

## Community Development Committee

Meeting date: December 18, 2017

For the Metropolitan Council meeting of January 10, 2018

**Subject:** Proposed Process for Requests for Extensions to the 2018 Comprehensive Plan Deadline

**District(s), Member(s):** ALL

**Policy/Legal Reference:** Minnesota Statutes, sections 473.864 and 473.869

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

**Division/Department:** Community Development / Regional Planning

### Proposed Action

That the Metropolitan Council:

1. Direct staff to implement the selected process scenario, making the applications available to local units of government at the earliest opportunity, with a deadline of end of May 2018.
2. Authorize staff to amend planning grant agreements when applicable, consistent with the selected scenario, to reflect the requested deadlines.
3. Direct staff to coordinate extensions for Mississippi River Critical Corridor Area (MRCCA) plans with Minnesota Department of Natural Resources staff, when applicable.
4. Acknowledge an extension of the comprehensive plan completion deadline does not change any due dates for surface water management plans or water supply plans.

### Background

Minnesota Statutes section 473.864 requires all local governments in the seven-county metropolitan area to review and update their local comprehensive plans and submit those plans to the Metropolitan Council for review and comment by December 31, 2018. Section 473.864 further authorizes the Metropolitan Council to grant extensions to local governments if they need additional time to complete their plan updates.

Specifically, Minnesota Statutes section 473.869 indicates that any extensions granted by the Council “must include a timetable and plan for completion of the review and amendment.” The statute also requires the Council to establish guidelines and procedures to which local governments must conform when preparing, adopting, and submitting their plans.

In the 2008 planning cycle, the Council offered an extension process in which 70 communities requested extensions to the plan deadline. The majority of the communities requested extensions of up to 6 months, with just a handful of communities requesting between 6 months and a year.

The Community Development Committee discussed the potential extension request process at their October 2, 2017 regular meeting. The Committee indicated a willingness to provide for an extension request process and asked staff to provide a proposed process for Committee consideration.

### *Potential Comprehensive Plan Update Extension Scenarios*

The Council could select from one of the proposed process scenarios for extending Comprehensive Plan Update submittal deadlines, as detailed below. These scenarios vary from all extension requests requiring approval by the Metropolitan Council, to a combination of Council approval and administrative approval, to an entirely

administrative approval. In all three scenarios below, the local unit of government must provide the following materials, consistent with statutory requirements:

- An adopted local resolution requesting the extension and indicating the date to which the local government wishes to extend the submittal deadline;
- A description of the completed activities;
- A description of the remaining activities and a timeline for their completion.

To expedite the review process and to encourage communities to focus on comprehensive plan completion, staff propose making the application process open in early 2018, with applications due by the May 31, 2018.

### **Scenario 1**

Local units of government submit extension requests to the Metropolitan Council. Staff prepare and present reports to the Community Development Committee for all requested extensions. The governing body of the Metropolitan Council takes action on the extension request after Committee recommendation.

### **Scenario 2**

Local units of government submit extension requests to the Metropolitan Council. Council staff administratively grant an extension if the requested date is prior to June 30, 2019. For requested dates beyond June 30, 2019, and prior to December 31, 2019, Council staff prepare and present a report to the Community Development Committee. The governing body of the Metropolitan Council takes action on the extension request after Committee recommendation. (Attachment 1)

### **Scenario 3**

Local units of government submit extension requests to the Metropolitan Council. Council staff review all requests and administratively grant the extensions.

### **Rationale**

The Council is granted authority under Minnesota Statutes to consider and grant extensions to the decennial comprehensive planning deadline. It is reasonable to expect that a number of local units of government will not be able to meet the comprehensive plan updates submittal deadline of December 31, 2018. In the last decennial cycle, 70 communities requested extensions. In the current planning cycle, some local government staff have already inquired about the potential for an extension request process for various reasons.

The proposed process in this report establishes simple procedures for communities in the spirit of coordinated regional planning. It also limits the amount of time requesting and approving an extension.

For communities that have received planning grants, the proposed process allows for grantees to also amend their planning grant agreements to a later submittal deadline. The process gives grantee the opportunity to continue to receive funding to facilitate the completion of their comprehensive planning process. Without the amendment to the deadline, the grantee would risk losing the second half of their grant if the grantee submitted its plan past the decennial deadline.

### **Thrive Lens Analysis**

While the proposed extension request process is neutral on Thrive outcomes, a clear process for requesting extensions aligns with the Thrive principle of collaboration, recognizing that shared efforts advance our region most effectively toward shared outcomes. By outlining a timely and coordinated process for extensions to local comprehensive plans well ahead of the decennial deadline, the Council is a responsible partner to local governments.

