

Resolution 2006 - 1

A Resolution of the Louisville Town Board Adopting Land Use Policies to Implement the Goals and Policies of the Scott County 2020 Comprehensive Plan Within the Highway 169 Corridor.

Whereas, Scott County has adopted land use and growth management goals and policies that will promote the majority of growth in the County's eight cities; preserve urban expansion areas around the cities where municipal services are expected and planned for; allow for managed rural residential growth while preserving options for future development; allow commercial/industrial uses within limited planned areas; preserve agricultural uses; and ensure environmentally safe and orderly growth, more efficient land consumption, and the preservation of buildable open space for future use at higher densities when infrastructure becomes available, and

Whereas, the 2020 Scott County Comprehensive Plan also provides specific land use goals and policies to guide land use planning decisions, and these goals and policies of that Plan include, but are not limited to:

B-1 Develop a cohesive countywide land use pattern that insures compatibility and functional relationships among activities and between jurisdictions, especially policies a, b, c, d, e, and f.

B-2 Advocate land use development that is accompanied by a sufficient level of supportive services and facilities (roads, storm water management systems, parking, access, etc.), especially policies a and b.

B-3 Maintain and, where necessary, upgrade the aesthetics and environmental quality within the commercial and industrial land use area especially along TH 169 and I-35 corridors, especially policy b.

B-6 Plan for growth through a phased basis, providing for a logical extension of urban and rural growth patterns and related community services in a fiscally responsible manner, especially policies a and b.

and,

Whereas, the 2020 Comprehensive Plan also provides specific goals and policies to define and guide Scott County's growth management efforts, focusing on the unincorporated areas, and these goals and policies include but are not limited to:

A-2 Encourage commercial/industrial development of high architectural and aesthetic quality in order to enhance Scott County's image, promote building durability, and expand the local tax base, especially policy a.

A-3 Attracting, retaining and expanding businesses and industry is a priority for

diversifying the local tax base and promoting local employment opportunities. The majority of new commercial and industrial uses should be concentrated where urban services are available, especially policies a, b, c and d.

I-7 Preserve and protect known non-metallic mineral deposits for future access to the fullest extent feasible, especially policies a, b and c.

and,

Whereas, during 2003 the Township, the County and MNDOT prepared the "Scott County TH 169 Frontage Road and Interchange Study, TH 41 to CSAH 14, CSAH 59, June 2003", and

Whereas, As part of the Study potential paths for frontage/backage roads to connect properties in the Corridor to Hwy 169 at Hwy 41 and Cty 14 were developed and discussed with landowners and officials, and concluded the most practical and efficient manner to determine the exact route and implement a frontage/backage road system for the Hwy 169 Corridor will be to allow the exact route to be proposed by the effected landowners and confirmed as part of the land use approval process to new development in the Corridor, and

Whereas, in 2004 the Supervisors of Louisville Township initiated a planning study of the Highway 169 Corridor within the Township, and

Whereas, that Study, completed in May of 2005, identified and described the three exceptional conditions, the Minnesota River Bluffs, the Refuge and Recreation Area and the Bedrock conditions that create conditions of opportunity and constraint not found in the other areas of the County designated for commercial or industrial use, and

Whereas, the location of properties in the Corridor at the base of the bluffs, the resulting shallow distance to bedrock, the bisection of the Corridor by Hwy 169, the quarries and landfills, and the location of the Refuge and Recreation area, including the Louisville Swamp, all create special conditions of sensitivity for stormwater management and a special constraint on the intensity of interim and permanent development in the Corridor, and

Whereas, the Supervisors have discussed the contents of the Study, requested and have been provided additional information and materials to guide their decisions on how development and redevelopment can best implement Comprehensive Plan goals and policies, respond to the to the exceptional conditions present in the Corridor and anticipate the fundamental changes presented by how properties will access to Hwy 169, the location of a new river crossing, and extension of sanitary sewer service to the Corridor,

