

# Joint Business Item

Environment Committee



Environment Committee Date: August 9, 2022

For the Metropolitan Council: August 24, 2022

Community Development Committee Meeting Date: August 1, 2022

## Business Item: 2022-219 JT

City of Dayton 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22507-1

<b>District(s), Member(s):</b>	District 1, Judy Johnson
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513
<b>Staff Prepared/Presented:</b>	Freya Thamman, Planning Analyst (651-602-1750) Angela R. Torres, Local Planning Assistance Senior Manager (651-602-1566) Kyle Colvin, Wastewater Planning and Community Programs Manager (651-602-1151)
<b>Division/Department:</b>	Community Development / Regional Planning Environmental Services / Technical Services

### Proposed Action

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

#### Recommendations of the Community Development Committee

1. Authorize the City of Dayton to place its 2040 Comprehensive Plan into effect.
2. Revise the City's regional sewer-served forecasts downward as shown in Table 2 of the attached Review Record.
3. Advise the City:
  - a. Within 60 days after receiving final DNR approval, the City must adopt the Mississippi River Corridor Critical Area Plan; and submit a copy of the final adopted plan and evidence of adoption to the DNR, Council, and National Park Service within 10 days after the adoption.
  - b. To implement the advisory comments in the Review Record for forecasts, land use, and plan implementation.

#### Recommendations of the Environment Committee

1. Approve the City of Dayton's Comprehensive Sewer Plan.
2. Advise the City to implement the advisory comments in the Review Record for wastewater.

## Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Dayton to implement its 2040 Comprehensive Plan (Plan).

### Community Development Committee

1. As stated in the Local Planning Handbook, the City must take the following steps:
  - c. Adopt the Plan in final form after considering the Council’s review recommendations as contained in the body of this report.
  - d. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
  - e. Submit to the Council a copy of the City Council resolution evidencing final adoption of the Plan.
2. The Local Planning 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 to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before “final adoption” of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.864, subd. 1).
3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the 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 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

### Environment Committee

1. The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit’s governing body. After the Plan receives final approval from the City and the Comprehensive Sewer Plan becomes effective, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.



## Background

The City of Dayton is in northern of Hennepin County. It is surrounded by Ramsey, Anoka, Champlin, Maple Grove, Corcoran, Rogers, as well as Otsego and Elk River, which are located to the west in Wright County (Figure 2).

The City submitted its 2040 Comprehensive Plan to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. §§ 473.851 to 473.871) and the Council’s 2015 System Statement requirements.

## Review Authority & Rationale

Minn. Stat. § 473.175 directs the Metropolitan Council to review a local government’s comprehensive plan and provide a written statement to the local government regarding the Plan’s:

- **Conformance** with metropolitan system plans
- **Consistency** with the adopted plans and policies of the Council
- **Compatibility** with the plans of adjacent governmental units and plans of affected special districts and school districts

By resolution, the Council may require a local government to modify its comprehensive plan if the Council determines 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 (Minn. Stat. § 473.513).

The attached Review Record details the Council’s assessment of the Plan’s conformance, consistency, and compatibility, and is summarized below.

Review Standard	Review Area	Plan Status
Conformance	Regional system plan for Parks	Conforms
Conformance	Regional system plan for Transportation, including Aviation	Conforms
Conformance	Water Resources (Wastewater Services and Surface Water Management)	Conforms
Consistency with Council Policy	<i>Thrive MSP 2040</i> and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent
Consistency with Council Policy	<i>2040 Housing Policy Plan</i>	Consistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

## Thrive Lens Analysis

The proposed 2040 comprehensive plan is reviewed against the land use policies in *Thrive MSP 2040*. To achieve the outcomes identified in Thrive, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in Thrive.



## **Funding**

The Metropolitan Council awarded the City with a Planning Assistance Grant of \$32,000 to complete its 2040 comprehensive plan. The first half of this grant was paid to initiate the local planning process. The second half of the grant will be paid after Council authorization of the City's Plan, local adoption, and the City's submittal of final reporting requirements.

## **Known Support / Opposition**

There is no known opposition.



# REVIEW RECORD

## City of Dayton 2040 Comprehensive Plan

### Review File No. 22507-1, Business Item No. 2022-219 JT

The following Review Record documents how the proposed Plan meets the requirements of the Metropolitan Land Planning Act and conforms to regional system plans, is consistent with regional policies, and is compatible with the plans of adjacent and affected jurisdictions.

## Conformance with Regional Systems

The Council reviews plans to determine conformance with metropolitan system plans. The Council has reviewed the City's Plan and finds that it conforms to the Council's regional system plans for Regional Parks, Transportation (including Aviation), and Water Resources.

### Regional Parks and Trails

*Reviewer: Colin Kelly, Community Development (CD) - Regional Parks (651-602-1361)*

The Plan conforms to the *2040 Regional Parks Policy Plan* for the Regional Parks System element. Three Rivers Park District is the Park implementing agency for the Regional Parks System components in Dayton. The Plan accurately describes the Regional Parks System components. Regional Parks, Park Reserves, or Special Recreation Features located within the City, which includes the Elm Creek Park Reserve. Regional Trails located within Dayton include the Rush Creek Regional Trail; and the Crow River, Diamond Lake, and West Mississippi River Regional Trail Search Corridors (Figure 1). There are no state or federal recreation lands in the City.

### Regional Transportation, Transit, and Aviation

*Reviewer: Bethany Brandt-Sargent, Metropolitan Transportation Services (651-602-1725)*

The Plan conforms to the *2040 Transportation Policy Plan (TPP)* adopted in 2015. It accurately reflects transportation system components of the TPP and is consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight. The Plan is compatible with the plans of adjacent and affected governmental units.

#### Roadways

The Plan conforms to the Highway system element of the TPP. The Plan accurately reflects that there is one principal arterial (I-94) within the City's boundaries. The Plan also accurately reflects the regional functional classification map of A-minor arterials and has delineated major and minor collectors.

The Plan identifies all the required characteristics of the community's roadways, including existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials. Forecasting was done consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

#### Transit

The Plan conforms to the Transit element of the TPP. The Plan acknowledges the City is within Transit Market Areas IV and V. The Plan is consistent with the policies of the Transit system element of the TPP. The Plan addresses community roles related to its Community Designation.

