

Carver County Board of Commissioners  
 Regular Session  
 September 29, 2009  
 County Board Room  
 Carver County Government Center  
 Human Services Building  
 Chaska, Minnesota

PAGE

- |            |     |    |   |         |
|------------|-----|----|---|---------|
| 9:15 a.m.  | 1.  | a) | <b>CONVENE</b>  |         |
|            |     | b) | <i>Pledge of Allegiance</i>   |         |
|            |     | c) | <i>Public participation (comments limited to five minutes)</i>  |         |
|            |     | d) | <i>Introduction of New Employees</i>  |         |
|            | 2.  |    | Agenda review and adoption  |         |
|            | 3.  |    | Approve minutes of September 22, 2009 Regular Session .....   | 1-6     |
|            | 4.  |    | Community announcements   |         |
| 9:15 a.m.  | 5.  |    | <b>CONSENT AGENDA</b>   |         |
|            | 5.1 |    | Community Social Services' warrants .....   | NO ATT  |
|            | 5.2 |    | Commissioners' warrants.....  | SEE ATT |
| 9:20 a.m.  | 6.  |    | <b>LAND AND WATER SERVICES</b>  |         |
|            | 6.1 |    | Authorization to submit revised Draft 2030 County<br>Comprehensive Plan to the Metropolitan Council ..... | 7-27    |
| 10:00 a.m. |     |    | <b>ADJOURN REGULAR SESSION</b>  |         |
|            |     |    | <b>BOARD REPORTS</b>  |         |
| 10:00 a.m. | 1.  |    | Chair   |         |
|            | 2.  |    | Board Members   |         |
|            | 3.  |    | Administrator   |         |
| 10:30 a.m. | 4.  |    | Adjourn   |         |

<b>UPCOMING MEETINGS</b>
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- |                         |   |
|-------------------------|---|
| <b>October 1, 2009</b>  | <b>ACCEL Meeting – 7:00 p.m. Cologne Community Center</b> |
| <b>October 6, 2009</b>  | <b>County Board Meeting</b>                               |
| <b>October 13, 2009</b> | <b>County Board Meeting</b>                               |
| <b>October 20, 2009</b> | <b>Work Session</b>                                       |
| <b>October 27, 2009</b> | <b>County Board Meeting</b>                               |

David Hemze  
 County Administrator

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on September 22, 2009. Chair Gayle Degler convened the session at 9:15 a.m.

Members present: Gayle Degler, Chair, Randy Maluchnik, Vice Chair, James Ische, Tim Lynch and Tom Workman.

Members absent: None.

Ische moved, Workman seconded, to approve the agenda. Motion carried unanimously.

Maluchnik moved, Ische seconded, to approve the minutes of the September 8, 2009, Regular Session. Degler, Ische, Maluchnik, Workman voted aye. Lynch abstained as he was absent. Motion carried.

Community announcements were made by the Board.

Maluchnik moved, Lynch seconded, to approve the following consent agenda items:

Payment of \$641.24 emergency claim.

Approved out of state travel request for four staff from Community Social Services Division to make a presentation and provide training at Japan's Annual Child Protection Conference.

Authorized the purchase of 2009 single axle truck with box, hydraulics, scraper and wing (CP 0915).

Resolution #63-09, Supporting an Application by the Waconia Chamber of Commerce to Host the 2011 Governor's Fishing Opener.

Accepted equipment in the approximate amount of \$158,000, purchased by the Metropolitan Regional Homeland Security and Emergency Management Committee with grant funds from the Federal Emergency Management Agency to be used for emergency management in Carver County.

Resolution #64-09, Authorizing Participation in Planning Process and Execution of Sub-Grant Agreement.

Resolution #65-09, Professional Services Agreement between Carver County and Minnesota Department of Transportation for Feasibility of Rehabilitating Bridge L2783 Study Performed by Mead & Hunt, Inc. for S.P. 10-640-009.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Ryan Dolan, Coordinator of the State Census 2010 campaign, explained the importance of getting a complete count for the 2010 census. He pointed out that the Federal and State government use these numbers to allocate funds for various programs and the population totals are used to reapportion US House of Representative seats.

He stated the questionnaires would reach residents in March and they are asking that they be returned by April 1, 2010. Those not responding will receive a follow up contact. They anticipate 25% will require a follow-up with census staff. People of all ages, citizens and non citizens are counted in the census. Dolan stressed data was confidential and no one will have access to the names. Everyone in 2010 will get the short form with ten questions. He explained the American Community Survey which is separate from the census.

He stressed the amount of federal dollars distributed based on the census data and the potential for Minnesota to lose one congressional district based upon those results. Dolan noted the challenges they will face with the snow birds gone from Minnesota and indicated they are asking individuals not to answer the questions at their temporary address.

Dolan stated they are asking cities and counties to form volunteer complete count committees to work with the Census Bureau in getting the word out in the communities. He encouraged the County to publicize the 2010 Census to make sure they are not missing anyone.

Carolyn Schmidt, Public Health, recognized the NACO award the County recently received for the GoCarverGo Active Living initiative. She pointed out this was a joint effort between Public Health, Land and Water Services, GIS, CDA, Parks and City planners.

Tracy Bade, Public Health, stated this was a product that came out of the Active Living Program series and provided an overview of the project. She stated the intent was to increase awareness of parks and trails within the communities and to increase physical activity. She noted this was more than just a website and was more about the quality of life and creating healthy communities. Bade highlighted the number of visits to the website and pointed out the web application has been seen as an innovative use of GIS.

Lynch moved, Ische seconded, to recess as the County Board and convene as the Carver County Regional Rail Authority. Motion carried unanimously.

Martin Walsh, Parks, requested that the Rail Authority enter into an agreement with Carver County to allow for the construction of a trail on Rail Authority property. He clarified he would be addressing them first as the Regional Rail Authority and then as the County Board. He indicated the agreement was patterned after an existing agreement between Hennepin County and the Three Rivers Park District for a trail on their corridor. He indicated the agreement is for a 16 foot wide area. He noted the term is indefinite but the agreement can be canceled by either party.

Walsh indicated if the Rail Authority cancels the agreement within 20 years there would be a pro rata payment back for the investment on the corridor. He clarified the agreement did not prevent other uses of the corridor. Walsh also noted that if environmental concerns are discovered Carver County would be responsible for making those changes or can abandon the project.

He stated the majority of the corridor is 100 feet wide and the agreement would still allow for other uses. Walsh indicated if the County wanted to consider regional funding for another activity on the trail an amendment would be necessary that would follow a public process.

Ische moved, Lynch seconded, to authorize the Chair of the Carver County Regional Rail Authority to sign the permit agreement. Motion carried unanimously.

Maluchnik moved, Ische seconded, to adjourn as the Carver County Regional Rail Authority and reconvene as the Carver County Board. Motion carried.

Walsh clarified he was now addressing them as the County Board. He stated the plans for the trail are complete at this time and he was asking for authority to bid the project and approval of the permit. He indicated the project encompassed approximately seven miles of trail from the East County line to the City of Mayer. He reviewed the funding sources and indicated once the project is awarded he would bring back information as to the exact cost.

The Board briefly discussed the amounts the County may receive through the new sales tax and the use of those funds. David Hemze, County Administrator, clarified those issues will be discussed as part of the five year CIP.

Ische moved, Maluchnik seconded, to authorize the County Board Chair to sign the permit agreement and authorize the project be advertised for bids. Motion carried unanimously.

Lyndon Robjent, Public Works, requested the Board approve the joint powers agreement with Laketown Township for Laketown Road and Klein Drive. He stated the agreement allows for a bituminous paving of Laketown Road from CSAH 10 to Highway 5, as well as the transfer of jurisdiction from the Township to the County and for the transfer of Klein Drive to Laketown Township. He indicated the agreement includes a \$20,000 contribution from the Township to provide gravel.

Ische moved, Lynch seconded, to authorize the Chair and County Administrator to sign the joint powers agreement with Laketown Township for Laketown Road and Klein Drive. Motion carried unanimously.

Robjent requested the Board award the bid for the Laketown Road project.

Ische moved, Lynch seconded, to award the bid to Wm. Mueller & Sons, Inc., in the amount of \$705,879.00 for the base bid plus alternate No. 2. Motion carried unanimously.

Dave Drealan, Land and Water Services, requested the Board adopt a Resolution authorizing submittal of the revised Draft 2030 Comp Plan to the Met Council for final review.

He clarified they would be reviewing the changes made as a result of input received from the last Planning Commission meeting. Drealan reviewed the issue related to the water plan and the comp plan and the concerns of the township related to the adoption of a water plan. He reviewed the alternative language that could be adopted by the townships.

Paul Moline, Land and Water Services, reviewed the recommended changes to the draft plan. He noted the comments received during the six month review process and the updated responses. Moline referenced the memo to the Board that included the revisions that were made since this was last reviewed with the Board. He highlighted each of those revisions.

He pointed out the glossary that was added at the recommendation of the Planning Commission. He clarified the extension they received to submit the plan was September 30<sup>th</sup>. He stated if they wanted more time they would need to get a grant extension and believed, if they didn't get that extension, they would lose the grant money.

