

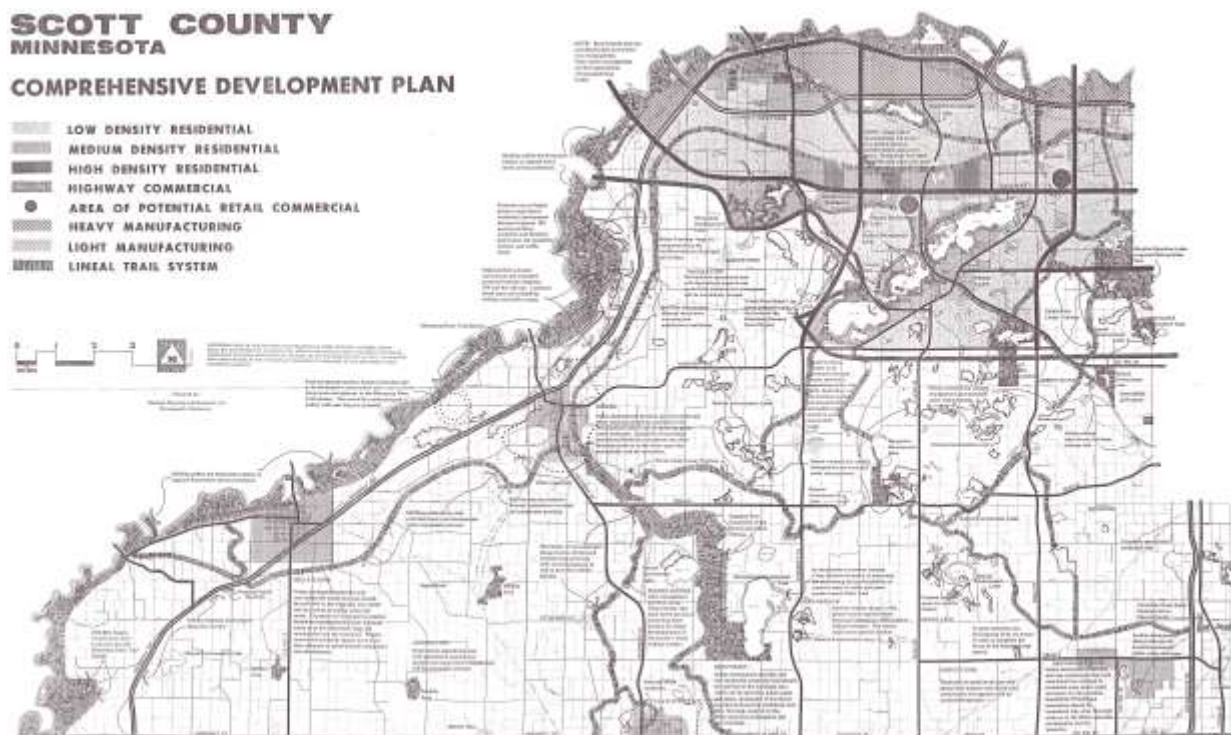
CHAPTER V - LAND USE & GROWTH MANAGEMENT

To manage growth and guide land use decision-making in Scott County over the 25-year planning horizon, this chapter contains background information on historic planning practices, existing land use patterns, and recent development trends. The purpose of this inventory is to identify areas, intensities, and timing for potential future development as well as areas for long-term preservation. This chapter reflects forecasted population, household and employment growth (see Chapter III) and countywide build-out scenarios based on existing and anticipated future urban service capacities. It concludes with goals, policies, a 2040 Planned Land Use map with accompanying descriptions, and growth management strategy recommendations.

HISTORY OF COUNTY LAND USE PLANNING

Scott County has a long history of land use planning, dating back to the 1960s:

- **1969:** Scott County Board of Commissioners entered into a partnership with the eleven townships to become the planning and zoning authority for all of the unincorporated area. The two-year interim zoning ordinance required a minimum lot size of 2½ acres, but developers were able to rezone and plat lots of 15,000 square feet.
- **1971:** The County Board adopted the first Comprehensive Plan, Zoning Ordinance, and related ordinances. Lots could be platted anywhere in the unincorporated area to 2½ acres.



County's First Planned Land Use Map (1971)

- 1981: The *1981 Scott County Comprehensive Plan* (the first plan adopted in response to the Metropolitan Land Planning Act of 1976) identified many areas, including all of Spring Lake, Cedar Lake, and Credit River townships as “General Rural Use,” a category that allowed 2½-acre minimum lot sizes. This planning designation and policy resulted in many small-lot rural residential subdivisions platted in eastern townships.
- 1995: The Bloomington Ferry Bridge opened, creating a major transportation crossing connecting Scott County with the southwest Twin Cities metropolitan area. The bridge drastically reduced travel times to the I-494 freeway loop and downtown Minneapolis. This started a major housing boom in Scott County.
- 1996: The *1996 Scott County Comprehensive Plan Update* recognized some of the difficulties in achieving orderly urban growth into areas with existing small-lot rural subdivisions and changed course by promoting “Urban Transition” areas. These “Urban Transition” areas were designated around or along the edge of the cities. The recommended density in these urban transition areas was one unit per 10 acres. The 1996 Comprehensive Plan recommended rural residential development at “one unit per 10 acre” densities for southern Spring Lake, eastern Helena, and all of Cedar Lake townships; and “one unit per 40 acre” densities from Blakeley, Belle Plaine, western Helena and western Sand Creek townships. “Official maps” were prepared for each township that had various degrees of consistency with the County plan. Inconsistency between the 1996 Comprehensive Plan and the County’s Zoning Ordinance at the time resulted in 2½-acre density in much of the eastern portion of the county.
- 2001: The next update occurred in 2001 (following a fourteen month subdivision moratorium) with the 2020 Comprehensive Plan. Building from policies established in the previous plans, the 2020 Plan established “Urban Expansion Areas” around the cities. These areas anticipated municipal services within the next 40 years. As such, the 2020 Plan recommended low-density “one unit per 40 acre” residential development in these areas to facilitate logical, orderly, and efficient urban expansion in the future. For the first time, the 2020 Plan recommended various options to cluster residential development in the urban expansion and rural residential areas.
- 2009: The *2030 Comprehensive Plan Update* for the first time included a shared vision for the future based on an extensive community visioning process. One of the hallmarks of the 2030 plan was establishing the “ultimate build-out” of the county – setting the framework for which portions of the county should be planned for urban-type development on public sewer and water, and which portions should be planned for rural-type development as the end land use. This plan once and for all established the 73-square mile Rural Residential Area (portions of Spring Lake, Credit River, Cedar Lake and New Market Townships) guided for ultimate rural development and recommended detailed road, storm water, ground water and public service impact analysis prior to rezoning this area for development. The plan continued to support clustering at 2½-acre densities in this area through a new flexible Planned Unit Development (PUD) approach. The 2030 plan also established for the first time a “green print” for future generations through mapping and setting policy for Natural Area Corridors.

A. Historical Sites

Scott County supports the preservation and maintenance of structures of historic or architectural significance. Figure V-1 provides a list and description of historic sites in Scott County that have been placed on the National Register of Historic Places. Despite the fact that these buildings or sites are on the National Register, they may still be in danger of being lost to demolition or altered beyond recognition (as current historic preservation regulations do not prohibit the destruction or alteration of buildings on the Register). There are



other architecturally interesting or historic structures in Scott County. Although they may not warrant inclusion on the National Register, the County may want to examine ways to keep these buildings structurally sound so that future generations may be exposed to Scott County's past.

Property Name	Address	City/Town	Year of Construction	Listing Date
Episcopal Church of the Transfiguration	Walnut and Church Sts.	Belle Plaine	1869	4/17/1980
Hooper-Bowler-Hilstrom House	Court and Cedar Sts.	Belle Plaine	Ca. 1871	4/17/1980
Strunk-Nyssen House	Off Hwy. 169	Jackson	Ca. 1856, Ca. 1880	4/17/1980
Foss and Wells House	613 S. Broadway St.	Jordan	1858	4/17/1980
Jordan Brewery Ruins	S. Broadway St.	Jordan	1864	4/17/1980
Jordan Historic District	Water St. and S. Broadway	Jordan	1860-1917	4/17/1980
St. Mary's Church of the Purification	County Road 15	Louisville (Marystown)	1882, 1893, 1920	4/17/1980
Inyan Ceyaka Otonwe		Louisville	1800-1850	2/12/1999
New Market Hotel and Store	Main St.	Elko New Market	1897	4/17/1980
Kajer, Wencl, Farmstead	County Road 2	New Market Twp.	1918-1920	4/17/1980
Church of Saint Wenceslaus	W. Main St.	New Prague	1907-1908, 1914	2/19/1982
Mudbaden Sulphur Springs	County Road 63	Sand Creek	1915	4/17/1980
Coller, Julius A., House	434 S. Lewis St.	Shakopee	1887	4/17/1980
Early Shakopee Residences	411, 419 E. 2 nd Ave.	Shakopee	Ca. 1865	4/17/1980
Shakopee Historic District	1 st Ave.	Shakopee		4/17/1980
Bisson, Abraham, House	County Road 57	St. Lawrence	1884	4/17/1980
Maka Yusota (Boiling Springs)		Savage		1/16/2003
Holmes Street Bridge	Holmes Street	Shakopee	1927	7/6/2010

Source: Minnesota Historical Society

B. Existing Land Uses

An accurate depiction of Scott County's existing land use pattern is an important step in planning for a desired future land use pattern. To illustrate the distribution of land uses throughout the unincorporated area, this plan includes the Metropolitan Council's 2016 Generalized Land Use map (see Figure V-2), which divides the cities and townships into several categories (see sidebar).

The land use pattern in the unincorporated area is primarily agricultural or undeveloped. Roughly 72% of the county's total land base is mapped in the *Agriculture, Farmstead or Undeveloped* designations. Most of the larger farm holdings are located in the county's southwestern corner. There are also expansive agricultural areas in Helena, Sand Creek, Louisville and St. Lawrence townships.

As depicted on Map V-3, much of the townships' *Single Family Detached* residential uses are located in the eastern townships (Spring Lake, Credit River, New Market and Cedar Lake) with most development in the 2-15 acre lot size range. There is also significant rural *Single Family Detached* residential development in Jackson, Louisville, Sand Creek, and Helena townships. There are very few areas of *Multi-Family* uses in the unincorporated areas, and three *Manufactured Home* parks (Buena Vista, Jackson Heights, and Mobile Manor).

Mapped *Institutional* uses include churches, utilities, fairgrounds, and government buildings, which represents about one percent of the countywide land base. There are approximately 18,000 acres of *Park, Recreational or Preserve* owned or managed by local, regional, state, or federal public agencies. Most of the *Retail Commercial, Mixed Use Commercial* and *Industrial and Utility* land uses are concentrated along the Highway 169 corridor or the County Road 2 interchange along Interstate 35 and make up less than two percent of the total land base. Commercial and industrial areas generally include warehouse distribution facilities, contractor shops, manufacturing plants, highway-oriented retail businesses, and showrooms. *Extraction* uses are located along the Minnesota River and Highway 169 corridors.

Overall, the existing land use pattern reflects the continued direction of growth of the Twin Cities metropolitan area to the south and west of its core. Scott County has experienced the strongest growth to the north and east where there is close proximity to major highways that access the Twin Cities region (TH 169, TH 13, and Interstate 35). Major growth followed the Bloomington Ferry Bridge in 1995; future major roadway intersection improvements, such as the completed TH 169/CR 69 intersection and pending TH 169/TH 41 intersection will also likely drive new development and growth patterns in the next 10 years.

It should be noted that all SMSC trust/reservation lands are not technically within any Metropolitan Council growth areas depicted on plan maps throughout this chapter.

Generalized Land Use Categories

Residential:

- *Single Family Detached*
- *Single Family Attached*
- *Seasonal/Vacation*
- *Manufactured Housing*
- *Multi-Family Residential*
- *Mixed Use Residential*

Agricultural/Undeveloped:

- *Agriculture*
- *Farmstead*
- *Undeveloped Land*

Park & Open Space:

- *Park, Recreation, Preserve*
- *Golf Course*

Non-Residential:

- *Retail Commercial*
- *Office*
- *Mixed Use Commercial*
- *Industrial & Utility*
- *Mixed Use Industrial*
- *Extraction – Mining*

Public/Institutional:

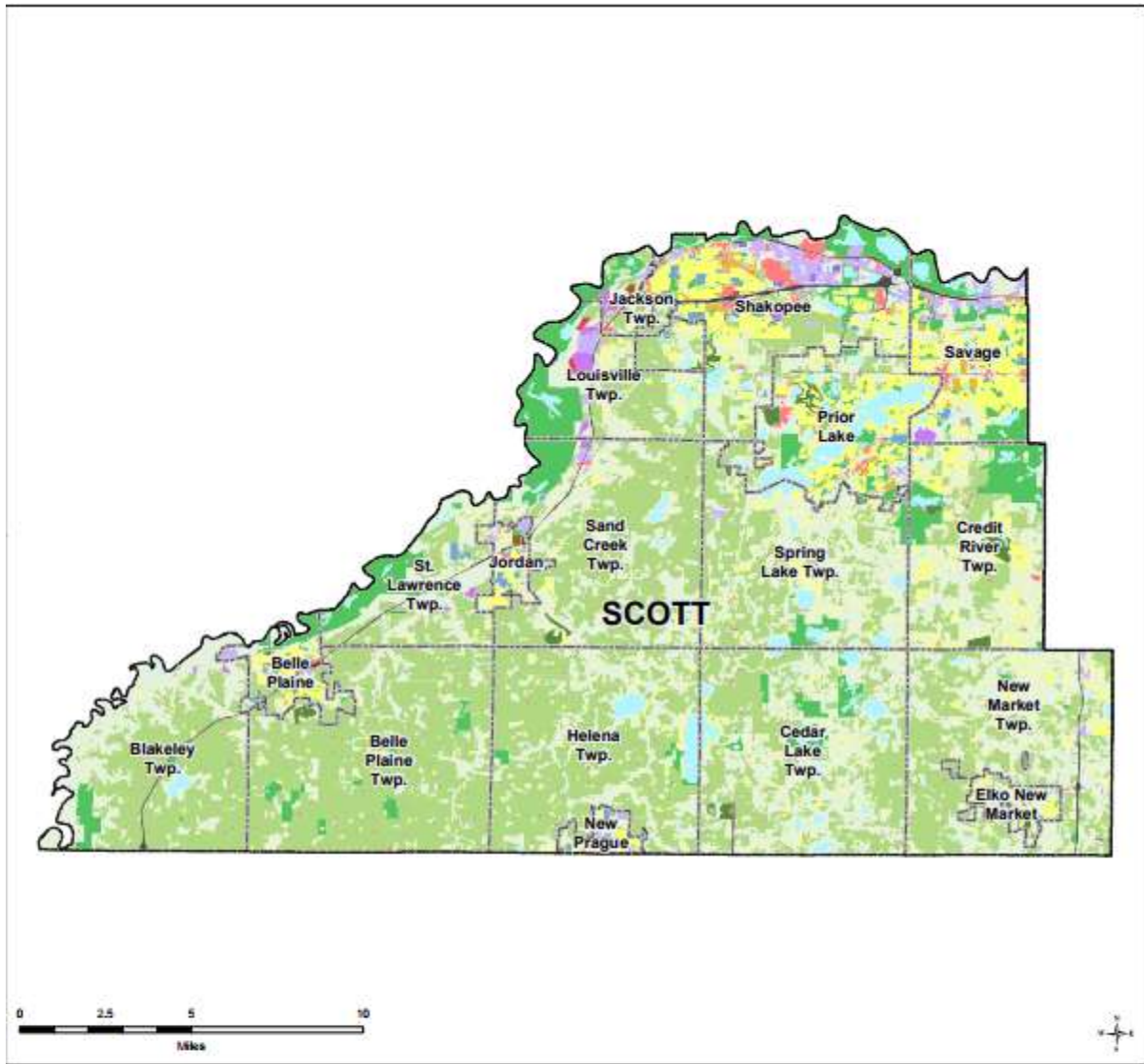
- *Institutional*
- *Major highway*
- *Railway, Airport*

**Figure V-2
Generalized Land Use Totals, 2016**

Land Use Category	Number of Acres	% of Total Area¹
Agriculture/Undeveloped		
Agriculture	102,694	44%
Farmstead	2,880	1%
Undeveloped Land	63,990	27%
Residential		
Single-Family Detached	22,640	10%
Single Family Attached	1,500	1%
Seasonal/Vacation	30	0%
Multi-Family Residential	254	0%
Manufactured Housing	140	0%
Mixed Use Residential	45	0%
Non-Residential		
Retail and Other Commercial	2,279	1%
Office	57	0%
Mixed Use Industrial	125	0%
Mixed Use Commercial	148	0%
Extraction - Mining	1,087	0%
Industrial and Utilities	2,843	1%
Public/Institutional		
Institutional	1,820	1%
Parks, Recreation, Preserve	18,195	8%
Infrastructure		
Major Highway	2,258	1%
Railway	105	0%
Airport	22	0%
Total	236,010	100%

