

Community Development Committee

For the Metropolitan Council meeting of June 12, 2019

Subject: Scott County 2040 Comprehensive Plan, Review File 21936-1

Proposed Action

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

Recommendations of the Community Development Committee

1. Authorize Scott County to place its 2040 Comprehensive Plan into effect.
2. Amend the Community Designations map in *Thrive MSP 2040* to extend the Rural Residential community designation to a small area in New Market Township.
3. Advise the County to implement the advisory comments in the Review Record for Transportation, Forecasts, Land Use, and Water Supply.

Summary of Committee Discussion/Questions

Local Planning Assistance Manager, Angela Torres, presented the staff's report to the Committee. Scott County Planning Manager, Brad Davis, was in attendance. Referring to the recent change in Credit River Township's planning authority, Council Member Lee questioned if the Council asks the County or Township about the changes in planning authority or if the Council asks how or why the relationship changed. Manager Torres clarified that the Council is not involved in the process, the relationship is between the Township and the County and that state statute shapes how those changes happen. Credit River Township was ready to plan for growth on their own and the County was amenable to the change, as is consistent with state statute. Council Member Wulff added that the Township is as large as many cities in the region and that it is unusual that a Township with its population would remain a Township (not a city) as long as it has.

Council Member Chamblis asked for clarification between the Community Designation change and the Credit River Township change. Manager Torres clarified that the impacted area for the requested Community Designation change is in New Market Township and not related to the change in planning authority for Credit River Township.

Council Member Johnson asked if the different roles and responsibilities of County planning authority are outlined in state statute and if that authority differs from county to county. Manager Torres affirmed this understanding and clarified that the process lies within the Metropolitan Land Planning Act. Scott and Carver Counties have land use planning authority over the Townships within their boundaries, with the exception of Credit River Township in Scott County, as previously discussed. No other counties in the region have planning authority for the Townships within their boundaries.

The Community Development Committee unanimously recommended approval of the proposed actions at its meeting on May 20, 2019.

Community Development Committee

Meeting date: May 20, 2019

For the Metropolitan Council meeting of June 12, 2019

Subject: Scott County 2040 Comprehensive Plan, Review File 21936-1

District(s), Member(s): District 4, Council Member Deb Barber

Policy/Legal Reference: Metropolitan Land Planning Act (Minn. Stat. § 473.175)

Staff Prepared/Presented: Angela R. Torres, AICP, Local Planning Assistance Manager (651-602-1566)

Division/Department: Community Development / Regional Planning

Proposed Action

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Recommendations of the Community Development Committee

1. Authorize Scott County to place its 2040 Comprehensive Plan into effect.
2. Amend the Community Designations map in *Thrive MSP 2040* to extend the Rural Residential community designation to a small area in New Market Township.
3. Advise the County to implement the advisory comments in the Review Record for Transportation, Forecasts, Land Use, and Water Supply.

Advisory Comments

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

Community Development Committee

1. As stated in the *Local Planning Handbook*, the County must take the following steps:
 - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
 - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
 - c. Submit to the Council a copy of the County Board 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. § 473.858, subd. 3)
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).

Background

Scott County is located in southwestern portion of the Twin Cities metropolitan area, south of Hennepin and Carver Counties, and west of Dakota County. Scott County has planning authority for 10 of the 11 townships within its borders, excluding Credit River Township. The Plan fulfills the Metropolitan Land Planning Act (MLPA) and system statement requirements for the townships of Blakeley, Belle Plaine, Cedar Lake, Jackson, Louisville, New Market, Helena, Spring Lake, St. Lawrence, and Sand Creek.

The County submitted its 2040 Comprehensive Plan (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).

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, with the proposed revision of Community Designation
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 County a Planning Assistance Grant of \$84,000 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 County's plan, local adoption, and the County's submittal of final reporting requirements.

Known Support / Opposition

There is no known local opposition to the 2040 comprehensive plan.

REVIEW RECORD

Scott County 2040 Comprehensive Plan

Review File No. 21936-1, Business Item No. 2019-118

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 County'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: Tracey Kinney, AICP, Community Development (CD) – Regional Parks (651-602-1029)
The Plan conforms to the 2040 Regional Parks Policy Plan (RPPP) for the Regional Parks System element. Scott County is the parks implementing agency for the Regional Parks System. The Plan accurately describes the regional parks system components, and state and federal lands.

The County includes seven (7) Regional Parks, Park Reserves, or Special Recreation Features including Blakeley Bluffs Park Reserve, Cedar Lake Farm Regional Park, Cleary Lake Regional Park, Doyle-Kennefick Regional Park, Murphy-Hanrehan Park Reserve, Spring Lake Regional Park, and The Landing Special Recreation Feature (Figure 1). The Plan appropriately guides the land use for the portions of these parks within the townships as Parks/Open Space.

The Regional Trails system in the County includes eight (8) regional trails or trail search corridors including Elko New Market-Blakeley-Doyle Kennefick Regional Trail Search Corridor; Elko New Market-Doyle Kennefick Regional Trail Search Corridor; Louisville Regional Trail Search Corridor; Minnesota River Extension Regional Trail Search Corridor; Prior Lake Outlet Regional Trail Search Corridor; Scott West Regional Trail; Southern Scott Regional Trail Search Corridor; and Spring Lake Regional Trail (Figure 1).

The County includes 18 state or federal land areas that include wildlife management areas, wildlife refuges, state recreation areas, state trails, and scientific and natural areas. Those State and Federal Lands include Bradshaw Lake Wildlife Management Area; Clark Lake Wildlife Management Area; Karnitz Wildlife Management Area; Mahoney's Marsh Wildlife Management Area; Marsh Wildlife Management Area; Michel Marsh Wildlife Management Area; Minnesota Valley National Wildlife Refuge; Minnesota Valley State Recreation Area; Minnesota Valley State Trail; Ney Wildlife Management Area; O'Brien Wildlife Management Area; PF-Module #1 Wildlife Management Area; Pheasants Forever #3 Wildlife Management Area; Raguet Wildlife Management Area; Raven Wildlife Management Area; Savage Fen Scientific and Natural Area; Spartina Wildlife Management Area; and St. Patrick's Wildlife Management Area.

Regional Transportation, Transit, and Aviation

Reviewer: Russ Owen, Metropolitan Transportation Services (MTS) (651-602-1724)

The Plan conforms to the 2040 Transportation Policy Plan (TPP) adopted in 2015. It accurately reflects transportation system components of the TPP as well as applicable land use policies for regional transitways. The Plan is also consistent with Council policies

regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight.

Roadways

The Plan conforms to the Highways system element of the TPP. The County's Plan accurately accounts for the metropolitan highway system of principal arterials, including planned additions and improvements identified in the Current Revenue Scenario, and any right-of-way preservation needs. This includes TH 169 from CH 18 to Canterbury Road.

The Plan identifies proposed new or improved interchanges at US 169 and US 41, US 169 and Scott County 14 and MN 13 and Dakota Avenue. These have been reviewed and approved by the Minnesota Department of Transportation (MnDOT) / Metropolitan Council joint interchange committee, and have been funded, and, therefore, are identified in the Current Revenue Scenario of the TPP.