Neal Johnson, Watertown Township, acknowledged their questions have been addressed as they went through the process. He stated their concern related to the adoption of the 2010 water plan they have not seen.

Drealan stated the 2010 water plan was going through the Water, Environmental and Natural Resource Committee. He indicated the process would be for the Townships to readopt the existing water plan and they would then get into the development of the 2010 water plan. He stated this would go through the review of the townships and then come to the County Board.

Moline stated they were trying to address the Met Council comments. He clarified there is no updated water plan at this point and draft language would come back to the Board for review by the townships in the future.

Johnson stated their concern is what the public process would be for the 2010 water plan and whether or not this is part of the comp plan. He indicated the Township was told that a draft 2010 plan existed but that it was not available to the Township. Johnson stated the draft document was public and believed the township should see anything that is related to the comp plan.

Moline stated they have mandated updates to their plan and also have additional issues locally they need to address. He indicated they have not discussed these with the Advisory Committee. He stated the next step is to meet with the stakeholders. He noted there were differences between the water plan and the comp plan in that the water plan affects the cities more and the comp plan covers the township chapters. He clarified the comp plan has taken a higher priority and they would be getting more on the water plan as they finalize the comp plan. He added the language the Board saw on the water plan earlier this year is not part of the comp plan and will be a separate process.

The Board inquired if they are being asked to adopt the final plan at this point. Moline clarified nothing would be adopted until after the next phase. He stated the type of changes that are made will determine if the plans needs to go back for review. He indicated one of the requirements of the grant is for the Board to take action by the end of the year. Moline stressed they believed they have addressed every issue that has come up. He added the County Board could amend the comp plan as they wish.

The Board directed that the three draft chapters of the water plan be released to the township and to continue this discussion to a Board meeting to be held on September 29<sup>th</sup> to allow them additional time to review the draft comp plan.

David Frischmon, Financial Services, requested the Board adopt Resolutions related to the Oak Grove Dairy project.

Steve Taylor, Administrative Services, explained the proposed project and the County's commitment for one time and ongoing costs. He stated the City of Norwood Young America did support bonding for the project.

Frischmon reviewed the three Resolutions before the Board. He indicated the first Resolution gave the County's General Obligation pledge to the CDA housing bonds. He stated the CDA would issue the bonds but the County's piece is the pledge toward the debt service on these bonds. He indicated the debt service is expected to be paid by the rental payments and reviewed the provisions of the trust indenture if the payments were not sufficient.

He indicated the Resolution approving the library financing joint powers agreement allows the City to issue library bonds under Statute. Frischmon explained the third Resolution allocates the County's Recovery Zone Economic Development Bond Authority to the City of Norwood Young America. He indicated this was part of the stimulus package and the County could use the Bond allocation or allocate the authority to another local government. He explained the reasons these were not a good fit for the County and stated he was recommending they be allocated to another unit of government. He clarified a survey was sent out to all cities, township and school districts to determine if they were interested in this and he received one request.

Maluchnik offered the following Resolution, seconded by Ische:

Resolution #66-09

Resolution Approving The Issuance by the Carver County Community Development Agency of its Housing Development Revenue Bonds (Carver County, Minnesota, Unlimited Tax General Obligation-Oak Grove Dairy Project), Series 2009, in an Aggregate Principal Amount not to Exceed \$6,500,000, to Which Bonds the General Obligation of Carver County is Pledged, and Authorizing Execution Of Documents

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Maluchnik offered the following Resolution, seconded by Lynch:

Resolution #67-09  
Resolution Approving Agreement with City Of Norwood Young America for  
Financing of New Branch Library

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Maluchnik offered the following Resolution, seconded by Ische:

Resolution #68-09  
Resolution Allocating Recovery Zone Economic Development Bond Volume Cap to the  
City of Norwood Young America and Norwood Young America Economic Development  
Authority

On vote taken, Degler, Ische, Lynch, Maluchnik voted aye. Workman voted nay.

Lynch moved, Ische seconded, to adjourn the Regular Session at 12:15 p.m. Motion carried  
unanimously.

David Hemze  
County Administrator

(These proceedings contain summaries of resolutions. The full text of the resolutions are available  
for public inspection in the office of the county administrator.)



# REQUEST FOR BOARD ACTION

## AGENDA ITEM : Authorization to Submit DRAFT 2030 County Comprehensive Plan to the Metro Council

Originating Division: Land & Water Services

Meeting Date: September 29, 2009

Amount of Time Requested: 30 Minutes

Attachments for packet:  Yes  No

Item Type:  Consent  Regular Session  Closed Session  Work Session  Ditch/Rail Authority

**BACKGROUND/EXPLANATION OF AGENDA ITEM:** The redrafted Comprehensive Plan was sent out for review at the end of July. Staff has had the opportunity to work with the townships to answer questions and receive comments. A public hearing was opened by the Planning Commission on August 18<sup>th</sup>. A variety of comments were submitted at the Planning Commission and were gathered by staff during meetings with local governments. These changes were addressed in the Sep 8 worksession with the Board. A variety of comments were submitted for inclusion in the hearing record on the 15<sup>th</sup> of September. Further changes were made based on comments at the September 15<sup>th</sup> hearing. The Planning Commission recommended approval of the County portion of the Comprehensive Plan to the County Board, allowing changes to the township chapters to come before the County Board, and meeting the September 30<sup>th</sup> submittal deadline. The Board discussed the Plan at its September 22 meeting and agreed to meet again on the 29<sup>th</sup> to further consider the Plan. The cumulative recommended changes to the County Plan are attached. A major point of discussion was the relationship of the Water Management Plan to the Comprehensive Plan. A memo addressing the issue is attached.

In order to meet the September 30<sup>th</sup> deadline the Board will need to take action at this meeting. The current extension for submission and the current grant agreement terminate on the 30<sup>th</sup>. The Board would have the option to not take action and request a further extension. The staff is not certain how that request would be accepted at the Metro Council. The previous extensions were approved prior to the respective deadlines in effect at the time so the Board knew that the extensions were approved prior to the deadline. Any further extension would occur after the expiration of the current extension which is different situation. There no certainty that an extension will be granted nor if the grant would be extended. The process at the Council is initial consideration by the Community Development Committee and final approval by the full Council. Given the uncertainties associated with missing the deadline for submission of the Plan, the staff recommends that the Planning Commission's recommendation be followed and the Plan approved for submittal.

The Planning Commission has recommended that the plan be submitted to the Metropolitan Council for final review. Staff is seeking authorization from the Board to submit the Revised DRAFT 2030 County Comprehensive Plan to the Metropolitan Council for final review and approval. Following Met Council review, the plan will then be ready for adoption and implementation.

During the Board discussion on the 22<sup>nd</sup>, the question arose as to exactly what action the Board is taking. The following is from the relevant statute:

**473.858 COMPREHENSIVE PLANS; LOCAL GOVERNMENTAL UNITS.**

Subd. 3. **When to council.** The plans shall be submitted to the council following recommendation by the planning agency of the unit and after consideration but before final approval by the governing body of the unit.

**ACTION REQUESTED:** Motion adopting a resolution authorizing submittal of the Revised DRAFT 2030 County Comprehensive Plan and the Township Plans to the Metropolitan Council for final review and approval.

**FUNDING**

County Dollars = \$

Other Sources & Amounts = \$

= \$

**TOTAL** = \$

**FISCAL IMPACT**

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

Reviewed by Division Director

Date: September 23, 2009

Report Date: September 24, 2009



**COUNTY OF CARVER**  
**BOARD OF COMMISSIONERS**

DATE September 29, 2009

RESOLUTION NO. \_\_\_\_\_

MOTION BY COMMISSIONER \_\_\_\_\_

SECONDED BY COMMISSIONER \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF THE REVISED DRAFT CARVER COUNTY 2030 COMPREHENSIVE PLAN TO THE METROPOLITAN COUNCIL FOR FINAL REVIEW AND APPROVAL**

WHEREAS, Minnesota Statutes section 473.175-473.871 (1996) requires each local government unit to review and, if necessary, amend its entire comprehensive plan and its fiscal devices and official controls, and submit any amendments to the Metropolitan Council; and

WHEREAS, Pursuant to MN Statute Sec. 473.862, Carver County is the planning and zoning authority for all ten townships within the County; and

WHEREAS, Carver County has prepared a DRAFT 2030 Comprehensive Plan, including goals and policies regarding Land Use, Transportation, Parks, Trails, Water Resources elements; and

WHEREAS, The plan has been significantly revised based on input from advisory committees, Township and Municipal representatives and other citizens; and

WHEREAS, Several public hearings and open houses have been held to consider the DRAFT 2030 Carver County Comprehensive Plan, a 6 month adjacent community review, and Metropolitan Council informal review has been held, and the Carver County Planning Commission recommended submittal of this DRAFT plan on September 15, 2009; and

THEREFORE, BE IT RESOLVED, THAT The Carver County Board of Commissioners hereby authorizes the submittal of the revised draft carver county 2030 comprehensive plan to the metropolitan council for final review and approval;

FURTHERMORE, The Carver County Board of Commissioners will review Metropolitan Council comments and seek further input from advisory committees, Township and Municipal representatives and other citizens, prior to final adoption of the plan;

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA  
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 29th day of September, 2009, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
County Administrator



**Land & Water Services Division  
 Carver County Government Center  
 600 East 4th Street  
 Chaska, Minnesota  
 (952) 361-1820 fax (952) 361-1828**

Date: September 16, 2009

To: Carver County Board of Commissioners

From: Dave Drealan, Paul Moline

Subject: Recommended changes to DRAFT 2030 Comprehensive Plan

The Comprehensive Plan was sent out for review at the end of July. Staff has had the opportunity to work with the townships to answer questions and receive comments. A public hearing was opened by the Planning Commission on August 18<sup>th</sup> and closed on Sep 15. A variety of comments were submitted at the Planning Commission and were gathered by staff during meetings with local governments. The staff would like to review substantive recommended changes with the Board prior to seeking authorization to submitting the revised DRAFT 2030 County Comprehensive Plan with the changes to the metropolitan council.