Source: Metropolitan Council

**Map V-3
GENERALIZED LAND USE MAP, 2016**



2016 Generalized Land Use



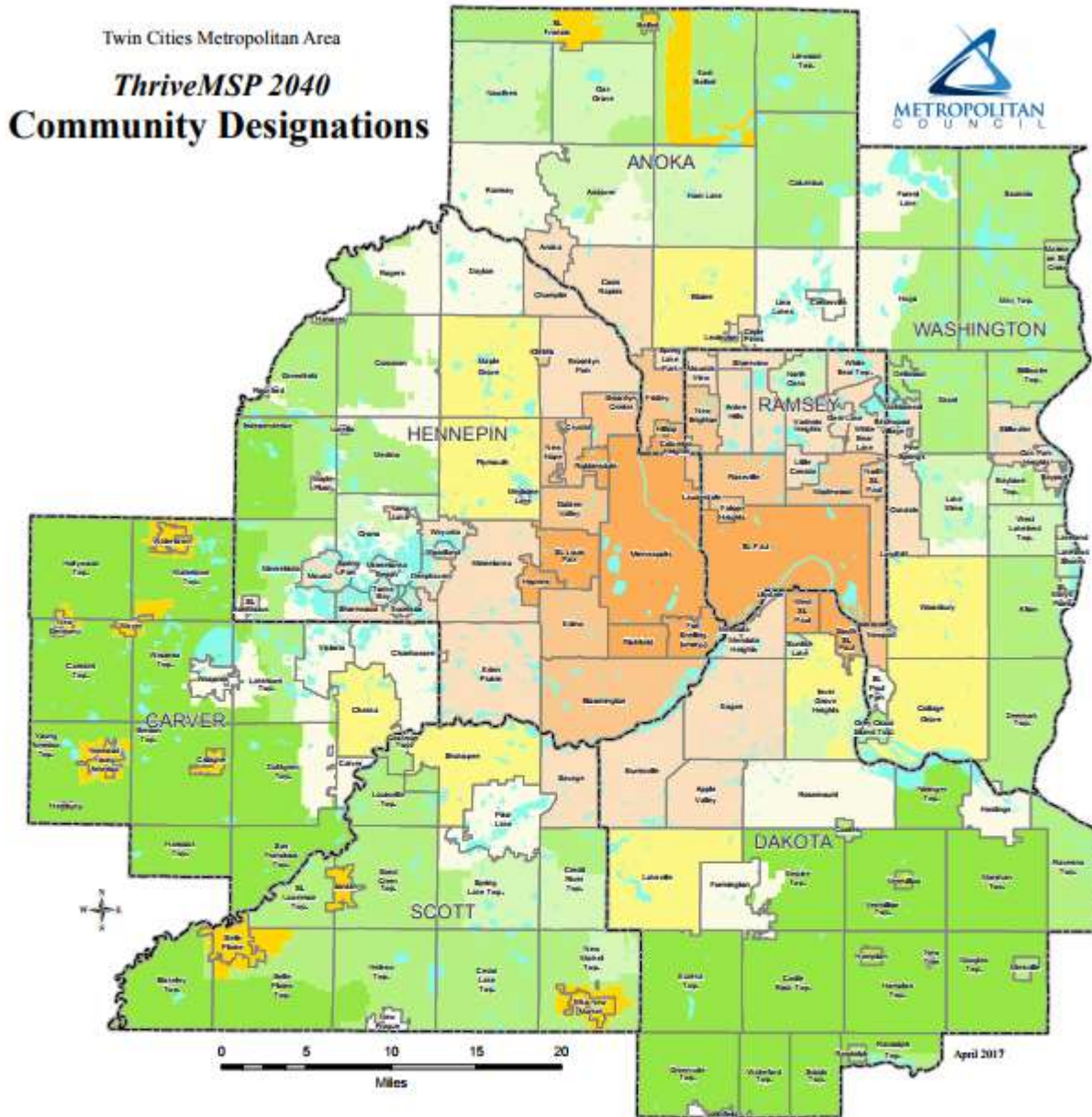
THRIVE MSP 2040 COMMUNITY DESIGNATIONS

The Metropolitan Council's THRIVE MSP 2040 regional development guide established Community Designations (grouping of jurisdictions with similar characteristics) for the application of regional policies. Map V-4 shows the cities grouped in the following categories (with prescribed overall density and key growth management, transportation and economic development expectations):

- **Suburban - Savage** (5 units/acre): Communities in this designation are generally “built out”, but expected to plan for forecasted growth at higher densities (relative to Suburban Edge and Rural Centers) that efficiently uses transit and transportation infrastructure. These communities should improve local street and pedestrian connections and direct new development or redevelopment at nodes or along corridors. Economic development should be focused around key intersections and sites should be protected for river- and rail-oriented development. Workforce housing should be supported and multi-modal intersections should be identified.
- **Suburban Edge - Shakopee** (3-5 units/acre): Communities in this designation are expected to plan for growth that efficiently uses transit and transportation infrastructure and demarks a clear distinction between urban and rural areas. These communities should plan for park-and-ride facilities, improve local street and pedestrian connections, and direct new development or redevelopment at nodes or along corridors. These communities are encouraged to develop at densities and in ways that could eventually support local transit service. Economic development should be focused around key intersections and sites should be protected for highway-, river- and rail-oriented development. Workforce housing should be supported and multi-modal intersections should be identified.
- **Emerging Suburban Edge - Prior Lake** (3-5 units per acre): Communities in this designation are expected to plan for orderly and staged growth that efficiently uses local infrastructure and demarks a clear distinction between urban and rural areas. Communities should identify and protect an adequate supply of land to support growth beyond 2040. These communities should plan for park-and-ride facilities, improve local street and pedestrian connections, and direct new development or redevelopment at nodes or along corridors. These communities are encouraged to develop at densities and in ways that could eventually support local transit service. Economic development should be focused around key intersections and sites should be protected for highway-, river- and rail-oriented development. Workforce housing should be supported.
- **Rural Centers – Jordan, Belle Plaine, Elko New Market** (3-5 units per acre) Communities in this designation are expected to plan for orderly and staged growth that efficiently uses local infrastructure. Communities work with adjacent jurisdictions to execute orderly annexation agreements where forecasted growth exceeds land capacity within the city boundaries. Higher density commercial and residential uses should be guided in the commercial core of the community. Economic development should be focused around key intersections and sites should be protected for highway-, river- and rail-dependent manufacturing, warehousing and freight uses.



Map V-4: Met Council Community Designations



Community Designations

Urban Service Areas

- Urban Center
- Urban
- Suburban
- Suburban Edge
- Emerging Suburban Edge

Rural Service Areas

- Rural Center
- Diversified Rural
- Rural Residential
- Agricultural

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

Hanover, New Prague, Northfield, and Rockford are outside the Council's planning authority.

Map V-4 shows the 11 townships grouped in the following categories (with prescribed overall density and key growth management, transportation and economic development expectations):

- **Diversified Rural** (4 units/40 acres): This is the most prominent designation in the unincorporated area. Includes all or portions of Jackson, Louisville, Sand Creek, St Lawrence, Belle Plaine, Helena, Cedar Lake, Spring Lake, and New Market. These communities should preserve areas where post-2040 growth can occur with cost-effective and efficient urban infrastructure. New development at relatively low densities should not outpace rural service levels (such as on-site septic, private well, gravel roads, or paved local roads). Communities should plan for an interconnected system of local streets and trails sufficient to meet local needs. Communities in this designation should also plan for the further development of and intensification of existing and emerging job concentrations.



- **Agricultural** (1 unit/40 acres): Includes Blakeley, Belle Plaine and Helena. These communities should preserve prime farmland and maintain agricultural uses through at least 2040. New development at relatively low densities should not outpace rural service levels (such as on-site septic, private well, gravel roads, or paved local roads). Communities should plan for an interconnected system of local streets. Economic development should be focused on agriculture and agricultural-supportive land uses.
- **Rural Residential** (1 unit/2.5 – 10 acres): Includes Spring Lake and New Market. These communities should plan for a mix of development patterns and densities, ranging from 1 home per 2.5 acres to 1 home per 10 acres. Clustered development that protects farmland, water quality, natural features and environmental corridors are encouraged. New development should not outpace rural service levels (such as on-site septic, community septic systems, private wells, gravel roads, or paved local roads). Communities should plan for an interconnected system of local streets and trails sufficient to meet local needs.

A. Rural Residential Development Trends

Scott County's 11 townships experienced a dramatic housing boom in the 2000s, followed by a downward plunge during the Great Recession. From 2000 through 2006, the County approved nearly 1,000 lots and issued 1,400 building permits for new homes in the unincorporated area (see Figure V-5) – an average of about 200 new homes per year. During and since the Great

Recession (2007 to 2015), the County issued 478 building permits for new homes – an average of about 50 per year.

As shown on Figure V-5, most of the new housing starts since 2007 have occurred in the eastern portion of the county in Credit River, Cedar Lake, Spring Lake and Helena townships. This is an area that has been guided and zoned for smaller-lot residential development under previous land use plans and development codes.

In 2010 the County adopted a brand new collaborative approach to land development under the Planned Unit Development (PUD) ordinance. This new approach offers density bonuses or design flexibility in exchange for defined public values. Since the adoption of this new approach, the County has approved two PUDs. A 19-lot residential PUD in New Market Township, approved in 2016, was awarded 4 bonus lots in exchange for dedicating 30 acres of high quality woodland adjacent to Goose Lake as a public value to the Township for future Township recreational use. A 3-lot residential PUD in Cedar Lake Township, approved in 2015, was awarded lot width and frontage flexibility in exchange for additional dedicated right-a-way for a County highway.

Figure V-5

SINGLE-FAMILY CONSTRUCTION FROM PERMITS ISSUED SCOTT COUNTY TOWNSHIPS (2000 through 2006) and (2007 through 2015)				
Township	2000 through 2006		2007 through 2015	
	No. of Homes	Average	No. of Homes	Average
Belle Plaine Township	66	9	18	2
Blakely Township	10	1	9	1
Cedar Lake Township	246	35	82	9
Credit River Township	427	61	176	20
Helena Township	119	17	45	5
Jackson Township	23	3	11	1
Louisville Township	58	8	29	3
New Market Township	232	33	39	4
Saint Lawrence Township	23	3	4	0.4
Sand Creek Township	74	11	17	2
Spring Lake Township	160	23	48	5
Total	1,438	204	478	52.4

Source: Maxfield Research & Consulting, Inc., 2016

B. Growth Management Trends

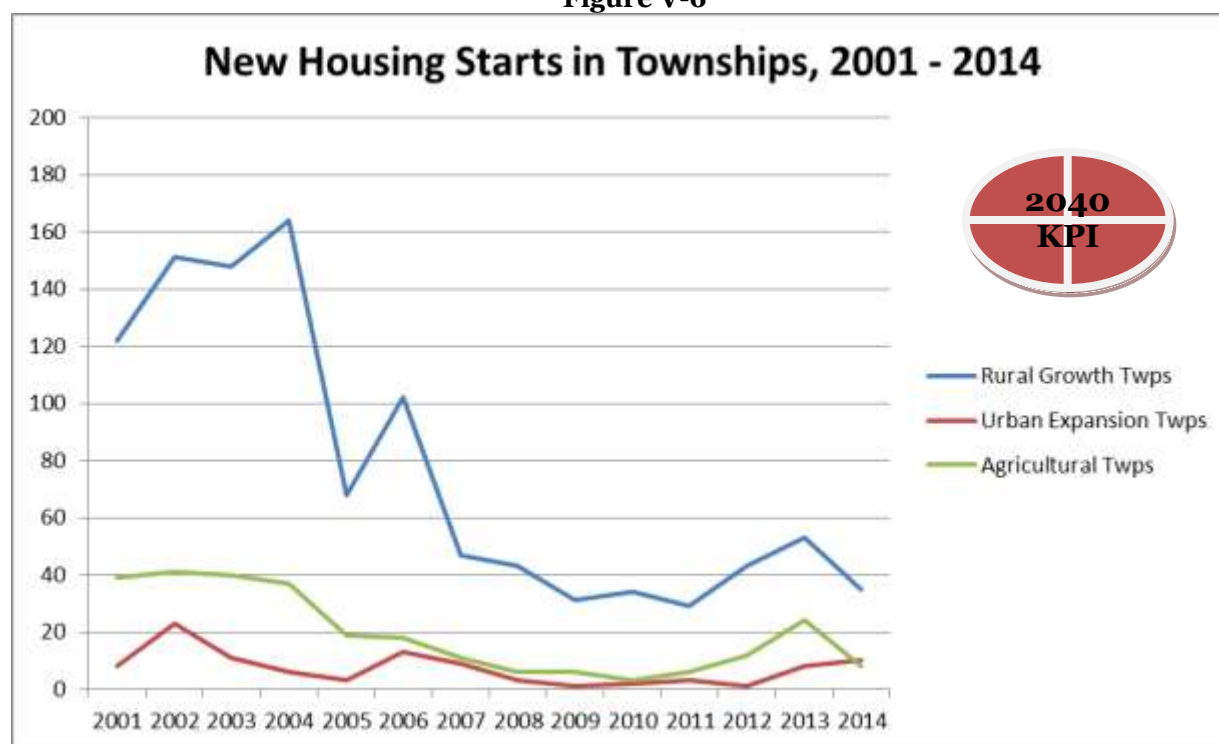
As stated earlier in this chapter, for several planning cycles the County has encouraged clustered residential development in designated rural areas; and limited development in the agricultural areas to preserve farmland and in the urban expansion areas to preserve land for future development that can be efficiently served by municipal services. Ensuring orderly development patterns that can be supported by local infrastructure and not impede logical extension of city sewer and water is an overarching principle of Scott County's long range planning philosophy. By guiding most rural platting activity to those townships with the resources and capacity to serve development - and away from those townships that don't - is a critical component of the County's mission of safe, healthy and livable communities.

Figures V-6 and V-7 shows the County's track record in accomplishing this overarching philosophy. Both graphs group the 11 townships into three types:

- "Rural Growth Townships" which include Spring Lake, Credit River, Cedar Lake and New Market townships;
- "Urban Expansion Townships" which include Jackson and Louisville Townships; and
- "Agricultural Townships" which include Blakeley, Belle Plaine, St. Lawrence, Sand Creek and Helena Townships.

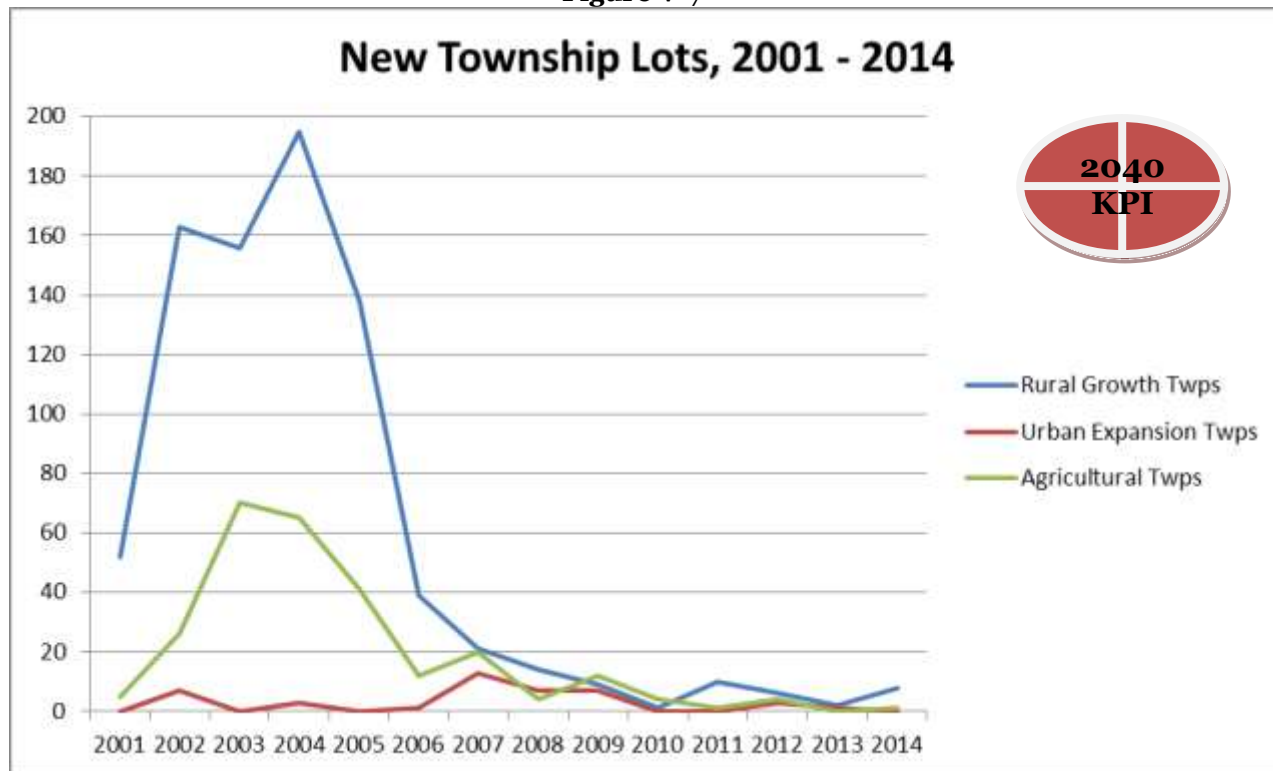
Over the past 15 years, most of the new housing starts and the vast majority of new lots platted in the County's unincorporated area have occurred in the Rural Growth Townships. The number of new lots platted in the Agricultural Townships spiked in the mid-2000s, but dropped to less than 10 lots per year in the past decade. The number of new homes and lots permitted in the Urban Expansion Townships has been minimal, keeping with the land use guidance and zoning which limits development to one home site per 40 acres.

