

Community Development Committee

Meeting date: December 15, 2014

Subject: Progress on Review Times for Comprehensive Plan Amendments

District(s), Member(s): All

Policy/Legal Reference: Minn. Stat. 473.175

Staff Prepared/Presented: LisaBeth Barajas, Local Planning Assistance Manager, 651-602-1895

Division/Department: Community Development / Local Planning Assistance

Proposed Action

None. Information only.

Background

As part of managing our performance at the Council and ensuring a high quality of service for our local governments, we have been tracking the amount of time it takes to complete the review of comprehensive plan amendments. Amendments to comprehensive plans are typically driven by new development proposals that were unforeseen by local governments during their last plan update process. Our approach has been to provide high quality reviews within as short of a timeframe as possible, so as not to impede local processes and development when there are not any system impacts or issues of regional concern. We have heard from some of our local governments, even as recently as this fall, the suggestion that we take too long to complete the review of simple, uncomplicated comprehensive plan amendments. Our goal is to address those issues, ensure quality reviews, and be as efficient with our timeframes as we can.

Within our current tracking system, we have data starting in 2010 on total time to complete a review once it has been sent to us. Because the data begins in 2010, we do not have complete electronic dataset to measure the review time for comprehensive plan updates, having completed the majority of those reviews prior to 2010. For the purposes of this reporting, we will be focusing on comprehensive plan amendments.

Review Process for Comprehensive Plan Amendments

Minnesota Statutes 473.175 directs the Council to complete its review and take action on full comprehensive plans, including amendments, within 120 calendar days. However, it is the Council's practice to complete reviews of amendments within 60 calendar days. The Council then has the ability to extend the review period an additional 60 days, but typically only does so when committee schedules, holidays, or workload issues prevent the completion within the initial 60-day period.

As illustrated in Figure 1 below, for those amendments that require formal Council action, this process typically requires the preparation of a staff report, presentation to at least the Community Development Committee (sometimes the Environment Committee, too), and final action at the full Metropolitan Council. For those amendments that meet the requirements of the Council's *Comprehensive Plan Amendment Administrative Review Guidelines*, the process is shortened and includes internal technical staff review and coordination, along with formal notification to the local government.

To get a better understanding of how we fared against our timeline requirements, amendment reviews are separated into two categories:

- Those that require formal Council action

- Those that are administratively reviewed

Amendments requiring formal Council action

As shown in Figure 2, we have differentiated the timeframe analysis between:

- the total duration for a review and
- the duration once an item is found complete for review.

The total duration measures the time from when we first receive the amendment submittal to the final action date. This includes time when we are awaiting supplemental information from the community after sending an incomplete for review letter. The community controls the time period for the response to an incomplete letter. It should be noted that the total number of amendments requiring formal Council action has remained small, influencing the average times due to the small number of amendments in the calculation.

It should be noted that one review in 2014 was found complete for review in April, but was requested to be suspended for a period of approximately 6 months while the community completed and environmental review. The community requested that this review be restarted in October. For the purposes of this analysis, the total duration of that particular review has been removed because the total time significantly lengthens the total average duration and is not reflective of actual staff time to complete that review. This review, however, is included in the totals for the “complete for review” analysis.

The average total duration for a review peaked in 2013 at 85 calendar days. A couple of reviews that were incomplete for quite some time drove this average time upward in addition to the limited number of

Figure 1. Comprehensive Plan Amendment Review Process

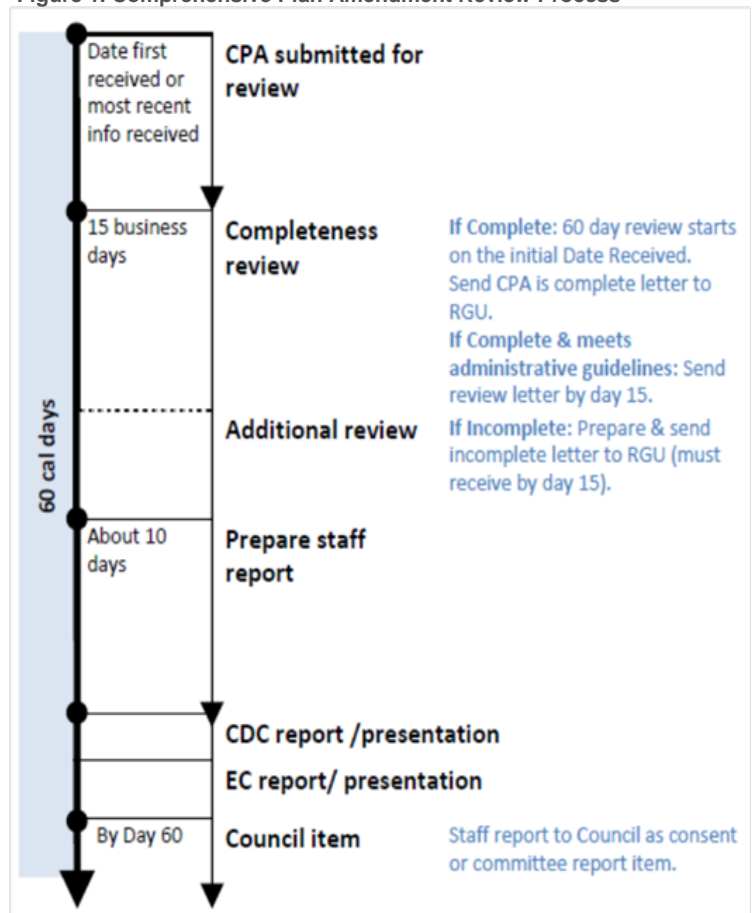
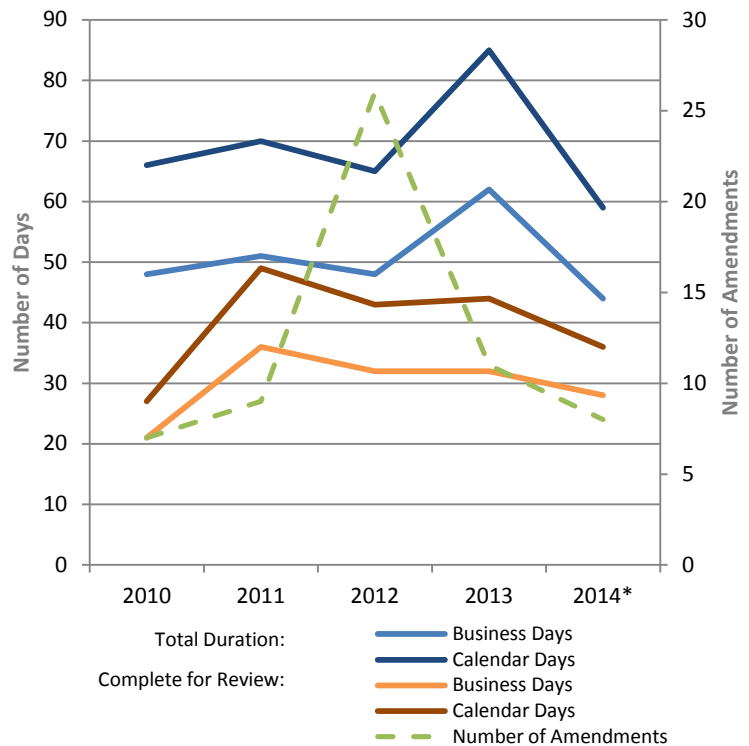


