

law, and the taxes required for payment of the bonds and interest on them shall not be subject to any limitation provided by other law.

Subd. 2. In substitution of, but not in addition to, powers granted to Ramsey County in subdivision 1, Ramsey County may levy and collect a tax, not to exceed the lesser of \$5,000,000 or two mills, upon all taxable property in Ramsey County to finance the construction, installation, modification or improvement of heating, cooling and domestic hot water systems serving buildings owned in whole or part, operated or maintained by the county or Ramsey County medical center commission. A levy made pursuant to this subdivision shall not be subject to any limitation provided by other law.

Subd. 3. The bonds described in subdivision 1 may not be issued and the tax described in subdivision 2 may not be levied until construction is commenced on a district heating system in St. Paul which is designed for heating or cooling or domestic hot water service to one or more buildings owned in whole or part, operated or maintained by the county or the Ramsey county medical center commission.

Sec. 5. EFFECTIVE DATE.

Sections 1, 2, and 4 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of Ramsey County.

Sec. 6. MAPLEWOOD; PROJECT; BONDS.

Subdivision 1. Notwithstanding Minnesota Statutes, Section 474.02, Subdivision 1b, the city of Maplewood may undertake a project consisting of properties, real or personal, used or useful, in connection with a revenue producing enterprise comprising a hotel or motel and may issue revenue bonds of the city to finance the project pursuant to Minnesota Statutes, Chapter 474, in an aggregate principal amount not to exceed \$10,000,000.

Subd. 2. This section is effective on the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the city of Maplewood.

Approved March 23, 1982

CHAPTER 627 — H.F.No. 1915

An act relating to local government; establishing a board to implement and administer a plan for a segment of the Minnesota river in Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville counties.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. POLICY; DEFINITION.

Subdivision 1. POLICY. The legislature finds that the Minnesota river from the city of Franklin in Renville county to Le Sueur in Le Sueur county possesses outstanding scenic, recreational, natural, historical, scientific and similar values. Because it is in the interest of present and future generations to retain these values, the legislature finds that the adoption and implementation of a comprehensive land use plan is necessary.

Subd. 2. DEFINITION. For the purposes of sections 1 to 7, "counties" means the counties of Renville, Redwood, Brown, Nicollet, Blue Earth and Le Sueur, except as otherwise provided in section 7.

Sec. 2. BOARD.

Subdivision 1. ESTABLISHMENT. The Project Riverbend board is hereby established.

Subd. 2. MEMBERS. Except as otherwise provided in section 7, the board shall consist of six members, one each from the counties of Renville, Redwood, Brown, Nicollet, Blue Earth and Le Sueur. The members shall be appointed by their respective county boards for a term of two years.

Subd. 3. PROCEEDINGS. The board shall select a chairman, who shall preside at meetings and hearings and may call special meetings. The board shall adopt rules for the transaction of its business and shall keep a public record of its transactions, findings and determinations. A majority of all members of the board constitutes a quorum and a majority vote of all members is required for the board to take any action pursuant to section 4.

Subd. 4. STAFF AND FUNDS. The counties shall supply staff and funds to the board as may be necessary for its operation.

Sec. 3. COMPREHENSIVE PLAN.

The comprehensive plan known as "Project Riverbend Fifth Draft, June 1981" shall be implemented by the board and the counties as provided in sections 1 to 6. The counties shall adopt land use ordinances consistent with the plan. The standards set forth in the plan are the minimum standards that may be adopted by the board and the counties. The board may amend the comprehensive land use plan in any way that does not reduce the minimum standards set forth in the plan.

The board shall develop and establish a schedule for implementation and administration of the plan by the counties. The schedule shall be binding on the counties subject to approval by the governing bodies of the respective counties.

