

ADVISORY INFORMATION

Date	January 10, 2007
Subject	Authorizing the Community Development Committee to Set and Conduct Public Hearings on Comprehensive Plan Modification Matters
Districts, Members	All
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Division/Department	Community Development / Local Planning Assistance

BACKGROUND

The Metropolitan Land Planning Act requires local governmental units to submit their comprehensive plan updates and plan amendments to the Council for review. According to Minnesota Statutes section 473.175, subdivision 2, the Council has 120 days to review and comment and, if necessary, require a plan modification, unless a time extension is mutually agreed to. If the Council concludes an update or amendment is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans and concludes a plan modification is necessary, the Council must adopt findings and a resolution.

The Council’s review and consideration of plan that may require modifications can take the majority of the 120-day Council review period. A typical plan review includes:

1. A preliminary review for “completeness” within 15 days after receipt. (2 weeks)
2. A staff review of the plan submission, meetings with the local unit, communications with local staff/officials about potential issues and draft staff reports/recommendations. (2 weeks minimum)
3. Staff recommendations are mailed to the Community Development Committee by Wednesday of the week preceding the Committee meeting date. (5 days)
4. The Community Development Committee recommends that the Council set a public hearing on the proposed plan modifications. (9 days minimum for non Same Week items)
5. The Council sets a public hearing and authorizes the Committee to conduct the hearing. (5 days minimum, may be 2 weeks if the Committee and Council have same week meetings)
6. The Community Development Committee holds a public hearing.
7. The public hearing record is closed, after which time the Community Development Committee considers the hearing record and the proposed plan modification. (2 weeks)
8. The Council considers and takes action on a proposed plan modification. (5 days to 2 weeks)

Council plan reviews that have no plan modification issues typically take about nine weeks. When proposed plan updates or amendments raise plan modification issues the timeframe usually is longer because the Council spends time with the submitting jurisdictions and tries to resolve plan modification issues before taking proposed plan updates and amendments to the Council for action.

If the Community Development Committee, rather than the Council, were to set public hearings on proposed plan modifications, the Council and local units would have approximately 4 additional weeks to negotiate and resolve plan modification issues.

PROPOSED ACTION

That the Community Development Committee recommend: That the Metropolitan Council authorize its Community Development Committee to set and conduct public hearings on proposed plan modifications for comprehensive plan updates and comprehensive plan amendments.

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