

# IMPLEMENTATION

## CHAPTER 11 IMPLEMENTATION

**IMPLEMENTATION**

ORDER OF CONTENTS

	<i>Page</i>
<b>I. BACKGROUND .....</b>	<b>3</b>
<b>II. OFFICIAL CONTROLS .....</b>	<b>3</b>
A. Zoning Ordinance .....	3
B. Subdivision Ordinance.....	4
C. Shoreland Management .....	6
D. Planned Development District Ordinances.....	6
E. Building and Housing Maintenance Codes .....	7
F. Environmental Protection Ordinances .....	7
<b>III. TAX INCREMENT FINANCING (TIF) .....</b>	<b>8</b>
<b>IV. CAPITAL IMPROVEMENT PROGRAMMING (CIP).....</b>	<b>9</b>
<b>V. REDEVELOPMENT .....</b>	<b>9</b>
<b>VI. SPECIFIC SECTOR PLANS .....</b>	<b>10</b>
<b>VII. HOUSING IMPLEMENTATION.....</b>	<b>10</b>

## **IMPLEMENTATION**

### **I. BACKGROUND**

Implementation of the Chaska 2030 Comprehensive Plan will occur over the next 20 years in many different forms. Some will be reactive, such as zoning and subdivision ordinances to primarily guide private developments; others will be proactive, such as the City's Capital Improvement Program (CIP) for undertaking various public improvement projects — streets, sewers, parks, etc.

Separate implementation plans are contained in seven chapters of the Comprehensive Plan — Environmental Protection, Chapter 3; Land Use, Chapter 4; Transportation, Chapter 5; Trails, Chapter 7; Sewer, Chapter 8; Water, Chapter 9; and Stormwater Management, Chapter 10.

Since the 2030 Comprehensive Plan is an update of preceding plans, the various means to implement the 2030 Plan are generally not new, but represent updates or continuations of past practices. The City of Chaska has been heavily involved in implementing the various versions of its Comprehensive Plans since 1967.

The remainder of this chapter identifies and briefly describes the more significant devices to implement Chaska's 2030 Comprehensive Plan.

### **II. OFFICIAL CONTROLS**

The City of Chaska has established the following official controls to implement its Comprehensive Plan, including ordinances, policies, fiscal devices, and public programs.

#### **A. ZONING ORDINANCE**

Chaska's original Zoning Ordinance was enacted in 1961, preceding its first comprehensive plan, which was adopted in 1967. Since 1982, the Zoning Ordinance has been structured to carry out the goals and policies of the Comprehensive Plan. As part of the Metropolitan Land Planning Act, the 1995 Minnesota Legislature mandated that local zoning ordinances and comprehensive plans be consistent with each other for all jurisdictions within the seven-county Twin Cities metropolitan area; and determined that, where issues arise, the comprehensive plan will take precedence over zoning. This reverses the previous situation where zoning prevailed over the comprehensive plan.

The Zoning Ordinance establishes the City's zoning districts, which includes minimum lot sizes, as shown in Table 11.1. The City's current official zoning map is shown in Figure 11.1.

