

6105.0530 PUBLIC HEARINGS.

Subpart 1. **Requirement.** In addition to public hearings required by Minnesota Statutes, sections 375.51 and 462.357, prior to the adoption of a Saint Croix Riverway ordinance or amendments thereto, public hearings shall be held before any conditional use permit, any variance, and any proposal for a subdivision is approved or denied in the Saint Croix Riverway by the local authority.

Subp. 2. **Requirements of the applicant.** The applicant shall submit sufficient copies of the following information to the local authority 30 days prior to the public hearing on the application for a conditional use, variance, or subdivision:

A. Plat of survey showing the property location, boundaries, dimensions, elevations, blufflines, utility and roadway corridors, the ordinary high water mark, floodway, and floodplain.

B. The most recent aerial photo of the property with property lines drawn in.

C. Location of existing and proposed structures including height and setback dimensions.

D. Location of existing and proposed alterations of vegetation and topography.

E. Adjoining water-oriented uses.

F. Suitability of the area for on-site waste disposal. Type, size, and location of the system shall be indicated. If a public or municipal wastewater collection and treatment system is to be utilized, the applicant must submit a written agreement from the municipality or sanitary authority indicating that the system has the capacity to handle the development.

G. Water supply system.

H. An estimate of permanent and transient residents.

Subp. 3. **Review of application.** No less than 20 days prior to the public hearing, the local authority shall send copies of the above information to the following agencies for review and comment: Department of Natural Resources, county or city planning commission, regional planning commission, and Minnesota-Wisconsin Boundary Area Commission.

Subp. 4. **Hearing record and decision.** The hearing record shall contain the comments of the agencies listed in subpart 3 and any other interested parties when such comments have been submitted. The decision by the local authority shall address the following items:

A. preserving the scenic and recreational resources of the Saint Croix Riverway, especially in regard to the view from and use of the river;

B. the maintenance of safe and healthful conditions;

- C. the prevention and control of water pollution, including sedimentation;
- D. the location of the site with respect to floodways, floodplains, slopes, and blufflines;
- E. the erosion potential of the site based on degree and direction of slope, soil type, and vegetative cover;
- F. potential impact on game and fish habitat;
- G. location of the site with respect to existing or future access roads;
- H. the amount of wastes to be generated and the adequacy of the proposed disposal systems;
- I. the anticipated demand for police, fire, medical, and school services and facilities; and
- J. the compatibility of the proposed development with uses on adjacent land.

Subp. 5. **Forwarding the decision.** A copy of the final decision by the local authority on the application for a conditional use, variance, or subdivision shall be forwarded to the commissioner within ten days of such action.

Statutory Authority: *MS s 104.25*

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