Figure V-6



Source: Scott County Planning Department

Figure V-7



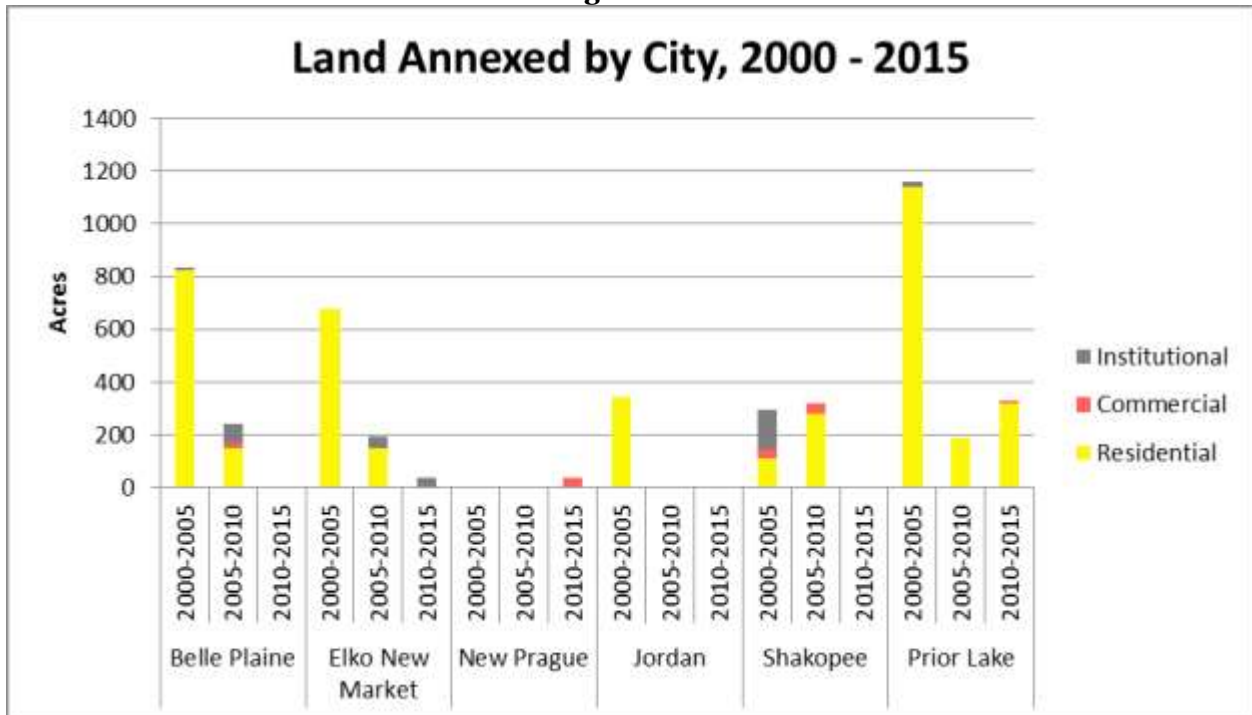
Source: Scott County Planning Department

One of the County’s most impactful land use approaches is preserving large tracts of land around municipalities for eventual annexation and extension of public sewer, water and utilities. Within these future municipal urban growth areas, the County seeks to preserve land in very low rural development densities to reduce the possibility of urban/rural land use conflicts and allow the orderly extension of public utilities and other infrastructure. As an outcome of this land use approach, the County Planning Department tracks the amount of land annexed into each city (in 5-year periods) and how the land was converted to residential, commercial or institutional uses (see Figure V-8).

Freestanding, rural growth centers like Belle Plaine, Elko New Market and Jordan annexed a lot of acreage in the early 2000s to accommodate residential development and their rising population base. From 2010 to 2015, these rural growth centers did not annex any properties – again reflecting the post-Great Recession period. Some annexations started occurring again in 2017/18.

The growing suburban cities like Prior Lake and Shakopee were annexing a lot of acreage in the 2000s, mostly for residential development, but in the past five years there have been no annexations. Given the pent-up demand for housing, commercial and industrial development reported in recent reports released by Maxfield Research & Consulting, Inc., these two cities and their surrounding townships will likely see increased annexation activity in the coming years.

Figure V-8



Source: Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments, 2000 - 2016

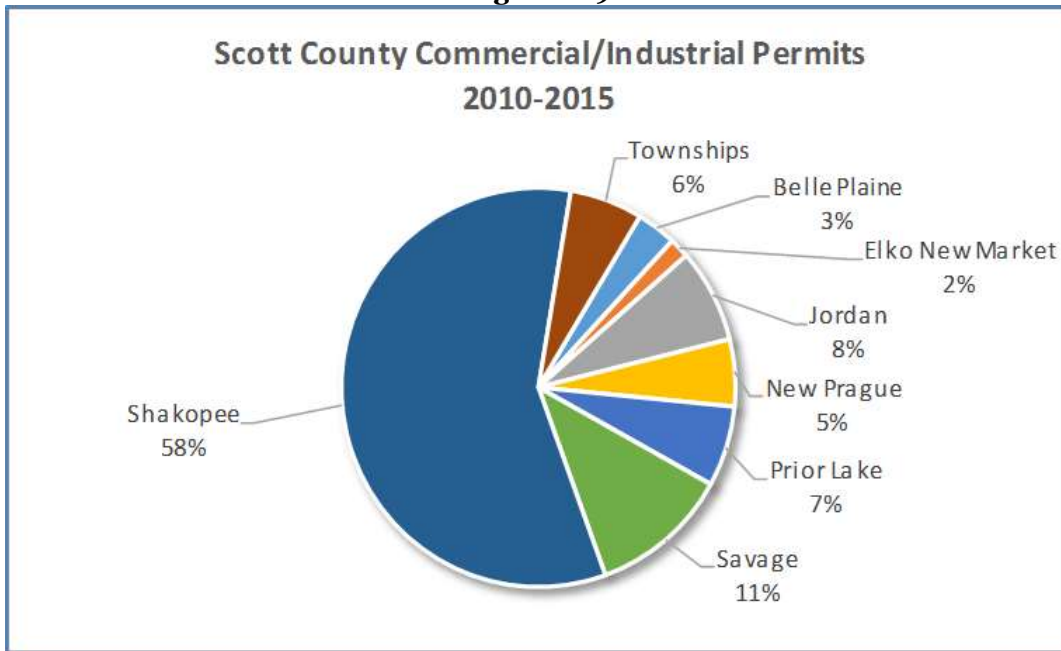
C. Commercial/Industrial/Home Based Business Trends

Figure V-9 presents information on commercial, industrial, and public building permits issued in Scott County cities and townships from 2010 to 2015. Permit data includes new buildings and additions to buildings if the permit valuation is \$100,000 or more. Shakopee was the most active community during this time period with 96 permits issued (out of 168 total), followed by Savage with 21 permits. However, collectively the eleven permits issued for the 11 townships (7%) held steady or outpaced permitting activity in the other cities. The townships that saw most of this permitting activity were Spring Lake, Louisville, Jackson and Sand Creek. The total construction value across these four townships in this five-year period was \$9.3 million (compared to the nearly \$540.8 million countywide)



By the Yard, Sand Creek Township

Figure V-9



Source: Maxfield Research & Consulting, Inc., 2016

Over the past decade (2006 to mid-2017), the County issued 91 conditional use permits (CUPs) and 52 interim use permits (IUPs), primarily for non-residential land uses. Of the 91 CUPs, 46 permits were issued for home extended businesses for such uses as cabinet shops, machine shops, lawn and snow service, masonry, and small engine repair. Most of the IUPs were issued for gravel mining operations. There were a growing number of community solar gardens issued CUP or IUP permits in recent years. Figure V-10 lists the ten most common categories of non-residential uses issued CUP/IUPs over the past decade.

General CUP Type	Number
Home Extended Business	46
Essential Services/Towers/Govt. Buildings	17
Mining	10
Contractor Yards	8
Kennels	8
Community Solar Gardens	5
Commercial Nursery/Greenhouse	4
Concrete Mixing Plants	4
Leasing Structure	4
Sales Lot - Motor Vehicles	3

Source: Scott County Planning Department, 2017

A 2016 study titled “*Commercial/Industrial Land Supply Analysis for Scott County, Minnesota*” conducted by Maxfield Research and Consulting, Inc., found that Scott County has sufficient land for commercial and industrial development to meet projected through the year 2040, however much of that land supply is in townships adjacent to cities. The cities of Shakopee and Prior Lake are expected to see the greatest demand for commercial land development during this time frame. The report notes there is a demand for commercial and industrial development in the submarkets along TH 169 (Jackson and Louisville) and Interstate 35 (New Market), due to the lower cost of land and limited infrastructure costs in the unincorporated areas.

The primary sector of the county’s industrial market (including all cities) is warehouse/bulk distribution/showroom space. The office market in Scott County is not particularly established compared to other metro counties. The 2016 Maxfield study found the county’s retail market relatively healthy due to increased population growth. Future retail development will generally follow “rooftops” as they spread further and deeper into Scott County.

D. Land Market Trends

Real estate transaction data from the Scott County Taxation Department provides some insight into the county’s land market. The Department compiled all land sales of vacant or raw property one acre or greater from 2007 through 2016. This data provides the use, zoning classification, price, and acreage of each land sale that occurred over this time period. Figure V-11 shows a summary of recent land sales data by township and broad zoning classification.

Figure V-11 Recent Land Sales, 2007 to 2016		
Location/Type	Number of Land Sales	Average Price/Acre
Belle Plaine TWP	14	\$16,328
Blakeley TWP	9	\$7,513
Cedar Lake TWP	25	\$29,844
Credit River TWP	23	\$76,575
Helena TWP	11	\$18,135
Jackson TWP	5	\$49,748
Louisville TWP	4	\$57,817
New Market TWP	14	\$24,591
Sand Creek TWP	16	\$27,118
St. Lawrence TWP	5	\$15,928
Spring Lake TWP	13	\$22,898
Land Zoned A-1 and A-3 Ag. Preservation Districts	24	\$9,122
Land Zoned RR-1, RR-1C, RR-2 and RR-3 Rural Residential Districts	57	\$40,095
Land Zoned UER, UER-C, UTR, UTR-C, UBR Urban Expansion and Transition Districts	54	\$32,454

Source: Scott County Taxation Department, 2017

Based on 24 land sales, an acre of land zoned primarily for farming (Agricultural Preservation District, A-1 or A-3) sold for \$9,122 on average over this time period. An acre of land zoned primarily for rural residential development (RR-1, RR-1C, RR-2 and RR-3) sold for \$40,095 on average, based on 57 land sales. Land located close to one of the cities and zoned for future urban development (UER, UER-C, UTR, or UTR-C) sold for \$32,454 on average, based on 54 land sales over the past decade.

ULTIMATE BUILD-OUT DEVELOPMENT SCENARIOS

This section appeared in the 2030 Comprehensive Plan Update, but remains relevant for this 2040 update. While this section focuses on planning issues beyond the 2040 planning horizon and, therefore, beyond the required time frame set by the Metropolitan Council, it is important to document as it sets the context and framework for the goals and policies reflected in this chapter.

In 2006, the Scott County Planning Department completed a comprehensive build-out analysis for Scott County. A build-out analysis estimates the maximum number of lots and/or homes allowed in a community at time of full build-out given certain development limitations (e.g., zoning, natural constraints, or other development constraints). This type of analysis requires certain parameters, assumptions, and criteria. This analysis is not 100 percent accurate because some assumptions must go into the model and some things just cannot be predicted with certainty. However, this type of analysis can be a useful tool to:

- Show whether or not current land use plans and policies will result in the type of future that residents want for Scott County;
- Demonstrate the range of possibilities and impacts if different land use policies were implemented; and
- Demonstrate what regional systems (transportation, wastewater treatment, stormwater, parks, and trails) will need to be in place to serve Scott County at full build-out.

Scott County previously completed a build-out analysis, albeit on a smaller scale, as part of the Southeast Scott County Comprehensive Plan prepared from 2003 to 2005. County staff felt it was necessary to identify land uses for the planning area (New Market Township, City of Elko New Market, and portions of Rice County) at time of full build-out to provide these communities foresight beyond the commonly used 20-year planning horizon. This analysis was fueled in large part by the Metropolitan Council's decision in 2002 to extend sewer interceptor service to Elko New Market to serve this rapidly expanding rural growth center.

This analysis was seen as a way for these communities to: a) plan for expensive infrastructure long term; b) calculate the costs of growth; and c) utilize available resources. As part of this analysis, the city and townships began identifying which areas would likely anticipate urban densities and which areas would likely remain rural. From this ultimate build-out effort, the city and townships developed a joint plan for an interconnected road system to serve the area; as well as a natural resource corridor map and a designation of ultimate urban expansion areas.

The 2006 countywide build-out analysis focused on two sets of conditions: baseline and future. The baseline conditions analysis is an “as is” approach based on currently adopted land use plans. The future conditions analysis is a “what if” approach based on projected land use changes and expected development trends. Both approaches were built using the same and most current GIS parcel database for Scott County and assume the same natural resources and development constraints.

A. Baseline Build-Out Analysis

The baseline analysis looked at how parcels of land are guided for today and what development potential remains given density restrictions and environmental constraints. This analysis used the County's 2020 planned land use map (as amended in 2005) as the baseline condition. It assumed that areas guided for Agricultural would build out at an overall density of 1 home per 40 acres; Rural Residential would build out at an overall density of 1 home per 10 acres; and Rural Residential Growth would build out at an overall density of 1 home per 2.5 acres. Results from this baseline analysis found that the current plan of Scott County includes enough developable land to more than double the population in the unincorporated area at full build-out. The current population of 23,700 residents in the eleven townships could swell to around 37,000 to 41,000 residents.

The baseline analysis assumed that areas guided for Urban Expansion would build out at an overall density of 3 units per acre. When total build-out for the seven cities and surrounding Urban Expansion Areas are included, this baseline condition model suggests a total Scott County population of 400,000 to 500,000 residents at time of full build-out.

B. Future Build-Out Analysis

The future "what if" conditions build-out analysis employs two models based on long-range sanitary sewer service plans: Model #1 is based on the *known* capacity limits for each of the regional or local wastewater treatment plants (WWTPs) serving Scott County (Blue Lake WWTP, Seneca WWTP, Empire WWTP, Belle Plaine WWTP, Jordan WWTP, and New Prague WWTP). These known capacity limits are as reported in long-range sanitary sewer service plans and studies prepared by the Met Council or local communities. Model #2 assumes a new regional wastewater treatment plant will be sited somewhere along the Minnesota River. This new WWTP will increase sanitary sewer service capacity for Scott County beyond 2030 and, therefore, allow more land area for urban-type development.

