eureka Township Strategic Vision*. The comprehensive plan should address land use, roads, water and other natural resources, historic resources, parks and aviation, as required by the Twin Cities Metropolitan Council. Submit the plan to the Metropolitan Council by the end of 2008.

2. Using the Comprehensive Plan

Use the comprehensive plan to guide all zoning changes to ensure consistent development policy.

3. Maintaining the Comprehensive Plan

Review the comprehensive plan annually and amend it as necessary to ensure its usefulness as a practical guide for current and future development. Formulate and enforce ordinances to ensure development in accordance with the comprehensive plan.

The Eureka Township Planning Commission will prepare an annual report describing:

- How the plan was used to direct spending, regulatory and construction decisions
- How development did or did not coincide with the guidance of the plan
- How the township has changed in ways that may call for amendments to the plan.

The report should be transmitted to the Township Board of Supervisors and made available to the public. A brief verbal presentation at a workshop meeting should be conducted to call attention to the major findings of the annual report.

No plan amendments are necessitated in conjunction with these reports, although such amendments may be appropriate depending on the reports' findings.

4. Amending the Comprehensive Plan

The Eureka Township Planning Commission may propose amendments to the comprehensive plan from time to time as circumstances warrant. The public should be notified of these major proposed changes and allowed an opportunity to become informed of the change and comment. The Township could consider soliciting public opinion through direct mail survey forms or Planning Commission public meetings.

Next Steps

1. Prepare and Adopt a New Comprehensive Plan

The Township will prepare and adopt a comprehensive plan that meets the content requirements of the Metropolitan Council and submit it to the Council by the end of 2008. This *Strategic Vision* will be incorporated into the comprehensive plan. Other elements will address roads, regional parks, aviation and water.

2. Prepare and Adopt a New Zoning Ordinance

The Township will prepare and adopt a zoning ordinance that implements the land use element of the adopted comprehensive plan.

3. Document and Track Housing Rights

The Township will document Native and Reserve Housing Rights across the township based on ownerships as of a given date (which will be prior to the time this land use planning proposal was conceived, such as March 1, 2007).

The Township will establish a computerized method for tracking where Housing Rights originate and where they are used. Printed documents of this information will be maintained for public inspection and permanent record.

4. Study and Resolve Outstanding Questions

Before the *Eureka Township Comprehensive Plan* is finalized and adopted, the Township will study issues that were not fully resolved by the 2006-07 planning process, such as:

- Whether industrial or commercial development should be allowed in the township at this time.
- Which wooded sites are considered sufficiently high quality so as to deserve a higher level of protection from development than others.
- Should only Reserve Rights be salable initially, with Native Rights also salable in a second stage of implementation? Or vice-versa?

Appendix A

Estimated Number of Allowable Additional Houses

Zone	2006 Built	2006 Available	Proposed 2 per QQ Additional	Proposed 1 per 35 Acres Additional	Proposed Excl. Pre-82 Additional
Rural-Ag 1/qq	?	252	0	150	<<<70
Rural-Res. 2/qq	?	28	52>>>	50	<<<17
"Unsuitable"	0	0	?		0
Totals	576	280	0	200	0
Cumulative	576	856	856	1056	1056

This table is subject to refinement before the plan is adopted.

Appendix B

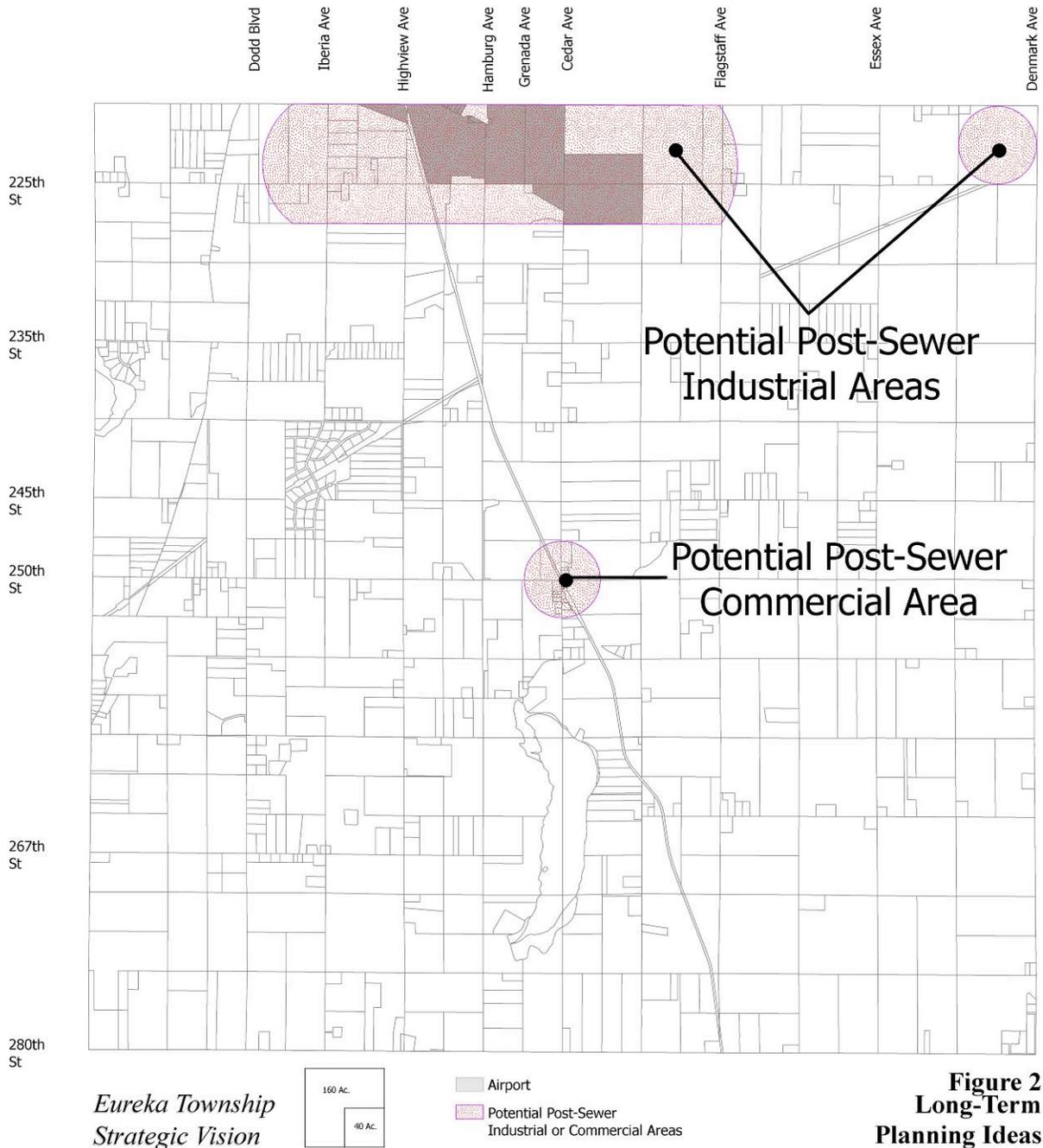


Figure 2
Long-Term
Planning Ideas

Appendix C

Summary Results of the Public Opinion Survey

WORKING DRAFT

Appendix D

Background Maps from the Eureka Township Envisioning Task Force Report, 2003:

Figure 3: Aerial Photo

Figure 4: Parcels

Figure 5: Land Use Pattern, 2005

Figure 6: Farmland Areas

Figure 7: Wetlands

Figure 8: Groundwater

Figure 9: Natural Areas

Figure 10: Minnesota Land Cover Classification System

Figure 11: Priority Natural Areas