## IMPLEMENTATION

**Table 11.1: Chaska’s Current Zoning Districts and Minimum Lot Areas**

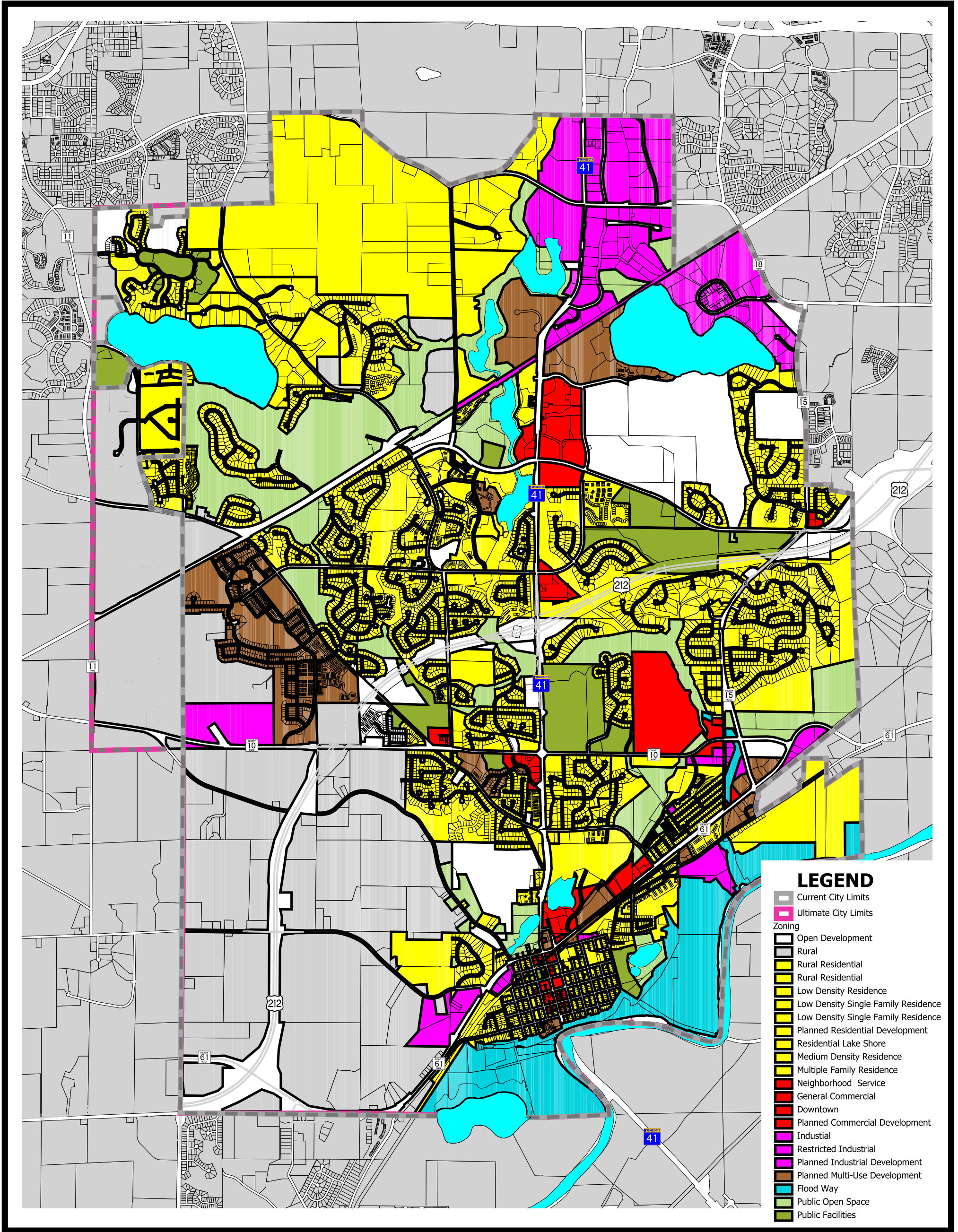
Zoning District	Minimum Lot Area
Rural (R)	43,560 sq. ft.
Rural Residential 1 (RR1)	43,560 sq. ft.
Rural Residential 2 (RR2)	217,800 sq. ft.
Low Density Residence (R1)	<ul style="list-style-type: none"> <li>• 9,000 sq. ft. (One Family Dwellings)</li> <li>• 14,000 sq. ft. (Two Family Dwellings)</li> <li>• 15,000 sq. ft. (Other Uses)</li> </ul>
Low Density Single Family Residence (R1A)	11,500 sq. ft. (15,000 sq. ft. average)
Low Density Single Family Residence (R1B)	15,000 sq. ft.
Medium Density Residence (R2)	<ul style="list-style-type: none"> <li>• 7,200 sq. ft. (One Family Dwellings)</li> <li>• 10,800 sq. ft. (Two Family Dwellings)</li> <li>• 7,200 sq. ft. (Other Uses)</li> </ul>
Multiple Family Residence (R3)	None.
Neighborhood Service (C1)	7,500 sq. ft.
General Commerce (C2)	20,000 sq. ft.
Downtown (C3)	7,500 sq. ft.
Industrial District (I)	20,000 sq. ft.
Restricted Industrial District (I2)	43,560 sq. ft.
Open Space (P1)	Not applicable – building development not permitted.
Public Buildings (P2)	43,560 sq. ft.
Open Development (O)	Not applicable - “holding zone” does not permit building development.