The County's Plan accurately reflects the regional functional classification map of A-minor arterials, and has delineated major and minor collectors.

- All functional classification changes to the A-Minor or Principal Arterial system must go through the Technical Advisory Committee (TAC) / Transportation Advisory Board (TAB) / Metropolitan Council review process. Directions for this submittal can be found on the Council's website at <https://metrocouncil.org/Transportation/Planning-2/Transit-Plans,-Studies-Reports/Highways-Roads/Functional-Roadway-Classification/Functional-Roadway-Classification-Resources/FunClassInstructions.aspx>.
- The County has requested four (4) functional classification changes, that will be reviewed through the TAC/TAB/Metropolitan Council process in the summer of 2019.

The Plan identifies all the required characteristics of the County'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.

The Plan identifies roadway and corridor studies that include recommendations regarding alignments, changes in access, and/or changes in land use. They include:

- Regional Truck Highway Corridor Study (2017) – This identified and prioritized the improvement of the most significant regional truck highway corridors. Trunk Highway (TH) 13 from US 169 to Interstate (I-) 35W was ranked as a Tier 1 regional truck corridor.
- US 169 Mobility Study (2018) – The study identified and evaluated cost-effective options for improving transit and reducing congestion on Highway 169 between Highway 41 in Shakopee and Highway 55 in Golden Valley.
- US 169 Corridor Study in Sand Creek Township (2018) – This study evaluated the feasibility and identified priority access improvement projects along the corridor from the City of Jordan north to the Louisville-Sand Creek Township line.
- TH 13 and Dakota Study (2017) - Focuses on roadway concepts for an interchange or grade separation on TH 13 at Dakota Avenue and Yosemite Avenue.
- CH 2 and I-35 Interchange Design (2016) – Preliminary design and environmental review work has been conducted to determine the proposed design for a new interchange at County Highway (CH) 2 and I-35.
- TH 41 Minnesota River Crossing Tier I FEIS (2014) – MnDOT, along with Chanhassen, Carver, Chaska, Shakopee, and both Carver and Scott Counties partnered to study a future freeway connection over the Minnesota River between TH 169 and TH 212 with a Tier 1 Final Environmental Impact Study (FEIS).

- CH 27 Corridor Study (2014) – The CH 27 Corridor Study evaluated the short-term needs and a long-term vision as an important Minor-Arterial roadway serving eastern Scott County.

The Plan accurately describes the status of such facilities, including needs for right-of-way and the likelihood and timing of funding.

Transit

The Plan conforms to the Transit system element of the TPP. The Plan shows the location of existing transit routes and facilities and acknowledges the County is within Transit Market Areas II, III, Emerging Market Area III, IV, and V.

The Plan incorporates transitways that are part of the Increased Revenue Scenario in the TPP. The Plan's maps and narrative acknowledge the uncertainty of these transitways. This includes the Highway 169 accelerated transitway study.

The Plan is consistent with the policies of the Transit system element of the TPP. The Plan addresses community roles related to the County's Community Designations, as well as the opportunities and challenges related to the relevant Transit Market Areas.

Aviation

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions and addresses seaplane use.

There is no existing or proposed regional system airport located in Scott County. The Plan identifies five private airstrips in the County. The Plan addresses issues including land use compatibility, noise sensitivity, and the protection of airspace from obstructions.

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies existing and future segments of and connections to the Regional Bicycle Transportation Network (RBTN) and regional trails. Most alignments and corridors are classified as Tier 2. The only Tier 1 trail segment within Scott County is the trail located on the north side of County Highway 101 between the CH 101 bridge into Carver County and the Minnesota River Valley Bloomington Ferry Bridge that extends across the river valley into Hennepin County.

The Plan is also consistent with Bicycle and Pedestrian policies of the TPP by planning for local pedestrian and bicycle connections to transit, regional trails, regional job concentrations, and other regional destinations as identified on the RBTN map.

Advisory Comments

Council staff recommend identifying the RBTN alignment on Map VI-35 as "proposed for the RBTN."

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the County, which includes two railroads (Union Pacific and Canadian Pacific), freight trucks, and barge traffic from the ports of Savage. The Plan also identifies specific freight needs for the County, which include bottlenecks, highway design and characteristics, and rail crossings.

Transportation Analysis Zones (TAZs)

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

The County'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 County's Thrive Community Designations.

Water Resources

Wastewater Service

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

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP); and includes a Wastewater Plan Element that describes its requirements and authority over local Sub Surface Treatment Systems (SSTS).

The Planned Land Use section discusses land use densities for areas within the "Urban Expansion" and "Urban Transition" areas. The Plan identifies that interim cluster residential developments would be allowed at densities as high as 1 unit per 5 acres in the Urban Expansion area and as high as 1 unit per 4 acres in the Urban Transition area. These developments would be provided wastewater services through publicly managed facilities until such a time when regional services would become available.

Figure V-14 identifies that cluster developments within the "Urban Expansion" and "Urban Transition" areas could allow development at densities greater than 1 unit per 10 acres, the density allowed for Diversified Rural areas within Thrive. These would be allowed under Planned Unit Developments (PUD) and negotiated Public Values Incentive Programs but would preserve areas within the development to accommodate more economical use of future urban wastewater services, i.e. 3 units per acre densities.

Comprehensive Sewer Plan Comments

Scott County does not have any jurisdictional control over centralized wastewater collection or treatment issues; therefore, the County is not required to submit a Comprehensive Sewer Plan.

Advisory Comments

In order to verify that these PUD developments are preserving adequate undeveloped areas for future regional wastewater services at densities of 3 units per net acre, the County will need to submit to the Council, as comprehensive plan amendments, each individual PUD for review.

Surface Water Management

Reviewer: Jim Larsen, Community Development (CD) – Local Planning Assistance (651-602-1159)

The Plan is consistent with Council policy requirements and in conformance with the Council's 2040 Water Resources Policy Plan for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. Scott County has land use authority in the unincorporated areas of the County, which are within the oversight boundaries of the Vermillion River Watershed Joint Powers Organization, and the Lower Minnesota River and Prior Lake-Spring Lake Watershed Districts. The Scott Watershed Management Organization (WMO) is a county-based WMO with the Scott County Board acting as the WMO Board. The County submitted a draft Local Water Management Plan (LWMP) for the unincorporated areas of Scott County identified as their '2019 Water Resources Plan' to the Council in July 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the County in a letter dated August 29, 2018.

The final LWMP was approved by the Vermillion River Watershed Joint Powers Organization on December 6, 2018, by the Lower Minnesota River Watershed District on November 19, 2018, and by the Prior Lake-Spring Lake Watershed District on November 21, 2018, for the Scott County townships located within each of their respective watersheds. The Scott Watershed Management Organization Watershed Planning Commission recommended adoption of the LWMP on October 22, 2018 and the Scott County Board adopted the final LWMP for the unincorporated area of Scott County on December 18, 2018. The final LWMP is located in Plan Appendix B.

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 County's Plan and find that it is consistent with the Council's policies, as detailed below.