#### Aviation

The Plan conforms to Aviation system element of the TPP. There is no airport in the regional aviation system located near Dayton. The Plan includes policies that protect regional airspace from obstructions.



## Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies City pathways as well as existing and planned regional trails. The Plan does a great job with identifying pathways as well as existing and future segments of and connections to the Regional Bicycle Transportation Network (RBTN) and regional trails. There are two Tier 1 corridors/alignments within the City boundaries.

## Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the one railroad (BNSF) and I-94 as the primary freight movement in and through the community. No regional freight issues were identified in Dayton. However, a Top 30 hotspot for truck delay was noted in Rogers just outside of Dayton on Diamond Lake Road.

## Transportation Analysis Zones (TAZs)

The Plan conforms to the TPP regarding TAZ allocations. The City's TAZ allocations for employment, households, and population appropriately sum to the Metropolitan Council's citywide forecast totals for all forecast years.

The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecasted allocations in the Plan, and at densities consistent with the community's Thrive designation and applicable TPP policies.

## Water Resources

### Wastewater Services

*Reviewer: Kyle Colvin, Environmental Services (ES) – Wastewater Planning and Community Programs (651-602-1151)*

The Plan conforms to the *2040 Water Resources Policy Plan (WRPP)*. The Plan represents the City's guide for future growth and development through the year 2040. It includes growth forecasts that are consistent with the Council's assigned forecasts for population, households, and employment.

The majority of wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services (MCES). The "Historic Village" area of the City is provided wastewater services by the City of Otsego who owns and operates their own municipal wastewater treatment facility. The terms of service for this area are covered under an intercommunity agreement between Dayton and Otsego. There is also an existing manufactured home park that is provided service via Rogers and treatment provided by the Council's wastewater treatment facility in Rogers. An intercommunity agreement covers the terms of this service between the two communities. All other Wastewater generated within the City is conveyed by Council Interceptors 8010 and 900430A to the Metropolitan Council's Metropolitan Treatment Plant in St. Paul for treatment. The Plan projects that the City will have 3,660 sewer households and 2,550 sewer employees served through the Metropolitan Wastewater System by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth forecasts assigned within the Regional Wastewater System service area.

The Plan does not provide sanitary flow projections other than that of post-2040 ultimate build out. The Plan does state that the existing wastewater system was modeled using basic assumptions for flow generation rates for the ultimate build out condition. The results of the system modeling suggests that the local system has adequate capacity to accommodate the ultimate full build out scenario. The rationale for the flow projections provided in the Plan was determined appropriate for local planning purposes. The Metropolitan Council is committing to provide the level of wastewater service based on the 2040 sewer forecasts as stated in the sewer element of the Plan.

The Land Use Plan reflects an overall minimum residential sewer density that is consistent with Council policy for future sewer residential growth for Emerging Suburban Edge communities.



The Plan defines the community's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in both the local municipal (City) and private property sanitary sewer system. The Plan states that the City will have an annual sanitary sewer maintenance program that inspects, identifies, and resolves sources of I/I in the local collection system. The Plan estimates this effort will cost approximately \$30,000 per year. A previous study in the "West Collection System" determined that a manufactured home park and the associated private collection system is a significant contributor of I/I. The City is currently working with the property owner(s) to resolve the existing issues. The Study found that the remaining portion of the local collection system (East Collection System) was impacted very little by I/I.

The Plan describes the requirements and standards for minimizing I/I. The Plan included a copy of City Ordinance Chapter 51, Sections 51.01 through 51.06 that prohibits the connections of foundation drains, sump pumps, and roof drains to the public sanitary sewer. The Code also requires the disconnection of these prohibited connections unless otherwise specifically approved by the City.

The Plan describes the sources, extent, and significance of existing I/I within the entire public and private wastewater collection system and provides a description of an implementation plan for preventing and eliminating excessive I/I from entering the public and private property collection systems. The Plan indicates that only 7% of the homes within the City that are served by centralized wastewater collection systems were built before 1970 when services were predominately made of clay tile pipe. The Plan states that at the time that homes previously served via SSTs were connected to the wastewater system, the entire private service line was replaced. Since centralized wastewater collection systems first became available in the City in 2000, it is likely that most, if not all, of the private services that were replaced, were replaced with plastic service pipe containing gasketed joints that are less susceptible to I/I. Using wastewater flow data between 2016 through 2021 to determine base dry weather, average daily, and peak monthly flow, the Plan states that the City's annual I/I averages 14%, and that peak month I/I can be as high as 59% (2019) in the West Collection District. The large source of this I/I has been attributed to the previously mentioned manufactured home park. Annual and peak month I/I was not significant in the East Collection System.

### **Comprehensive Sewer Plan**

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

### *Advisory Comments*

1. Figure 9 "Ultimate Sewer Map" in the Wastewater Plan depicts the ultimate wastewater system configuration for full build-out of the City. It also shows a "MUSA (2030)" boundary that is irrelevant and inaccurate. The reference to this boundary needs to be removed from the map in the Final Plan. The map in the Final Plan should also indicate the long-term (ultimate) service plans for the "Historic Village" area that is currently provided service via Otsego. Figure 4, "2040 Staging Plan" in the Land Use Plan shall be used by the Council to verify the timing of wastewater service availability. In the Final Plan, this map needs to either 1; be referenced in, or 2; included in its entirety, in the Wastewater Plan.
2. Table 9.4 "System Design Wastewater Unit Flowrates" in the Wastewater Plan implies that existing land areas in the Agricultural Preserve areas may be developed and provided wastewater service in the future at residential densities of 2 units per acre. A comprehensive plan amendment would be required for a change from Agricultural Preserves to sewered residential. The City's overall net residential density with the amendment would need to be at least 3 units per acre or whatever the requirement is at the time these areas are connected to the system, if outside the 2040 planning period.





## Surface Water Management

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

The Plan is consistent with Council policy requirements and in conformance with the WRPP for local surface water management.

Dayton is located within the oversight boundaries of the Elm Creek Watershed Management Commission. The City submitted a draft Local Water Management Plan (LWMP) update on May 23, 2018. Metropolitan Council Water Resources staff reviewed and commented on the draft LWMP to the City and Watershed Management Commission on June 29, 2018. The LWMP was approved by the Watershed Management Commission on October 10, 2018 and adopted by the City on October 24, 2018. The Plan includes an executive summary of the City's LWMP in Chapter 11 and the final adopted LWMP in Appendix C.