## **CHANGES TO COUNTY PLAN (SINCE JULY 2009 DRAFT)**

### LAND USE PLAN

*Table showing acreages for existing and future land uses(from included maps) has been added based on Met Council request*

#### **Summary of Existing and Future Land Use Change**

**Table 1. Carver County Land Use Summary**

Land Use Category	2008 (acres)	2030 (acres)
Single Family Residential	391	10,529
Multi-family Residential	1	2,567
Mixed Use (Residential)	114	1,600
Commercial	121	1,082
Industrial	194	881
Mixed Use (Commercial/Industrial)	4	415
Office	0	138
Extractive	234	48
Institutional	296	508
Park & Recreation	5,211	5,343
Utilities	4	1
Roadway Rights-of-Way	515	3,085
Railway	18	72
Airport	24	13
Rural Residential	7,942	7,874
Agricultural	147,196	130,915
Open Water	10,081	10,081
Wetlands*	24,551	21,745
<b>Total</b>	<b>196,897</b>	<b>196,897</b>

\*Note: The difference in wetland acreages is due to absence of a wetland land use category in some City Comprehensive Plans. The difference does not reflect actual wetland loss and all Wetland Conservation Act requirements must be followed.

FIGURE 3 Future land use map (pg 4)

Revise **with** note that future land use designations within the city comprehensive plans should be consulted for final determination.

Revise with clarification that open space areas are based on only those designated in City comp plans for future use. Those plans should be consulted.

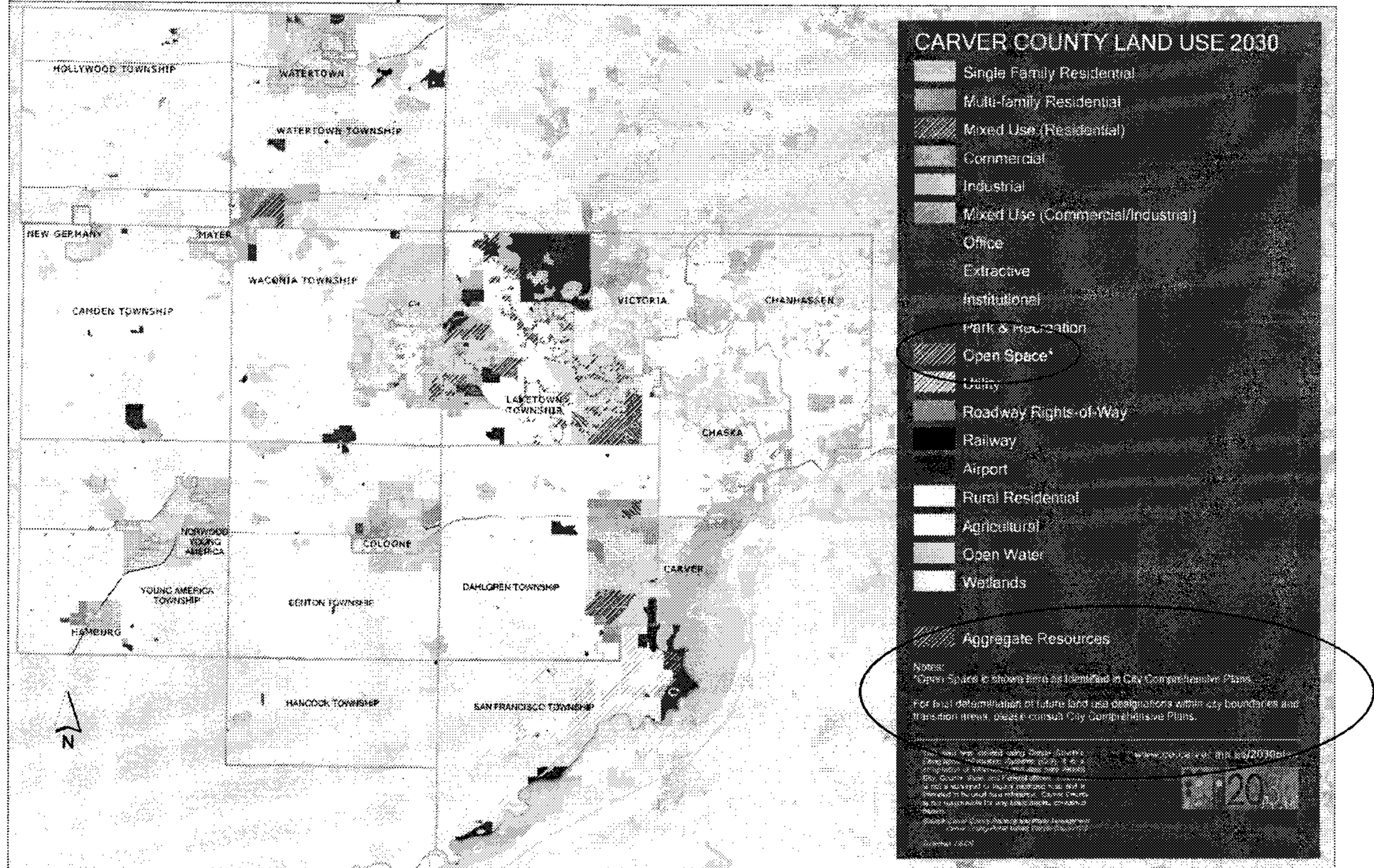


FIGURE 6 – CARVER COUNTY POLICY AREAS (pg 8)

- Revise transition area boundary near City of Watertown to address below comment by city

The Transition Area in Watertown Township shown on the map on page 8 of the Watertown Township Chapter should reflect the revised boundary from the Orderly Annexation Agreement in December 2008. (Attached data in CD format). There is one minor change on the east side. (this was noted in my previous comments to the County). The transfer of building eligibilities to non-adjacent parcels should be permitted only in agricultural policy areas.

COUNTY POLICY LU-18 SERVICE DEVELOPMENT STANDARDS (pg 15)

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

- 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 and rules shall be met.

COUNTY POLICY LU-19C ANIMAL AGRICULTURE (FEEDLOTS) (pg 17)

Animal agriculture and the accompanying operation of feedlots is and will continue to be an important segment of the agricultural economy in most portions of the County.

- ~~Feedlot operations shall meet all standards and policies contained in the County Water Plan.~~

## COUNTY POLICY LU-20F RESIDENTIAL DENSITY OPTIONS (pg 19)

### Option 2: Development Standards:

The following standards shall be used to guide development occurring under Option 2:

- The building lots ~~are to~~ should be considered residential lots, not agricultural parcels. The minimum lot size shall be related to the minimum area needed to accommodate at least two on-site sewer systems, a house, garage, and storage structure, while observing all required setbacks. ~~A maximum buildable lot size shall also be established which will restrict lots to sizes no larger than that required for residential purposes.~~
- Each lot shall should contain the minimum practicable amount of LTA Prime ag land.
- Residential areas should be located so as to provide the most effective buffering from through roads, agricultural areas, and feedlots within the context of the other requirements and development standards.
- Property owners are encouraged to minimize impact on natural resource areas.

### Option 3: High Amenity Areas

1/40 base density with additional development in amenity areas based on a 1/10 density with no more than 4/40 (four homes on 40 acres). The purpose of this policy area is to provide for additional residential development in high amenity areas, while providing for the continuation of agriculture on viable parcels of LTA land. It is not the intent to provide for the development of the land generally at a 1/10 - 4/40 density; nor is it the intent of this provision to generate large lot subdivisions, such as dividing a 40-acre parcel into four 10-acre lots.

### Option 3: Eligibility Standards:

Standards for eligibility for additional density under Option 3:

- A township that adopts this option may further clarify the amenity areas in the township. For example, a township could adopt the option with the provision that only wooded areas are eligible.
- Wooded land, wooded pasture and similar areas not in agricultural production with soils suitable for on-site sewer (land that is not in production because of a state or Federal program is considered production land).
- Areas immediately adjacent to waterbodies (as designated in Table 2-5 of this Policy ) – 1/4 1/4 sections adjacent to a lake shall be considered amenity areas with potential for additional residential development.
- Bluff Areas (buildable areas on top of bluffs) and ravines closely associated with the Minnesota River, South Fork Crow River, Bevens/Silver Creek, Chaska Creek, Carver Creek. Townships that have land that may be eligible under this provision should further define bluff areas in their chapter of this plan.