Model #1 – Based on Known Sanitary Sewer Service Capacities

Question: "*What if all of the cities in Scott County develop to the fullest capacity of their wastewater treatment plant designs and sanitary sewer service infrastructure and the remaining portions of the county develop at rural densities as guided by the regional wastewater collection and treatment authority (Met Council)?*"

Model #1 is based on the *known* capacity limits for each of the local or regional wastewater treatment plants serving Scott County (see Map V-12). Each city has prepared or is in the process of preparing updated long-range sanitary sewer service plans. These plans include an ultimate sanitary sewer service area boundary based on the known capacity of the plant and sewer line infrastructure system serving the area. Map V-12 shows the ultimate sanitary sewer service areas for each local or regional treatment service provider. Each community's long-range sanitary sewer service plan also estimates how many people can be served within the ultimate sanitary sewer service area based on future land use maps and projected household sizes. Below is the reported population that each city can serve when their respective ultimate sanitary sewer service area is fully developed:

- ⊕ Elko New Market: 80,000 residents (Source: *Southeast Scott County Comp Plan*)
- ⊕ New Prague: 70,000 residents (40,000 residents estimated portion within Scott County) (Source: *Comprehensive Sanitary Sewer Plan for 2026 Service Area*)
- ⊕ Belle Plaine: 23,000 residents (Source: *Draft City of Belle Plaine 2030 Comp Plan*)

- ⊕ Jordan: 92,000 residents (Source: *May 2006 City of Jordan Wastewater Plan*)
- ⊕ Prior Lake: 46,000 residents (Source: City of Prior Lake Engineering Department)
- ⊕ Savage: 42,700 residents (Source: City of Savage Planning Department)
- ⊕ Shakopee: 75,000 residents (*Estimated by the Scott County Planning Department. City's long-range sanitary sewer service plan currently being prepared*)

Cities Estimated Total: 399,200 residents

Model #1 assumes the county's land area *outside* of these ultimate sanitary sewer service areas will be built out in accordance to the densities guided by the Metropolitan Council's *2030 Framework Planning Areas Map* (1/40 for Agricultural Areas, 1/10 for Diversified Rural Areas, and 2½-acre lot densities for Rural Residential Areas).

If all remaining eligible, developable parcels in Scott County *outside* of the mapped ultimate sanitary sewer service areas were built-out in conventional large-acre plats (40-acre, 10-acre, 2.5-acre lots) as guided by the Met Council's *2030 Framework Planning Areas Map*, the County's unincorporated area could add 5,600 to 5,700 new homes. With an estimated 6,500 homes existing today outside the mapped service areas, this means the total population in the unincorporated area would total approximately 37,000 to 41,000 residents. When adding the urban population under Model #1, Scott County's total population at full build-out would total approximately 430,000 residents.

Model #2 – Based on a New Regional WWTP

Question: "*What if a new regional WWTP is built and brought on-line to serve urban development beyond the current ultimate sanitary sewer service areas?*"

Model #2 assumes that a new regional WWTP will be sited somewhere along the Minnesota River to serve Scott County. This new treatment plant will increase sanitary sewer service capacity for Scott County beyond 2030. Figure V-12 shows, very generally, the ultimate sanitary sewer service area boundary for the new regional treatment plant (labeled as "Scott Co. Urban Expansion"). The boundary line was determined by examining existing lot patterns, topography, wetlands and water bodies, and sub-watershed boundaries. Model #2 assumes build-out densities of 3 units per gross acre for the expanded urbanized areas that would be served by this new regional WWTP. Model #2 assumes 2.5-acre lot densities for the remaining portions of the county that would not be served by any regional WWTP.

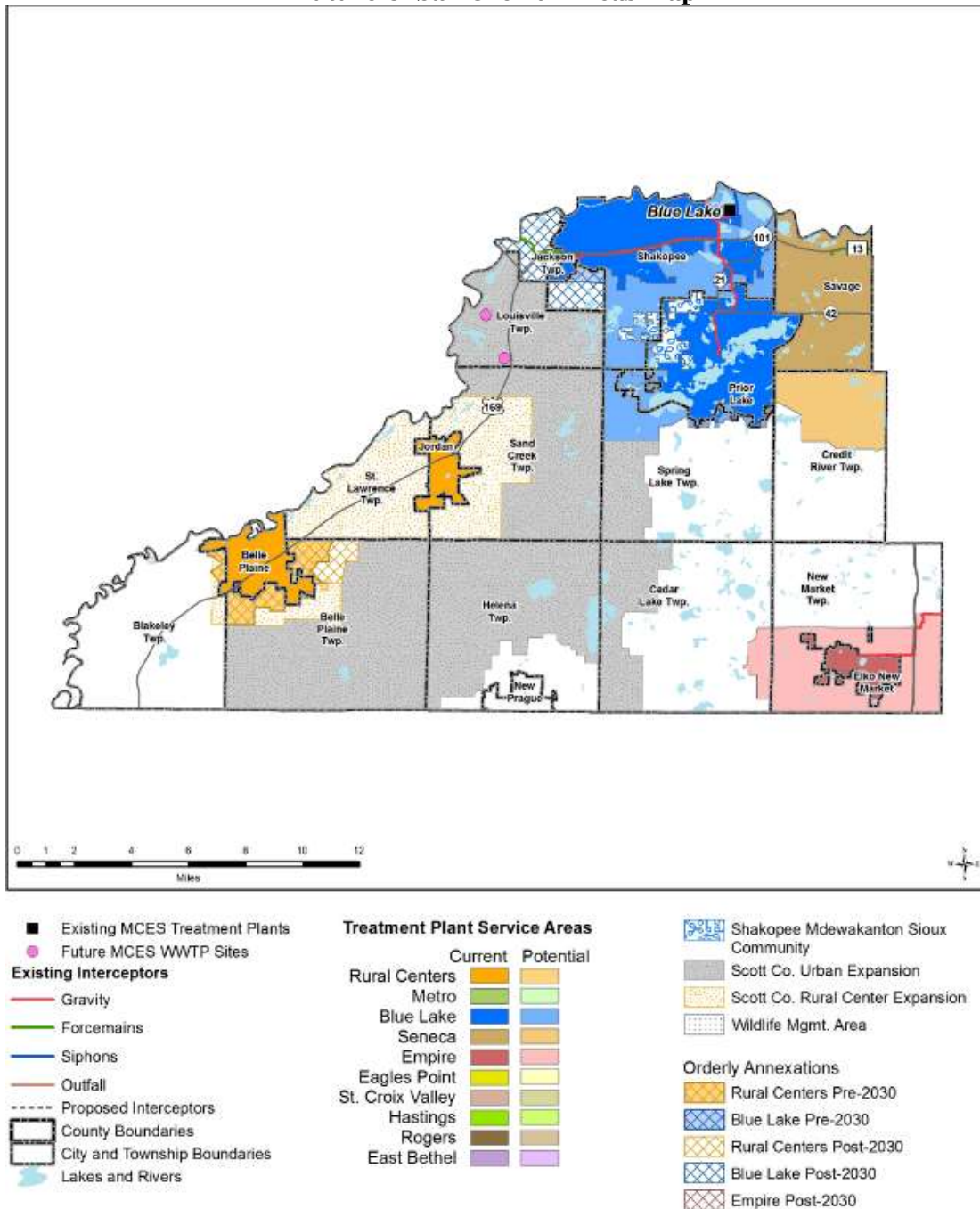
Under Model #2, if all remaining eligible, developable parcels in the new regional WWTP service area were developed at urban density development (3 units per acre; mix of single family, two-family, and multi-family homes), there is enough developable land area to add 586,000 residents. There is enough developable land in the remaining portion of the county that would not be served by a regional WWTP to accommodate roughly 31,500 residents. When adding the total urban population from Model #1 (399,200), Scott County's total population at full build-out under Model #2 would total approximately one million residents at some point in the future.

Build-Out Models Summary

In summary, under Model #1, Scott County could reach a population of about 400,000 residents at full build-out if each city develops to the fullest capacity of their sanitary sewer service capabilities and the rural areas outside the ultimate sanitary sewer service areas are allowed to develop into 40-, 10-, or 2.5-acre lots with on-site septic systems as guided by the regional wastewater collection and treatment authority. If a new regional WWTP is built to serve Scott

County post-2030 and increase capacity for urban development, the county could reach a population of over one million residents at some point in the future. (Note: In context, the Twin Cities Metropolitan Area is projected to reach 3.6 million people by 2040. Should Scott County reach one million residents, the Twin Cities will likely have a population of over 7 million - similar to today's Chicago metropolitan area population. There would be many other challenging growth issues the County and metropolitan area would need to address at that time, i.e. transportation, social services, crime, etc.)

**Map V-12
Future Urban Growth Areas Map**



LAND USE AND GROWTH MANAGEMENT GOALS AND POLICIES

The unprecedented rate of growth in Scott County during the 1990s and 2000s has raised issues with regards to its impact on public services, including transportation and parks, stormwater management, natural environment, ground water and compatibility of land uses. The Scott County Board of Commissioners, recognizing these issues, has identified the need for a growth management strategy. Goals and policies, based on the Scott County 2040 Vision, are provided to define and guide Scott County's growth management efforts, focusing on the unincorporated areas. Goals and policies are defined below:

Goals: These are broad statements that express general public priorities about how the County should approach growth and development over the next 25 years. These goals are driven by the 2040 Vision as defined in Chapter IV.

Policies: These are rules or courses of action used to ensure plan implementation and to accomplish the goals. These policies are intended to be used by decision-makers to implement this 2040 Plan Update through ordinances and other official controls.

A. Process and Collaboration

Goal #V-1 Develop a cohesive countywide land use pattern that insures compatibility and functional relationships among activities and between jurisdictions.

- a. Build on Scott County's strengths—such as environmental quality, open space, strong industrial and commercial areas, prime farm land, recreation and entertainment facilities, quality local government, and excellent school and park amenities—to realize the County's 2040 Vision.
Reason: This policy reflects an overarching theme in the 2040 Vision. Scott County has many valuable resources. New development should be designed to coexist with existing development, and be compatible with the environment.
- b. Working with the cities and townships, plan for a range of lot sizes, densities, land use types, and residential lifestyle choices for rural and urban residents.
Reason: This policy reflects the 2040 Vision. Offering a range of development options to meet different housing markets and individual preferences will result in a more diverse, well-balanced, and prosperous community.
- c. Prepare and adopt a land use plan for the unincorporated portions of Scott County that designates land use areas and guides development to appropriate areas in order to ensure desirable land use patterns that provide for public infrastructure, protect the natural environment, preserves farmland, and minimize conflicts.
Reason: The County has been the planning authority for the unincorporated areas since 1969. Rapid growth requires planning for adequate and sufficient infrastructure while preserving natural resources and farmland.
- d. Provide for and encourage on-going opportunities for public participation—including township officials, cities, stakeholders, property owners, and employers—in the planning and development review process.

- e. **Public Value Incentive Policy:** Use flexible zoning tools, such as Planned Unit Developments (PUDs) or clustering, and leverage traditional development controls (i.e., zoning, land subdivision regulations) where appropriate, to encourage the private sector into a collaborative development track that could include density bonuses in exchange for public values that promote varied housing options, improve public infrastructure systems, and encourage natural resource protection. Public values, depending on the land use category and specific site conditions, could include but are not limited to the following:
- **Publicly Managed Utilities:** Providing publicly managed sewer and water utilities, such as a community sewage treatment system (CSTS–and/or a community water supply system, with an operating, financial, and management plan that is controlled by a public entity with taxing authority to insure proper maintenance, management, and financing that is approved by the Township and County. Developments with publicly managed systems in the urban expansion and urban transition areas should be designed for compatibility with and connections to future urban services and include a plan for legal and financial conversion to urban services.
 - **Public Roadway/Transitway:** Providing any additional new dedicated public road right-of-way, above and beyond 60 feet from the road centerline, for an existing or new collector or arterial roadway as identified in County or Township long-range transportation plans, as amended, or as identified in an approved Alternative Urban Areawide Review (AUAR) or Detailed Area Plan (DAP) if required for the subject area. Or, providing right-of-way for supportive local roads along major arterials or public transit facilities as identified in County or Regional long-range transportation corridor or transit plans, as amended, or as identified in an approved AUAR or DAP if required for the subject area. Or, providing turn- and/or bypass lanes at the public road intersection of a state or county highway that serve not only the PUD development but also adjoining phases or parcels at time of future development.
 - **Public Parkland:** Providing any additional dedicated public parkland, above and beyond the County’s dedication requirement, for a regional, county, or town park if the subject parcel is located in or adjacent to a regional, county, or town park search area or proposed park boundary as identified and mapped in Scott County’s Parks & Trails Plan, as amended.
 - **Public Trailway:** Providing any additional dedicated public trail right-of-way, easements, or trail construction, above and beyond the County’s dedication requirement, for a regional, county, or town trailway if the subject parcel is within a regional, county, or town trail search corridor as identified and mapped in Scott County’s Parks & Trails Plan, as amended, or as identified in an approved AUAR or DAP if required for the subject area.
 - **Regional Stormwater Management:** Providing any additional land, above and beyond 3 percent of the land area reserved for on-site stormwater management if regional stormwater management is considered feasible for the site by the County, the Township, or the applicable Watershed Management Organizations, or as identified in an approved AUAR or (DAP) if required for the subject area.
 - **Natural Resource Conservation:** Conserving critical natural resource areas as identified and mapped in the County’s natural resource management plans, as amended, the Natural Areas Corridor Map included in this plan as

Figure VIII-4, or as identified in an approved AUAR or DAP for the subject areas. A long-term stewardship management program involving a combination of stewardship, endowment funds, and/or contract for long-term maintenance is required.

- **Wetland Restoration:** Restoring the hydrology and native plant communities of five or more acres of drained, altered or disturbed wetlands not including restorations for the purposes of mitigation and banking. A long-term management program involving a combination of stewardship, endowment funds, and/or contract for long-term maintenance is required. Public value density bonuses may be granted, even if restoring the wetland is not possible at the time of development because the restoration spans and affects additional properties, for the dedication of easements and endowment that would enable restoration and long-term management in the future when similar rights are obtained from other affected properties.
- **Livable and Sustainable Neighborhoods:** Providing a variety of housing types such as lifecycle and senior housing, utilizing environmentally friendly building designs, utilizing on-site alternative energy sources and water and energy conservation practices, and/or implementing other sustainable development and active living design practices as defined in the Scott County Zoning Ordinance.

Reason: Providing a more collaborative and public values-driven approach allows for more creativity in the development process, holds greater promise for win-win outcomes for the public and the developer, and works toward achieving the County's 2040 Vision.

- f. To the maximum extent possible, development policies and regulations shall be applied consistently and uniformly on similarly sited parcels.
Reason: Inconsistently applied policies and regulations are not fair, result in inconsistencies with adopted policies, and open the door to legal challenges that question the entire system.
- g. Geographic land use designations and related zoning classifications shall be changed only when it can be demonstrated that such modifications are in the best long-term interest of the County. Other than special procedures for rezonings, such land use and zoning changes shall occur only when they will promote land use compatibility, meet the goals and policies of the County's Comprehensive Plan, and be based on a) changes in conditions, b) errors/inconsistencies with the Comprehensive Plan, or c) when needed to allow the clustering of density to preserve land for agricultural use, open space, or future development
Reason: Land use zoning should not be changed simply to accommodate a proposed use, but should be established and maintained to the extent necessary to assure compatibility of adjacent land uses.
- h. The County will not approve a development or subdivision that includes, but is not limited to, any of the following:
 - is inconsistent with Scott County's adopted Comprehensive Plan, Detailed Area Plans, or long-range transportation corridor plans or studies;
 - the proposed local road or lot access location is inconsistent with the County's adopted Minimum Access Spacing Guidelines as established in the County's Land Division Ordinance;

- lacks necessary adequate local paved roads (or plans for future paved roads) to serve the subdivision or development;
- lacks adequate sanitary sewer and potable water capabilities;
- lacks adequate storm water drainage, storm water treatment facilities, or storm water management either within the development site or downstream;
- is inconsistent with Scott County’s environmental protection regulations.

Reason: The County has clear standards for approval of developments and subdivisions.

Goal #V-2 Coordinate growth management and land use planning between the County, townships, and cities.

- a. County staff shall be proactive – individually or through SCALE – in collaborating and communicating with city, tribal and township staff on mutual planning issues such as urban expansion, annexation, land use, transportation, natural resources, farmland preservation, sanitary service and inspection, and parks, trails, and recreation.

Reason: Joint planning studies and collaboration between cities, townships, and the County leads to better, more efficient planning.

- b. In advance of formal plan submittals, encourage cities to share, coordinate and communicate planning issues of mutual concern with the County during the preparation of comprehensive plans or system plans. Continue to share draft plans and plan amendments as required by the Metropolitan Land Planning Act and the Metropolitan Council.

Reason: The exchange of information between local jurisdictions leads to better, more efficient planning and provides enhanced customer service to residents.

- c. Coordinate the following township responsibilities with the Development Review Team (DRT) process:

- Storm water management system maintenance;
- Township road planning for supportive roadway systems and continuity;
- Local parks and trails planning;
- Weed control management;
- Wetland Conservation Act enforcement;
- Subordinate Service District establishment; and
- Community Sewage Treatment Systems (CSTS)

- d. Coordinate long range transportation and other infrastructure plans that will support and direct future growth and allow for planned road right-of-way and infrastructure improvements.