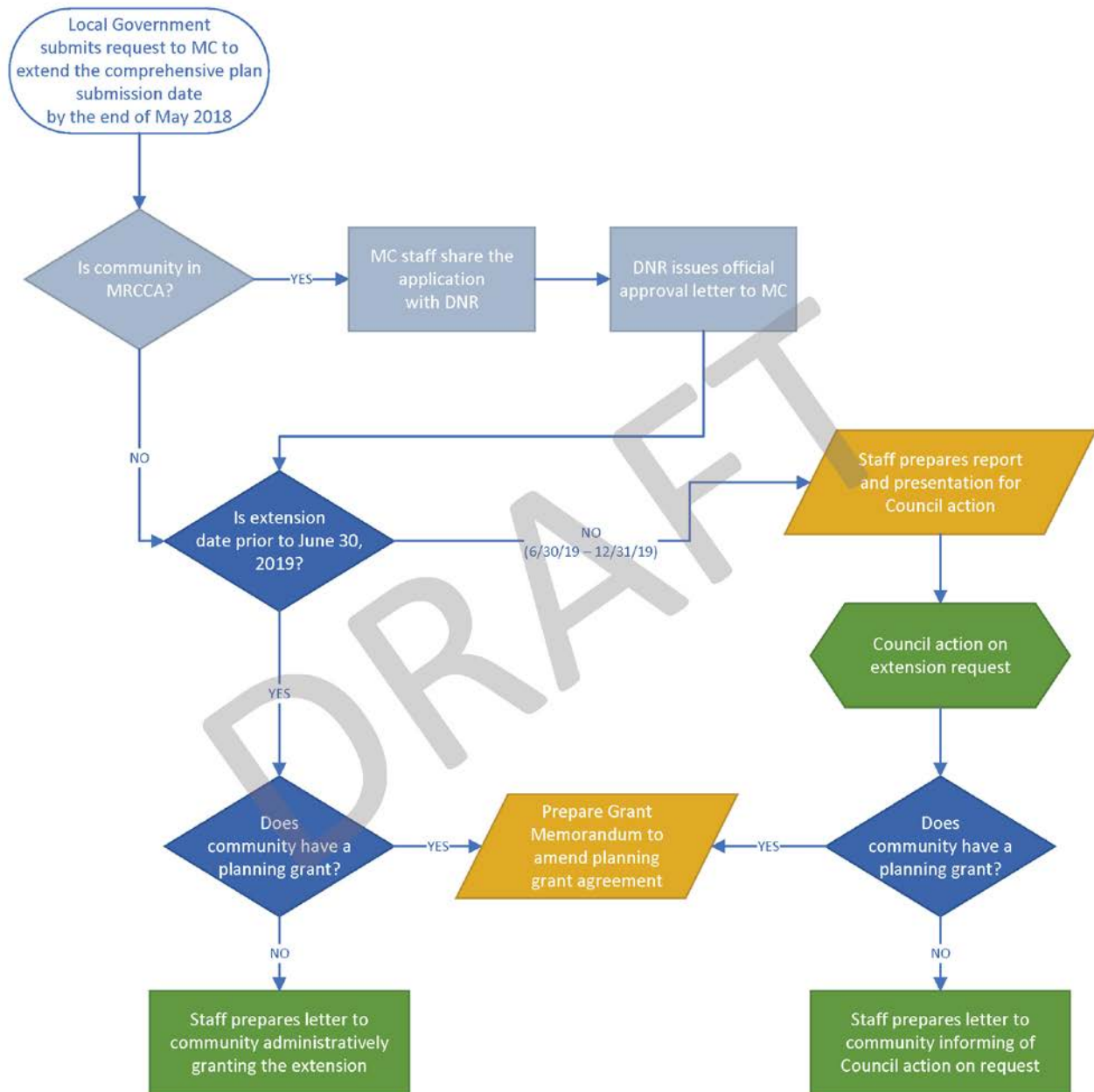
## **Funding**

The Council has awarded planning grants of approximately \$1,898,000 to 70 local units of government to update their comprehensive plans.

## **Known Support / Opposition**

MetroCities has expressed support for the development of a uniform and streamlined process for managing requests for deadline extensions. (Attachment 2)

## Comprehensive Plan Update Extension Process – Scenario 2





December 13, 2017


Mr. Gary Cunningham, Chair and Members of the Community Development Committee:

Thank you for the opportunity to comment on the proposed process for requests for extensions to the 2018 Comprehensive Plan deadline. My understanding is that a process for extensions will be considered by the Community Development Committee next week. Metro Cities appreciates having a process be identified at this point, well ahead of the deadline, so that local officials have information on an extension process and if needed can address any need for an extension accordingly.

Generally, Metro Cities supports having a consistent and uniform process for addressing extensions. Metro Cities also supports a process that is streamlined for local government to use in applying for extensions, and to this end, would support an process that is administratively efficient, so that local officials can address any need for an extension without the need for an extensive process that takes time and resources away from completing the Comprehensive Plan.

Metro Cities would expect that most extensions, consistent with past comprehensive plan processes, would be straightforward, and to this end would support having extension requests be reviewed and administratively provided by staff. If there are extenuating or unusual circumstances in a request, Metro Cities would expect that these could be considered and if needed, brought forth to the committee or full Council.

Thank you for the opportunity to comment on the proposed process and for your work with local officials as they work to complete their 2018 plans.

Sincerely,  
  
Patricia Nauman  
Executive Director