



2012 MACPZA Policy and Legislative Platform

Adopted: October 13, 2011

Introduction

The purpose of this Platform is to establish MACPZA statements of support or opposition to a variety of issues facing county planning and zoning administrators. A secondary purpose is to inform AMC of issues of importance to planning and zoning administrators as it develops its Platform.

Furthermore, any policies adopted by MACPZA will be consistent with those adopted by AMC. These policies in no way bind any member county zoning administrator from supporting policies different from the policies in this Platform.

MACPZA Policy Goal

MACPZA supports policies for the purpose of promoting health, safety, morals, and general welfare to better serve citizens as well as local and state government. These policies should support efficient and effective land use management and promote environmental protections for present and future generations. Finally, Federal and State agencies should respect the role of counties in land use management and environmental protection by treating counties as equal partners, while working toward common goals, in all discussions affecting county responsibilities during law, statute, rule and policy making processes.

Policy Statements

Administration

- MACPZA supports requiring its inclusion during all federal and state agency discussions affecting county land use and environmental responsibilities.
- MACPZA supports requiring all state mandates be funded through non-county revenue sources.
- MACPZA opposes new state mandates for enforcement, administration and implementation of state programs without additional funding, and technical support from the state.

Land Use

- MACPZA supports requiring sufficient state funding that covers the costs to LGU's in implementing state mandated rules and programming.
- MACPZA supports requiring townships that elect to adopt any level of land use regulations, to assume all land use control responsibilities outlined within Minnesota Statute Chapter 394.
- MACPZA supports amending Minn. Statute 515B to require county review and approval of common interest communities to ensure compliance with county zoning ordinances and health codes.
- MACPZA supports amending Minn. Statute 394 to provide counties with the same authority as cities and townships to require proposed subdivisions of land to be in compliance with county zoning ordinances prior to being recorded.
- MACPZA supports increased technical assistance from the Environmental Quality Board.
- MACPZA supports funding to accelerate updating of floodplain maps and increased technical assistance and education.
- MACPZA supports gradual elimination of nonconformities.
- MACPZA supports a statutory definition of feedlot capacity as "permitted capacity".
- MACPZA supports counties being allowed the same 60 day time line as allowed by state agencies in Minn. Statute 15.992 Subd(2).
- MACPZA supports the review of MN State Statutes 394 and 462 in cooperation with cities and townships to determine if a single statute can be arrived at for all municipalities to use.
- With respect to Minnesota's geographic and cultural diversity, MACPZA supports the locally controlled development, adoption, and implementation of comprehensive land use plans to serve as the foundation for the county's zoning ordinances.
- MACPZA supports state funding to assist units of local government in planning, zoning, and Geographic Information System (GIS) efforts.
- MACPZA supports requiring towers and structures of heights less than 200 feet to be subject to state enforced standards.

Wastewater Treatment

- MACPZA supports requiring all subsurface sewage treatment systems (SSTS) to be inspected at the time of a sale or transfer of property or as a requirement of an alternative inspection program.
- MACPZA supports requiring a SSTS certificate of compliance or escrow to be set aside prior to the recording of a property transaction.
- MACPZA supports an ongoing state grant and loan assistance program to assist landowners in upgrading or replacing non-compliant SSTS's.
- MACPZA supports enforcement of Pollution Control Agency licensing standards and requirements.
- MACPZA supports current state law, which require SSTS installers to collect and remit the Septic Tank

Fee to the Minnesota Pollution Control Agency.

- MACPZA supports requiring-state funding that covers the costs to LGU's for implementation, enforcement and administration of rules and programming.
- MACPZA supports the voluntary adoption of MN Rules Chapter 7080-7083 until concerns are addressed and more flexibility is offered.

Water Management and Protection

- MACPZA supports restoring and increasing State financial support for county and/or regional water management planning.
- MACPZA supports developing further guidance from the Minnesota Department of Health on the interaction between protection and county zoning, and specifically clarifying groundwater protection measures within these areas.

Wetland Management and Protection

- MACPZA supports the training and the voluntary certification of wetland program administrators.
- MACPZA supports simplifying federal and state wetland regulations.
- MACPZA supports the de minimis exemptions as they were in 2006.
- MACPZA supports maintaining WCA as a conservation program rather than a preservation program.
- MACPZA supports the review of the potential use of wetland replacement incentives to encourage wetland mitigation outside of those counties that contain 80% or more of their pre-settlement wetlands.
- MACPZA supports county approval of project specific wetland mitigation sites.

Aggregate Resources

- MACPZA supports the adoption of policies by the state and local governments that provide for the reclamation of aggregate mines when mining ceases.
- MACPZA supports a review of the current threshold (40 acres to a depth of 10 feet) and recommends a change to a volume based threshold for requiring an environmental assessment worksheet for aggregate mines.
- MACPZA supports increased funding to accelerate the state-mapping program to accurately identify aggregate deposits that have the potential to be economically mined.
- MACPZA supports updating the Department of Natural Resource's Aggregate Mining Reclamation Manual including the development of reclamation standards for aggregate mines.