Sec. 4. REVIEW AND CERTIFICATION OF LAND USE ACTIONS.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. PURPOSE. To insure that the comprehensive land use plan is not nullified by unjustified exceptions in particular cases and to promote uniformity in the treatment of applications for exceptions, a review and certification procedure is established for the following categories of land use actions taken by the counties and directly or indirectly affecting land use within the area covered by the plan:

(a) The adoption or amendment of an ordinance regulating the use of land, including rezoning of a particular tract of land;

(b) The granting of a variance from provisions of the land use ordinances; and

(c) The approval of a plat which is inconsistent with the land use ordinance.

Subd. 2. CERTIFICATION. Notwithstanding any contrary provision of Minnesota Statutes, Chapter 394, no action of a type specified in subdivision 1, clauses (a) to (c) is effective until the board has reviewed the action and certified that it is consistent with the comprehensive plan of the board. In determining consistency of ordinances and ordinance amendments, the provisions of the comprehensive land use plan shall be considered minimum standards. An aggrieved person may appeal a decision of the type specified in subdivision 1, clauses (a) to (c) which is reviewed by the board under this section in the manner provided for review of a decision of a board of adjustment in Minnesota Statutes, Section 394.27, Subdivision 9, but only after the procedures prescribed under this section have been completed.

Subd. 3. PROCEDURE FOR CERTIFICATION. A copy of all notices of public hearings or, when a hearing is not required, a copy of the application to consider any actions of a type specified in subdivision 1, clauses (a) to (c) shall be forwarded to the board by the county at least ten days prior to the hearing or meetings to consider the actions. The county shall notify the board of its final decision on the proposed action within ten days of the decision. No later than 30 days from the time it receives the notice, the board shall notify the county and the applicant of its approval or disapproval of the proposed action.

Subd. 4. DISAPPROVAL OF ACTIONS; HEARING. In the case of notice of disapproval issued by the board, either the county or the applicant may, within 30 days of notice, file with the board a demand for a hearing. If no demand is filed during that period, the disapproval becomes final. If a demand is filed during that period, a hearing shall be held within 60 days of demand and shall be preceded by two weeks published notice. Within 30 days after the hearing, the board shall either affirm its disapproval of the proposed action or certify its approval.

Sec. 5. INCORPORATION AND ANNEXATION.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

When land subject to the comprehensive land use plan of the board is annexed, incorporated or otherwise subjected to the land use planning authority of a home rule charter or statutory city, a moratorium shall exist on all subdivision platting and building permits on that land until zoning regulations are adopted for that land which comply with the provisions of the comprehensive plan of the board. The moratorium shall also apply to construction, grading and filling, and vegetative cutting as those activities are defined in the comprehensive plan. This section does not apply to work done pursuant to lawful permits issued before the land became subject to the land use planning authority of the city.

Sec. 6. BIENNIAL REPORT.

During the first year of each biennial legislative session, the board shall prepare and present to the appropriate policy committees of the legislature a report concerning the actions of the board in exercising the authority granted by the legislature pursuant to sections 1 to 6. The report shall include an assessment of the effectiveness of the board's comprehensive land use plan and its implementation in protecting and enhancing the outstanding scenic, recreational, natural, historical, scientific and similar values of the Minnesota river and related shorelands situated within the member counties.

Sec. 7. EFFECTIVE DATE.

Sections 1 to 6 are effective in the counties of Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by all of those counties. If any of the counties fail to comply with Minnesota Statutes, Section 645.021, Subdivision 3, by October 1, 1982, sections 1 to 6 shall not apply to that county and that portion of the Minnesota river and related shoreland areas within the areas subject to the plan lying within such county is designated under Minnesota Statutes, Section 104.35, Subdivision 4, and shall be managed in accordance with the plan known as "Project Riverbend Fifth Draft, June 1981" as provided in Minnesota Statutes, Sections 104.31 to 104.40.

Approved March 23, 1982

CHAPTER 628 — H.F.No. 1939

An act relating to transportation; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; amending Minnesota Statutes 1980, Sections 161.12; 161.1245, Subdivision 1; repealing Minnesota Statutes 1980, Section 161.1245, Subdivision 2.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.