Reason: Planning for road needs to accommodate planned development is the most efficient way to meet transportation needs for a region and ensure public safety.

- e. Continue to require three-way agreements between the County, townships, and developers to address responsibilities for project implementation. Explore the feasibility of adding cities to these agreements for development within urban expansion areas.

Reason: This will improve coordination between responsible parties, provide technical and enforcement support to townships, and ensure that projects are developed as approved.

Goal #V-3 Support forms of government capable of planning and providing public utilities and services for urban development within the urban expansion area.

- a. Encourage townships that have land within the urban expansion area to consider, with appropriate administrative support, incorporation, consolidation with adjacent cities, joint powers agreements, meaningful orderly annexation agreements, or contractual agreements for extension/provision of urban services and renegotiation of existing outdated agreements that do not currently function.
Reason: Determining the timing and location of where and how to stage urban service extensions throughout the County is a key 2040 growth management goal. Agreement by the local governments on plans for ultimate development of the land within the urban expansion area allows land owners to realize the full potential value of their land and plan for development.
- b. In evaluating the appropriate governmental options for Metropolitan Urban Service Area (MUSA) expansion, as well as local municipal service area expansions, affected cities and townships must consider physical and financial viability of providing public utilities and services to urban expansion areas.
Reason: This is needed to reasonably determine the location of future urban expansion areas.
- c. Proactively coordinate and facilitate a process to assist townships and cities in establishing orderly annexation agreements (OAA) and identify outside resources to address infrastructure extension costs in areas where there are existing needs. For all existing OAA agreements, identify the local government unit responsible for preparing staff reports, administering mileage and per diems for board members, coordinating meeting agendas and minutes, and providing legal defense resources and funding for board actions.
Reason: There are statutory provisions to enable land use planning within orderly annexation areas to best address future city growth plans. The County is in a unique position as the third party to engage the parties in productive problem solving.
- d. Promote cooperation between the County, cities, and townships for planning and implementing strategies for extending utilities within future urban areas where some of the costs of extending public services may be a partial responsibility of the local government jurisdiction.
Reason: There are existing subdivisions adjacent to cities that have well and septic problems that should be connected to municipal services for public health reasons. However, the cost to bring services to these older subdivisions may exceed the assessable costs resulting in an overall cost to existing utility customers for providing this service to these homes. The County should work with the cities and townships to find ways to recover costs for extension of municipal services by ensuring the availability of additional developable land that could be served by municipal services in conjunction with extending the service to existing homes to help recover the high cost for extending the trunk

lines. Conversely, there are areas where vacant, developable land is adjacent to existing subdivisions with well and septic problems. Extension of sewer service to some vacant areas should also include the provision of service to nearby problematic areas.

- e. Promote cooperative efforts to solve public health hazards when a hazard can be corrected or controlled by public resources (sewer/water service, code enforcement, inspection, sharing infrastructure costs, etc.).
Reason: Failing sewers and contaminated wells that cannot be economically repaired or replaced without municipal services lead to public health threats. Lack of aggressive code enforcement can lead to blighted neighborhoods. It is in the public interest to work toward correction and prevention of these conditions.

B. Growth Management

Goal #V-4 Manage growth and land use development in a historically balanced manner that distributes the opportunity for growth and development throughout Scott County, is fiscally responsible, and will result in the staging of infrastructure investments to support growth.

- a. Recognize and plan for Scott County's share of the projected metropolitan growth for the Twin Cities region over the next two decades.
Reason: Met Council projects another 800,000 residents will be added to the Twin Cities regional population by 2040. Scott County's share of this regional growth is approximately 70,000 additional residents. Met Council is projecting that, by 2040, roughly 88 percent of the County's population will reside in a city; and the remaining 12 percent residing in the unincorporated area.
- b. Support MUSA expansion and compact growth patterns that stimulate development within cities and take advantage of in-place municipal infrastructure for most of the growth in the county.
Reason: This policy provides for utilization of existing city services rather than costly duplication by the County or townships. It also results in better utilization of land and more tax value per acre to pay for services, while sustaining the township areas.
- c. Support the preservation, dedication, and acquisition of right-of-way along existing and planned major transportation corridors prior to anticipated road improvements.
Reason: Increased populations lead to congested roads if transportation corridors are not improved and expanded to meet demand. Preserving future right-of-way prior to development reduces acquisition costs and allows for better design and integration with the surrounding area.
- d. Developers, not existing taxpayers, shall pay for their proportionate share of initial and incremental costs for needed and planned infrastructure related to or resulting from new development.
Reason: Development should pay its fair share for required initial and incremental improvements. This is especially applicable to residential development that provides a relatively low tax return to cover the increased demand for services, such as roads and storm water management systems.

- e. Annually review County development and infrastructure fees and funding programs, and periodically undertake a comprehensive analysis of County development fees and review underlying studies and plans that set the foundation for those fees
- f. Continue to maintain and implement a Capital Improvement Program (CIP), to properly finance public improvements, including transportation, parks and trails, and other public facilities, to adequately support growth.
Reason: An orderly CIP eliminates drastic swings in taxation levels and provides a systematic and planned way of providing these services.
- g. Encourage cities and townships to develop Capital Improvement Programs to address their needs for future and improved infrastructure.
- h. New development shall provide sufficient land area to accommodate a protected backup location for replacement of the proposed sewage treatment system.
Reason: This is consistent with State standards and allows for a backup location should the primary location be damaged or should the system fail.
- i. Support efforts that serve to implement the urban development goals for the urban expansion area.
Reason: The concept of concentrating people near their place of work and providing convenient access to needed services to reduce time and cost of travel for society and improve public safety and health is the core purpose of urban development. Improved roads and transportation has made it possible for improved accessibility for township residents to those services that are available within cities. However, dispersal of residents who are employed in cities into the unincorporated areas increases public cost for road construction and maintenance as well as for emergency and police services.
- j. Consider the feasibility of establishing a Transfer of Development Rights (TDR) program that would allow development rights to be transferred from “sending areas” where land preservation is desired to “receiving areas” where development is planned.
Reason: This type of land use implementation tool could help achieve some of this Plan’s goals related to agricultural preservation, reserving land for future urban development, and protecting important natural resources. In 2009, county staff worked with developers and townships to develop a draft TDR ordinance. This ordinance should serve as the basis for TDR implementation when a viable development project is proposed by a developer or landowner.

Goal #V-5 Promote higher-intensity, higher-density urban growth and development within Scott County’s cities.

- a. Support infill urban development within existing city boundaries to maximize the use of existing infrastructure.
Reason: The cost for existing infrastructure has already been paid by local developers, residents, and taxpayers. Using this value before opening other areas to development is the most efficient use of tax revenue and service fees.

- b. Support and encourage the expansion of the Metropolitan Urban Service Area (MUSA) and/or locally provided service areas within the remaining undeveloped portions of Scott County’s cities that capitalizes on in-place utility and service investment.
Reason: The most cost efficient method of accommodating the majority of higher-density residential growth is within urban service areas.
- c. Encourage the provision of public utilities in a planned, orderly fashion that encompasses larger areas—rather than in a piece-meal, parcel-by-parcel fashion—so jurisdictions can plan for parks and trail links, school sites, utilities, street interconnections, local collectors, and minor arterial roadways.
Reason: Larger area planning allows for better and a more efficient extension of services and utilities.

Goal #V-6 Plan for and reserve areas beyond existing city boundaries for both short-term and long-term (post-2040) urban expansion.

- a. Establish an urban expansion area (Tier I) sized to accommodate urban growth based on each cities’ 2040 urban service capacity. The configuration of the urban expansion area will be reflective of the service capacity of available and planned services, including public sewer, water, roadways, and storm water management.
Reason: Expansion of existing urban development is more efficient than duplicating services. Preserving the ability for expansion of urban services into undeveloped land allows for recovery of costs for the extension of urban services to be paid for by the developer and not taxpayers or existing utility customers.
- b. Establish an transition area (Tier II) sized to accommodate long-term (post-2040) urban growth based on the anticipated urban service area for a future regional wastewater treatment plant. The future regional wastewater treatment plant will provide additional urban sewer capacity for post-2040 growth.
Reason: In order to meet the long-range (post 2040) needs of the growing population of the southwest metro area in Scott County, the Metropolitan Council is considering construction of a future treatment plant to serve the western portion of the county. The siting of a new treatment plant will greatly increase the amount of land available for urbanization; therefore it is important to preserve this land for future urban development while providing land owners limited near-term development opportunities that are consistent with future urban uses.
- c. The boundaries for the urban expansion and transition areas (Tiers I and II) shall be reviewed periodically and adjusted if new conditions warrant modifications.
Reason: New technologies or treatment plant expansions could add additional sanitary sewer service capacities.
- d. Develop standards for interim development uses to allow for future conversion to sewered development when urban services become available.

Reason: Once urban services are provided to an area, homes and businesses are generally required to connect to these services and abandon their private septic systems and wells. Planning for these future connections makes the transition to

urban services more efficient and cost effective to both property owners and the public.

- e. Promote compatible land use patterns on shared boundaries between urban and rural uses as a means of protecting future urban expansion and transition areas.
Reason: Some land use development is reasonable where it will be compatible with future urban services growth.
- f. Within the urban expansion areas, the County and townships shall discourage premature development, subdivisions or land use patterns that may obstruct the logical future extension of utilities.
Reason: Premature development is essentially development that is allowed to occur in the absence of a plan for the ultimate optimum development of an area. Unplanned premature development can thwart future planned optimum development of an area. Since cities do not yet have "build out plans" for areas adjacent to their current boundaries, it is prudent to preserve the opportunity for optimum utilization of a reasonable amount of land around cities for future urban development. This will greatly improve the long-term economics of the County and region.
- g. New development and land use changes in urban expansion areas and orderly annexation areas shall be reviewed by the corresponding city for compatibility with their comprehensive infrastructure plans.
Reason: As cities and townships continue to grow in Scott County, infrastructure compatibility becomes a major issue in the urban expansion areas where annexation is expected to occur. Any land use change or development that occurs within urban expansion areas should be reviewed for consistency with the comprehensive infrastructure plan of the city that will be annexing the land in the future.
- h. Perform the "community role" in accommodating growth and development in Diversified Rural community designations as identified in the Metropolitan Council's *Thrive MSP 2040*.
- i. The developer and/or benefiting property owners shall assume all or the significant majority of improvement/service costs, and agree to pay costs associated with extending services to serve their property.
Reason: Development of land is a business controlled by market influences. Cities require developers to pay for the costs of public infrastructure needed to accommodate their developments. Developers are attracted to the unincorporated areas in part to avoid these costs. There is a market for these rural properties, which attracts some city residents into the country. As more and more people disperse into areas outside of cities where public services investments have been made and into rural areas which lack those services, new rural residents begin demanding these public services. Provision for public services to a dispersed community is more costly than it is in established higher-density cities. The result is an increased need for public revenue (taxes) from all residents to accommodate this growth.

Goal #V-7 Foster a low-density, rural land use pattern in limited areas that are planned for long-term unsewered development to preserve open space and natural resources.

- a. Continue working with the Met Council to preserve long-range sanitary sewer service areas and continue implementing land use strategies for the balance of the county's land area that will likely never be served by public sewer service.
Reason: As part of the 2030 planning process, the County and Met Council identified areas that will remain in rural residential development without urban services. The County recognizes that where urban expansion can occur, it should occur as it is the most cost-effective use of land to accommodate residential needs. Therefore, it will be necessary to identify the realistic expansion capabilities of existing utilities, especially municipal sewer, in defining the urban expansion areas. At this time, it is believed to be unrealistic to anticipate total upsizing of trunk sewers to accommodate future growth. It is also recognized that, because of preexisting development and physical barriers, portions of Scott County will remain in a permanent non-sewered condition (assuming current technology). This policy reflects the need to define those likely boundaries to preserve the ability for future expansion of urban services in a cost-effective manner.
- b. Generally limit development to residential and complimentary uses that can be serviced by individual or community sewage treatment systems and private or community water supply systems.
Reason: The areas proposed for rural residential development have been selected because of the improbability of the extension of urban services into these areas in the long term. Development should, therefore, be limited to uses compatible with the existing low-density housing in the area and uses which can sustain these basic services indefinitely.

Goal #V-8 Support the staging of long-term, unsewered residential development through a phased basis, following a logical, planned sequence for road upgrades, storm water management, park, trails and open space planning, etc., to serve each staged area in a coherent, fiscally-responsible manner.

- a. The Planning Commission will periodically evaluate land supply to assess the overall staging of development in the planned rural areas, taking into consideration the following criteria:
 - infrastructure needed to support growth;
 - availability of land for development; and
 - local township road planning and storm water management system maintenance capabilities.
- b. Prior to rezoning parcels in staged growth areas, review and reference the recommendations in the adopted 2009 *Rural Residential Service Area Detailed Area Plan* (DAP) that included:
 - A build-out analysis of the study area given planned densities;
 - Locations for regional surface water ponds and drainage system;
 - Locations for township collector roads;

- Township road access to County highways and interconnections;
 - Need and location of turn-lanes and by-pass lanes;
 - Condition of existing roads and bridges and identification of where improvements are needed;
 - Available water supply for drinking water and fire safety;
 - Well locations, water tower sites, and other water supply needs;
 - Locations for parks and trails;
 - Identification of areas where necessary public infrastructure such as storm water management plans and systems, roads, and utilities are in place;
 - Opportunities for connectivity of local roads and reduction of cul-de-sacs;
 - Focusing traffic onto a completed local road system and allowing for safer traffic exchanges on County roads; and
 - Providing for sustainable and desirable long-term development to maintain and preserve the natural and cultural character of the staged growth area.
- c. Perform the “community role” in accommodating growth and development in Rural Residential community designations as identified in the Metropolitan Council’s *Thrive MSP 2040*.

Reason: Staging growth allows for immediate interconnection of roads rather than long term cul-de-sacs. Staging significantly reduces the conflicts of land uses that currently exist between residential and agricultural uses. Staging allows for upgrades of township roads by developers and reduces the cost burden on existing residents whom otherwise would not need the road improvements. Townships under State law are responsible for maintenance of storm water management systems in platted subdivisions and must maintain the storm water systems constructed by developers so that residents can be assured that storm water will continue to be managed as originally engineered.

Goal #V-9 Support development concepts that maximize wise use of land and, outside of the rural residential growth areas, preserve options for future development.

- a. Provide a flexible development option with incentives (including densities based on gross acreage) for developers to build communities that preserve buildable land for the future while enhancing the sense of a neighborhood.
- Reason: This development option provides for higher density rural residential developments while preserving buildable land for the future when infrastructure and services are able to accommodate increased housing density.*
- b. Promote flexible development opportunities that include:
- Protection of natural resources;
 - Neighborhoods that preserve permanent open space for environmental, recreational and leisure purposes, and fosters a sense of community;
 - Efficient use of land;
 - Potential for reduced infrastructure costs without compromising road connectivity;
 - Preserves land for future density when infrastructure is available; and
 - Opportunities for affordable and lifecycle housing (i.e., accessory dwelling units).

Reason: This provides development alternatives and preserves future options. This policy is consistent with the Metropolitan Council's promotion of flexible residential development ordinances to guide development in long-term sanitary service areas, as established in 2008.

Goal #V-10 Encourage large parcel or multi-parcel development (rather than small, piece-meal development) that is accompanied by a sufficient level of supportive site design, services, and facilities (i.e., roads, stormwater management systems, parks, trails, sewer, water, access).

- a. Encourage large parcel or multi-parcel development to efficiently provide corresponding public infrastructure and support facilities including, but not limited to, roads, storm water management systems, sewer, water supply, parks, trails, fire, medical, police protection, etc.
Reason: Typically, small scale developments by individual land owners or developers completed in a piece-meal fashion are less likely to provide regional infrastructure, such as roads, sewer systems, storm water management systems, parks, and trails. Assembling this type of regional infrastructure can be more efficient and cost effective in larger-scale developments.
- b. Limit direct access to principal arterial, major collector, and arterial roadways.
Reason: Provide safe access to higher speed traffic conditions on roadways, which are designed to move traffic efficiently.
- c. In accordance with the adopted 2009 *Rural Residential Service Area Detailed Area Plan* (DAP), work with townships to establish a funding mechanism to cover the costs of turn-lane improvements necessitated by “first one in” land development but could benefit a larger geographic area

C. Land Use Compatibility

Goal #V-11 Promote a compatible land use pattern that limits existing and potential conflicts and respects private property rights.