Forecasts

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

The Plan includes community total and County total forecasts in tables III-16, III-17 and III-18. For reference, the forecasts include the following County totals shown in Table 1:

Table 1. Metropolitan Council Forecast: Scott County

	Census	Estimated	Council Forecasts		
	2010	2017	2020	2030	2040
Population	129,928	144,717	153,750	176,260	199,520
Households	45,108	49,185	55,160	64,510	74,130
Employment	41,534	53,187	55,100	62,190	68,640

Advisory Comments

Some cities in Scott County will request forecast adjustments in 2019; this will affect the County total forecasts. The Council will update its own TAZ files using the allocations provided by cities during 2019, and advise the County to update this information through a future plan amendment. In some zones, the population, households, or employment allocations will be significantly different.

Council staff advise that a forecast adjustment is needed for St. Lawrence Township. Now that an annexation agreement is in place (since 2017) between the Township and the City of Jordan, most of the household and population growth in the annexation area is potentially double-counted as growth in both the Township and in the City. The Jordan forecast will be increased simultaneous with Council action on Jordan's 2040 Plan. Council staff would like to correct the forecasts for St. Lawrence and have advised the County of the need to request a forecast change to facilitate the correction.

The population forecast by age group in Figure III.6 differs substantially from the Council's demographic forecast. The Council expects a larger total population in Scott County than what the Plan represents in Figure III.6. Council staff can provide a county-level forecast of age distributions, and other socioeconomic distributions, on request.

Thrive MSP 2040 and Land Use

Reviewer: Angela R. Torres, AICP, Community Development (CD) – Local Planning Assistance (651-602-1566)

With the proposed community designation change, the Plan is consistent with *Thrive MSP 2040* and its land use policies. Thrive designates the County as seven different community designations including: Suburban, Suburban Edge, Emerging Suburban Edge, Rural Centers, Diversified Rural, Rural Residential, and Agricultural (see Figure 2). The Plan proposes a small revision to the Rural Residential community designation, as discussed in more detail below. Thrive directs communities to accommodate forecasted growth at varying levels of overall residential densities for development and redevelopment. The Metropolitan Land Planning Act (Minn. Stat. § 473.861) allows townships to cede their planning authority to Counties if they wish. Counties are obligated to assume that responsibility if requested. The County has land use planning authority over 10 of the 11 townships in the County including the Townships of Belle Plaine, Blakeley, Cedar Lake, Credit River, Helena, Jackson, Louisville, New Market, St. Lawrence, Sand Creek, and Spring Lake. The County developed the land

use plans for these communities in partnership with Township representatives and with engagement initiatives across the County.

Proposed Rural Residential Community Designation Change

The Plan includes existing land uses of the existing Rural Residential Growth category which correlates with the Council's Rural Residential Community Designation in Thrive. This designation includes residential development patterns of unsewered 2.5-acre lots. Existing Rural Residential areas are identified in Spring Lake Township and in New Market Township. Thrive specifically discourages the expansion of Rural Residential development patterns. There is one area, a 78.5 acre parcel, on the County's 2040 Planned Land Use map that is inconsistent with this policy in the northeast corner of New Market Township. Council staff discussed this with County staff during the planning process and understand that this small area is unlikely to be able to be served with urban services due to specific system constraints for this small area. Council staff find this approach reasonable and recommend extending the Rural Residential designation to these parcels by amending the Community Designations map in Thrive (see Figure 5).

Credit River Township

In cooperation with the Township, Scott County has recently ceded planning authority to Credit River Township for the Township. The Plan acknowledges that the Township has land use authority and does not include the Township in their future land use map (see Figure 4); however, the transition of this authority is still in process. Credit River Township will submit a separate 2040 comprehensive plan for review by the Council. The Plan identifies the transfer of planning and zoning authority, historic files, and permit records to Credit River Township as one of the implementation recommendations. This transition work between the County and Township is planned to continue through 2021.

Planned Land Use

The Plan identifies areas around cities and Rural Centers as "Urban Expansion" areas. The boundaries of the urban expansion areas reflect each city's long-range sanitary sewer service plans based on known capacities of existing regional or local treatment facilities for Rural Centers. Consistent with the policies for Diversified Rural areas, Urban Expansion areas have a maximum density of 1 unit per 40 acres or quarter-quarter section. Clustered development is permitted, if consistent with the Council's Flexible Residential Development Ordinance Guidelines. These guidelines permit clustered development, development at 1 unit per 10 acre densities, and other strategies for development in Diversified Rural and Long Term Service Areas.

Urban Transition areas reserve areas for future urban development post-2040, consistent with Thrive policies for Diversified Rural areas. The Transition Areas reflect the Long-Term Service Area for future wastewater services. These areas are guided at 1 unit per 10 acres with clustering options if 70% of non-hydric land is reserved for open space, farming, or future development. Clustered development does allow for lot sizes ranging from 1 to 3 acres, but the Plan requires that all development be consistent with the Council's Flexible Residential Development Guidelines. A summary of the Plan's land use categories and densities allowed is shown in Figure V-14 from the Plan (Figure 6 in this report). Also included from the Plan are Figures V-16 and V-17 (Figures 7 and 8 respectively in this report) identifying gross/developable acres and a land use comparison between the 2030 Update and the 2040 Plan.

Urban and Rural Business Reserve

The Plan proposes two new non-residential land uses, Urban Business Reserve and Rural Business Reserve. Urban Business Reserve land uses are intended to be held for future commercial and/or industrial development with urban services. The land is guided at 1 unit per 40 acres until services are able to be extended to these areas. The Rural Business Reserve land use is intended to reserve land for future rural commercial and/or industrial development proposed to be served with on-site utilities

and appropriate road access. The land is limited to development at no more than 1 unit per 40 acres until frontage or backage roads and suitable on-site well and septic utilities can be provided.

Area guided as these new land uses had previously been intended for commercial and/or industrial uses with urban services. The creation of the Rural Business Reserve allows for unsewered commercial development. There are primarily two areas of the County where this land use is proposed. The largest portion of this category lies along the east side of TH 169 between the City of Jordan and Louisville Township. Other Rural Business Reserve land uses are planned in New Market Township east of I-35E. This approach to planning for rural businesses is consistent with Thrive policies as the Plan specifically calls out criteria for avoiding a premature demand for urban services to be provided.

Hamlet Mixed Use (HMU)

As shown in Figure 4, the Plan proposes a Hamlet Mixed Use District Overlay that represents the historic and existing development patterns in five small areas throughout the County. These areas include the hamlets of Lydia, St. Patrick, Union Hill, Marystown, and Blakeley. The County references these areas on the future land use map as an overlay district to visually identify where additional land use and zoning analysis needs to be done in the future. The discussion around the hamlet land uses identifies existing uses as up to 90% residential with 10% commercial in existing taverns and churches. There are some vacant lots for some additional small scale commercial development, which will be evaluated as part of the Plan's implementation efforts. Base densities in these areas remain at either 1 unit per 40 acres, or 1 unit per 10 acres which will result in very little opportunity for additional residential development. As shown in Figure 4, each of these areas covered by the Overlay have an underlying guided land use that is more restrictive. The Plan acknowledges that an amendment to implement this proposed new land use would be required prior to implementation of the proposed overlay. The Plan identifies that the Hamlet Mixed Use land use and zoning analysis is scheduled to be completed between the County planning staff and the Townships from 2019 – 2021.