Option 3: Development Standards: The following standards shall be used to guide development occurring under Option 3:

- Building sites ~~s shall~~ should be clustered in or immediately adjacent to the amenity area.
- The maximum ~~feasible~~ practicable amount of LTA land shall should be preserved for continued agricultural use. The viable LTA land should be retained in a large parcel(s) suitable for agricultural purposes. The LTA land shall should not be split up and attached to each residential parcel unless the amount of agricultural land is so small that it is not reasonably farmable. One of the residential sites and the agricultural land may be combined to form a farm.
- The building lots ~~are to~~ should be considered primarily residential lots, not agricultural parcels. The minimum lot size shall should be related to the minimum

area needed to accommodate at least two on-site sewer systems, a house, garage, and storage structure, while observing all required setbacks. ~~A maximum buildable lot size shall also be established which will restrict lots to sizes no larger than that required for residential purposes.~~

- Each lot shall should contain the minimum practicable amount of LTA prime ag land.
- Residential areas shall should be located so as to provide the most effective buffering from through roads, agricultural areas, and feedlots within the context of the other requirements and development standards.
- Property owners are encouraged to minimize impact on natural resource areas.

#### Option 4: Eligibility Standards:

Standards for eligibility for additional density under Option 4:

- The following descriptions provide a general overview of the types of conservation or restoration activities that would be required to qualify for density incentives. A project may consist of a combination of ~~two~~ one or more of the following activities: ~~listed below.~~ ~~Specific activity guidelines and requirements are further explained in the County Code.~~ Permanent preservation, restoration, or enhancement of: Wetlands, Forest or Woodlands, Prairie, Bluffs, or Shoreline.

#### COUNTY POLICY LU-21B - LARGE SCALE ACTIVITIES WITH UNIQUE LAND OR LOCATION NEEDS (pg 24)

Uses must fall into one of the following categories:

- Activities that require a relatively large land area for low intensity land uses. The land uses are of a nature that substantial topographic changes are not required and structures are limited to clubhouses, maintenance buildings, and accessory structures. Examples include, but are not limited to: golf courses, shooting ranges, hunting preserves, ~~and recreational areas for motor vehicles or similar recreational areas,~~ agricultural activities with a retail component.

#### COUNTY POLICY LU-23A HAMPSHIRE ROAD OPPORTUNITY AREA (pg 29)

The area of southeast Laketown and northeast Dahlgren Township has a unique set of assets that make the area important to the long term development of the eastern ~~and southwestern~~ parts of the county. The area is served by an active rail line with interest in commuter rail, three major County highways, has a direct connection to US 212, and the transit plan shows a commuter rail station in this area. The area is centered in the growth areas of Carver, Chaska, and Victoria, and is within a few miles of Waconia. A multi-modal site is located just to the west and the bio-science center to the east. This area is identified in the plan to ensure that the unique set of assets in this area are recognized and planned. The area in Dahlgren Township is included in the orderly annexation area of the City of Carver. Future land use in the Hampshire Road opportunity area should be designed to take maximum advantage of the transportation network in the area.

*Below policy was commented on by cities of Mayer and Watertown. Watertown twp has agreed with revised language below:*

#### COUNTY POLICY LU-23B HIGHWAY 7 and CSAH 10 OPPORTUNITY AREA (pg 29)

Watertown Township, in concert with the County and the Cities of Watertown and Mayer, studied the concept of the designation of an economic development opportunity area near the State Hwy 7 and CSAH 10. Appropriate land uses in the area would be for the purposes of enhancing energy use, generation, transmission, and operations; public service operations, agricultural based activities which support area land uses, and other uses which would not

require municipal services, and do not compete with municipal land uses or economic development. Actual development would need to be preceded by a comprehensive plan amendment which ~~would~~ may include, but is not limited to: land use change, development plan, environmental analysis, traffic studies, stormwater management, sewer and water needs, and development standards.

#### COUNTY POLICY LU-30 PROPERTY OWNERS – (pg 43)

The County will not adopt or support any historic preservation policies, ordinances, or implementation programs that will adversely affect the rights of property owners

#### TOWNSHIP POLICY CHAPTERS (pg 46)

Pursuant to Minnesota State Statute Sec. 473.862, Carver County has been the planning and zoning authority for the following townships since 1976- Benton, Camden, Chaska, Dahlgren, Hancock, Hollywood, Laketown, San Francisco, Waconia, Watertown, and Young America. All the policies contained in the Land Use Plan Element of the County Comprehensive Plan apply to the land under the jurisdiction of these townships. Options contained within the County plan allow for townships to choose a residential density options (~~COUNTY POLICY LU-20F~~) and certain other options. Townships can also choose to be more restrictive than the County Land Use Element. The intent of these chapters is to allow for township flexibility in choosing a density option and reacting to changing land use pressures in the rural area on an ongoing basis.

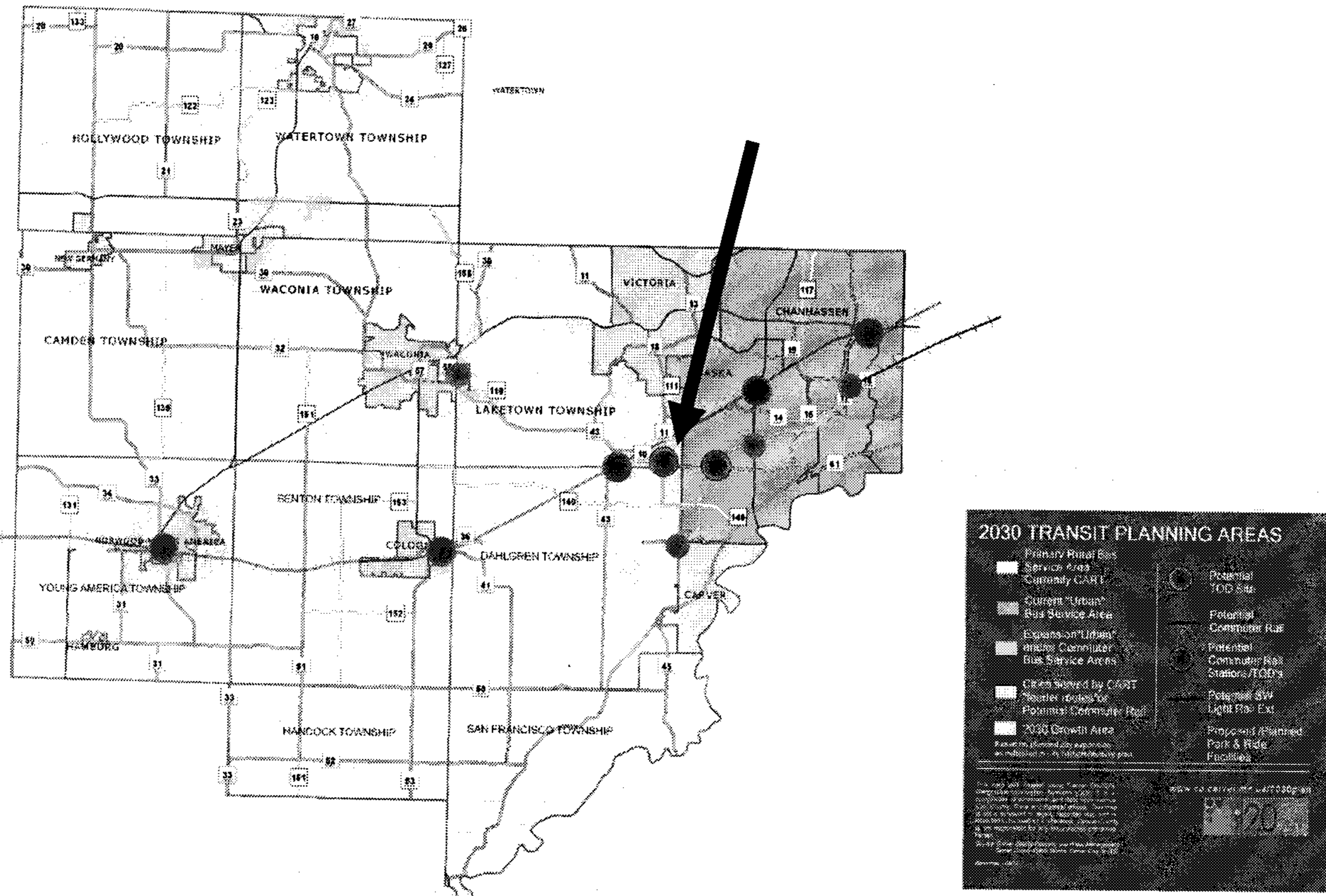
The township policy chapters contain the following information:

- Background and forecasts for each township.
- Policies, which adopt county plans, and choose a residential density option (based on COUNTY POLICY LU- 21F).
- Any policies which are more restrictive than County Policy (e.g. feedlots).
- Policies on annexation by adjacent communities.
- ~~Natural resources~~ Water Management and Transportation policies.
- A policy areas map of the township. ~~Official township maps are kept on file at the Carver County Recorders Office.~~

## Transportation Plan

FIGURE 9 – Carver County Transit Planning Areas (pg 11)

Add a Potential TOD at the County Rd 10 and 11 intersection location.



