

4410.9700 DEVELOPMENT IN CRITICAL AREA.

Subpart 1. **Limitation.** When a critical area has been designated, a local unit of government or state agency shall allow development affecting any portion of the area only as specified in the order of designation or as provided in these rules until plans and regulations have been adopted. This limitation shall be in effect as long as the designation is effective.

Subp. 2. **Interim development permits.** Until plans and regulations for the critical area have been adopted and approved, the local unit of government or state agency shall grant a development permit only when:

A. the development is specifically permitted by the order of designation, or the development is essential to protect the public health, safety, or welfare in an existing emergency; and

B. a local ordinance has been in effect immediately prior to the order of designation and a development permit would have been granted thereunder.

Subp. 3. **Final development permits.** When plans and regulations for a critical area have become effective, the local unit of government or state agency shall grant a development permit only in accordance with those plans and regulations.

Statutory Authority: *MS s 116G.04*

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