Agricultural Preserves

The Plan accurately identifies lands enrolled in the Agricultural Preserves Program on the Future Land Use map and in land use category descriptions that identify a maximum residential density of 1 unit per 40 acres, as required for program eligibility.

Advisory Comments

The Plan assumes 80% of gross acreage is developable and bases the projected land supply demand analysis on this approach. A more detailed land use analysis would provide more clarity as the County continues to grow. If the County undertakes this analysis, it should be aware that the Council permits the exclusion of wetlands and natural water bodies, public parks and open spaces, arterial road rights-of-way, and natural resource lands protected by local plans and ordinances (i.e., steep slopes, wetland buffers, tree preservation) from area calculations. Stormwater ponds, utility easements, local roads, and local rights-of-way cannot be excluded from area calculations.

On page V-9, in the Diversified Rural and Rural Residential discussions, references to Credit River Township's expected maximum densities and development patterns is included with the other Townships. Since Credit River Township has assumed its own land use planning authority, it is appropriate for this reference to be removed.

Housing

Reviewer: Tara Beard, Community Development (CD) – Housing (651-602-1051)

Scott County's Plan is complete and consistent with Council housing policy. The County has a wide variety of communities with a wide variety of housing needs. As a more recently developing county, much of the housing stock is newer and less affordable than other parts of the region. The County includes 50,678 housing units; and while 54% of those are affordable to households earning 80% of the

Area Median Income (AMI) or less (which is \$68,000 for a family of four), only 4% of existing housing units are affordable to residents earning 30% AMI or less (which is \$27,100 for a family of four).

The Plan notes that as the population continues to grow, housing needs are changing and that there is demand for both affordable housing and diverse types of housing. Though Scott County's share of the region's need for affordable housing in the 2021-2030 decade is 2,581 units, these units are entirely allocated within the six communities expecting sewer-serviced growth: Belle Plaine, Elko New Market, Jordan, Prior Lake, Savage, and Shakopee. Scott County does not have land use authority for these communities and therefore does not have requirements to plan for accommodating those units.

However, the Plan does address the existing housing needs of the 10 townships for which the County does have authorities related to housing, including maintaining and improving existing housing, allowing single family dwelling units as small as 920 square feet, and exploring an accessory dwelling unit policy.

The Plan further acknowledges Scott County Community Development Agency (CDA) as a significant resource to support local housing needs, and notes the Scott County Association for Leadership and Efficiency (SCALE) initiative which has a goal of achieving 50% of the County's labor force living in the County by 2030. SCALE is also tackling high-level housing needs and strategies in this unique collaboration, including reducing the number of households experiencing housing cost burden.

Water Supply

Reviewer: Lanya Ross, Environmental Services (ES) – Water Supply Planning (651-602-1803)

The Plan is consistent with *Water Resources Policy Plan (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.

Because Scott County is not a public water supplier, the County does not need to include local water supply plans as part of the County's 2040 comprehensive plan. However, the updated comprehensive plan should and does include information about water sources, including plans to protect private water supplies, in appropriate sections of the comprehensive plan (specifically Chapter 8). The following advisory comments could strengthen the County's Plan, if addressed. The County noted that they will consider incorporating many of these advisory comments in a future comprehensive plan amendment, particularly when city forecasts are finalized.

Advisory Comments

- Map VIII-5 on page VIII-8 (Select Scott County Observation Wells) would benefit from site labels with MN Unique Well Numbers. This would allow technical readers to learn more about each well using the MN Well Index or other databases.
- It would be helpful to differentiate between individual private wells and community wells on Map XI-4 (Private Wells and Wellhead Protection Areas). Because the county promotes the use of these wells, which serve more than one family but may not have a wellhead protection area associated with them, it would be helpful to compare their locations to the maps of Surface Infiltration (Map VIII-6) and Scott County Drinking Water Supply Management Areas (Map VIII-7).
- The discussion of Water Resource Goals and Policies beginning on page VIII-28 will benefit from more detailed information about how policies will be implemented that support Goals VIII-2 (Surface Water Quality) and VIII-3 (Protect Groundwater Quality and Supplies). Consider adding a level of detail similar to information provided for Goal VIII-11 or others.
- The discussion of implementation and metrics beginning on page XIII-1 does not refer to key activities mentioned in Goals VIII-2 and VIII- on page VIII-28, such as green infrastructure, buffers, degradation, impaired waters, water quality, source protection, private wells. Consider

adding additional information. Example: a metric related to water supply (such as number of sampled private and public wells that meet drinking water standards).

Community and Subsurface Sewage Treatment Systems (SSTS)

Reviewer: Jim Larsen, Community Development (CD) – Local Planning Assistance (651-602-1159)

The Plan indicates that as of 2017, there were five residential developments served by Community Wastewater Treatment Facilities, and over 20 Large Sewage Treatment Systems (LSTS) serving more than one home or business. As of 2016, there were approximately 7,490 SSTS in operation in the County's 11 townships, and another 1,111 SSTS in operation in the rural portions of incorporated cities within the County. County SSTS Ordinance Number 4 is consistent with Minnesota Pollution Control Agency Chapter 7080-7083 Rules and Council 2040 *Water Resources Policy Plan* requirements.

Special Resource Protection

Solar Access Protection

Reviewer: Cameran Bailey, Community Development (CD) – Local Planning Assistance (651-602-1212)

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 is complete and consistent for including the four (4) required solar planning elements.

Aggregate Resource Protection

Reviewer: Jim Larsen, Community Development (CD) – Local Planning Assistance (651-602-1159)

The Plan identifies, consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*, the presence of significant viable aggregate resource deposits within the County. The Plan contains Goals and Policies that call for the preservation, protection, and extraction of aggregate resources prior to development of aggregate-rich sites where appropriate. Aggregate mining is allowed as an interim land use as appropriate within the zoning districts established in the County Zoning Ordinance.

Historic Preservation

Reviewer: Angela R. Torres, Community Development (CD) – Local Planning Assistance (651-602-1566)

The Plan accurately accounts for the protection of historic sites in the County. The Plan includes a list of existing historic sites and outlines a set of goals and policies to encourage the protection of valuable historical sites to preserve the County's sense of history. An additional policy extends this intention to commercial and industrial structures and surrounding properties of historic or architectural significance.

Plan Implementation

Reviewer: Angela R. Torres. AICP, Community Development (CD) – Local Planning Assistance (651-602-1566)

The Plan includes a description of and schedule for any necessary changes to the capital improvement program, the zoning code, the subdivision code, the SSTS code, and the housing implementation program.

The Plan, with supplemental materials, describes the official controls and fiscal devices that the County will employ to implement the Plan. Specific implementation strategies are contained in Chapter XIII of the Plan, with capital improvements planning detailed in the appendix.

