

4410.8900 PLANS AND REGULATIONS FOR CRITICAL AREAS.

Subpart 1. **Planning process stages.** The initial critical area plan and any subsequent update and reevaluation shall explicitly record the following stages of the critical area planning process:

A. The evaluation of existing conditions and trends, including a description of any change in each of the elements of the plan and a comparison between the intended and actual results of any adopted local, regional, or state programs and regulations.

B. The evaluation of alternative futures, including the major problems and opportunities associated with each alternative.

C. The formulation of objectives based on the evaluation of existing conditions and alternative futures. The objectives shall be measurable short-range steps toward goals expressed in state law, by the regional development commission and in the standards and guidelines specified in the order of designation. When the objectives differ substantially from those previously adopted, the predicted consequences shall be compared.

D. The formulation of programs and regulations designed to achieve the objectives. The programs shall specify the schedule and sequence of actions and development to be undertaken by individual public agencies. The regulations shall be sufficiently specific to provide public agencies with the basis for evaluating individual development permit applications.

Subp. 2. **Factors to be addressed.** The critical areas planning process shall specifically address the following factors:

A. the elements of regional or statewide interest identified in the recommendation to designate the critical area;

B. the standards and guidelines to be followed in preparing and adopting plans and regulations as specified in the order of designation; and

C. any other relevant physical, social, or economic element as permitted by state law.

Subp. 3. **State law.** The portions of plans and regulations for the designated critical area that are implemented by local units of government shall conform to the powers and procedures authorized or required by appropriate state law.

The portions of plans and regulations for the designated critical area that are implemented by state agencies shall conform to the powers and procedures authorized or required by appropriate state laws or rules.

Statutory Authority: *MS s 116G.04*

Published Electronically: *November 30, 2009*