## Consistency with Council Policies

The Council reviews Plans to evaluate their apparent consistency with the adopted plans of the Council. Council staff have reviewed the City's Plan and find that it is consistent with the Council's policies, as detailed below.

### Forecasts

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

The Plan includes the Council's forecast in several chapters (Plan tables 2.1, 4.13, 5.2, 8.3, and 9.1). For reference, the forecast is shown in Table 1 below.

Table 1. City of Dayton Forecasts

	Census 2010	Census 2020	Council Forecasts*		
			2020	2030	2040
<b>Population</b>	4,617	7,212	5,900	7,900	10,400
<b>Households</b>	1,619	2,438	2,200	3,200	4,400
<b>Employment</b>	921	1,063	2,000	2,490	3,000

\* The table represents the Hennepin County part of Dayton. There is a northwest corner of Dayton in Wright County with an additional 20 households, 50 population and 0 jobs, per 2020 Census. The City indicates that the Wright County part of Dayton will grow to 25 households and 69 population in 2040.

The Plan includes a sewer-serviced forecast (Table 9.3, in June 2022 supplemental information). The City's table reallocates some households and population to Otsego Municipal Plant; this offsets (reduces) the households and population served by Metro Plant.

Table 2. MCES- Serviced Forecasts: Dayton (served by Metro Plant)

	Census 2010	Census 2020	Council Forecasts		
			2020	2030	2040
<b>Population</b>	1,211	2,890	2,890	6,380	8,640
<b>Households</b>	358	1,040	1,040	2,580	3,660
<b>Employment</b>	197	1,400	1,400	2,090	2,550

The Council will officially revise the MCES-serviced forecast, as shown in Table 2 above, simultaneous with action on the Plan. (This forecast change does not affect the Affordable Housing Need calculation.)

Chapter 5 of the Plan describes and inventories land supply for future development and redevelopment. Tables 5.3 and 5.4 present a land supply that can accommodate forecasted growth. Council staff advise that not all of Dayton's land supply may develop by 2040.

### Advisory Comments

Council staff and the City find that recent residential growth in Dayton has outpaced previous expectations; employment growth has fallen short. Council staff can consider a higher households and population forecast for 2020 and a lowered employment forecast for all years. The City acknowledges this comment and prefers to continue planning with the system





statement forecast issued in 2015.

The Council will require a forecast revision with any comprehensive plan amendment expanding residential land supply or housing capacity. The 2015 System Statement forecast expected 3,200 households in 2030. Considering the known developments in Dayton, the City will surpass that 2030 forecast by 2023, at latest.

### Thrive MSP 2040 and Land Use

*Reviewer: Freya Thamman, CD – Local Planning Assistance (651-602-1750)*

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the Thrive community designation of Emerging Suburban Edge (Figure 2). Thrive describes Emerging Suburban Edge communities as areas in the early stages of transitioning into urbanized levels of development. Emerging Suburban Edge communities are expected to plan for forecasted population and household growth at average densities of at least 3-5 units per acre for new development and redevelopment.

Dayton is a growing community bordered by the Crow and Mississippi Rivers. It currently is primarily rural and has large areas of natural resources, including the Elm Creek Park Reserve. The existing land uses are predominately agriculture/farm (35.6%), park/recreation (19.5%), and rural residential (16.7%). The City also includes single-family residential (4.6%), which includes its historic village in the north, as well as industrial (1.8%) and commercial uses (0.1%) in the southwest near I-94 (Figure 3).

The City’s planned land uses to 2040 (Figure 4) show significant areas of industrial, commercial, and mixed use near I-94.

The City’s sewered residential land use categories include low density residential (LDR), existing LDR, medium density residential, mixed use, high density residential, mobile home, as well as a new master planned development (MPD) future land use category (Figure 4). The Plan states that the new MPD land use allows the City to work with a developer to create a master planned community in the north-central part of the City with a mix of residential land uses, neighborhood commercial uses, and dedicated park land. Residential uses in the MPD land use are planned for a minimum of 4.5 units per acre.

The Plan includes a staging plan for the 2040 planning period, as well as for post-2040/ultimate build-out. As shown in Figure 5, the City anticipates developing from three corners with the northeast and south areas developing first.

The Plan is consistent with Thrive for land use and residential density policies for an Emerging Suburban Edge community designation. As shown in Table 3 below, the overall density of development during the planning period is 3.7 - 7.1 units per acre.

*Table 3. Planned Residential Density, City of Dayton*

Category	Density			2018-2040 Change	
	Min	Max	Net Acres	Min Units	Max Units
Existing Sewered Low Density Residential	1.18	1.18	7	8	8
Low Density Residential	2	5	1,737	3,474	6,685
Master Planned Development	4.5	8	390	1,755	3,120
Medium Density Residential	6	8	100	600	800
Mobile Home	8	10	41	328	410
Mixed Use*	12	20	117	1,404	2,460
High Density Residential	15	20	123	1,800	2,400
	<b>TOTALS</b>			<b>9,414</b>	<b>17,823</b>
	<b>Overall Density</b>			<b>3.7</b>	<b>7.1</b>



\*60% residential, acres shown above reflect applied percent residential.  
Net residential density is based on Table 5, including: current, developing (uses platted units), 2020-2030, 2030-2040 staging. Figure 5 of the staff report illustrates the staging plan. Net acres are gross acres minus wetland; does not include park dedication.

The Plan discusses a potential new future land use category called Sewered Rural Residential. The Plan indicates that this land use would be utilized by request only, and no parcels in the 2040 Plan currently have this guiding. The Plan indicates that the category could be for the connection of sewer to larger lots with a maximum lot size of 2.5 acres and a minimum lot size of 1 acre. The Plan states that this designation could allow for transitional areas between existing larger lots or where higher densities may be improbable due to natural resources. The Plan states that no more than 160 net acres would be allowed and that the City would have to complete amendment to increase sewered densities in some areas to ensure that the City maintains an overall net residential density of at least 3 units/acre.

### **Agricultural Preserves**

The City has areas that are in the Agricultural Preserve Program (Figure 4). The Plan is consistent with Council policy for lands enrolled in the Agricultural Preserve Program. The Plan identifies lands enrolled in the Agricultural Preserve Program on the Future Land Use map as Agricultural Preserve with a maximum density of one unit per 40 acres, which is consistent with Minn. Stat. § 473H.02, subd 7.