- a. When considering growth in the unincorporated area, guide new land uses to areas where similar uses are located and plan for transitional areas along natural or physical barriers (i.e., topography, drainageways, transportation routes, etc.) to minimize potential impacts.
Reason: Not all land uses are compatible and issues between abutting uses may create conflicts, such as noise, odor, lighting, and traffic. As a result, existing land uses may pre-commit the land use of surrounding properties to maintain compatibility and reduce conflicts.
- b. Assure that incompatible land uses are not located close to one another, and that appropriate measures—such as larger lot size requirements while maintaining large setbacks, requiring additional landscape screening, and/or orientating lots and buildings, equipment, vehicle parking, and exterior storage away from surrounding land uses—are used in instances where incompatibilities may otherwise occur.
Reason: This can minimize the potential number of complaints about noise, odor, lighting, and traffic often associated with incompatible uses.

- c. Guide the location and overall site design, including landscaping and screening, of utility facilities and structures (substations, water towers, lift stations, pole structures, solar gardens, etc.) in a way that they are compatible with surrounding land uses.
Reason: An example of incompatible land uses is a utility facility, such as an electric substation or architecturally plain public water well, within a residential development. Even though these facilities are necessary in order to supply services to homes, they tend to be received negatively by neighboring residential property owners due to the appearance and design of taller complex infrastructure, lack of landscaping, construction noise, and traffic generation. Some of these issues may be perceived rather than based on actual facts. Regardless, these facilities should be located in areas with more compatible land uses, such as commercial, industrial, or agricultural areas that do not impact as many residents.
- d. Residential lots abutting larger residential lots, hobby farms, or farms shall not be considered incompatible land uses. The County encourages best management practices for farming operations.
- e. Adequate lot sizes and soundly constructed buildings of sufficient size shall be required for all types of development.
Reason: Lots which require on-site sewage systems, individual wells, and storm water management facilities must be larger than those served by municipal services. Larger size lots also provide more flexibility and options for the changing needs of the owners which otherwise would encroach and jeopardize the areas needed for these basic facilities. Poorly constructed buildings require premature replacement, lead to blight conditions, and adversely impact surrounding property market values.
- f. Allow institutional uses such as churches, government facilities or other uses in the unincorporated areas provided that **all** traffic, access spacing, infrastructure, utility setbacks, storm water management, and compatibility issues are sufficiently addressed.
Reason: Institutional uses tend to generate large amounts of traffic, impervious surfaces, and sanitary service needs. As a result, these uses should be responsible for the impacts they create.

Goal #V-12 Ensure that land use and development is compatible and harmonious with the natural environment.

- a. Identify and evaluate all critical and sensitive environmental features in Scott County.
Reason: It is important to identify and map all environmental features that should be protected before any land use changes occur.
- b. The preservation, restoration, and enhancement of shoreland and wetland environments in their natural state shall be encouraged. Where desirable and practical, development which complements these features and that which is in conformance with federal, state, and local regulations shall be promoted.
Reason: This is a federal and state policy supported by regulations. This

reduces erosion caused by excessive storm water runoff, enhances the natural features of the environment, contributes to ground water recharge, and improves air quality.

- c. Instead of the County's traditional development controls (i.e., zoning, land subdivision regulations), encourage a planned unit development (PUD) track that could include density bonuses in exchange for public values such as preserving, protecting, or enhancing natural features.
Reason: Providing a more collaborative and public values-driven approach allows for more creativity in the development process and holds greater promise for win-win outcomes for the public and the developer.

Goals #V-13 Maintain, protect, and where necessary upgrade the character of established neighborhoods, which includes elimination of non-conforming and incompatible uses.

- a. Encourage the redevelopment of substandard, obsolete, or blighted properties including the removal of unsafe or hazardous structures inconsistent with the proposed land use changes.
Reason: Unless integrated into the neighborhood design, leaving old farm buildings that were designed for agricultural uses in a residential development that consists of more expensive construction often results in citizen complaints, potential locations for illegal uses, attractive nuisances, and property devaluation.
- b. Provide land use transitions and/or proper buffering or screening between distinctly different types of land uses.
Reason: This can minimize the potential number of complaints about noise, odor, lighting, and traffic often associated with incompatible uses.
- c. Property values can be protected through the harmonious relationship of land uses, roads, natural features, and the maintenance of properties.
Reason: Property values and taxable valuations are driven by market influences. Properties with good access, adjacent natural amenities, and compatible land uses have higher market values.
- d. Encourage nonconforming uses and structures to be brought into conformity with current standards over time.

Goal#V-14 Allow reasonable access to solar energy by controlling artificial blockage of solar radiation through reasonable zoning and building codes.

- a. Continue to follow, and update as necessary, zoning regulations such as building setbacks and height requirements to ensure reasonable access to solar energy.
Reason: Scott County recognizes the need to regulate structures and vegetation on individual properties, to the extent necessary to provide access to solar energy, by reasonably regulating the interests of neighboring property holders. The use of solar energy collectors is subject to natural constraints imposed by the diversity of topography and natural features within the County.

- b. Continue to ensure solar access protection rights are maintained and find new ways to allow for the use of alternative energy systems.

Goal #V-15 Encourage the local production of solar photovoltaic energy to the extent feasible, while minimizing potential biological, agricultural, visual, and other environmental impacts.

- a. Establish clear guidelines and siting criteria for community solar garden (CSG) development in those zoning districts where community solar is a permitted interim or conditional use.

Goal #V-16 Encourage protection of valuable historical sites to preserve the County's sense of history.

- a. Development proposals should be reviewed carefully for impacts to valuable historical sites.
- b. Federal laws protecting Native American historical sites shall be adhered to.
- c. Coordinate review of any developments that may have a potential to impact historical sites with affected communities and with the Scott County Historical Society, State Historical Society, and Shakopee Mdewakanton Sioux Community.
- d. Encourage preservation and maintenance of structures and surrounding properties of historic or architectural significance.
- e. Support efforts that preserve and protect historic structures and neighborhoods within the cities.

D. Residential Development Design

Goal #V-16 Support and encourage clustered developments that respect the overall planned density for the area and that minimize the impact of development on the environment and significant natural features.

- a. Encourage the placement of housing units in a manner that preserves significant natural resources.
Reason: Natural resources enhance the quality of life in residential areas and improve market values. Natural areas also help improve storm water runoff conditions.
- b. Encourage innovation in subdivision design and housing development through the use of devices such as the cluster unit development concept, sustainable development practices (low impact development, best management practices, etc.), environmentally friendly building (green roofs, energy efficient materials, LEED certified construction, etc.), and development techniques that conserve land and increase value, provided desired densities can be maintained.

Reason: This policy reflects the 2040 Vision. Innovation can improve marketability and thus value as well as provide for living feature enhancements for residents.

- c. Continue to ensure that accessory uses and structures are compatible with the overall land use in the area.

Reason: Residential living in the unincorporated areas affords opportunities not often allowed in city residential communities and is one of the reasons people seek this living option. However, accessory uses and structures should be consistent with the surrounding and planned land uses so as not to present incompatible land uses or decreased surrounding market values.

Goal #V-17 Support the development of subdivisions that provide opportunities for residents to maintain active lifestyles in order to promote healthy living and help reduce the costs of preventative health care.

- a. Parks, trails, walking paths, and open space should be encouraged in the design of new residential developments, and connected to adjoining developments and regional systems if possible, to provide opportunities for residents to maintain active lifestyles near their homes.

Reason: The results of an inactive population and its potential health-related problems can lead to major increases in health care costs and lower quality of life standards for a community. The development of trails in residential areas can help promote exercise.

E. Commercial/Industrial/Extraction Land Uses

Goal #V-18 Guide higher intensive commercial and industrial development into areas where urban services and infrastructure are available.

- a. The majority of new, high intensive commercial and industrial growth should occur in the seven cities.

Reason: Commercial and industrial development is accompanied with relatively intensive demands best provided by municipal services. These include: storm water management, treatment of industrial/commercial wastewater not compatible with individual sewage treatment systems, fire protection, traffic, and water supply.

Goal #V-19 To promote building durability and expand the local tax base, encourage commercial and industrial development of high architectural and aesthetic quality in the unincorporated areas.

- a. Identify specific planned areas where low intensity commercial and industrial uses (i.e., small businesses with outside storage) can locate in the unincorporated area under appropriate standards for infrastructure and aesthetics.

Reason: There is an unmet need for industrial and commercial areas where outside storage is allowed within the county. However, these types of businesses are not often aesthetically desirable to surrounding uses without well-designed and maintained sites with extensive landscaping.

- b. In the initial DRT process, inform new business prospects of the initiatives,

objectives, and regulations that may assist them in the construction, maintenance, or renovation of their properties.

Reason: Education is far less expensive than enforcement. Acceptance of policies and regulations by an informed public is easier to achieve than by a skeptical, uninformed public.

- c. Encourage preservation and maintenance of commercial and industrial structures and surrounding properties of historic or architectural significance.

Goal #V-20 To enhance Scott County's image, encourage commercial and industrial development of high architectural and aesthetic quality along TH 169, STH 13, and I-35 corridors

- a. Review standards that encourage businesses to construct aesthetically pleasing buildings and sites that enhance, rather than detract from, the visual appeal of the County's major transportation corridors.

Reason: Higher architectural and more aesthetic buildings hold their value longer, improve the tax base, and attract other higher value businesses.

- b. Support private redevelopment of commercial and industrial properties which contain deteriorated building conditions, obsolete site design, blighted signs and billboards, incompatible land use arrangements, and/or under-utilization of the site, especially in the highly visible TH 169 and I-35 corridors.

Reason: Land valuation is driven by market demand. Investments in properties and new developments are less likely to occur in areas appearing to be blighted.

Goal #V-21 Identify and reserve land along arterial transportation routes for future commercial or industrial development that will be served by urban services, or by rural services and accessed from planned frontage/backroads.

- a. Commercial and Industrial areas should only be identified and reserved where compatible with existing and planned land uses and infrastructure.

Reason: This type of land use often presents incompatibility problems such as noise, dust, traffic, odor, lighting, etc.

- b. Hold land in urban business reserve areas until either: a) urban services are extended to the area; b) annexation of the land into a city occurs; or c) supplies of existing vacant commercial and industrial land are substantially depleted.

Reason: Areas that have been generally guided toward commercial/industrial development which are anticipated to receive urban services that will significantly improve the value of the land and tax base should be protected from being developed with land uses which would conflict with the future development to commercial/industrial.

- c. Hold land in rural business reserve areas until a.) supportive frontage or backage roads are built to serve the rural development or b.) proper stormwater management practices can be achieved on-site.

Reason: Areas generally guided toward rural commercial/industrial development should not directly access a Principal Arterial, but instead be accessed from a planned frontage or backage road.

- d. Work with the cities to preserve future commercial and industrial land in future urban and orderly annexation areas. For proposed rural commercial or industrial development in orderly annexation agreement areas, apply the same site design (landscaping, screening, lighting, building materials, etc.) and performance standards as required by the municipality and comply with any future infrastructure plans for the OAA.
Reason: This will reduce premature development and provide an efficient extension of services, and ensure compatibility with neighboring properties.

Goal #V-22 Preserve and protect non-metallic mineral deposits.

- a. Identify significant deposits of aggregate materials (includes sand, gravel, silica sand, crushed rock and limestone), and where appropriate, consider preservation and protection for future access and resource-based activities that provide for a diverse, regional, and sustainable economy and environment.
- b. Aggregate mining shall be allowed as an interim land use as appropriate within the zoning districts established in the County Zoning Ordinance. Extraction shall follow strict standards for operations and end use reclamation that provides compatibility with nearby land uses and leaves at least 25% to 50% of the net developable acreage of the property under mining permit in a condition that allows for future extension of roads and/or utilities to develop the aggregate mining site for tax-generating land uses typical of those within the zoning district in which the site is located. Not all properties have the same potential for development prior to issuance of an Interim Use Permit due to environmental, natural resource, soil and bedrock conditions for each particular site, so an analysis of the potential for development for each property prior to any Interim Use Permit being prepared is necessary to determine the amount of acreage that should be reclaimed for future development.
Reason: Aggregate resources are needed by society. Gravel removal operations are generally compatible land uses in industrial and rural areas. However, mining should be looked at as an interim use rather than an end use of the land. End uses should be compatible with surrounding land uses and in conformance with the comprehensive plan.
- c. The siting and operation of aggregate mining operations shall consider compatibility with adjoining and planned land uses and mitigation measures to reduce nuisance concerns such as noise, dust, hours of operation, and traffic.
- e. Restrict portable concrete/asphalt plants to permitted aggregate mining operations.
Reason: Temporary concrete and asphalt plants present land use concerns similar to aggregate mining operations and are associated with aggregate mining in areas where road construction is occurring sufficiently to sustain their viability.
- f. Encourage aggregate resources to be extracted prior to development of an aggregate-rich site.

Reason: Due to increasing demand and shrinking supply of construction grade resources, aggregates should be removed from a site before development occurs.

- g. If the proposed end land use of the aggregate mining site is for natural area conservation of wildlife protection or if it is determined that a proposed end use for development is unlikely for a given property, requirements in the mining permit should be put in place to ensure ecological enhancement and long-term financial stewardship of the land to sustain the environmental value of the property.

F. Agricultural Uses

Goal #V-23 Protect and preserve agricultural uses and the economic viability of farming operations.

- a. The preservation of agricultural uses and operating farms within the agricultural areas shall be a priority in all planning and development decisions.
Reason: Maintaining expansive farming areas is an important element of the County's 2040 Vision. Prime agricultural land is a resource that should be protected at a priority reflective of its relative benefit to society.
- b. Limit residential development in the areas planned for long-term agriculture to very low densities that preserve the majority of the land for agricultural purposes.
Reason: Residential development in long-term agricultural areas should be limited due to the importance of agriculture on the local economy and the lack of necessary infrastructure to handle new growth.
- c. Support local, state, and federal programs designed to assist farming operations, support conservation and natural resource management programs, and provide educational and public informational services. These programs include enrollment in the Agricultural Preserves and Green Acres programs.
Reason: Agriculture is a local industry that provides jobs and taxes for residents. Conservation programs protect natural and water resources that enable agriculture to be sustainable.
- d. Promote a locally-based food production system by preserving small lot farms used for fruit and vegetable production; supporting public institutions in purchasing food grown within the County; assisting in improving connections between local food producers and consumers; and assisting local governments in developing strategies that will promote a locally-based food production system.
- e. Periodically engage a farmer advisory group to form recommendations regarding maintaining the viability of farming and preserving farmland in Scott County. The group should consist of farmers from a variety of farming operations within Scott County.
Reason: Receiving input from the farmer advisory group will help position the County to develop and implement policies that support farmers and their farming operations to ensure agriculture remains a viable industry.

Goal #V-24 Encourage agricultural land uses to operate in a manner that is consistent with this Plan's goals and policies for water and natural resources and parks, trails, and open space.

- a. Agricultural land uses should be encouraged to utilize best management practices and observe conservation practices that prevent erosion and preserve natural resources.
Reason: Agriculture is an intensive land use because it has the potential for significant impacts on storm water conveyance systems, ground water resources and air quality. Agriculture is a necessary land use for society but can be accomplished with reduced adverse impacts by adhering to recognized best management practices. Failure to do so can destroy the long-term productivity of the land and contaminate ground water resources for future generations, resulting in flooding, erosion problems, and air pollution.
- b. New or expanding feedlots resulting in over 500 animal units or more shall be regulated to minimize impacts on existing residences and the environment.
Reason: Large feedlots present the potential for greater impacts to the environment than traditional smaller labor intensive operations. Feedlots and resulting manure management present increased concerns for ground water protection, air quality, storm water runoff, insect control, and public health. These intensive land uses should be controlled to prevent adverse impacts that are detrimental to society and the long-term economy of the area.

Goal #V-25 Protect active farming operations from the encroachment of conflicting residential land uses through the use of clustering.

- a. Clustering of residential development shall be limited to areas where it can be demonstrated that it does not conflict with agricultural uses.
Reason: Clustering of residential uses into areas, which are less productive and which do not conflict with the primary land use, provides for some economic support to farmers who have land less suitable for farming. It also provides a residential living option to satisfy this relatively small market need.

Goal #V-26 Support the protection of farming from nuisance violations when conflicts between agricultural uses and residential development occur.

- a. When nuisance complaints and conflicts occur between agricultural practices and land uses, agriculture—because of its long and vital economic benefits and historical roots—will be considered to be the prevailing land use.
Reason: Farming remains a vital industry in parts of central and southwestern Scott County. While growth continues in the unincorporated areas, responses from previous planning surveys indicated residents support the longevity of agricultural practices and protection of farmers’ rights from new developments.
- b. Encourage townships to adopt Right-to-Farm ordinances based on state regulations. Nuisance violations related to non-agricultural operations shall not be protected by Right-to-Farm ordinances.
Reason: To protect farmers from nuisance complaints and help sustain agricultural uses, Right-to-Farm ordinances have been established throughout the state and nation. These ordinances prevent neighboring property owners from filing nuisance complaints based on conventional agricultural operations.