Following an update or amendments to the Comprehensive Plan, the City has nine (9) months to review and amend its Zoning Ordinance to bring it into compliance with the modified Plan. Typically, cities will undertake a rezoning study following a major update or amendment to its Comprehensive Plan.

### B. SUBDIVISION ORDINANCE

Chaska’s Subdivision Ordinance was adopted in 1977 and has been amended several times since then. The Subdivision Ordinance regulates the subdivision and platting of land within the municipal boundaries of the City providing for the orderly, economic, and safe development of land; preserving agricultural lands; facilitating adequate provision for transportation, water, sewage, storm drainage, streets, schools, parks, playgrounds, and other public services and facilities essential to development by the subdivider; providing for the imposing of plat approval fees; and prescribing penalties for the violation of its provisions. This Ordinance shall establish minimum requirements, adopted to protect and promote the public health, safety, and general welfare of the people.

# Zoning Map



## IMPLEMENTATION

### C. SHORELAND MANAGEMENT

The Minnesota Department of Natural Resources (DNR) requires local governments to adopt and enforce shoreland management regulations adjacent to designated public waters. Public waters classified by the Commissioner of Natural Resources are Chaska Lake, Courthouse Lake, Lake Bavaria, Hazeltine Lake, East Chaska Creek, and West Chaska Creek. Chaska adopted the DNR's shoreland regulations in 1986 as an amendment to the Zoning Ordinance. Chaska's Shoreland Management Ordinance establishes a Shoreland Overlay District that has been designated for the shorelands of all public waters within the City.

In 1989, the DNR updated its shoreland management standards and established a priority system for local governments to update their regulations. Chaska was ranked as a low priority community and still operates under the 1986 ordinance. At such time that the DNR raises its priority for the City of Chaska to update its shoreland management ordinance, Chaska will work with the DNR to bring the City's ordinance in compliance with the State's updated shoreland management standards.

### D. PLANNED DEVELOPMENT DISTRICT ORDINANCES

As mentioned in Chapter 2, Chaska has a long history of utilizing the Planned Development District (PDD) process in reviewing and acting upon development applications, starting with Jonathan New Town in the early 1970s. Indeed, most of the developments that were processed since then have been PDDs or PUDs (Planned Unit Developments) as more commonly known in other communities.

PDDs have been most commonly used in Chaska for residential developments, but have also been used extensively in commercial and industrial developments. PDDs provide the City more control over developments and more flexibility and efficiencies for developers. Through the PDD process, the City encourages and has achieved balanced/mixed residential developments (housing types, densities, costs) as well as mixed use developments, particularly residential/commercial uses.

An important feature of most PDDs is the corresponding O-Open Development District which is a holding zone consisting of most of the undeveloped land within the MUSA. While the Comprehensive Plan designates general land uses, the PDD process involves rezoning each proposed development from O-Open

## IMPLEMENTATION

Development to a PDD, which prescribes more specific uses and development standards.

Chaska will continue to use the planned development process extensively during the 2009-2030 planning period.

### E. BUILDING AND HOUSING MAINTENANCE CODES

Chaska uses the Minnesota State Building Code, which it adopted by reference several years ago. This document is used for all new construction. The City prepared and adopted a Rental Housing Maintenance Program/Code in 1994, which establishes minimum standards for maintenance of all existing rental housing. Such housing code prevents overcrowding, assures safe and sanitary living conditions, and maintains property values by helping to prevent housing/neighborhood deterioration and blight.