### **Advisory Comments**

1. If parcels are added to/or expire from the Agricultural Preserve Program, a comprehensive plan amendment will be required.
2. As noted in the Plan, the new potential future land use category, Sewered Rural Residential, would require a comprehensive plan amendment. The new area would be included in the City's density calculation and the Council would review the amendment to evaluate conformance with regional system plans and consistency with Council policies.
3. The Plan states that the City will ensure high quality natural resources are conserved. For example, the Plan indicates that for areas where tree preservation is proposed through conservation easements, the City would ensure that these areas could be removed from the net density calculation. The Council encourages the preservation of natural resources and preservation with public easements, which can be excluded from the net residential density calculation. The Council's net residential density guidelines, including guidelines for natural resources that are mapped and protected by ordinance, are linked here: <https://metro council.org/Handbook/Files/Resources/Fact-Sheet/LAND-USE/Net-Residential-Density.aspx>. If the City's net residential density differs, the Council's guidelines are what are used for sewer permitting.

### **Housing**

*Reviewer: Hilary Lovelace, CD – Housing (651-602-1555)*

The Plan is consistent with the *Housing Policy Plan (HPP)*. As of 2016, the City has more than 1,800 homes including 10 multifamily units, more than 240 manufactured homes, and 1,600 single-family homes. Approximately 100 homes are rented. More than 900 housing units are currently affordable to households earning under 80% of Area Median Income (AMI); however, nearly 250 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs.

The Plan identifies existing housing needs including maintenance and reinvestment in existing housing stock, variety of housing types for all stages of life, and housing that is affordable to a range of income levels, especially moderate- and low-income households. The City has 50 units of publicly subsidized housing, all of which are age-restricted for seniors.

The Plan acknowledges the 2021-2030 affordable housing need allocation of 333 units; 112 of which are needed at prices affordable to households earning 30% of AMI or less, 103 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and 118 of which are needed at prices affordable to households earning between 51 and 80% of AMI. As shown in Figure 6, the Plan guides sufficient land expected to develop in the 2021-2030 time

period at a minimum of eight units per acre to allow for development of at least 1,350 new housing units.

The housing implementation plan component of the Plan describes that the City will evaluate the use of tools like locally issued housing bonds, tax abatements, and tax increment financing to meet their local housing needs. The Plan states that Dayton plans to complete an assessment of senior housing needs in the community and participate in Livable Communities Act Programs.

## **Water Supply**

*Reviewer: John Clark, ES – Water Supply Planning (651-602-1425)*

The Plan is consistent with WRPP policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

The City prepared a Local Water Supply Plan (LWSP) in 2017 that was submitted to the Minnesota Department of Natural Resources (DNR) and provided to the Metropolitan Council on April 3, 2018. The LWSP was found to be complete by the Council and comments were shared with the DNR on April 19, 2018. The DNR approved the Dayton LWSP on July 2, 2020.

## **Community and Subsurface Sewage Treatment Systems (SSTS)**

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

The Plan conforms to the WRPP for community and subsurface sewage treatment systems. The Plan indicates that there are approximately 885 SSTSs remaining in operation in Dayton. The Plan states that the City is currently developing a process to quantify the number of SSTSs within the City. There is currently one privately owned and operated communal SSTS system within the City that provides service to ten homes on 126th Avenue North. There are no public Community Wastewater Treatment Systems.

## **Special Resource Protection**

### **Mississippi River Corridor Critical Area**

*Reviewer: Raya Esmaeili, CD – Local Planning Assistance (651-602-1616)*

The Plan includes a Mississippi River Corridor Critical Area Plan (MRCCA Plan) component that was reviewed by Minnesota Department of Natural Resources (DNR) staff and found to be substantially consistent with Minnesota Statutes 116G and Minnesota Rules Chapter 6106. Council staff also find the MRCCA plan component to be consistent with *Thrive MSP 2040* land use policies, and Minnesota Rules Chapter 6106. The DNR's January 11, 2021 conditional approval letter (Figure 7) is attached as an appendix in the Plan. Final DNR approval of the MRCCA Plan will be sent to the City after the Council authorizes local adoption of the Plan.

### *Advisory Comment*

Within 60 days after receiving final DNR approval, the City must adopt the MRCCA Plan; and submit a copy of the final adopted plan and evidence of adoption to the DNR, Council, and National Park Service within 10 days after the adoption.

### **Solar Access Protection**

*Reviewer: Eric Wojchik, CD – Local Planning Assistance (651-602-1330)*

The Plan is consistent with statutory requirements (Minn. Stat. § 473.859) and Council policy regarding planning for the protection and development of access to direct sunlight for solar energy systems as required by the Metropolitan Land Planning Act (MLPA). The Plan includes the required solar planning elements.

### **Aggregate Resource Protection**

*Reviewer: Eric Wojchik, CD – Local Planning Assistance (651-602-1330)*

The Plan indicates, consistent with the Council's aggregate resources inventory included in *Minnesota Geological Survey Information Circular 46*, that there are no known deposits of viable aggregate resources available for mining within the community.



## Historic Preservation

*Reviewer: Freya Thamman, CD – Local Planning Assistance (651-602-1750)*

The Plan addresses historic resources as required by the MLPA. The Plan indicates that the City identifies its significant cultural and historic preservation areas to guide future development to the most appropriate locations. The Plan states that the City is working towards creating an inventory of historic assets, including areas of the Old Village, the Old Town Hall, Elsie Stephens Farm Park, and St. John the Baptist Church. The Plan indicates that the City will continue to evaluate tools that endeavor to preserve these assets, which may include formal registration for National Historic Places, communication, and education.

## Plan Implementation

*Reviewer: Freya Thamman, CD – Local Planning Assistance (651-602-1750)*

The Plan includes a description of the zoning, subdivision, SSTS codes, and the housing implementation program. The Plan describes official controls and fiscal devices the City will employ to implement the Plan and includes a capital improvement plan.

The Plan indicates that the City will create a Growth Management Policy, as a comprehensive plan implementation step, to manage pace of development annually in each staging year. The Plan states that areas of the City may develop at a faster rate and wants future guidelines to help assess opening of the next staging area, regardless of year on the staging plan. The Plan indicates the policy will provide a tool to ensure that adequate infrastructure, services, and staff is in place meet growth demands.