## Water & Natural Resources

- ~~Surface Water Management~~ – ~~serves as the local surface water management plan and shows how the county intends to protect the quality and quantity of surface water and ground water.~~
- Surface Water Management – discusses the 2001 Carver County WMO plan content and required updates necessary to meet regional, state, and federal requirements. Required changes will be addressed in the updated CCWMO plan likely during 2010.

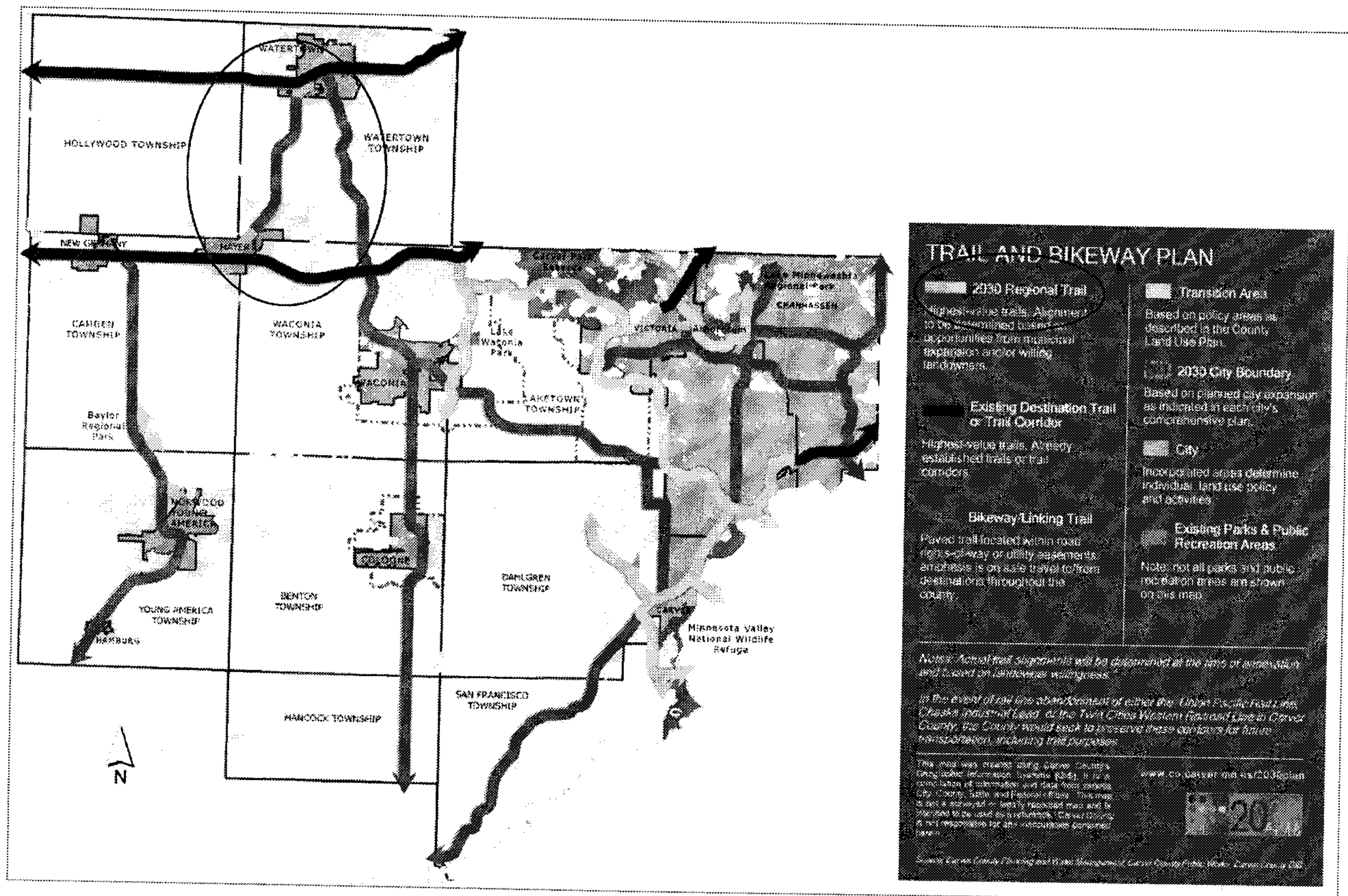
## POLICY WR-9 (pg 10)

~~The County intends for its current watershed management plan to be the local water management plan for the townships. The County will accept adoption of the current watershed management plans (CCWMO plan and other watershed districts if applicable) by the townships as their local water management plan should they so choose.~~ When a city annexes land from a township, the city must update its local surface water management plan to cover the annexed area within two years according to state, regional and CCWMO plan requirements.

## Parks, Open Space & Trails Plan (POST)

### FIGURE 6 (pg 34) Trails & Bikeway Plan map –

*The map has been changed to show the Western Carver County Regional Trail between Mayer and Watertown as following Hwy 25, and color coding has been changed to indicate a linking trail in the twp and a regional trail in the cities. Legend has been changed from "2030 Destination Trail" to "2030 Regional Trail"*



**Western Carver County Destination Regional Trail Corridor (pg 38)**

From south to north, this destination regional trail corridor will ultimately make a connection between the City of Norwood Young America, Baylor Regional park, the Dakota Rail Regional Trail in Mayer and north to the Luce Line State Trail in Watertown, In the 2030 time frame, the focus will be on establishing the trail corridor in the growth areas of the three cities.

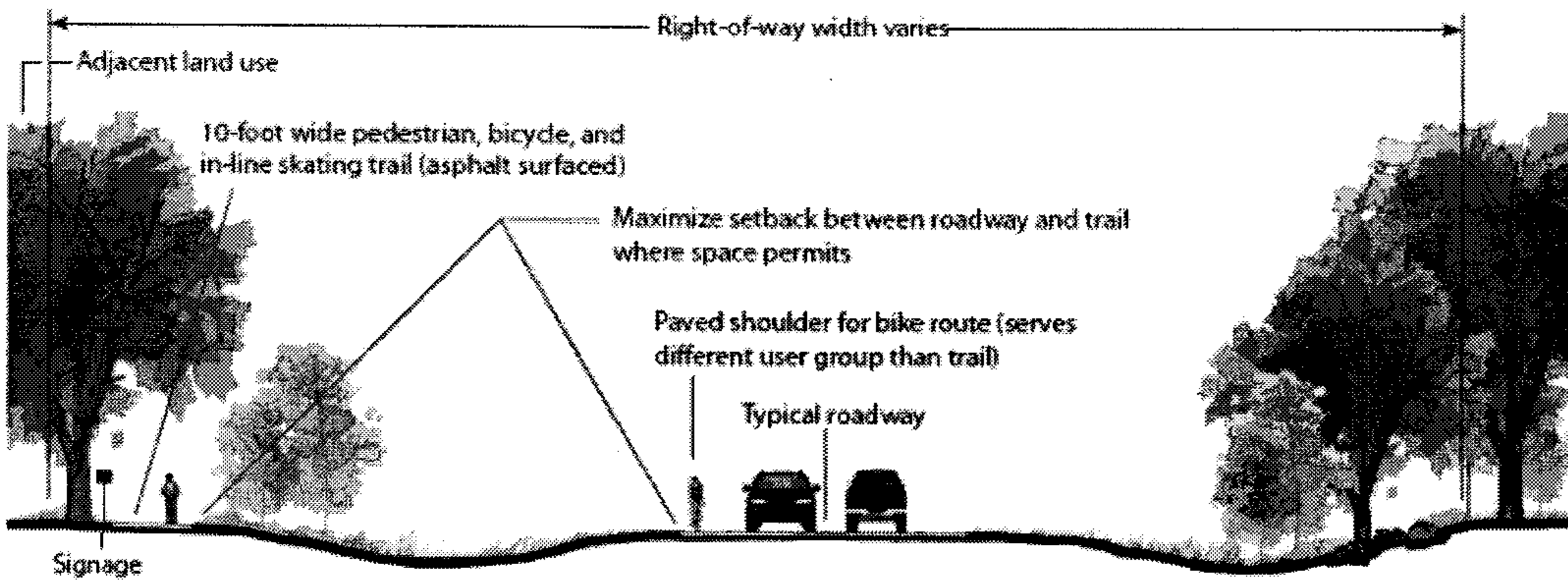
**Linking Trail and Bikeway System Graphic (pg 39)**

*The POST Plan contains a graphic on page 39 illustrating how a linking trail might be developed along a road. The visual effect of the graphic gives the impression that this type of trail would typically require a very wide right of way and use a lot of land. In practice, these trails are typically developed in close proximity to the roadway. A modified graphic has been developed that more closely represents the typical roadway – trail setting.*



