



# Community Development Committee

**Business Item**

Item: 2008-187

**Meeting date: August 18, 2008**

ADVISORY INFORMATION	
<b>Date:</b>	August 8, 2008
<b>Subject:</b>	Suspension of Comprehensive Plan Amendment Review after December 31, 2008
<b>District(s), Member(s):</b>	All
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. §§ 473.864, 473.25)
<b>Staff Prepared/Presented:</b>	Phyllis Hanson, Manager, Local Planning Assistance (651-602-1566) Lisa Barajas, Planner, Local Planning Assistance (651-602-1895)
<b>Division/Department:</b>	Community Development / Planning & Growth Management

## Proposed Action

That the Metropolitan Council:

1. Effective January 1, 2009, accept for review only: (1) 2008 decennial plan updates submitted by communities pursuant to Minnesota Statutes section 473.864; and (2) amendments to those decennial plan updates. After December 31, 2008, the Council will not accept for review any proposed amendments to existing local comprehensive plan.
2. Apply the above-described review policy to all communities, including communities that may have received extensions to the comprehensive plan update submission date.
3. Direct staff to inform cities, townships, and counties about this policy and to incorporate the policy into the Council's *Local Planning Handbook*.

## Background

Minnesota Statutes section 473.864 requires all local government units in the seven-county metropolitan area to review and update their local comprehensive plans at least once every ten years. In September 2005, the Council sent system statements to local government units and notified those communities that they were required to review and update their local comprehensive plans and to submit their plans to the Council by December 31, 2008. Section 473.864 of the Metropolitan Land Planning Act authorizes the Council to grant extensions to local government units if they need additional time to complete their comprehensive plan reviews and revisions. Section 473.854 of the Act requires the Council to establish guidelines and procedures to which local government units must conform when preparing, adopting, and submitting comprehensive plans and plan amendments.

At its June 25, 2008 meeting, the Council adopted guidelines for local governmental units that may need additional time to prepare and submit their decennial updates. The guidelines adopted by the Council also included the following provision:

- After, December 31, 2008, a community should not submit comprehensive plan amendments until the Metropolitan Council has acted on the community's 2008 comprehensive plan update.

## Rationale

Several local units of government have informed the Council that they will not be able to submit their comprehensive plan updates to the Council by the December 31, 2008 deadline. In response to the Council's

June 25, 2008 action, staff has prepared guidelines that implement the Council's June 25, 2008 action and describe the conditions under which the Council will not review comprehensive plan amendments for plans that have not been updated or submitted as required by the Metropolitan Land Planning Act.

Minnesota Statutes section 473.175, subdivision 1 directs the Council to review comprehensive plans of local governmental units to determine their compatibility with those of adjacent communities and their conformity with metropolitan system plans. It is reasonable to expect that the Metropolitan Council will not consider comprehensive plan amendments to local plans for communities that have not met the comprehensive plan update submittal requirements by December 31, 2008, as required by the Metropolitan Land Planning Act. It is uncertain whether existing plans, which have not been updated as required, conform to or are consistent with the Council's *2030 Regional Development Framework* and accompanying metropolitan system plans. It is also uncertain whether existing plans are compatible with the comprehensive plan updates of adjacent communities due to changes that may have occurred since the previous, existing plans were prepared.

Temporarily suspending Council review of comprehensive plan amendments, pending the submission of complete plan updates, will help to ensure that planning and development within the metropolitan region will occur in a coordinated and orderly manner. A temporary suspension will also help to ensure that the Council's own capital and service planning for regional systems affecting multiple communities can occur in a coordinated and efficient manner. During the time near the statutory due date for completing comprehensive plan updates, any plan changes that would otherwise be proposed as amendments should be incorporated into a community's comprehensive plan update, prior to the Metropolitan Council reviewing and acting on the proposed update.

## **Funding**

The Council has made planning grants to 49 communities and counties of approximately \$1,035,000. Those planning grants were intended to help local units of government review their comprehensive plans and prepare the decennial updates required by the Metropolitan Land Planning Act.

## **Known Support / Opposition**

No known support or opposition.