Now therefore be it resolved the Supervisors of Louisville Township adopt the following policies to implement the Comprehensive Plan, manage change and guide land use

decisions within the Hwy 169 Corridor:

A. Land Use Objectives and Policies

1. Encourage and promote adoption of customized zoning performance standards that reflect the exceptional conditions found in the Corridor and not shared with the other commercial and industrial districts mapped in the County.
 - a. Increase minimum lot area and setbacks, and reduce impervious surface to preserve a green corridor along the roadway.
 - b. Encourage natural or landscaped areas as part of any development.
 - c. Reduce sign area, building height and activity between the building and the roadway to maintain as calm and natural character as possible in a commercial/industrial district
2. Encourage and promote adoption of customized zoning standards favoring lower intensity permitted, conditional and accessory uses that reflect the exceptional conditions and anticipate the public investments proposed in the Corridor and not shared with the other commercial and industrial districts mapped in the County.
 - a. Reflect the restrictions on sanitary capacities created by the bedrock conditions and stormwater management by the conditions of the bluffs, bedrock, barriers and the Refuge and Recreation area and the Louisville Swamp.
 - b. Reflect the access restrictions that will be imposed by MNDOT.
 - c. Assure present activities will not create an impediment or can be reasonably and economically relocated and the land reclaimed for development that will be attracted by the major public investments in the highways and utilities.
3. Recognize and accommodate the continued quarrying of the regionally important limestone deposits found west of Hwy 169 and north of 145th St. in the Corridor.
 - a. Accommodate continued quarrying of limestone west of Hwy 169 and north of 145th St. consistent with the provision of a reclamation plan that recognizes the potential for development created by the proposed interchange at 145th St. and accommodates its construction.
 - b. Discourage limestone quarrying in the narrow band east of Hwy 169 between the roadway and the base of the bluff to preserve this very limited area for higher value development.
 - c. Discourage removal of the lower value and not regionally significant sand and limited gravel deposits west of Hwy 169 and south of 145th St and into the Sand Creek Valley as identified on the Scott County Maps of the Minnesota Geological Survey Bedrock Geology / Bedrock Topography Bruce M. Olsen 1982, to preserve a platform for higher value development in the Corridor.

4. Encourage development of as the first phase of a potential future continuous system, of a discontinuous system of frontage/backage roads reflecting the varied proximity of the base of the bluffs on the east side of Hwy 169 and the quarrying on the west side of Hwy 169 to serve development in the Corridor, anticipating proposed changes to Hwy 169 and connecting properties in the Corridor to Hwy 169 at Hwy 41 and Cty 14.
 - a. Allow the location and exact route of the frontage/backage road in each sub area it will serve to be proposed by the effected landowners.
 - b. Ensure that prior to approval of permanent development of a parcel, the Town Board's expectation the owner of any parcel proposed for permanent development will have initiated discussions with the adjacent owners to if not build the link, at least identify the path for the roadway providing permanent access to benefit all the properties has been satisfied.

B. Growth Management Objectives and Policies

1. Anticipation of the proposed public investments in the Corridor will be the basis for future private investments in, and the long-term economic viability of, the Corridor.
 - a. Keeping land assembled is essential to assure public benefit from the proposed public investments and by preserving land for private redevelopment after the changes occur, focusing the value of near term development of individual parcels, preventing low value piecemeal development, allowing natural or landscaped areas as part of any development and will contribute to the assurance of quality future development in the Corridor.
2. Development of significant permanent commercial and industrial uses should be phased to coincide with the implementation of urban services in the district and the resolution of the location and schedule of the proposed significant public investments in the Corridor.
 - a. Support for amendments to the regulations in the Corridor or other permission to permit proposed developments that have met the conditions of the Land Use and Growth Management goals and policies, or provides for an internal phasing plan that as it is implemented will meet these conditions, will be provided by the Town Board.

Adopted this 5th day of January 2006.