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

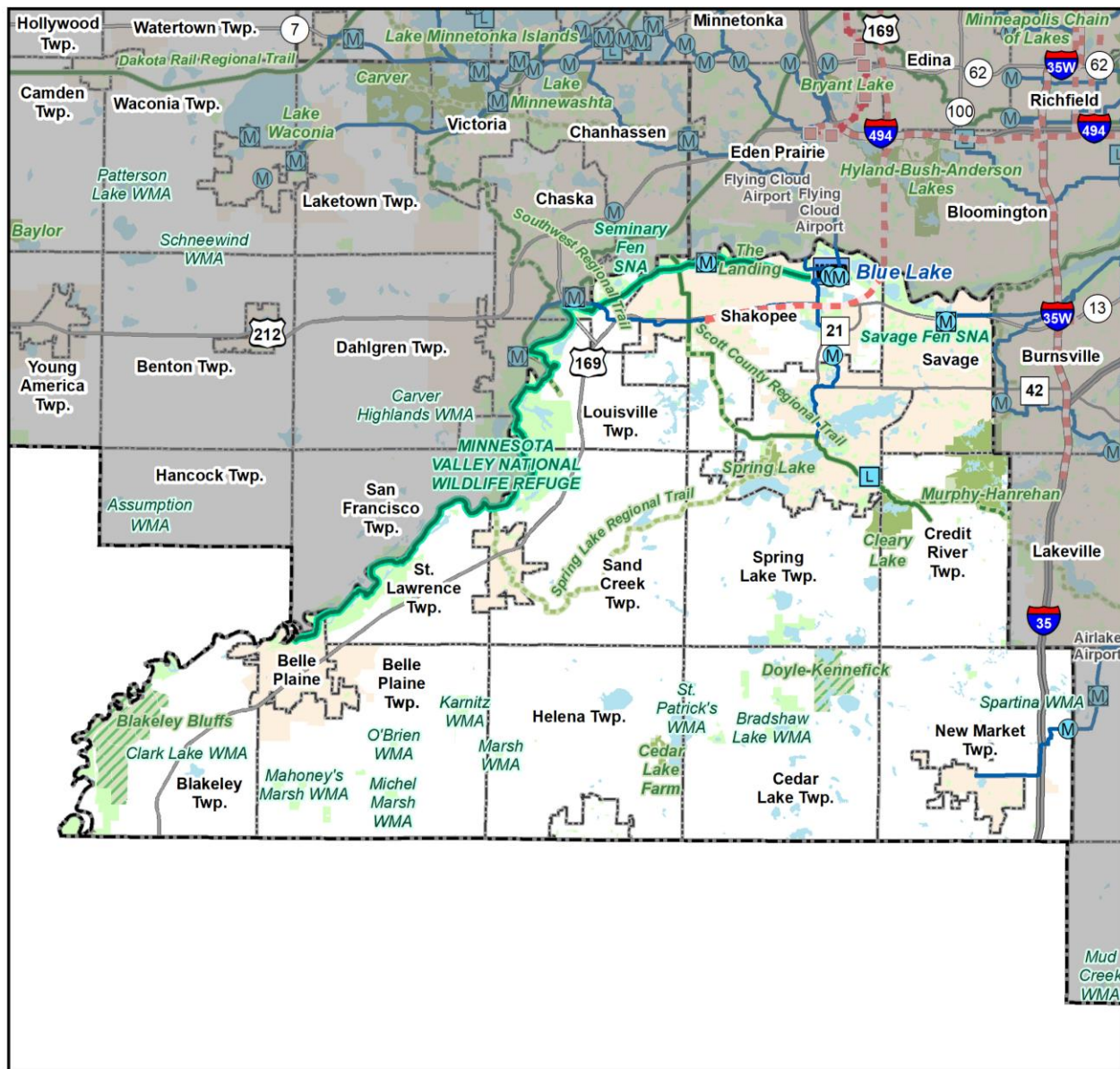
In response to the 2015 System Statement, the County submitted the following documents for review:

- May 1, 2018: Scott County 2040 Preliminary Plan
- December 26, 2018: Scott County 2040 Comprehensive Plan
- January 4, 2019: Executed Resolution
- January 14, 2019: 2040 Planned Land Use Map
- February 22, 2019: Supplemental information including a Cover memo with transportation and land use information, an updated Parks and Trails Chapter, Appendix B-Water Resources Plan, and Appendix D-Capital Improvements Plan
- March 14, 2019: Update Planned Land Use Map and and updated Parks and Trails chapter
- April 1, 2019: Land Use information
- April 4, 2019: Updated Parks Map

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: 2016 Generalized Land Use
- Figure 4: 2040 Planned Land Use
- Figure 5: Area of Proposed Community Designation Change to Rural Residential
- Figure 6: Figure V-14 from the Scott County 2040 Plan - Residential Land Use Category, Densities, and Lot Sizes
- Figure 7: Figure V-16 from the Scott County 2040 Plan – 2040 Gross and Developable Acres
- Figure 8: Figure V-17 from the Scott County 2040 Plan – Comparison of 2030 and 2040 Land Use

Figure 1. Location Map with Regional Systems



Regional Systems

Transportation

Transitways

- Existing Fixed Guideway Alignments
- Existing Bus Rapid Transitways
- Planned Fixed Guideway Transitways
- Planned Bus Rapid Transitways
- Existing Fixed Guideway & BRT Stations
- Planned Fixed Guideway Stations