PLANNED LAND USE

To guide future land use development, this chapter includes a 2040 Planned Land Use map (Map V-15). The 2040 Planned Land Use map guides areas for farming, housing, business and industry in the unincorporated area with a range of densities and intensities based on the 2040 Vision and goals for land use and growth management. It is intended to guide day-to-day development decisions, as well as provide the standards and principles for updating the County's zoning ordinance and other official development controls.

The 2040 Planned Land Use map guides a sufficient amount of land to support the forecasted population, household and employment growth in the unincorporated area for 2020, 2030 and 2040 as outlined in Chapter I. The map reflects and is coordinated with the THRIVE MSP 2040 Community Designations as outlined earlier in this chapter. The 2040 Planned Land Use map shows five broad designations—agricultural, urban reserve, rural reserve, commercial/industrial, and park/open space—with ten planned land use sub-categories along with lakes, rivers and streams, roads, hamlet mixed use, and cities/tribal jurisdictions. The following is a definition of each major planned land use category and a description of the corresponding zoning district(s) that implement each category. Also included is a description of how the planned land use category corresponds with the land use policies for Community Designations in THRIVE MSP 2040. Figure V-14 defines different residential development opportunities and guided densities and lot sizes for each land use category.



Agricultural Planning Designation

The agricultural designation identifies areas for long-term farming and agricultural uses. The 2040 Planned Land Use Map shows approximately 29,000 acres in this designation – or about 13% of the county's total area. This designation allows for low density residential development, but requires the majority of land be preserved for long-term farmland or future urban development.

Agricultural Preservation

The purpose of this planning category is to protect and preserve agricultural uses and the economic viability of farming operations by limiting residential development to very low densities. Agriculture is recognized in the 2040 Vision as an important part of the economy, history, and quality of life. As a result, and due to the limited infrastructure in this area, development at densities higher than one unit per 40 acres shall be determined to be premature. This planning category most closely corresponds with the **Met Council's Agricultural** community designation in *Thrive MSP 2040*. Farmland within this category zoned at a density of one unit per 40 acres and meeting all other eligibility requirements shall be considered "certified" eligible for the Metropolitan Agricultural Preserves Program.

- Residential Density: 1 dwelling unit per 40 acres, or quarter-quarter section. Lot sizes for single family detached homes can range from 40 acres down to 1 acre of non-hydric land if the plat preserves 70% or more of non-hydric land for open space or farming use.
- Typical Uses: Larger-scale farms and related agricultural uses including feedlots and livestock raising; small-parcel farms for local food production; single-family detached dwellings; institutional uses; and limited recreational open space uses (golf courses, public parks, conservation areas, natural preserves, stables and riding academies)
- Corresponding Zoning: County zoning districts most compatible with this plan category include Agricultural Preservation (A-1) and Agricultural Preservation Density (A-3).



Urban Reserve Planning Designation

The 2040 map shows a two-tiered approach to mapping and identifying future urban growth areas. Tier 1 (*Urban Expansion*) is guided for eventual urban densities and mapped consistent with each city's long-range sanitary sewer service area. Tier 2 (*Transition Area*) is guided for interim agricultural and rural uses prior to urban densities beyond the 2040 planning horizon and mapped within the potential Long-Term Service Area for a future regional wastewater treatment plant to serve western and central Scott County. Both tiers allow for interim residential development prior to urbanization, but require the majority of land be preserved for future urban development.

Urban Expansion

The purpose of this planning category is to preserve areas around cities for future urban expansion and development. 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. This planning category most closely corresponds with the **Met Council's Diversified Rural** community designation in *Thrive MSP 2040*. Farmland within this category zoned at a density of one unit per 40 acres and meeting all other eligibility requirements shall be considered "certified" eligible for the Metropolitan Agricultural Preserves Program. The County shall also consider support from the adjacent city in its review of enrollment applications.

- Residential Density: 1 dwelling unit per 40 acres, or quarter-quarter section. Lot sizes for single family detached homes can range from 40 acres down to 1 acre of non-hydric land if the plat preserves 70% or more of non-hydric land for open space, farming or future development. Clustered development in this category shall be set by a zoning district that is consistent with the Met Council's Flexible Residential Development Ordinance Guidelines.
- Typical Uses: Larger-scale farms and related agricultural uses; small-parcel farms for local food production; single-family detached dwellings; cluster residential developments with buildable land area preserved for future sewered development; institutional uses; and limited recreational open space uses (golf courses, public parks, conservation areas, natural preserves, stables and riding academies)
- Corresponding Zoning: County zoning districts most compatible with this plan category include Urban Expansion Reserve (UER), Urban Expansion Reserve Cluster (UER-C), Agricultural Preservation (A-1), and Agricultural Preservation Density (A-3). Other zoning districts, such as Rural Residential Single Family (RR-2) and Rural Residential Suburban Single Family (RR-3), could be applied on a limited basis in this plan category but only for existing conditions.

Transition Area

The purpose of this planning category is to reserve areas for future urban development beyond the 2040 planning horizon when planned regional sanitary sewer service capacity is increased to serve western and central Scott County. The boundaries of the Transition Area reflect the potential Long-Term Service Area for the future regional wastewater treatment plant. This planning category most closely corresponds with the **Met Council's Diversified Rural** community designation in *Thrive MSP 2040*. The maximum density guided in this category is one unit per 10 acres with set-aside preservation requirements; however, farmland within this category zoned at a density of one unit per 40 acres and meeting all other eligibility requirements shall be considered "certified" eligible for the Metropolitan Agricultural Preserves

Program. Existing parcels enrolled in this program should not be rezoned to allow densities greater than 1 home per 40 acres.

- **Maximum Residential Density:** 1 dwelling unit per 10 acres clustered, with 70% or more of non-hydric land preserved for open space, farming, or future development. Lot sizes for single family detached homes can range from 1 to 3 acres. Clustered development in this category shall be set by a zoning district that is consistent with the Met Council's Flexible Residential Development Ordinance Guidelines.
- **Typical Uses:** Larger-scale farms and related agricultural uses; small-parcel farms for local food production; single-family detached dwellings; cluster residential developments with buildable land area preserved for future sewered development; institutional uses; and limited recreational open space uses (golf courses, public parks, conservation areas, natural preserves, stables and riding academies)
- **Corresponding Zoning:** County zoning districts most compatible with this plan category include Urban Transition Reserve (UTR) and Urban Transition Reserve Cluster (UTR-C). Agricultural Preservation (A-1) zoning can be retained for existing conditions and could be applied to support on-going farm operations. Other zoning districts, such as Agricultural Woodlands (A-2), Agricultural Preservation Density (A-3), Rural Residential Single Family (RR-2), and Rural Residential Suburban Single Family (RR-3) could be applied on a limited basis in this area but only for existing conditions.



Rural Reserve Planning Designation

The 2040 map shows a two-tiered approach to mapping and identifying areas for rural uses that are not planned to be served by regional or municipal public sanitary sewer service. Tier 1 (*Rural Residential Growth*) is guided for long-term rural residential densities and lot sizes ranging from 2½-acres to 10 acres. Tier 2 (*Rural Residential Reserve*) is guided for long-term rural residential densities and lot sizes generally 10 acres in size.

Rural Residential Reserve

The purpose of this planning category is to reserve land for additional rural residential development when the necessary infrastructure has been planned and, in some cases, developed. This planning category most closely corresponds with the **Met Council's Diversified Rural** community designation in *Thrive MSP 2040*. Farmland within this category zoned at a density of one unit per 40 acres and meeting all other eligibility requirements shall be considered "certified" eligible for the Metropolitan Agricultural Preserves Program.

- **Maximum Residential Density:** In Cedar Lake Township, 1 dwelling unit per 10 acres on 10-acre lots. Outside of Cedar Lake Township, 1 dwelling unit per 8 acres clustered, with 50% or more of non-hydric land preserved for open space, farming, or future development. Lot sizes for single family detached homes can range from 2.5 to 10 acres.
- **Typical Uses:** Single-family detached dwellings; small-parcel farms for local food production; cluster residential developments; institutional uses; limited recreational open space uses (golf courses, public parks, conservation areas, natural preserves, stables and riding academies); and smaller-scale agricultural and related uses
- **Corresponding Zoning:** County zoning districts most compatible with this plan category are Rural Residential Reserve (RR-1) and Rural Residential Reserve Cluster (RR-1C). Other

zoning districts, such as Agricultural Preservation (A-1), Rural Residential Single Family (RR-2) and Rural Residential Suburban Single Family (RR-3), could be applied on a limited basis in this plan category but only for existing conditions.

Rural Residential Growth

The purpose of this planning category is to promote reasonable residential growth in those areas where infrastructure and similar growth patterns exist. This area will likely never be served by a regional or municipal sanitary sewer system. Therefore, policies in this category encourage the use of individual or community sewer and water supply systems and the tight cluster concept to encourage the sense of rural community. This planning category most closely corresponds with **Met Council's Rural Residential** community designation in *Thrive MSP 2040*.

- Maximum Residential Density: 1 dwelling unit per 2.5 acres to 1 unit per 10 acres, where possible. Lot sizes for single family detached homes are 2.5 acres or greater.
- Typical Uses: Single-family detached dwellings; cluster residential developments; institutional uses; limited recreational open space uses (golf courses, public parks, conservation areas, natural preserves, stables and riding academies)
- Corresponding Zoning: The County zoning district most compatible with this plan category is Rural Residential Single Family (RR-2). Other zoning districts, such as Rural Residential Suburban Single Family (RR-3), could be applied on a limited basis in this plan category but only for existing conditions.



Commercial & Industrial Planning Designations

The 2040 map includes land use categories for rural commercial and industrial development, small-scale business development in the hamlets, as well as areas to be reserved for future urban or rural business development. Many of these land use categories will require new zoning districts to implement the desired goals. This planning category most closely corresponds with **Met Council's Diversified Rural** community designation in *Thrive MSP 2040*

Commercial

The purpose of this planning category is to provide areas for commercial development in the unincorporated areas to expand the local tax base and allow for economic development. This category is intended to provide land for uses with limited traffic and water usage, outdoor storage, and other uses that may not be appropriate in the urbanized areas. New development will be allowed provided all necessary infrastructure (septic, storm water treatment, interconnected road system, public safety, etc.) is available.

- Lot Size : 2.5 acres (minimum); lot size could be less than 2.5 acres as part of a Planned Unit Development (PUD) provided all septic and storm water requirements are satisfied
- Typical Uses: General commercial and retail uses; offices; outdoor sales and display uses; agricultural and related uses
- Corresponding Zoning: County zoning districts most compatible with this plan category is the General Commercial (C-1) district.

Industrial

The purpose of this planning category is to provide areas for industrial development in the unincorporated areas to expand the local tax base and allow for economic development. This category is intended to provide land for uses with limited traffic and water usage, outdoor storage, and other uses that may not be appropriate in the urbanized areas. New development will be allowed provided all necessary infrastructure (septic, storm water treatment, interconnected road system, public safety, etc.) is available.

- Lot Size : 2.5 acres (minimum); lot size could be less than 2.5 acres as part of a Planned Unit Development (PUD) provided all septic and storm water requirements are satisfied
- Typical Uses: contractor yards; warehousing; manufacturing and processing; outdoor storage uses; agricultural and related uses
- Corresponding Zoning: County zoning districts most compatible with this plan category is the Rural Industrial (I-1) district. A brand new zoning district and performance standards for heavier industrial uses should be evaluated to implement this category after the adoption of this Plan update. Based on a recommendation from the Minnesota Pollution Control Agency, a new zoning district for the closed Louisville Landfill should also be evaluated after the adoption of this Plan.

Hamlet Mixed Use

The purpose of this planned land use overlay category is to provide an opportunity for mixed use residential and commercial development in and around the hamlets of Scott County (Lydia, St Patrick, Union Hill, Marystown, Blakeley) when deemed appropriate. Properties within this overlay boundary may be eligible to develop for small-scale commercial land uses without requiring a comprehensive plan amendment. Eligibility and performance standards will be established in a brand new zoning overlay district. This Plan recommends that once a draft zoning district is established, the County will initiate a Comprehensive Plan Amendment (CPA) for Met Council review prior to adopting and implementing this new zoning district. Until this CPA is approved, this category as shown on the 2040 Planned Lane Use map is intended for visual reference only.

- Maximum Residential Density: Maximum densities for each parcel in this land use category will be set by the underlying planned land use. The underlying properties in the historic hamlets of Blakeley and Union Hill are guided Agricultural Preservation - which sets a maximum density of 1 unit per 40 acres. The underlying properties in the historic hamlets of Marystown, Lydia, and St Patrick are guided Transition Area - which sets a maximum density of 1 unit per 10 acres clustered.
- Typical Uses: Small-scale neighborhood commercial uses such as convenience retail, gas stations, local service-oriented businesses and offices; single family detached dwellings; store-top residential units; and churches. The expected share of individual uses in the land use category is 90% single family residential, 10% commercial or institutional.
- Corresponding Zoning: A new overlay zoning district that reflects the recommended mix, scale and intensity of uses with appropriate traffic, septic and stormwater management performance standards is needed to implement this plan category.

Urban Business Reserve

The purpose of this planning category is to reserve land for future commercial and/or industrial development with urban services. The land will be limited to residential development at a very low density until urban services are provided.

- Maximum Residential Density: 1 dwelling unit per 40 acres, or quarter-quarter section. Lot sizes for single family detached homes is 40 acres.
- Typical Uses: Agricultural and related uses; single family detached dwellings
- Corresponding Zoning: The County zoning district most compatible with this plan category is Urban Business Reserve (UBR).

Rural Business Reserve

The purpose of this planning category is to reserve land for future rural commercial and/or industrial development served with on-site utilities and appropriate road access. The land will be limited to residential development at a very low density until frontage or backage roads and suitable on-site well and septic utilities can be provided.

- Maximum Residential Density: 1 dwelling unit per 40 acres, or quarter-quarter section. Lot sizes for single family detached homes is 40 acres.
- Typical Uses: Contractor yards, lumber yards, landscape supply businesses, commercial trucking companies, indoor storage or rental uses, leased commercial buildings, light manufacturing, warehousing, wholesaling, home extended business, agricultural and related uses; single family detached dwellings
- Corresponding Zoning: A brand new zoning district and performance standards for rural business reserve should be evaluated to implement this category after the adoption of this Plan update.



Park/Open Space Planning Designation

The park/open space designation provides a land use category for both recreation and natural and wildlife habitat areas. Land areas within this category are publicly owned or privately owned inholdings within an approved regional park boundary.

Park/Open Space

The purpose of this planning category is to protect significant natural resource and wildlife habitat areas and provide recreational opportunities for residents.

- Typical Uses: Parkland and related uses; natural and wildlife habitat areas
- Corresponding Zoning: County zoning districts most compatible with this plan category are Agricultural Preservation (A-1), Agricultural Woodlands (A-2), Agricultural Preservation Density (A-3), Urban Expansion Reserve (UER), Urban Expansion Reserve Cluster (UER-C), Rural Residential Reserve (RR-1), Rural Residential Reserve Cluster (RR-1C), Rural Residential Single Family (RR-2), Rural Residential Suburban Single Family (RR-3), and Urban Business Reserve (UBR). Applied zoning districts should be consistent with the surrounding area.

**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.

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**PLACEHOLDER FOR MAP V-15
2040 PLANNED LAND USE MAP**

CONSISTENCY WITH OFFICIAL CONTROLS

According to Minnesota state laws §§473.858 and 473.865, a local governmental unit shall not adopt any official control or permit activity which is in conflict with its comprehensive plan. Upon completion of the 2040 Plan Update, the County will review its official controls, including the Zoning Ordinance and Zoning Map, to identify possible inconsistencies between the adopted plan and official controls. An inconsistency would be any official control that is in direct conflict with the goals and policies of this 2040 Plan.

The County will not approve any development applications or rezonings that are inconsistent with the densities defined in the 2040 Planned Land Use map and its planned land use categories. The 2040 Plan Update identifies which zoning districts are generally consistent with each of the land use classifications. Zoning districts not specifically identified under each land use classification may also be allowed if the resulting density and type of development are consistent with the Comprehensive Plan. Should an inconsistency between the 2040 Planned Land Use map and Zoning Map occur, the densities and general uses described in the 2040 Plan Update shall supersede the rules in the Zoning Ordinance.

PROJECTED DEMAND/COMPARISON WITH 2030 LAND USE PLAN

Figure V-16 shows gross and developable acreages for each 2040 land use planning category that calls for development. For the purposes of the table, twenty-five percent of the gross acreage was estimated to be undevelopable due to wetlands and wetland buffers, floodplain, natural water bodies, public parks and open space, steep slopes, arterial road right-of-way, and other building constraints.