### *Advisory Comment*

The City is advised to include this policy in the Growth Management section (page 5-24), as a comprehensive plan amendment.

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

The proposed Plan is compatible with the plans of adjacent jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

## Documents Submitted for Review

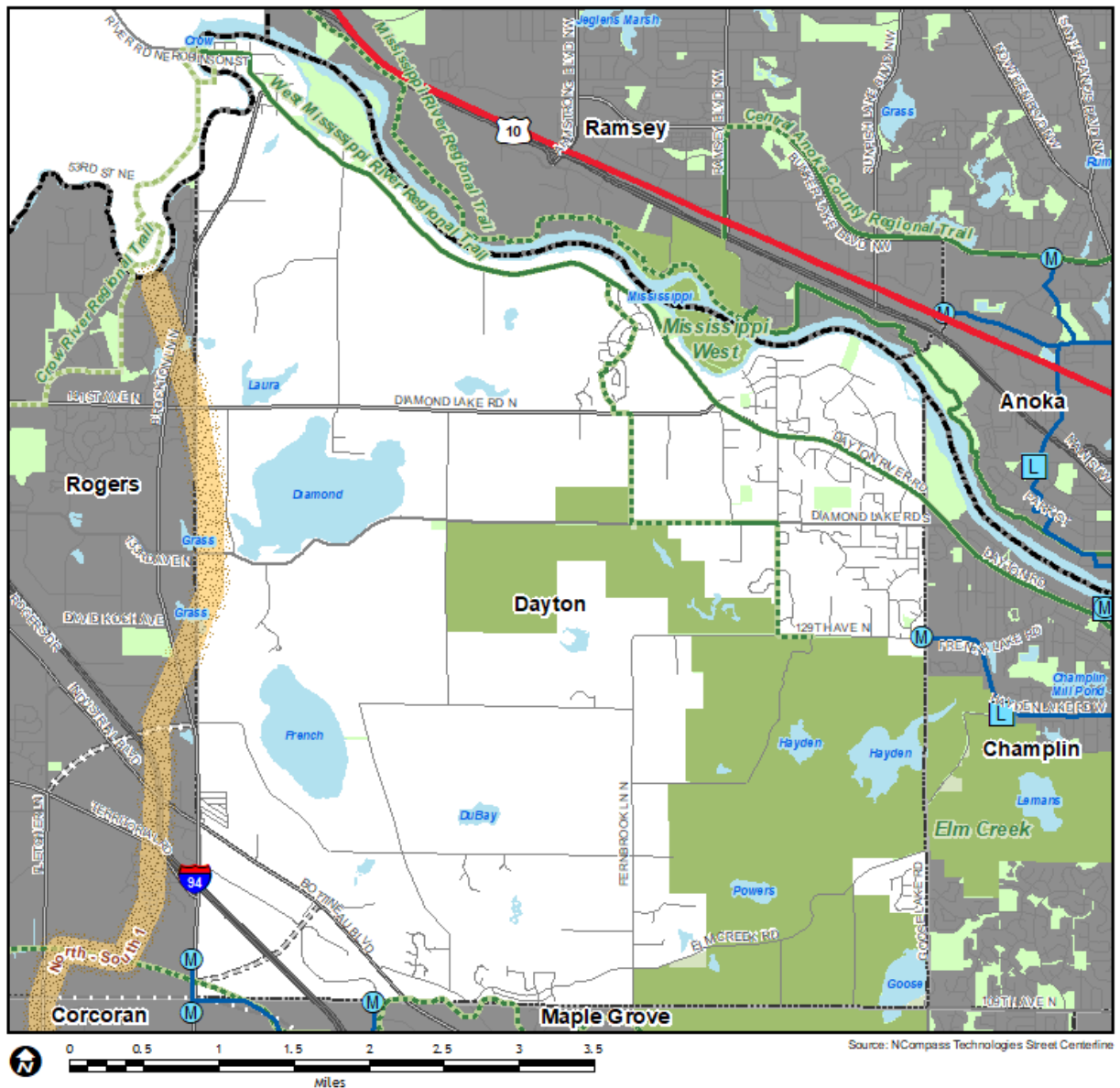
In response to the 2015 System Statement, the City submitted the following documents for review:

- October 27, 2020: City of Dayton 2040 Comprehensive Plan
- December 28, 2020: MRCCA Plan Updates
- January 21, 2022: Revisions to regional parks and trails, wastewater, forecasts, housing, MRCCA, solar, land use implementation, and transportation
- June 2, 2022: Revisions to wastewater, land use, and forecasts
- June 20, 2022: GIS wastewater shapefiles
- June 27, 2022: Wastewater Inflow/Infiltration

## Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: Thrive MSP 2040 Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Future Land Use
- Figure 5: 2040 Staging Plan
- Figure 6: Land Guided for Affordable Housing
- Figure 7: DNR Conditional Approval letter for the MRCCA Plan

Figure 1. Location Map with Regional Systems



**Regional Systems**

**Transportation**

**Transitways**

2040 Transportation System Policy - adopted January 2015

- Existing
- Planned Current Revenue Scenario
- Planned Current Revenue Scenario - CTIB\* Phase 1 Projects
- Potential Increased Revenue Scenario

**Regional Highway System**

- Existing Principal Arterials
- Planned Principal Arterials
- Existing Minor Arterials
- Planned Minor Arterials
- Existing Other Arterials
- Planned Other Arterials