**OLD GRAPHIC**

RIGHT-OF-WAY-BASED LINKING TRAILS



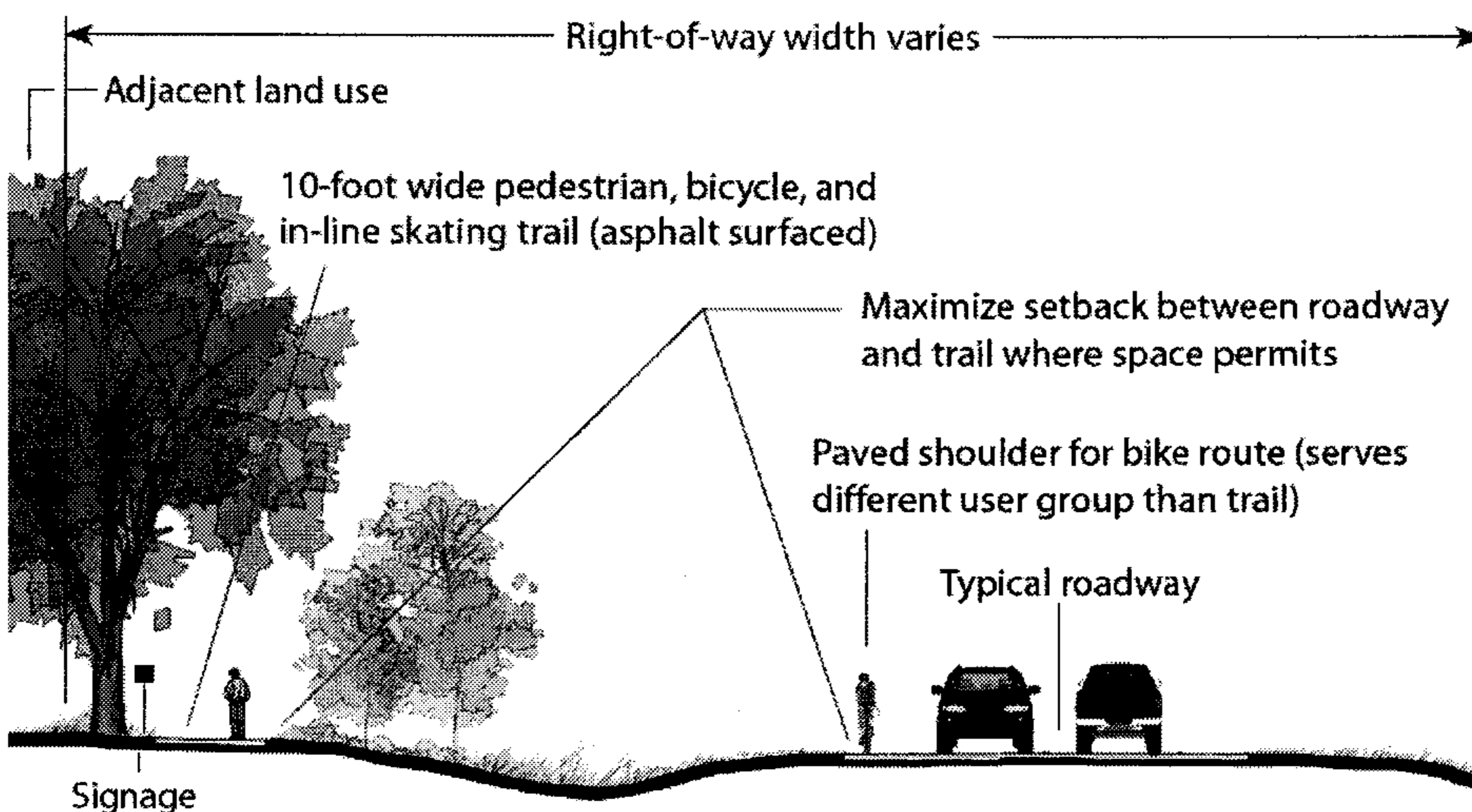
As the images illustrate, the setting for linking trails greatly affects their recreational value as judged by scenic quality, continuity, and separation from vehicular traffic.

Roadway Right of way widths are defined and determined in the Roadway System Plan

Carver County 2030 Parks, and Trail Plan (July 2009)

**REVISED NEW GRAPHIC**

RIGHT-OF-WAY-BASED LINKING TRAILS



As the images illustrate, the setting for linking trails greatly affects their recreational value as judged by scenic quality, continuity, and separation from vehicular traffic. Roadway

Right of way widths are defined and determined in the Roadway System Plan

**GLOSSARY**

*A glossary was developed to accompany the Plan to help define some of the terms used in it. Testimony at the public hearing indicated requested that it be included as part of the County Plan. The staff had a concern there might be significant inconsistencies between the definitions in the Glossary and the Zoning and Subdivision Codes. Staff has researched this issue and found that the potential for significant inconsistencies, while possible, is not significant. The staff did identify some changes that should be made to the Glossary to eliminate some potential inconsistencies. The recommended changes are shown below. There was also a request to add a list of common acronyms. An acronym list is shown below and the recommended*

*changes and can be added to the Glossary. With these changes the Glossary can be adopted as part of the Plan.*

**Agriculture.** - The principal use of a parcel of land of 20 acres or more for any one or combination of the following activities:

- (1) The production and storage of fruits, vegetables, grains, seeds, trees, forage, or other crops;
- (2) The keeping, raising, feeding, breeding, or production of animals whether on range, pasture, or feedlot; or
- (3) Dairying.

~~**Comprehensive Plan** - Plan for the development of an area, which recognizes the physical, economic, social, political, aesthetic, and related factors of the community involved. (Compare with local comprehensive plan.)~~

**Comprehensive plan** the comprehensive plan of a local governmental unit described in sections 473.858 to 473.862, and any amendments to the plan.

~~**Local Comprehensive Plan** - Plans prepared by cities, townships and, in some cases, counties, for local land use and infrastructure.~~

~~**Individual Sewage Treatment System (ISTS)** - System for disposing and treating human and domestic waste, such as a septic tank and soil absorption system or other system allowed by the state and city. This includes community drainfields, where a common on-site system serves several properties.~~

**Individual subsurface sewage treatment system or ISTS** - means an individual sewage treatment system or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less. ISTS includes the holding tanks and privies that serve these same facilities. ISTS does not include building sewers or other components regulated under chapter 4715 or collection systems.

~~**Septic System** - (See individual on-site septic treatment systems) - A sewage treatment system that includes a settling tank through which liquid sewage flows and in which solid sewage settles and is decomposed by bacteria. Septic systems are often used for individual home waste disposal where an urban sewer system is not available. See Individual subsurface sewage treatment system or ISTS~~

#### **ACRONYM LIST**

AA/DEIS Alternatives Analysis and Draft Environmental Impact Statement

AADT Average Annual Daily Traffic

ADT Average Daily Traffic

APTA American Public Transportation Association

AST Aboveground storage tanks

BMP Best Management Practice

BRT Bus Rapid Transit

BWSR Board of Water and Soil Resources

COE Corps of Engineers (Corps prefers USACE – United States Army Corps of Engineers)  
CDA –Community Development Agency  
CCDA – Carver County Community Development Agency  
CCWMO Carver County Watershed Management Organization  
CR County Road  
CSAH County State Aid Hwy  
CWA Clean Water Act  
DEIS Draft Environmental Impact Statement (or Draft EIS)  
DNR Department of Natural Resources  
EA Environmental Assessment  
EIS Environmental Impact Statement  
EPA Environmental Protection Agency  
EQB Environmental Quality Board  
ESA Endangered Species Act  
FEIS Final Environmental Impact Statement (or Final EIS)  
FEMA Federal Emergency Management Agency  
FHWA Federal Highway Administration  
FIRM Flood Insurance Rate Map  
FONSI Finding of No Significant Impact  
FPPA Farmland Protection Policy Act  
FRA Federal Railroad Administration  
FTA Federal Transit Administration  
CCRRA Carver County Regional Railroad Authority  
HOV High Occupancy Vehicle (lane)  
LGU Local Government Unit  
LOS Level of Service  
LRT Light Rail Transit  
LTA Long Term Ag Land  
LUST Leaking underground storage tank  
MCES Metropolitan Council Environmental Services  
Met Council Metropolitan Council  
MnDOT Minnesota Department of Transportation  
MOU Memorandum Of Understanding  
MPCA Minnesota Pollution Control Agency  
MCWD Minnehaha Creek Watershed Management Organization  
MS Minnesota Statute  
NPDES National Pollution Discharge Elimination System  
NRCS Natural Resources Conservation Service  
NRHP National Register of Historic Places  
NWI National Wetland Inventory  
ROW Right-of-way  
RSD Rural Service District  
SHPO State Historic Preservation Office  
SSTS Sub-Surface treatment system  
SWCD Soil & Water Conservation District  
SWPPP Stormwater Pollution Prevention Plan  
T&E Threatened And Endangered  
TAZ Traffic Analysis Zone  
TCW Twin Cities & Western Railroad  
TDM Travel Demand Management  
TEA-21 Transportation Equity Act for the 21st Century  
TH Trunk Highway  
TIP Transportation Improvement Program  
TOD Transit Oriented Development

TOZ Transit Opportunity Zone  
TSM Transportation Systems Management  
U.S. United States  
USDOT United States Department of Transportation  
USEPA United States Environmental Protection Agency  
USFWS United States Fish and Wildlife Service  
USGS United States Geological Survey  
VMT Vehicle Miles Traveled  
WCA Wetland Conservation Act  
WENR Water, Environment & Natural resource Committee  
WMO – Watershed management Organization

## **KNOWN OR PROPOSED CHANGES TO TOWNSHIP CHAPTERS (SINCE JULY 2009 DRAFTS) AND STATUS UPDATE**

### **Benton**

Benton Twp approved submittal of their chapter to the metropolitan council on Sep 10 with the following change

#### **TOWNSHIP POLICY WNR-1**

Benton Township hereby adopts the Carver County Water Management Organization (CCWMO) Watershed Management Plan; this plan serves as the Township's Local Surface Water Management Plan. The CCWMO Watershed Management Plan will likely be updated by 2010 and the Township will amend this plan chapter to adopt the final updated CCWMO Plan. acknowledges that it will need to address updates in its township chapter and will do so based on input into the CCWMO plan update process.