Figure 2. Average Process Time: Amendments Requiring Formal Council Action



* As of the August 22, 2014. This will be updated at the end of the year.

staff in our work unit at that time. The median review duration for that same year was 76 calendar days. Despite this peak in total duration, staff completed reviews on average with 44 calendar days once an amendment was found complete for review.

The average process time for an amendment requiring formal Council action once it has been found complete for review has been relatively steady, despite the peak and decline in total numbers of this type of review. While the Council has 60 calendar days to take formal action on a review, staff have been completing reviews on average between 30 and 40 calendar days.

Administratively reviewed amendments

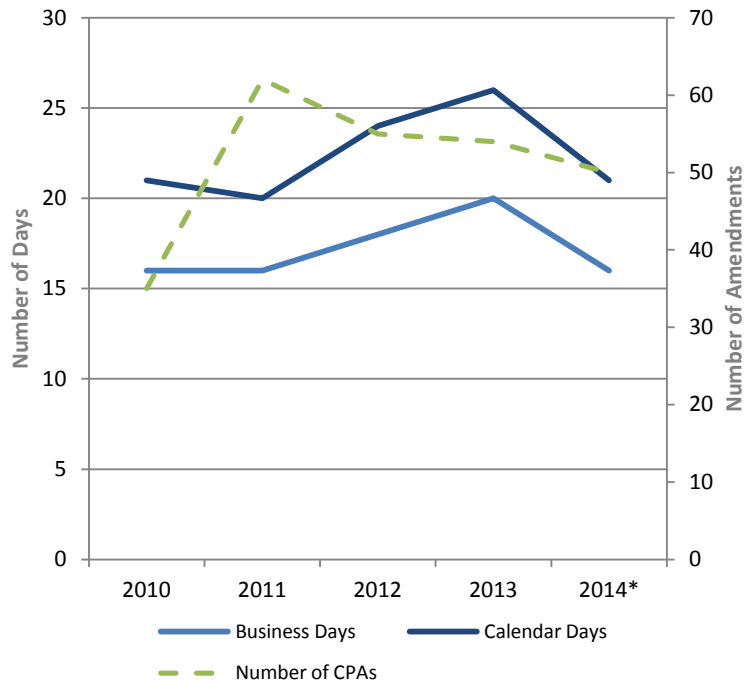
While the Council also has 60 days to administratively review amendments, it has been the staff's practice to complete administrative reviews within the initial 15-business-day completeness review timeframe when possible. We have found that the majority of the reviews eligible for administrative review can also be completed within the initial 15 business day review. As shown in Figure 3, administrative reviews are typically completed within 16 days. The total calendar days largely mirror the total business days.

As noted in the accompanying figure, our data does not account for supplemental information received during the review period. Receipt of supplemental information restarts the Council's review clock, as described in Figure 1 on the process. Staff intend to rectify this reporting issue by making adjustments in our newly developed tracking system to record the date that supplemental information is submitted. Despite relatively stable number of amendments in 2013, we experienced an increase in the average number of days it took to process an administrative review amendment. We suspect that this number is high due to the fact that some amendments that had longer than average review periods due to the receipt of supplemental materials during the review period. The median process time for 2013 was 16 business days, which is nearly a business week less than the 20-day average shown in Figure 3.

Conclusion

As shown in the analysis above, Council staff have continued to complete reviews within the 60-day calendar timeframe, even having experienced a large staff change with retirements in 2012 and rebuilding the team in 2013. While we saw a slight increase in review times overall in 2013, we have brought those times down in 2014. Staff will continue to monitor our timeframes and strive for providing high quality reviews in efficient timeframes. With the development of a new records tracking system, we also will be better tracking more of the details of a review, such as supplemental information submittal dates and requests for suspension, in order to give a more accurate picture of our performance.

Figure 3. Average Process Time: CPAs Administratively Reviewed



NOTE: The duration does not always capture the submittal date of supplemental information which official restarts the review clock for an item that may otherwise be incomplete for review.

* As of the November 24, 2014. This will be updated at the end of the year.