

Community Development Committee

Meeting date: May 7, 2018

For the Metropolitan Council meeting of May 9, 2018

Subject: Revise the Deadline for Review of Amendments to 2030 Comprehensive Plans

District(s), Member(s): ALL

Policy/Legal Reference: Metropolitan Land Planning Act

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

Division/Department: Community Development / Regional Planning

Proposed Action

That the Metropolitan Council:

1. Revise the June 30, 2018 deadline for review of amendments to 2030 comprehensive plans to December 31, 2018.
2. Advise communities that:
 - a. The change in the 2030 comprehensive plan amendment deadline does not change any due dates for surface water management plans or water supply plans.
 - b. The existing 2030 comprehensive plans remain in full force and effect until local governmental units adopt their 2040 comprehensive plans after authorization from the Metropolitan Council.
 - c. Any amendments to a 2030 comprehensive plan authorized by the Council should be consistently reflected in the local governmental unit's 2040 comprehensive plan submitted to the Council for review.
 - d. After December 31, 2018, any plan changes that would otherwise be proposed as amendments should be incorporated into a community's 2040 comprehensive plan update prior to the Council reviewing and acting on the proposed plan. Local units of government should ensure that they continue to meet the adjacent and affected jurisdictional review requirements for any changes to their draft 2040 comprehensive plans.
 - e. Council staff may revise the deadline for submissions of preliminary 2040 comprehensive plans.

Background

Following the adoption of *Thrive MSP 2040* (Thrive), in June 2014, the Council adopted policies to implement Thrive in the review of local comprehensive plan amendments ([Business Item 2014-143](#)). Under these policies, the Council will no longer accept amendments to 2030 comprehensive plans after June 30, 2018.

Over the last several months, about a dozen communities have indicated that they anticipate having amendments to their 2030 comprehensive plans after June 30, 2018, in response to the strong development market and a trend for developments on parcels guided for other uses or at different densities.

To facilitate continued development in the region, Council staff propose revising the deadline for submitting amendments to 2030 comprehensive plans from June

30, 2018, to December 31, 2018. This approach is simple to administer and understand. In addition, the extended deadline covers the full length of the building season. However, the volume of amendments received could limit Council staff's ability to provide review and comment on preliminary 2040 comprehensive plans.

Statutory Basis

Minnesota Statutes section 473.864 prescribes local governmental units' responsibilities for adopting and amending local comprehensive plans, as well as the Council's role in reviewing general amendments and decennial updates. Subdivision 2 of section 473.864 states in part:

Amendments to comprehensive plans of local governmental units shall be prepared, submitted, and adopted in conformance with guidelines adopted by the Metropolitan Council pursuant to section 473.854.

Minnesota Statutes section 473.854 requires the Council to "prepare and adopt guidelines and procedures relating to the requirements and provisions of sections 462.355, 473.175, and 473.851 to 473.871 which will provide assistance to local governmental units in accomplishing the provisions of sections 462.355, 473.175, and 473.851 to 473.871."

Foundational to the Council's guidelines is the implementation of the Metropolitan Land Planning Act. Specifically, the directive to "ensure the *coordinated*, orderly, and economic development" of the region. (Minnesota Statutes section 473.851 (emphasis added)). The decennial regional and local planning process relies upon that coordination to ensure its effectiveness. Coordination among both local governments (planning together at the same time) and the local and regional governments is important.

Rationale

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 conformance with metropolitan system plans.

Ending Council review of comprehensive plan amendments to 2030 plans after December 31, 2018, pending the submission of complete plan updates, will help to ensure that planning and development within the metropolitan area occurs in a coordinated and orderly manner. This deadline 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. After December 31, 2018, any plan changes that would otherwise be proposed as amendments should be incorporated into a community's comprehensive plan update, prior to the Council reviewing and acting on the proposed update.

Pursuant to Minnesota Statutes, section 473.858, subdivision 4, all existing 2030 local comprehensive plans remain in full force and effect until updated as part of the decennial planning process.

Thrive Lens Analysis

While the proposed deadline revision is neutral on Thrive outcomes, addressing a changing market for development ensures that the region continues to accommodate growth consistent with outcomes and policies in Thrive. It also aligns with the Thrive principle of collaboration, recognizing that shared efforts advance our region most effectively toward shared outcomes.

Funding

None.

Known Support / Opposition

Council staff have fielded requests and comments from about a dozen communities in the region expressing concern over the June 30 deadline. There is support for an extension or waiver process to

allow for potential amendments to the plan in response to unforeseen development proposals. A couple of communities have called to express their support of keeping the June 30 deadline in place, while others have expressed concern about the potential to miss the opportunity for review of their preliminary plans.