### **Camden**

Camden Twp approved submittal of their chapter to the metropolitan council on Sep 10.

### **Dahlgren**

Dahlgren Twp approved submittal of their chapter to the metropolitan council on Sep 14 with the following changes

**TOWNSHIP POLICY LU-6** - The Township contains a multi-modal opportunity area as identified in the Carver County Community Development Agency study. Prior to any development a plan amendment will be needed and additional study and analysis will be needed including but not limited to: environmental analysis, storm water management, sewer and water needs, and traffic studies. The township supports this economic development initiative with the understanding that any development or acquisition in this area be based on willing landowners, township input, and that no areas be developed or acquired through condemnation.

**TOWNSHIP POLICY LU-5** The County Plan provides for a number of land use options the township can choose to implement. Dahlgren Township chooses not to implement: additional feedlot regulations. Dahlgren Township chooses to implement: the transfer of 1 per 40 eligibilities to non-adjacent parcels and chooses to allow golf courses.

## TOWNSHIP POLICY WNR-1

Dahlgren Township hereby adopts the Carver County Water Management Organization (CCWMO) Watershed Management Plan; this plan serves as the Township's Local Surface Water Management Plan. The CCWMO Watershed Management Plan will likely be updated by 2010 and the Township ~~will amend this plan chapter to adopt the final updated CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter and will do so based on input into the CCWMO plan update process.

### **Hancock**

Hancock Twp is meeting on Sep 28 to discuss approval for submittal of twp chapter to the metropolitan council. No changes have been suggested to date.

### **Hollywood**

Hollywood Twp is meeting on (Date TBD) to discuss approval for submittal of twp chapter. Changes to date are as follows:

## ~~TOWNSHIP POLICY POST-1~~

~~Hollywood Township acknowledges that the Metropolitan Council's regional park policy plan identifies the Crow River Regional Trail (referred to as the Western Carver County Regional Trail in the 2030 County Plan) with a potential future alignment through the township. The establishment of any future trail alignment will result from a master plan process done in cooperation with Hollywood Township, Carver County, and others.~~

### *PROPOSED*

TOWNSHIP POLICY WR-1 Hollywood Township hereby concurs with and adopts the Carver County Water Management Organization (CCWMO) Watershed Management Plan; this plan serves as the Township's Local Surface Water Management Plan. The CCWMO Watershed Management Plan will likely be updated in 2010 and the Township ~~will amend this plan to adopt the final CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter and will do so based on input into the CCWMO plan update process.

or other option for 2<sup>nd</sup> sentence in policy

The CCWMO Watershed Management Plan will likely be updated by 2010 and the Township ~~will amend this plan chapter to adopt the final updated CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter to meet the requirements of MN statute 103B.235 (Local water management plans).

### **Laketown**

Laketown Twp approved submittal of their chapter to the metropolitan council on Sep 14. The twp may discuss the following comments from the City of Victoria and Waconia at their Sep 21 meeting. If any changes are made, they will be made to County Land Sue Figure 6 as well.

### City of Victoria

## **2. Land Use Element – Figure 6**

We request that you use the 2030 boundary as the extent of the transition area within Laketown Township. It is also consistent with the Plan's statement "Transition areas are shown as being urbanized in approximately the next 20 years in the cities' comprehensive plans."

We request that this transition area be changed in all of the appropriate maps including, Laketown Township Policy Map and POST element Figures 2 and 3.

### City of Waconia

The City of Waconia recently received approval of our 2030 Comprehensive Plan by the Metropolitan Council in June of this year. The City's plan anticipates household, commercial, industrial, recreational and medical growth to the year 2030 and has projected meeting the growth forecasts of the Metropolitan Council by allocating needed acreage to accommodate those uses.

The City respectfully requests that the Transition Area designations within the policy maps of Laketown Township and Waconia Township reflect the 2020 to 2030 development staging areas shown in the City Comprehensive Plan. It appears the proposed Township policy maps only reflect transition areas to the year 2020. The City was required to project land needs to the year 2030.

The three attachments show the City Staging Plan and then each of the respective Township Policy maps and how the transition areas from 2020 to 2030 would appear for consistency with the City / Metropolitan Council growth projections.

Carver County's Land Use policies have been an effective and valuable tool in managing growth in rural areas. The City believes in having the transition area maps of both the City of Waconia and Carver County match consistency with one another in order to avoid or minimize land use conflicts in these areas in the future.

### **San Francisco**

SF Twp is meeting on Sep 21 to discuss approval for submittal of twp chapter. Changes to date are as follows:

Page 6 –Land Use – "The limited residential development that is expected to occur will generally be located in the wooded, pasture areas, and along bluffs and ravines.

Page 6 LU-2 – Areas eligible for additional density under option 3 are: all areas designated bluffs and qualifying amenity areas adjacent to lakes in the township. We would like this to be changed to: Areas eligible for additional density under option 3 are: all areas designated bluffs, ravines, and wooded areas and qualifying amenity areas adjacent to lakes in the township.

### **Waconia**

Waconia Twp met on Sep 14 to discuss approving submittal of their chapter to the metropolitan council.

### **Watertown**

Watertown Twp is meeting on (Date TBD) to discuss approval for submittal of twp chapter.

Changes to date are as follows:

*PROPOSED*

TOWNSHIP POLICY WR-1 Watertown Township hereby concurs with and adopts the Carver County Water Management Organization (CCWMO) and Minnehaha Creek Watershed District (MCWD) Watershed Management Plans; these plans serve as the Township's Local Surface Water Management Plan. The

CCWMO Watershed Management Plan will likely be updated in 2010 and the Township will ~~amend this plan to adopt the final CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter and will do so based on input into the CCWMO plan update process. The Township will work with the CCWMO and MCWD to have the land currently in the MCWD reassigned to the CCWMO.

or other option for 2<sup>nd</sup> sentence in policy

The CCWMO Watershed Management Plan will likely be updated by 2010 and the Township will ~~amend this plan chapter to adopt the final updated CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter to meet the requirements of MN statute 103B.235 (Local water management plans).

**Young America**

YA Twp approved submittal of their chapter to the metropolitan council on Sep 8.



**Land & Water Services Division  
Carver County Government Center  
600 East 4th Street  
Chaska, Minnesota  
(952) 361-1820 fax (952) 361-1828**

Date: 15 September 2009

To: Carver County Board of Commissioners

From: Dave Drealan, Paul Moline

Subject: Water Plan requirements of the Comprehensive Plan

The relationship between the Comprehensive Plan and the Water management Plan and what has to be submitted to the Metro Council as part of the Comprehensive Plan continues to be an issue. The question "Is the Carver County Water management plan Part of the Comprehensive Plan" continues to be raised.

The Land Planning Act requires that each local unit of government adopt as part of its land use plan a Local Water Management Plan that conforms to the Watershed Management Plan. For most of the county this means conforming with the Carver County Water management Plan. The Systems Statements of the Cities and Townships include a requirement to develop and adopt a Local Water Management Plan consistent with the Water Management Plan adopted by the County (or watershed district as appropriate). The system statement language for the County is significantly different. The County's language discusses the need to work with the Council in review and approval of local water plans. The County's System Statement does not include a requirement that it adopt a local water plan because the County is the water management authority and has adopted the Watershed Management Plan with which the Cities' and Townships' Local Water Management Plans must be consistent.

**The Carver County WMO Water Management Plan is not part of the Comprehensive Plan and does not need to be submitted along with the County Comprehensive Plan.**

**Pursuant to MS 473.859 Comprehensive Plan Content Subd 2 and MS 103B.235 Local Water Management Plans, and the Metropolitan Systems Statements the cities and townships are required to submit a local water management plan with their 2030 comprehensive plan.**

The County adopted the Water management Plan in 2001. Since that time the cities have all developed and adopted local water management plans consistent with the County WMO Plan. Each city typically had its engineer prepare the local water plan based on future development plans. The Townships were not planning for significant development that would warrant the development of their own local water plan so they adopted the County WMO plan as their local plan. For the Townships the option was to adopt the County plan as their local water management plan or hire someone to develop their local plan for them; the plan would still need to conform to the County plan and the state requirements for content. Since the townships have an extremely limited role in water management activities, it made sense for them to adopt the County Plan as their local water management plan. All of the current township plans include the following statement & policy or something quite similar:

**2020 Township Plan language - ENVIRONMENTAL POLICY**

XXXX Township is located in the XXX watershed. Carver County is the Water Authority for the XXX watershed and is required to prepare and implement a water plan which addresses surface water and groundwater issues. The Carver County Land Use plan also addresses standards, policies, and guidelines for protection of natural resources.