### F. ENVIRONMENTAL PROTECTION ORDINANCES

The following ordinances are currently in place, either as part of the Zoning Ordinance or as separate documents.

#### 1. Flood Protection (Chaska Zoning Ordinance)

Establishes Floodway and Flood Fringe overlay zoning districts, including regulations and standards, to minimize potential damage to property, human suffering, and loss of life due to flooding within such land areas.

#### 2. Shoreland Management (Chaska Zoning Ordinance) as described above.

#### 3. Steep, Wooded Slopes (Chaska Zoning Ordinance)

Prohibits disruption of wooded slopes over 18 percent gradient; requires structures to be set back at least 30 feet from such steep wooded slopes.

#### 4. Tree Preservation (Chaska Zoning Ordinance)

Development within woodland areas less than 18 percent slope may be permitted but, as far as practical, retention of substantial tree stands shall be encouraged and incorporated into the required Landscape Plan.

## **IMPLEMENTATION**

### **5. Private Sewage Disposal Systems**

Chaska uses Carver County's private septic tank ordinance for inspecting new septic tank installations which have been very infrequent in recent years — one or two per year. At the time of sale, existing private systems are required to be inspected by a licensed installer who then issues a Compliance Certificate or a finding of non-compliance. In the latter case, the owner is given a time period to either bring the facility into compliance or install a new system.

The City will continue to utilize the private sewage disposal regulations and expertise of Carver County in coming years, particularly since the "4/40" housing development within the north and west greenbelt areas will not be served by municipal sewer and water systems.

### **6. Stormwater Management and Erosion Control (Chaska Zoning Ordinance)**

In the development, improvement, excavation or alteration of land, surface runoff is subject to water quality and quantity controls established by the City of Chaska, in the Chaska Surface Water Management Plan, as well as other regulatory agencies, including the Carver County Watershed Management Organization (CCWMO), the Lower Minnesota River Watershed District (LMRWD), and the Riley-Purgatory-Bluff Creek Watershed District (RPBCWD), and the Minnesota Pollution Control Agency (MPCA).

### **7. Land Excavation and Reclamation (Chaska Zoning Ordinance)**

Establishes standards and permit requirements that prevent erosion and stormwater runoff problems.

## **III. TAX INCREMENT FINANCING (TIF)**

TIF is one of the most popular local development financing tools. TIF enables a city to use the additional property taxes generated by new development to pay for certain development expenses.

Since the 1980s, numerous Minnesota communities have turned to TIF to redevelop blighted areas, to provide low and moderate income housing, to

## **IMPLEMENTATION**

stimulate economic activity, and to pay for certain public projects. Chaska has made wide use of TIF for all of the above purposes.

Although the State Legislature amended the TIF law in the 1990s to create greater restrictions on its use, Chaska expects to continue using this valuable development/redevelopment tool within the limits prescribed by State law.

### **IV. CAPITAL IMPROVEMENT PROGRAMMING (CIP)**

A Capital Improvement Program (CIP) identifies and schedules public improvements necessary for serving a community's existing and future needs. Integral to the CIP is the estimated cost and source of financing for each project.

Chaska has been heavily involved in capital programming for many years. In addition to its role as a tool for implementing the City's Comprehensive Plan, purposes of the CIP are to implement Chaska's Five-Year Goals, to maintain the existing level of services, and to provide a stable mill rate over the planning period.

Chaska's CIP is a six-year program with the first year becoming part of the current annual budget. Chaska's most recent CIP is for the 2009-2013 period (Appendix G). The public improvement categories include streets, storm sewer, water systems, sewers, parks/trails, city facilities, and electric system. Source of revenues include municipal state aid for streets, grants, special assessments, park fund, general fund, trunk fund, water/sewer fund, tax increment, electric fund, levies, and others.