Regional Highway System

- Interstates
- US Highways
- State Highways
- County Roads

Recreation Open Space

Regional Parks

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

Regional Trails

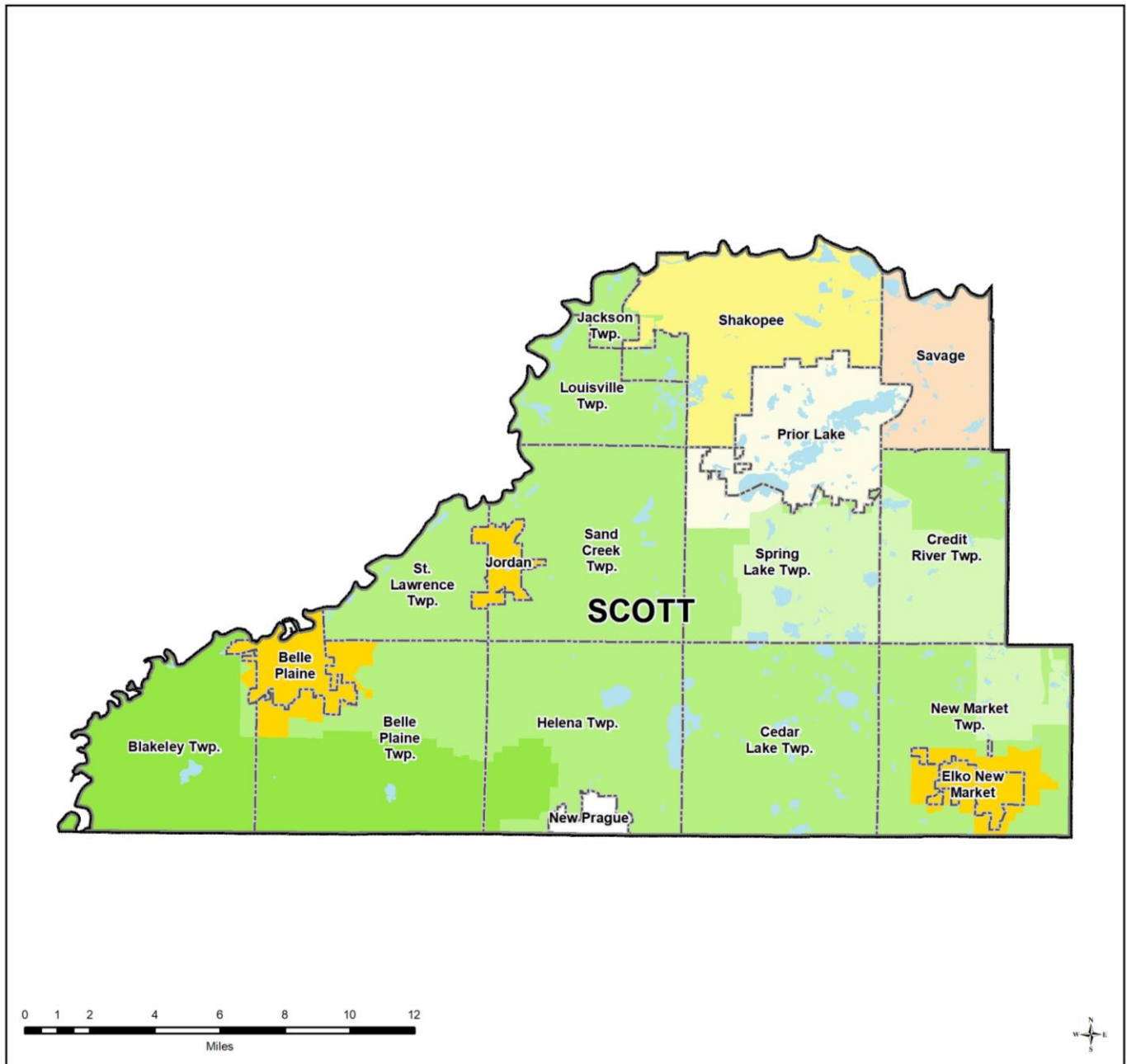
- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned

- Other Parks, Preserves, Refuges and Natural Areas
- Existing State Trails

Wastewater

- M Meters
- L Lift Stations
- MCES Interceptors
- WTP MCES Treatment Plants
- Airports
- Ncompass Street Centerlines
- 2040 Metropolitan Urban Service Area

Figure 2. Thrive MSP 2040 Community Designations

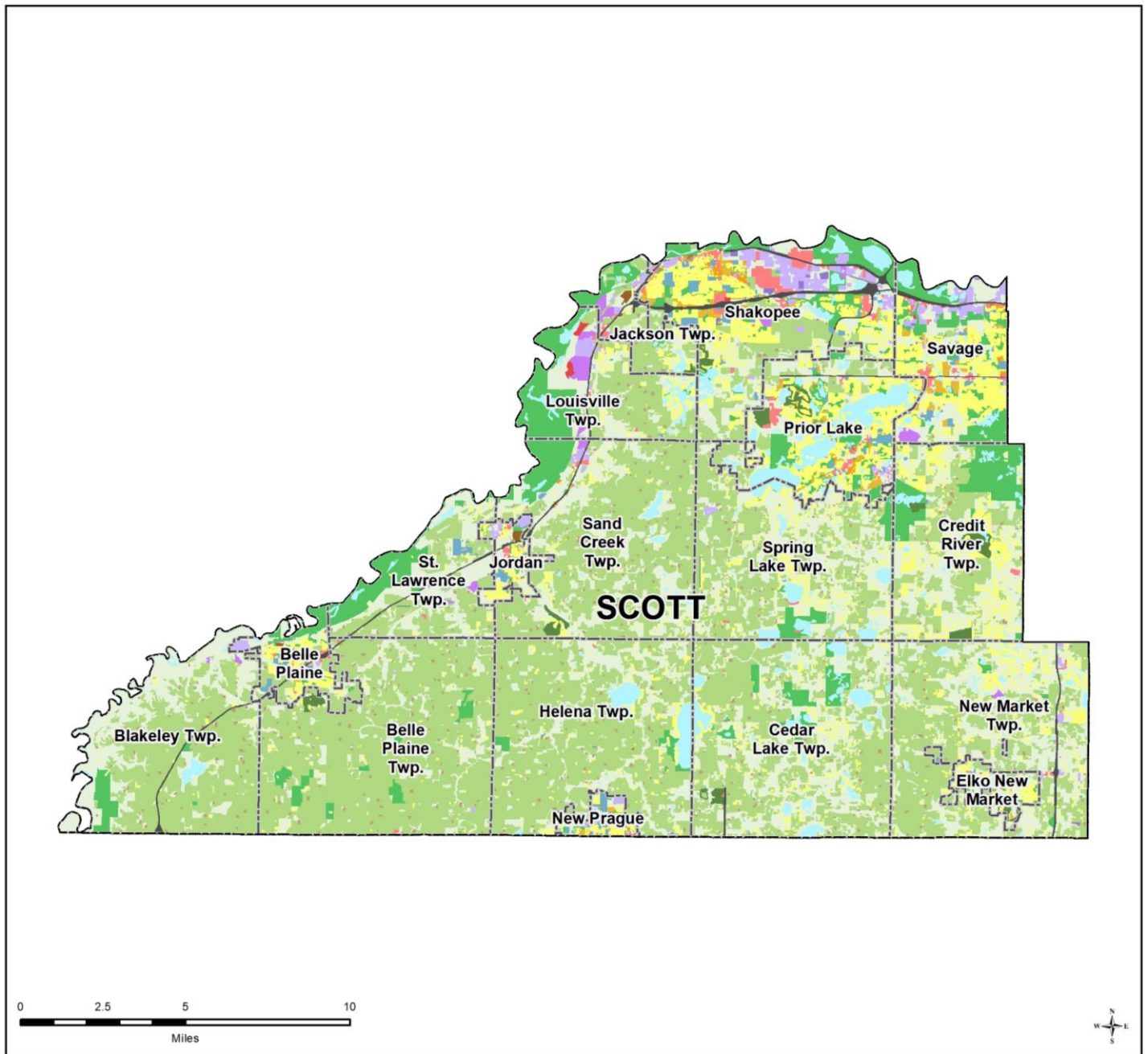


Community Designations

- | | |
|------------------------------------|------------------------|
| Outside Council planning authority | Emerging Suburban Edge |
| Agricultural | Suburban Edge |
| Rural Residential | Suburban |
| Diversified Rural | Urban |
| Rural Center | Urban Center |

- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

Figure 3. 2016 Generalized Land Use



2016 Generalized Land Use

- | | | |
|-----------------------------|--------------------------------|------------------------------|
| Farmstead | Mixed Use Residential | Major Highway |
| Seasonal/Vacation | Mixed Use Industrial | Railway |
| Single Family Detached | Mixed Use Commercial and Other | Airport |
| Manufactured Housing Park | Industrial and Utility | Agricultural |
| Single Family Attached | Extractive | Undeveloped |
| Multifamily | Institutional | Water |
| Retail and Other Commercial | Park, Recreational or Preserve | County Boundaries |
| Office | Golf Course | City and Township Boundaries |

Figure 4. 2040 Planned Land Use

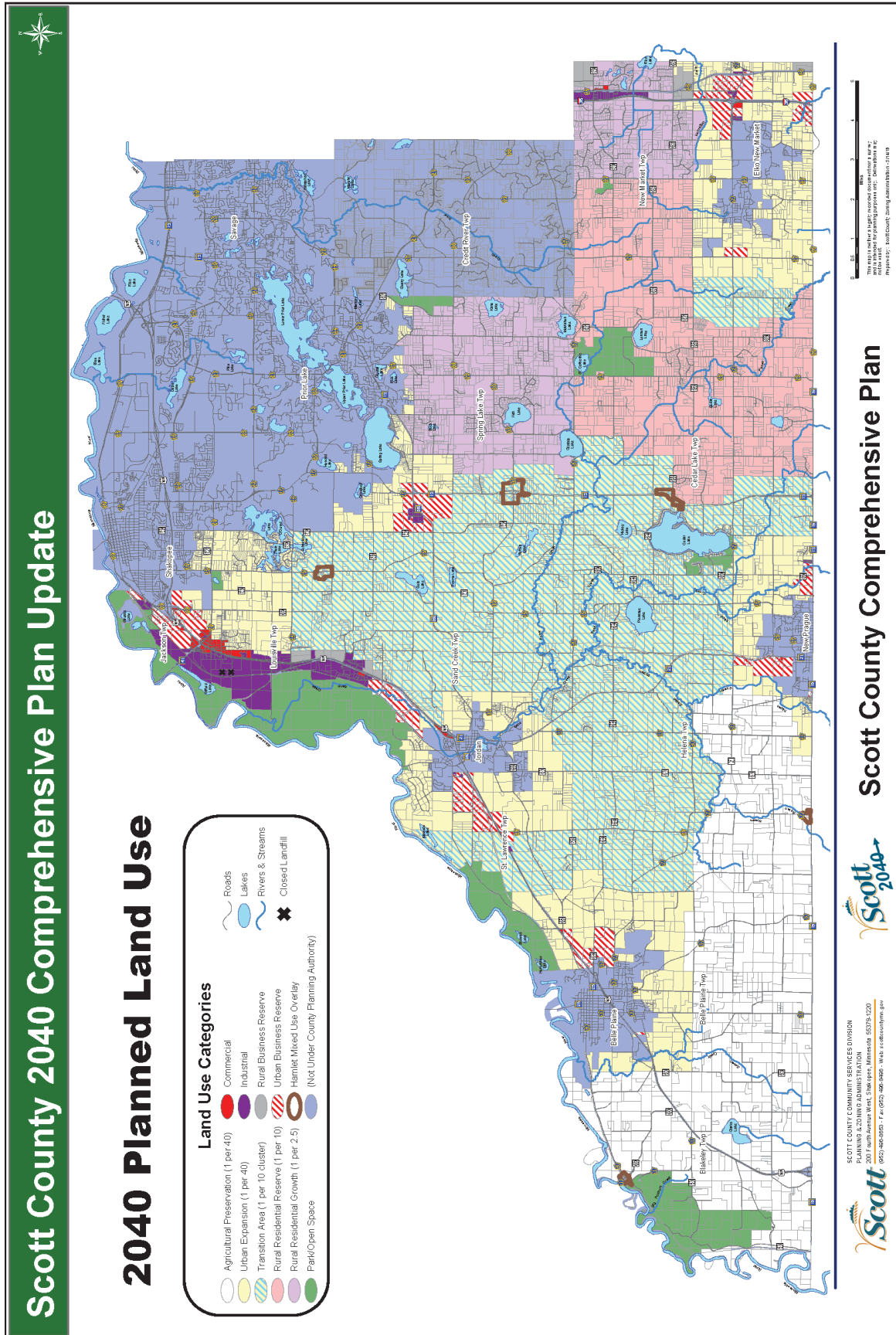
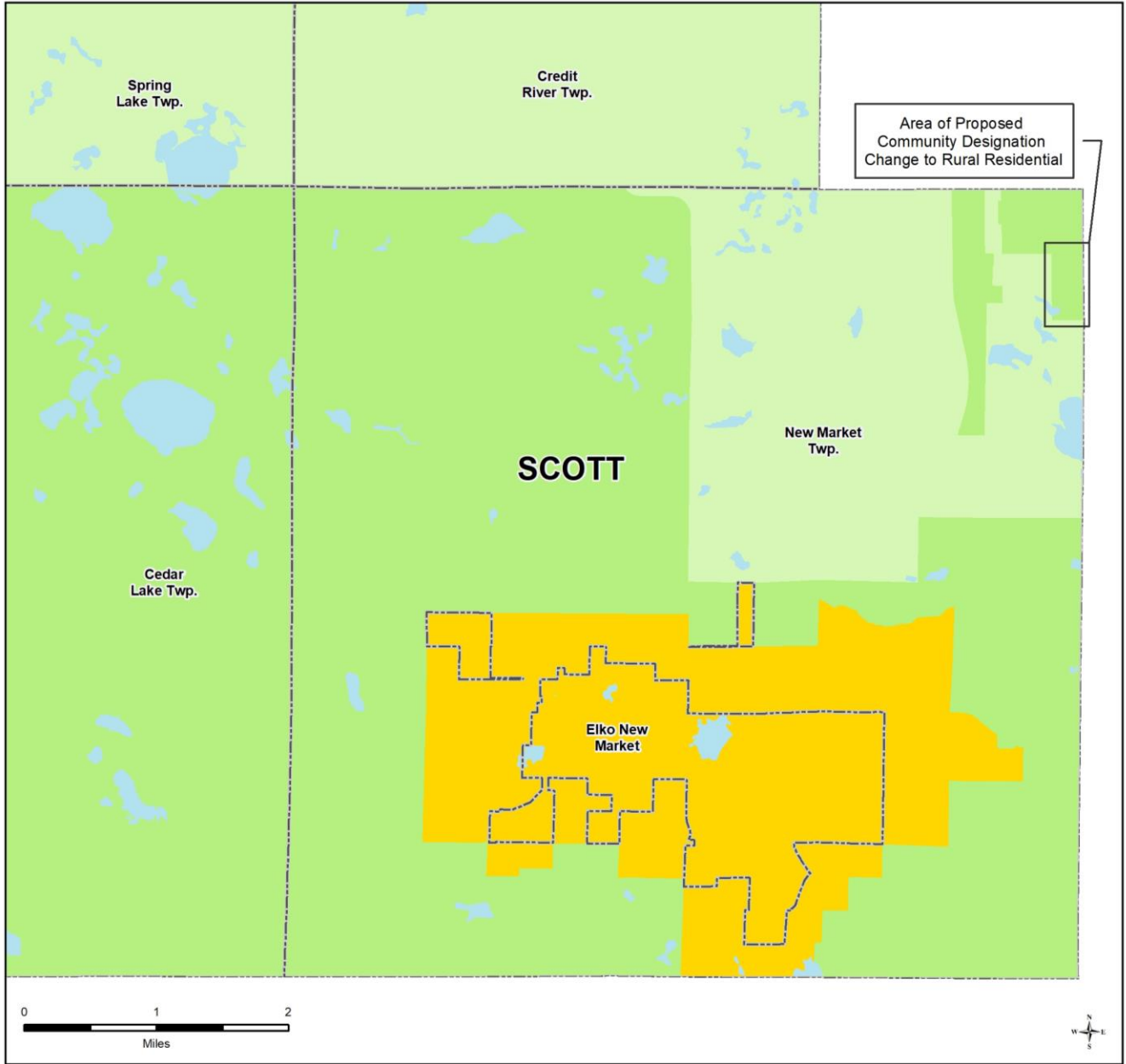