**Recreation Open Space**

**Regional Parks**

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units

**Regional Trails**

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned

**Wastewater**

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

**Regional Park Search Areas and Regional Trail Search Corridors**

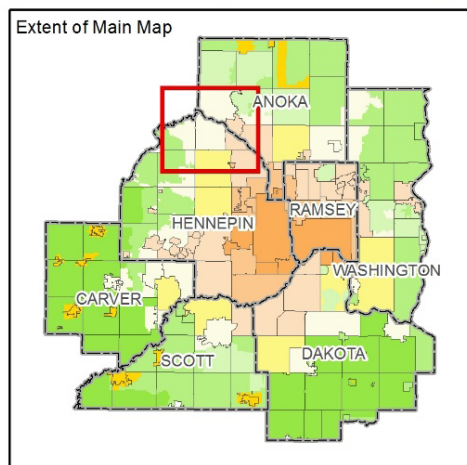
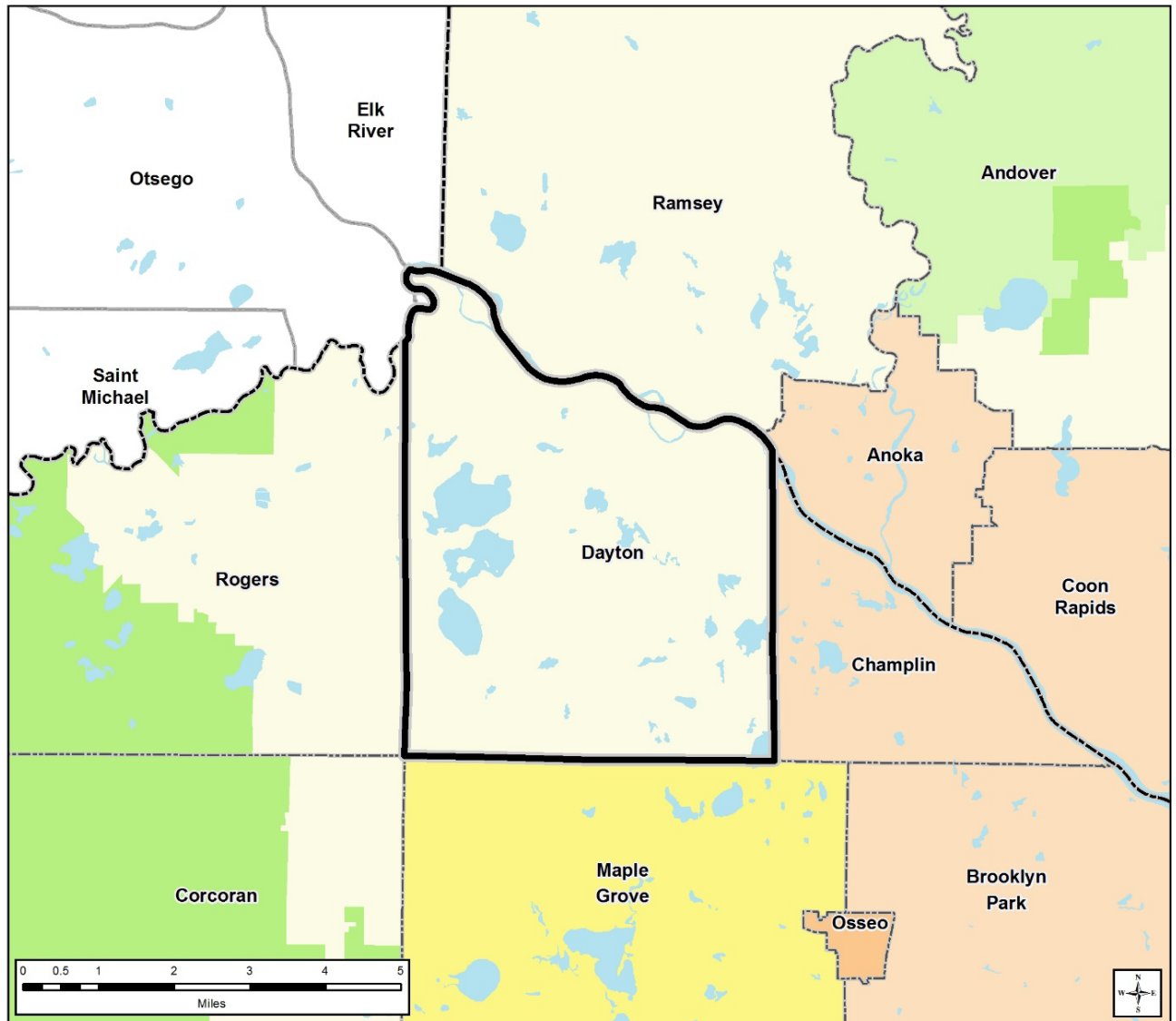
- Boundary Adjustment
- Search Area
- Regional Trail Search Corridors
- Local Streets
- Existing State Trails
- Other Parks, Preserves, Refuges and Natural Areas

\* Counties Transit Improvement Board (CTIB)

Metropolitan Council



**Figure 2. Thrive MSP 2040 Community Designations**



**Community Designations**

- Outside Council planning authority
- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center
- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers



Figure 3. Existing Land Use

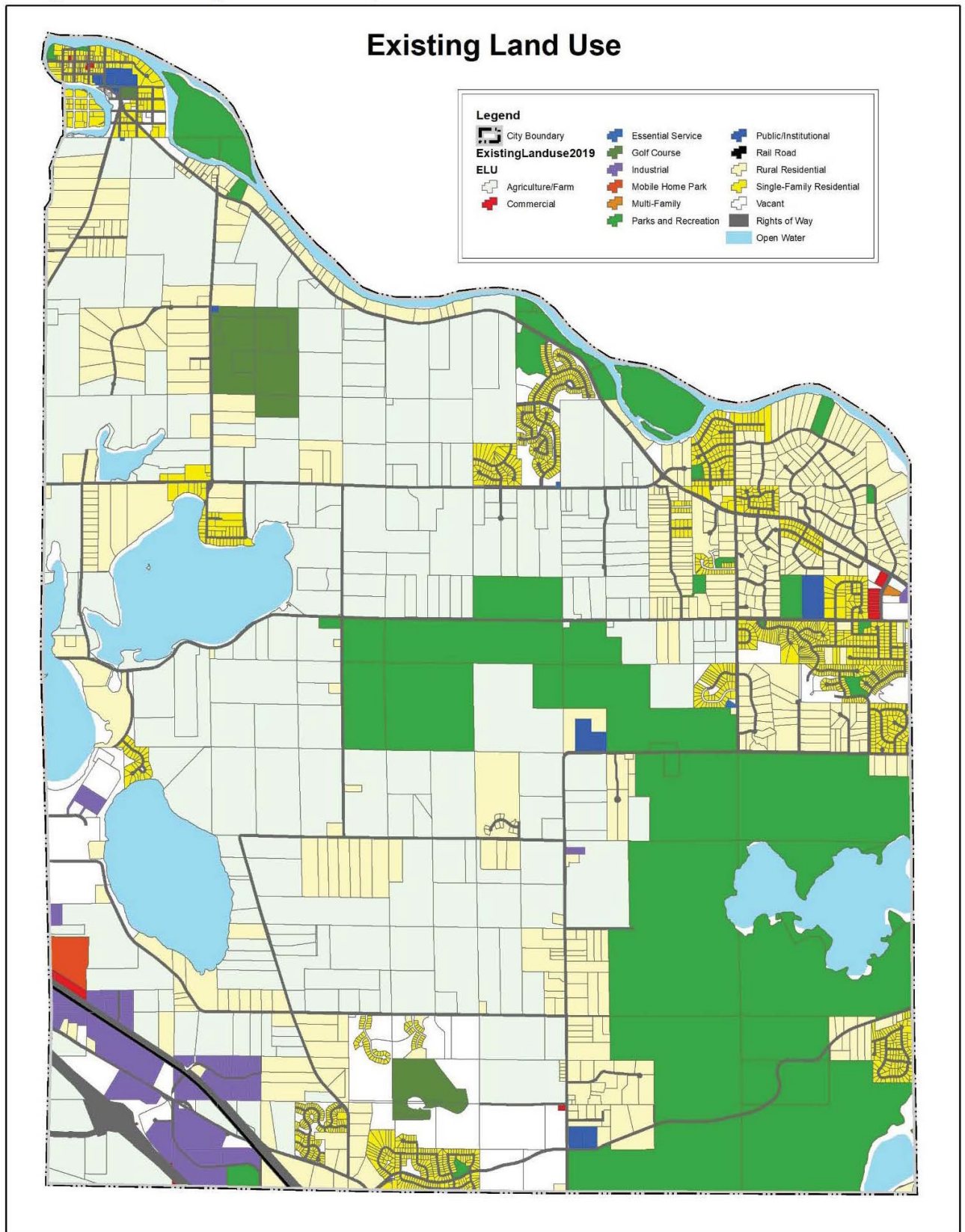


Figure 4. 2040 Future Land Use

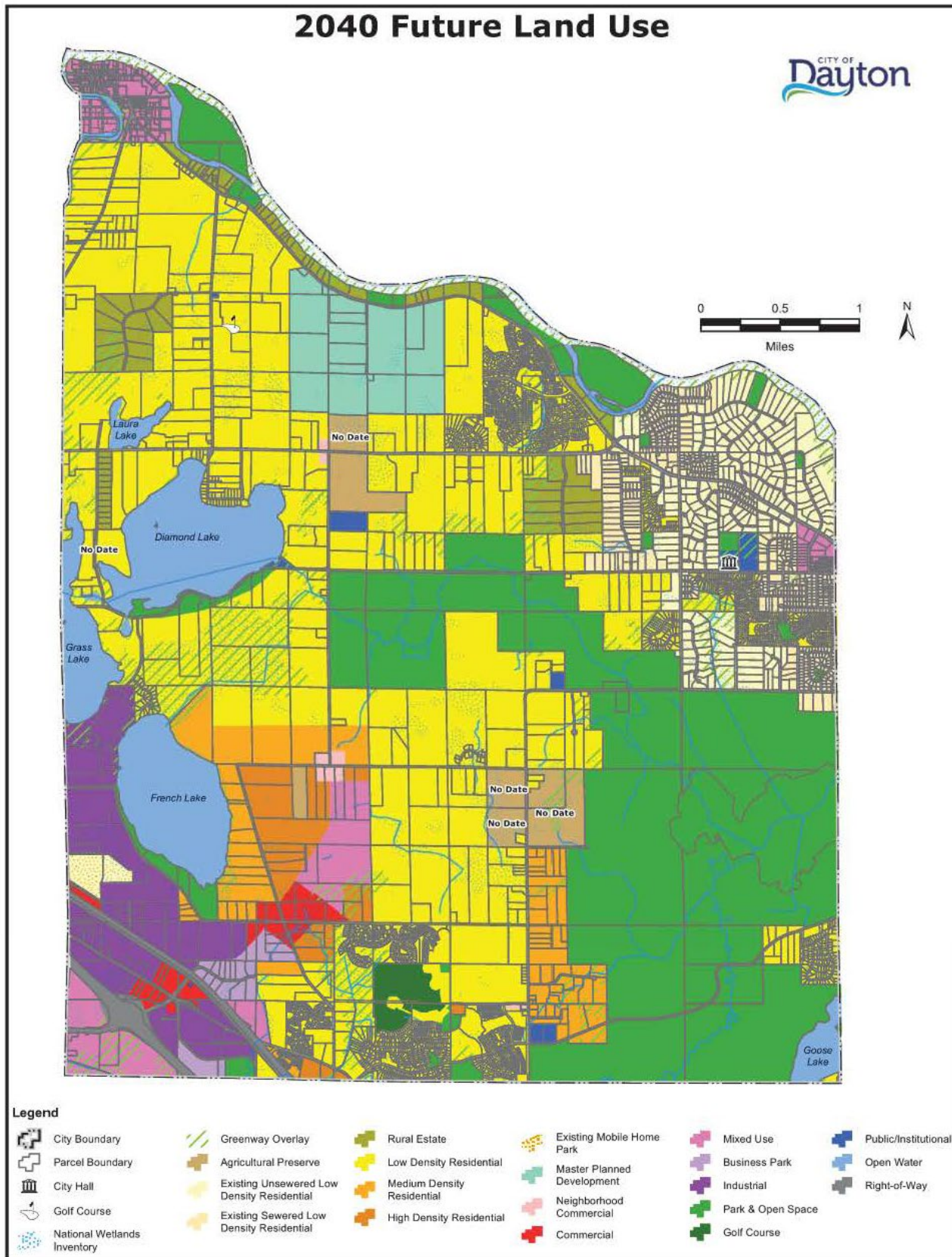
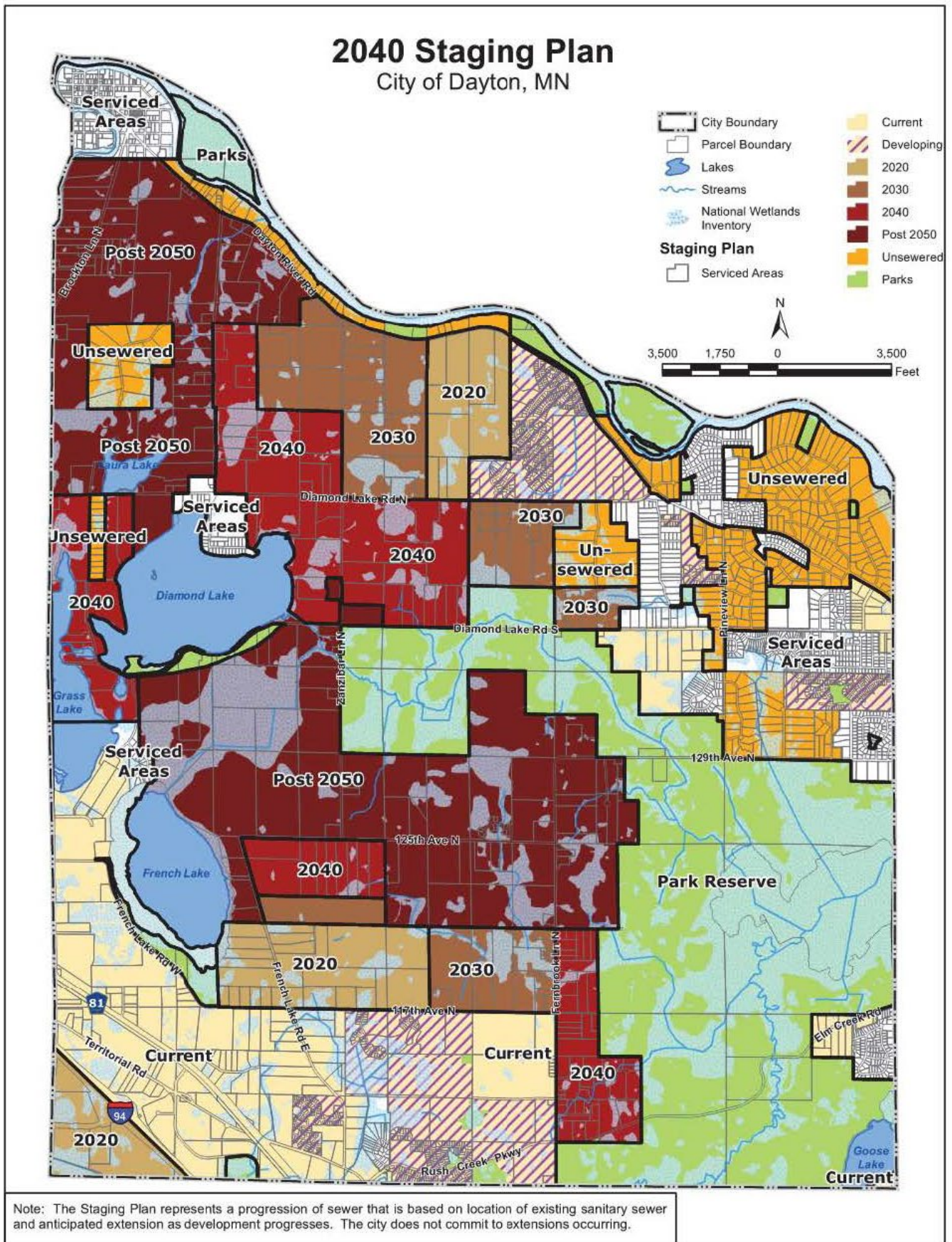