Each year the CIP is updated, deleting the past year and adding a new sixth year. City department heads prepare their requests and submit it to the City Administrator who evaluates and coordinates preparation of a draft CIP. Such draft is submitted to the Planning Commission, Park Commission, and other entities for review and comment. Finally, the document is reviewed and adopted by the City Council.

The City of Chaska is very aware of the importance of capital improvement programming and will use the 2030 Comprehensive Plan as a basis for annually preparing subsequent CIPs.

### **V. REDEVELOPMENT**

## **IMPLEMENTATION**

As mentioned in the Housing Implementation section of Chapter 4, Chaska has been actively involved in both proactive and reactive redevelopment projects for several years. The general purposes have been to eliminate blighted areas, to provide low and moderate income housing, to stimulate economic activity, and to preserve and strengthen the downtown area as the focus of community identity and activity. The City will continue to undertake similar redevelopment activities during the future planning period for carrying out the objectives of the 2030 Comprehensive Plan, particularly in the historic downtown Chaska area.

### **VI. SPECIFIC SECTOR PLANS**

As discussed in Chapter 4, various "Sector Plans" will be prepared within certain growth areas to provide a more detailed development framework than is available from the generalized Comprehensive Plan map. It is important that such Sector Plans be prepared and approved prior to opening up the growth areas to development.

Areas, which are sufficiently large and sensitive enough to warrant such detailed pre-development plans are the Southwest Chaska growth area and the Hammers farm land south of Victoria Drive, west of T.H. 41. In addition to prescribing more detailed types of land usage, the development plans will include: 1) preservation of significant existing environmental features (wetlands, steep slopes, wooded areas, etc.), 2) provision of park/recreation facilities (neighborhood parks, community park, community playfields, nature areas, recreational trails, etc.), 3) location of school and possible church sites, 4) collector streets, and 5) utility infrastructure systems (sewer, water, storm water drainage/retention, electric and private gas and communication facilities). Establishment of a more detailed framework for guiding future development will help ensure an orderly and efficient development process and a high quality urban environment at full development.

In addition, a Downtown Area Sector/Master Plan should be created that will provide a long-term holistic vision for the historic downtown Chaska area and the necessary guidance for coordinated future public and private redevelopment and investment efforts. As the future growth area in Southwest Chaska will have significant impacts on the historic downtown Chaska area, it is important that the downtown sector plan occur prior to or coincide with a sector plan for the Southwest Chaska growth area.

### **VII. HOUSING IMPLEMENTATION**

## IMPLEMENTATION

### A. HOUSING INITIATIVES / ACTIVITIES

Chaska's housing implementation activities and initiatives will be undertaken, either individually or in partnership, by the City of Chaska, the Carver County CDA, other housing agencies and organizations, and private housing developers. These various housing implementation programs are described in Section VIII of the Land Use Chapter, which is Chapter 4 of this Plan.

### B. AFFORDABLE HOUSING

Development projects that take advantage of regulatory flexibility (i.e., increased residential acreages, increased densities, reduced rights-of-way, reduced pavement sections, private roads, reduced setbacks, fee waivers, and expedited processes, etc.,) in the Traditional Neighborhood Development areas outlined in Section X of Chapter 4 of the 2030 Comprehensive shall:

- 1) Provide at least 30 percent of the total units in the project that shall have a base price (Base price defined as a home including the company's standard specifications, which provide for the ability to occupy upon completion and have warranted, quality materials) at or below the "affordable level" as defined by the Metropolitan Council formula (i.e., how much house a family of four making 80 percent of the area income could afford by spending 30 percent of their income towards housing);
- 2) Guarantee that five percent of all new housing units in their development, will be permanently affordable (lot donated to the Carver County Community Land Trust) - it is intended that the five percent of permanently affordable units would also be counted towards the 30 percent of affordable units created; and
- 3) Construct and maintain one of its model homes at or below the Metropolitan Council affordability definition that reflects the company's base price, if model homes are provided for in the development.