Figure V-16 2040 Gross and Developable Acres, Scott County		
Land Use Category	Gross Acres	Developable Acres*
Agricultural	29,038	21,778
<i>Agricultural Preservation</i>	<i>29,038</i>	<i>21,778</i>
Urban Reserve	76,628	57,471
<i>Urban Expansion</i>	<i>27,863</i>	<i>20,897</i>
<i>Transition Area</i>	<i>48,765</i>	<i>36,573</i>
Rural Reserve	34,312	25,734
<i>Rural Residential Reserve</i>	<i>19,537</i>	<i>14,652</i>
<i>Rural Residential Growth</i>	<i>14,775</i>	<i>11,081</i>
Commercial & Industrial	8,367	6,275
<i>Commercial</i>	<i>325</i>	<i>244</i>
<i>Industrial</i>	<i>2,501</i>	<i>1,876</i>
<i>Urban Business Reserve</i>	<i>4,512</i>	<i>3,384</i>
<i>Rural Business Reserve</i>	<i>725</i>	<i>543</i>
<i>Hamlet Mixed Use</i>	<i>304</i>	<i>228</i>

* **Note:** Developable Acres assumes 75 percent of gross acreage is developable per Met Council guidance

The 2040 map and Figure V-16 shows enough developable land guided for a range of rural densities to accommodate the Met Council's 2040 population and household projections for the unincorporated area. As discussed in Chapter III, an additional 1,667 households in the eleven townships are anticipated between 2010 and 2040. Assuming these projected households were built on a range of 40-, 10-, 5- and 2.5-acre lots (or an average of 10 acres per projected household), there is a need for at least 16,000 to 18,000 acres of platted, developable land to accommodate this growth. However, this 2040 Plan promotes strategies such as clustering, planned unit developments, and public value density bonuses that could absorb this number of projected households using half the land area (8,000 to 9,000 acres of platted, developable land). It is important to note that only a portion of total platted acreage is actually developed when cluster techniques are utilized. Scott County advocates cluster plats with outlots preserved for further subdivision opportunities in future land use plans or once urban services are provided. Figure V-17 compares the 2040 map with the previous 2030 map. The general philosophy of preserving land around the cities for future urban development is maintained. The two-tier system of urban expansion and transition acknowledges the future added capacity in regional wastewater treatment to serve urban development post 2040. The total land area guided for commercial and industrial uses has also increased since the last plan, primarily in response to the County working with the townships to guide areas for rural business reserve and hamlet mixed uses.

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>
<i>Rural Res. Growth - Staged</i>	<i>14,742</i>	<i>6.6%</i>	<i>NA</i>	<i>NA</i>
Commercial & Industrial	7,852	3.4%	8,364	3.6%
<i>Commercial</i>			<i>345</i>	<i><1%</i>
<i>Industrial</i>	<i>2,623</i>	<i>1.1%</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%

RELATIONSHIP WITH ADJACENT AND OVERLAPPING PLANS: CONFORMITY, CONSISTENCY AND COMPATIBILITY WITH REGIONAL FRAMEWORK

The 2040 Plan's land use and growth management goals, policies, and accompanying 2040 Planned Land Use map is consistent with the policies of the Metropolitan Council as expressed through THRIVE MSP 2040. This Plan Update clearly recognizes the importance of staging urban service areas in a rapidly developing county, and most of its policies revolve around this overarching principle.

Developing communities within the Metropolitan Urban Service Area (Prior Lake, Savage, Shakopee) are encouraged to plan for compact growth and mixed- or multiple- use development and redevelopment. The 2040 Plan Update recognizes that growth in the serviced cities reduces demand in un-serviced, rural, and semi-rural locations. Rural Centers (Belle Plaine, Elko New Market, Jordan) and New Prague are all encouraged to grow in a manner that respects their established character and the limitations of their urban service systems. While Scott County does not have land use and planning authority in the municipalities, the land use plans adopted by these seven cities were evaluated and helped shape the County's 2040 Planned Land Use map. All seven cities are encouraged to expand their urban service area in a gradual manner based on analyses of available land, forecasted growth, and the capacity of local and regional systems. The 2040 Planned Land Use map states a preference for where these expansions should occur in the townships (within mapped Urban Expansion Areas and Urban Business Reserve Areas in the short-term and Transition Areas in the long-term).



In the unincorporated service area, housing densities are proposed to be kept relatively low. Density policies range from 1 unit per Quarter-Quarter section (or 40 acres) in areas guided for agricultural use to generally 4 units per Quarter-Quarter section in the transitional farming and urban expansion areas. For areas within a potential Long-Term Service Area of a future regional wastewater treatment plant, this plan promotes clustering residential development at densities greater than one unit per 10 acres (with guided density ranging from 1 per 8 to 1 per 4 acres) but in a manner that will preserve buildable land for future sewered development (see Chapter XI for more discussion on specific guidelines for this Flexible Development approach). Densities of 10 to 16 units per Quarter-Quarter section are guided in areas that are not planned for long-term urban services. These rural areas have undergone more detailed planning and analysis to assess impacts on local and regional transportation, storm water management, and parks and trails systems.

Also consistent with regional policy, commercial and industrial development is directed to the cities where there are adequate urban services and infrastructure. Commercial and industrial growth in unsewered areas continues to be limited, but opportunities remain (through commercial and industrial guided land, small scale neighborhood commercial uses in historic hamlets, farm-related businesses, and home extended businesses in residential areas) to meet the Metropolitan Council's employment forecasts for each of the townships. The total land area guided for commercial and industrial uses provides a sufficient supply of developable land that satisfies the ten-year commercially-zoned land market demand projected in the *2016 Commercial/Industrial Land Supply Analysis for Scott County, Minnesota*.

The 2040 Planned Land Use map supports the Council's policies regarding regional transportation, parks and trails, and sewers. The County's updated transportation plan was based on the 2040 land use plan. Its modeling assumptions reflect the growth expectations in both the urban and rural areas. In addition, the map was shaped by the joint study between the County and Metropolitan Council in the late 2000s to identify a site and ultimate service area for a future regional wastewater treatment plant.

The policies in this 2040 Plan are designed to protect the quality of the County's groundwater, surface water and other sensitive natural features such as wetlands and steep slopes.

The 2040 Plan continues to advance innovative techniques to accomplish regional goals. In the unincorporated service areas, this Plan Update encourages developers and land owners to utilize the PUD/public value incentive program, when possible. This option requires clustering to preserve open space with additional density in exchange for "public values" such as: additional dedicated right-of-way for County highways earmarked for needed expansion or extension to serve the regional system; additional dedicated land or easements for regional parks and regional trails; or dedicated or permanently preserved land identified as a regional natural corridor.

LAND USE AND GROWTH MANAGEMENT IMPLEMENTATION STRATEGIES

This 2040 Plan recommends six broad implementation strategies to help achieve the desired rural land use vision for Scott County:

- Undertake a development fee study
- Conduct a Cost of Services Study for Agricultural, Commercial and Rural Areas
- Adopt a new Heavy Industrial (I-2) zoning district
- Adopt a new Hamlet Mixed Use (HMU) zoning overlay district
- Adopt a new Rural Business Reserve (RBR) zoning district
- Adopt a new Closed Landfill Restricted (CLR) zoning district

These broad strategies should be further researched and eventually acted upon after the adoption of the 2040 Plan. The following sections describe these broad strategies in more detail.

A. Development Fee Study

As in most growing communities, Scott County has imposed development fees as part of the platting process to finance the capital costs associated with growth. Such fees are required for all residential, commercial and industrial subdivisions, and include fees for addressing, fees in-lieu of parkland dedication, storm water planning, and ground water planning. The basis for these fees were established in various plans and studies prepared in the 2000s. The fees are evaluated and adopted each year by the County Board.

As part of implementation, this Plan recommends that Scott County Zoning Administration undertake a Development Fee Study to review, assess and provide recommendations regarding the level and structure of existing development fees. This would include a comprehensive review of the various plans and studies that serve as the basis for the fees.

B. Cost of Service Study – Agricultural, Rural, Commercial

This Plan recommends the county undertake a Cost of Community Services Study for the County's three broad land use categories guided in the 2040 Comprehensive Plan: *Agricultural Preservation* (1/40 density), *Rural Residential* (1/2.5 density), and *Rural Commercial/Industrial*.

Cost of Community Services (COCS) studies help people understand the fiscal impacts associated with different types of land use. These studies show that the fiscal consequences of different land uses vary significantly, in terms of both tax revenues received and local government services expenses incurred. The results of a COCS study are in the form of an easy to understand ratio that compares how many dollars of local government services are required for every dollar in taxes collected. Common services include road repair, sewer maintenance, and public schools (schools constitute an especially large portion of government spending in residential areas). A ratio greater than 1.0 means that for every dollar of revenue collected from a given category of land, more than one dollar is spent on services for that land. A ratio below 1.0 means the government spends less in services for the land than it receives in tax revenue, resulting in a net gain. COCS studies also dispel common misconceptions about the fiscal impacts of land use.

C. Heavy Industrial Zoning District

The County's zoning ordinance adopted in the 1970s and updated through the 1990s had two industrial zoning districts: a light industrial (or manufacturing) district and a heavy industrial district. The light industrial zoning district was intended for uses that did not create off-site nuisances such as odor, vibration, dust, or heavy equipment traffic. The heavy industrial district was intended for uses that could pose potential nuisances for adjacent land uses. Despite having two separate zoning districts, the list of uses permitted by right and allowed through a conditional use were very similar, as was the two district's lot size requirements and performance standards. Because of this close similarity, when the County's zoning ordinance was updated in the 2000s, the two districts were combined into today's *I-1 Rural Industrial District*.

As part of implementation, this Plan recommends that Scott County Zoning Administration undertake a study with the townships, industrially-zoned land owners, and industrial users to determine if bringing back a heavy industrial zoning district is warranted. This study should review the location of all I-1 zoned properties and those properties guided for *Industrial* use and determine if some permitted, conditional or interim uses in the I-1 district could pose potential nuisances to adjacent neighborhoods or properties.

The study should consult with local and region economic development agencies, such as First Stop Shop and Greater MSP, to assess if there is a demand for heavier industrial uses wanting to locate in the rural areas. It should determine if there is a need to separate out the types of industrial uses between the "rural" and "heavy" classification. Different lot size requirements and site performance standards should be evaluated. Any recommendation coming out of this study will inform the comprehensive revision and update to Scott County's Zoning Ordinance, which is required to be completed nine months after the Metropolitan Council's acceptance of this 2040 plan.

D. Hamlet Mixed Use (HMU) Zoning Overlay District

Hamlets are generally small, but distinct areas of five to twenty-five modestly-sized lots surrounded by a rural landscape of open space preserved for agriculture, park land, or the conservation of environmental features. Lydia, Marystown, Blakeley and St. Patrick are examples of existing hamlets in Scott County. These hamlets were established prior to the current zoning standards and consist of a number of small residential lots with a couple buildings maintained for retail or office space and local churches. The hamlets are surrounded by large tracts of agricultural land, bluff land or woodland, creating well-defined boundaries and unique communities. In Scott County, hamlet lots are serviced by individual septic systems.

Hamlets could accommodate the rural lifestyle for individuals that cannot afford 2.5- or 10-acre lots but want to live in the countryside. They also allow for densities that are more conducive to supporting a convenience center or small retail store in the rural areas.

The 2040 Planned Land Use Map has identified a new category – called *Hamlet Mixed Use* – for those areas that could be rezoned into an overlay district. This Plan recommends the Scott County Zoning Administration work with the townships, hamlet property owners, and the Planning Commission to develop a mixed use zoning district for these areas identified on the map. This type of overlay zoning district would allow a mix of residential, public and commercial land uses to co-exist within the same zone district. This new zoning district would recognize the mix of land uses that have historically co-existed in hamlets throughout the County. It will need to be determined the types uses allowed in this district by right, and by conditional or interim use. Lot size, dimension, setback, and coverage standards will need to be set. Site performance standards will also need to be determined to allow development on smaller lots while still retaining the historic character of the hamlets. This Plan recommends that once a draft zoning district is established, the County will initiate a Comprehensive Plan Amendment (CPA) for Met Council review prior to adopting and implementing this new zoning district. Until this CPA is approved, this category as shown on the 2040 Planned Lane Use map is intended for visual reference only.

E. Rural Business Reserve (RBR) District

The 2040 Planned Land Use map has a new category – called Rural Business Reserve – for those areas along major highway and interstate corridors guided for rural commercial or light industrial uses if the development can meet appropriate traffic, septic and storm water management performance standards. This Plan recommends the Scott County Zoning Administration work with the townships where this category is mapped and the Planning Commission to develop a new RBR zoning district. This new zoning district should be separate and distinct from the C-1 and I-1 zoning districts and include the following general standards:

- Existing residential, farmstead and agricultural uses on the property should remain a permitted use by right.
- Home extended businesses should be permitted as an interim or conditional use and allowed to expand the size of the accessory structure if the structure is set back at least 100 feet from all residentially zoned property lines. All equipment, vehicles and materials associated with the business should be stored within an enclosed structure.
- Uses allowed by right or interim/conditional permit should be more limited than those allowed in the C-1 and I-1 zoning districts, and only include light industrial and commercial uses that may have outdoor storage of supplies or equipment, such as contractor yards, lumber yards, landscape supply and services, nurseries or greenhouses,

commercial trucking companies, indoor storage space or garage rental, manufacturing, warehousing, wholesaling, and leased space commercial buildings.

- The density of new residential development should be one (1) dwelling per 40 acres.
- Platting should be required for the construction of any new commercial or light industrial building or structure.
- Lot size, width, setback dimensions, and coverage should match standards in the I-1 and C-1 zoning districts.
- For areas located within a city's long-range sanitary sewer service area, any plats creating five (5) or more lots with an average lots size of five (5) acres or less should be evaluated for possible development under a centralized sewage treatment system. Development pads, building orientation, site layout, and ghost platting should be evaluated to ensure efficient conversation to urban utilities and infrastructure in the future.
- Commercial or light industrial properties adjacent to a future Collector, Minor Arterial, or Principal Arterial roadway should be accessed from a paved local street (which could be a frontage or backage road) which can connect to the Collector, Minor Arterial or Principal Arterial at specified intersections that meet minimum access spacing guidelines. If a single user is proposed for a large parcel in this district, the developer should be required to submit a ghost-plat concept showing how the remainder of the parcel could be subdivided into buildable lots along an internal local road system that would intersect the Collector, Minor Arterial or Principal Arterial in a manner to meet minimum access spacing guidelines. The proposed building for the single use should be oriented toward the future internal local road system, which would temporarily be a private driveway. In some situations, the driveway location for the single use may become the future local road location if it meets proper access spacing.
- Right-turn and/or bypass lanes should be required for all local road connections to state or county highways.
- Storm water management should be adequately addressed at time of platting.

F. Closed Landfill Restricted (CLR) District

The Minnesota Pollution Control Agency (MPCA) is responsible for the cleanup and long term care of 112 qualified, closed, municipal, solid waste landfills throughout the state once a binding agreement has been written and a notice of compliance has been issued for the landfill. One of those 112 landfills is the Louisville Landfill located in section 21, Louisville Township.

The MPCA's closed landfill program mission is to manage the risk to public health and the environment that is associated with these landfills. Landfill gas migration and groundwater contamination can be serious issues at some landfills. These problems can pose a threat to the health and safety of those living or occupying land nearby. Under the 1994 legislation that created the closed landfill program, local governments with land use authority – such as Scott County – must make their land use plans and zoning maps for a closed landfill consistent with the MPCA's plan for the future use of the landfill site. In May 2013, the County was notified that the MPCA finalized a land use plan for the closed Louisville Landfill.

The *2013 Closed Landfill Use Plan for Louisville Landfill* identifies “areas of concern” for potential groundwater contamination and methane gas at and around the site. These areas of concern are shown on a series of maps. The 2013 plan recommends two land uses for the site: closed landfill management (essentially covering the types of activities the MPCA would need to do to monitor or take responsive action) and a solar energy farm. The 2013 plan evaluated the County's current zoning classification for the Louisville Landfill site (I-1 Rural Industrial) and determined that “the current zoning for the [site] is not compatible with MPCA's future

responsibilities and desired uses for the site.” The 2013 plan recommended that the County adopt a new zoning district called Closed Landfill Restricted that would specify allowed permitted, accessory and conditional uses for Louisville Landfill, as well as prohibited uses and structures and general regulations. In response, this 2040 Plan a.) identifies the closed landfill site on the 2040 Planned Land Use Map, b.) recommends the Scott County Zoning Administration work with Louisville Township and the MPCA to draft a new zoning district called Closed Landfill Restricted and c.) recommends partnering with Louisville Township in studying the feasibility of siting a solar energy system on the landfill site.