Figure 5. Area of Proposed Community Designation Change to Rural Residential



Community Designations

- | | |
|------------------------------------|------------------------|
| Outside Council planning authority | Emerging Suburban Edge |
| Agricultural | Suburban Edge |
| Rural Residential | Suburban |
| Diversified Rural | Urban |
| Rural Center | Urban Center |

- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

Figure 6. Figure V-14 from the Scott County 2040 Plan - Residential Land Use Category, Densities, and Lot Sizes

Figure V-14 Residential Land Use Category Densities (Units/Gross Acre) and Lot Sizes			
Land Use Category	Base Density	Cluster Density with smaller lots	Cluster Density (w/PUD and Public Value Incentives)¹
Agricultural Preservation	1/40 ² (40-acre lot min.)	1/40 (2.5-acre lot max.)	Up to 4/40 Not applicable in Blakeley Twp
Urban Expansion	1/40 (40-acre lot min.)	1/40 (2.5 acre lot max.)	Up to 1/10 Up to 1/5 w/publicly managed utilities ³ (with developable land reserved for future urban development)
Transition Area	1/40 (40-acre lot min.)	1/10 (1- to 2-acre lot sizes) (with developable land reserved for future urban development)	Up to 1/8 Up to 1/4 w/publicly managed utilities ³ (with developable land reserved for future urban development)
Rural Residential Reserve	1/10 (10-acre lot min.)	1/8 (2.5-acre lot) (with developable land reserved for open space or future development) Not applicable in Cedar Lake Twp.	Up to 1/5 Up to 1/2.5 w/publicly managed utilities (with developable land reserved for open space or future development) Not applicable in Cedar Lake Twp.
Rural Residential Growth	1/2.5 (1- to 2-acre lot sizes)	Not applicable	No maximum density
Urban Business Reserve	1/40 (40-acre lot min.)	Not applicable	Not applicable
Rural Business Reserve	1/40 (40-acre lot min.)	Not applicable	Not applicable

¹ Density to be negotiated as part of the public values incentive program.

² Existing heavily wooded parcels zoned Agricultural Woodlands (A-2 District) are eligible for a gross density of 1 unit per 10 acres.

³ Planned Unit Developments on publicly managed sewer and water are eligible for additional density, such as PUDs with planned future urban lots with interim individual sewage treatment systems (ISTS), or lots served by a community sewage treatment system (CSTS), and community well under a Subordinate Sewer District. Lots and interim rural neighborhood shall be designed for future urban service standards.

Figure 7. Figure V-16 from the Scott County 2040 Plan – 2040 Gross and Developable Acres

Figure V-16 2040 Gross and Developable Acres, Scott County		
Land Use Category	Gross Acres	Developable Acres*
Agricultural	29,038	23,230
<i>Agricultural Preservation</i>	<i>29,038</i>	<i>23,230</i>
Urban Reserve	76,628	61,302
<i>Urban Expansion</i>	<i>27,863</i>	<i>22,290</i>
<i>Transition Area</i>	<i>48,765</i>	<i>39,012</i>
Rural Reserve	34,312	27,449
<i>Rural Residential Reserve</i>	<i>19,537</i>	<i>15,629</i>
<i>Rural Residential Growth</i>	<i>14,775</i>	<i>11,820</i>
Commercial & Industrial	8,367	6,693
<i>Commercial</i>	<i>325</i>	<i>260</i>
<i>Industrial</i>	<i>2,501</i>	<i>2,008</i>
<i>Urban Business Reserve</i>	<i>4,512</i>	<i>3,609</i>
<i>Rural Business Reserve</i>	<i>725</i>	<i>580</i>
<i>Hamlet Mixed Use</i>	<i>304</i>	<i>243</i>

* Note: Developable Acres assumes 80 percent of gross acreage is developable

Figure 8. Figure V-17 from the Scott County 2040 Plan – Comparison of 2030 and 2040 Land Use

Figure V-17 Comparison of 2030 and 2040 Land Use, Scott County				
Land Use Category	2030 Plan		2040 Plan	
	Acres	% Total	Acres	% Total
Agricultural	31,868	14.2%	29,038	12.9%
<i>Agricultural Preservation</i>	<i>15,958</i>	<i>7.1%</i>	<i>29,038</i>	<i>12.9%</i>
<i>Agricultural Transition</i>	<i>15,910</i>	<i>7.1%</i>	<i>NA</i>	<i>NA</i>
Urban Reserve	82,059	36.5%	76,628	34.1%
<i>Urban Expansion</i>	<i>43,571</i>	<i>19.4%</i>	<i>27,863</i>	<i>12.4%</i>
<i>Transition Area</i>	<i>38,488</i>	<i>17.1%</i>	<i>48,765</i>	<i>21.7%</i>
Rural Reserve	42,995	19.1%	34,312	15.2%
<i>Rural Residential Reserve</i>	<i>20,161</i>	<i>8.9%</i>	<i>19,537</i>	<i>8.6%</i>
<i>Rural Residential Growth</i>	<i>8,092</i>	<i>3.6%</i>	<i>14,775</i>	<i>6.6%</i>
Commercial & Industrial	7,852	3.4%	8,364	3.6%
<i>Commercial</i>	<i>NA</i>	<i>NA</i>	<i>345</i>	<i><1%</i>
<i>Industrial</i>	<i>NA</i>	<i>NA</i>	<i>2,501</i>	<i>1.1%</i>
<i>Urban Business Reserve</i>	<i>5,229</i>	<i>2.3%</i>	<i>4,491</i>	<i>1.9%</i>
<i>Rural Business Reserve</i>	<i>NA</i>	<i>NA</i>	<i>725</i>	<i><1%</i>
<i>Hamlet Mixed Use</i>	<i>NA</i>	<i>NA</i>	<i>302</i>	<i><1%</i>
Not Under County Planning	39,116	17.4%	57,845	25.1%
Park/Open Space	12,283	5.5%	9,985	4.4%
Lakes	8,526	3.8%	8,526	3.8%
Total	224,699	100%	224,699	100%