## **Township Policy 7**

**XXXX Township hereby concurs with and adopts the water and natural resource policies contained in the Carver County Water Plan, and the County Comprehensive Plan as part of the Township Plan.**

The staff, in working with the Townships in the development of their 2030 comprehensive plan updates developed language to address the local water plan requirement of the townships. The following language was what was originally proposed:

### **2030 Township Plan Language**

XXXX Township is located in the XXX Watershed. Carver County is the Water Authority for this watershed and is required to prepare and implement a water plan which addresses surface water and groundwater issues. The Township is required to adopt a Local Water management Plan that complies with the Watershed Plan.

**TOWNSHIP POLICY WNR-1 XXXX Township hereby adopts the Carver County Water Management Organization (CCWMO) Watershed Management Plan; as the Township's Local Surface Water Management Plan. The CCWMO Watershed Management Plan will be updated in 2010 and the Township will amend this plan to adopt the updated CCWMO Plan**

Some concerns were expressed that the language could be interpreted to mean that the Township would adopt the County WMO plan without question. In response to this concern the staff developed alternative language:

#### *TOWNSHIP POLICY WNR-1*

*XXX Township hereby adopts the Carver County Water Management Organization (CCWMO) Watershed Management Plan; this plan serves as the Township's Local Surface Water Management Plan. The CCWMO Watershed Management Plan will likely be updated by 2010 and the Township ~~will amend this plan chapter to adopt the final updated CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter and will do so based on input into the CCWMO plan update process.*

or other option:

*XXX Township hereby adopts the Carver County Water Management Organization (CCWMO) Watershed Management Plan; this plan serves as the Township's Local Surface Water Management Plan. The CCWMO Watershed Management Plan will likely be updated by 2010 and the Township ~~will amend this plan chapter to adopt the final updated CCWMO Plan.~~ acknowledges that it will need to address updates in its township chapter to meet the requirements of MN statute 103B.235 (Local water management plans).*

Some of the townships have adopted their plan with the original language. Others have adopted or are considering one of the alternatives.

## **473.859 COMPREHENSIVE PLAN CONTENT.**

### **Subd. 2. Land use plan.**

(a) A land use plan shall include the water management plan required by section 103B.235, and shall designate the existing and proposed location, intensity and extent of use of land and water, including lakes, wetlands, rivers, streams, natural drainage courses, and adjoining land areas that affect water natural resources, for agricultural, residential, commercial, industrial and other public and private purposes, or any combination of such purposes.

(b) A land use plan shall contain a protection element, as appropriate, for historic sites, the matters listed in the water management plan required by section 103B.235, and an element for protection and development of access to direct sunlight for solar energy systems.

(c) A land use plan shall also include a housing element containing standards, plans and programs for providing adequate housing opportunities to meet existing and projected local and regional housing needs, including but not limited to the use of official controls and land use planning to promote the availability of land for the development of low and moderate income housing.

(d) A land use plan shall also include the local government's goals, intentions, and priorities concerning aggregate and other natural resources, transportation infrastructure, land use compatibility, habitat, agricultural preservation, and other planning priorities, considering information regarding supply from the Minnesota Geological Survey Information Circular No. 46.

**473.859 COMPREHENSIVE PLAN CONTENT.** Subd. 2. Land use plan refers to MS 103B.235:

### **103B.235 LOCAL WATER MANAGEMENT PLANS.**

Subdivision 1. **Requirement.** (a) After the watershed plan is approved and adopted, or amended, pursuant to section 103B.231, the local government units having land use planning and regulatory responsibility for territory within the watershed shall prepare or cause to be prepared a local water management plan, capital improvement program, and official controls as necessary to bring local water management into conformance with the watershed plan within the time period prescribed in the implementation program of the watershed plan and, as necessary, shall prepare or cause to be prepared amendments to the local comprehensive plan.

(b) Each town within the counties of Anoka, Carver, Dakota, Scott, and Washington authorized by general or special law to plan and regulate the use of land under sections 462.351 to 462.364 shall by resolution determine whether to prepare the local water management plan itself or to delegate all or part of the preparation of the plan to the county.

(c) Towns within counties that have adopted comprehensive plans applicable to the town must use county preparation of their plan to the maximum extent possible.

Subd. 2. **Contents.** (a) Each local plan, in the degree of detail required in the watershed plan, shall:

(1) describe existing and proposed physical environment and land use;

(2) define drainage areas and the volumes, rates, and paths of stormwater runoff;

(3) identify areas and elevations for stormwater storage adequate to meet performance standards established in the watershed plan;

(4) define water quality and water quality protection methods adequate to meet performance standards established in the watershed plan;

(5) identify regulated areas; and

(6) set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.

(b) The Board of Water and Soil Resources shall adopt rules establishing minimum local plan standards and a model environmental management ordinance for use by local government units in implementing local water plans. The standards apply to plan amendments made to conform to changes in the watershed plans that are adopted under the board rules required by section 103B.231, subdivision 6.

#### **SYSTEMS STATEMENT REQUIREMENTS REGARDING WATER MANAGEMENT PLANS**

The Metropolitan System Statements issued to each unit of government in the Metro Area state the requirements for each governmental unit's comprehensive plan.

#### **Carver County**

##### **3. Surface Water Management**

In 1995, Minnesota Statutes section 473.859, subd. 2, was amended to make the local surface water management plan required by Minnesota Statutes section 103B.235 a part of the land use plan of the local comprehensive plan. Section 103B.235 provides that a local surface water management plan should be prepared once a watershed plan for the area has been approved. Section 103B.235 also generally identifies the content requirements for the plan. The local surface water management plan must be submitted to both the watershed management organization(s) within whose watershed the community is located and to the Metropolitan Council for its review. For guidelines on the contents of local surface water management plans, please refer to Appendix B2-b of the Council's *Water Resources Management Policy Plan*.

Carver County is the watershed management organization for most of Carver County. Carver County needs to work with the Metropolitan Council when approving local water plans under its jurisdiction. Local water management plans in the county need to be submitted to the Council for its review concurrent with the review by the county. The county should be advised that failure to have an updated local surface water management plan consistent with the local surface water management plan content requirements found in Appendix B2-b of the *Water Resources Management Policy Plan* will result in a metropolitan system impact for the communities in the County.

#### **Typical Township**

##### **4. Surface Water Management**

In 1995, Minnesota Statutes section 473.859, subd. 2, was amended to make the local surface water management plan required by Minnesota Statutes section 103B.235 a part of the land use plan of the local comprehensive plan. Section 103B.235 provides that a local surface water management plan should be prepared once a watershed plan for the area has been approved. Section 103B.235 also generally identifies the content requirements for the plan. The local surface water management plan must be submitted to both the watershed management organization(s) within whose watershed the community is located and to the Metropolitan

Council for its review. For guidelines on the contents of local surface water management plans, please refer to Appendix B2-b of the Council's *Water Resources Management Policy Plan*.

Council records indicate that Hollywood Township is in the Carver County Watershed (see attached map). The Carver County watershed plan was approved by BWSR in 2001. Therefore, Hollywood Township was required to complete a local surface water management plan by 2003. The plan should be submitted to the Council for its review concurrent with the review by the watershed management organization. Failure to have an updated local surface water management plan consistent with the local surface water management plan content requirements found in Appendix B2-b of the *Water Resources Management Policy Plan* will result in a metropolitan system impact.

#### **Typical City**

##### **2. Surface Water Management**

In 1995, Minnesota Statutes section 473.859, subd. 2, was amended to make the local surface water management plan required by Minnesota Statutes section 103B.235 a part of the land use plan of the local comprehensive plan. Section 103B.235 provides that a local surface water management plan should be prepared once a watershed plan for the area has been approved. Section 103B.235 also generally identifies the content requirements for the plan. The local surface water management plan must be submitted to both the watershed management organization(s) within whose watershed the community is located and to the Metropolitan Council for its review. For guidelines on the contents of local surface water management plans, please refer to Appendix B2-b of the Council's *Water Resources Management Policy Plan*.

Council records indicate that the city of Norwood Young America is in the Carver County Watershed (see attached map). The Carver County watershed plan was approved by BWSR in 2001. Norwood Young America completed a local surface water management plan in 2005. The city should be advised that they will need to review their current local surface water management plan against the policies and required elements of the *Water Resources Management Policy Plan*. If there are discrepancies, the city will need to revise its local surface water management plan. The plan should be submitted to the Council for its review concurrent with the review by the watershed management organization. Failure to have an updated local surface water management plan consistent with the local surface water management plan content requirements section in Appendix B2-2 of the *Water Resources Management Policy Plan* will result in a metropolitan system impact.