Figure 5. 2040 Staging Plan



Metropolitan Council

**Figure 6. Land Guided for Affordable Housing**

2021-2030 share of regional need for Affordable Housing: **333 units**  
 2021-2030 total regional need for Affordable Housing: **37,900 units**

	<b>Available Acres</b>	<b>×</b>	<b>Minimum Density</b> <i>(units per acre)</i>	<b>×</b>	<b>Expected % Residential</b> <i>(if mixed use)</i>	<b>=</b>	<b>Minimum Units Possible</b>
<b>High Density Residential</b>	53.00		15.00		100%		795
<b>Mixed Use</b>	74.00		12.00		100%		888
<b>Total</b>	<b>127</b>						<b>1,683</b>

Sufficient/(insufficient) units possible against share of regional need: **1,350**  
 Affordable units built since 2021: **0**  
 Sufficient/(insufficient) units possible adjusted for affordable units built: **1,350**  
 Number of Comp Plan Amendments approved since Comp Plan Update: **0**



*Based on Table 5 of the City's Plan. Mixed Use Residential Acres are shown in above table.*





## Figure 7. DNR Conditional Approval Letter for the MRCCA Plan



January 11, 2021

Alec Henderson, Planner  
City of Dayton  
12260 South Diamond Lake Road  
Dayton, MN 55327

**Re: Conditional Approval of City of Dayton MRCCA Plan**

Dear Mr. Henderson:

I am pleased to inform you that the Minnesota Department of Natural Resources (DNR) conditionally approves the City of Dayton's Mississippi River Corridor Critical Area (MRCCA) plan.

We reviewed the MRCCA plan chapter of your 2040 Comprehensive Plan submitted to the DNR on January 6, 2021. We have found that the MRCCA plan is substantially consistent with Minnesota Statutes, §116G, and Minnesota Rules, chapter 6106. We will send final approval of your MRCCA plan after the Metropolitan Council authorizes the City of Dayton to put the comprehensive plan into effect. Within 60 days of receiving DNR final approval, the City of Dayton must adopt the MRCCA plan. The City of Dayton must then submit a copy of the final adopted plan, with evidence of adoption, to the DNR, the Metropolitan Council, and the National Park Service within ten days of the adoption.

Only MRCCA plans and plan amendments approved by the DNR have the force and effect of law. Once in effect, local governments must implement and enforce the DNR-approved plans.

We appreciate your efforts to develop and adopt the MRCCA plan, which provides a solid basis for future ordinance amendments and MRCCA management. Please contact Dan Petrik at 651-259-5697 or at [daniel.petrik@state.mn.us](mailto:daniel.petrik@state.mn.us) if you have any questions about next steps.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jennifer Shillcox'.

Jennifer Shillcox  
Land Use Unit Supervisor

- c: Raya Esmaeili, Metropolitan Council  
Alan Robbins-Fenger, National Park Service  
Lucas Youngsma, DNR Region 3 Area Hydrologist  
Dan Petrik, DNR Land Use Unit

Minnesota Department of Natural Resources • Division of Ecological and Water Resources  
500 Lafayette Road, Box 25, Saint Paul, MN 55155-4025