

Land Use Advisory Committee

Meeting date: March 17, 2022

Subject: 2022 System Statement Issuance

District(s), Member(s): ALL

Policy/Legal Reference: Minn. Stats. §§ 473.856 and 473.857

Staff Prepared/Presented: Angela R. Torres, Local Planning Assistance Manager, 651-602-1566

Division/Department: Community Development / Regional Planning

Proposed Action

Information item only. No action needed.

Background

In March, Metropolitan Council staff will be issuing system statements to local governments. This information item explains the role of system statements in the regional planning cycle, the relationship to the Council's planning documents, and gives an overview of the content and purpose of system statements. The 2022 system statements are being issued as a result of updates to regional transportation and parks system plans. The Committee has a defined, statutory role in potential hearings related to system statements when disputes may occur, as described in the memo below.

System Statements

As part of the regional development guide, the Council prepares and adopts metropolitan system plans for:

- Transportation, including highways, transit, and airports;
- Wastewater services; and
- Regional parks and open space

As required by Minn. Stat. § 473.856, the Council issues system statements to each city, township, and county in the region:

- when the Council updates or revises the comprehensive development guide as part of the 10-year regional planning cycle, and
- generally whenever the Council amends or modifies a metropolitan system plan.

System statements are individualized reports for each community in the region that identify and explain the specific implications of the metropolitan system plans for that community. Each individual system statement details:

- how each regional system impacts that community, and
- whether there are planned changes to any of the systems affecting the community.

The issuance of a decennial system statement initiates a community's obligation to review and as necessary, revise its comprehensive plan within three years. For the last decennial planning cycle, comprehensive plans were due to the Council by December 31, 2018.

The issuance of a mid-cycle system statement results from amendments to a regional system or policy plan outside of the decennial planning cycle. These changes typically occur with the *Regional Parks Policy Plan* and the *Transportation Policy Plan*, which are required by law to update their plans every 4 and 5 years, respectively. As a

practice, Council staff try to bundle various changes to regional plans together to minimize both the issuance of system statements and the impact on local governments to amend their comprehensive plans.

Relationship to Council Planning Documents

System statements are one of three major components that direct and guide communities as they update their plans.

- The **regional development guide**, *Thrive MSP 2040* along with the Council’s metropolitan system and policy plans, are the governing documents and contain the infrastructure plans as well as specific policies and strategies guiding the growth and development of the region.
- The **system statement** is a distillation of the key changes and infrastructure plans in the Council’s metropolitan system plans identifying pertinent information for each community.
- The **Local Planning Handbook** is a guide that explains what specific tables, maps, data, and other information are required in local plans in order for the Council to fully evaluate a plan’s:
 - conformance to system plans,
 - consistency with Council policy,
 - and compatibility with the plans of adjacent and affected jurisdictions.

System statements do not provide new or different information from the regional development guide (*Thrive MSP 2040*), but rather system statements repackage the information making it more concise and useable for each community.

System Statement Content

Pursuant to Minn. Stat. 473.856, a system statement “shall contain information relating to the unit and appropriate surrounding territory that the council determines necessary for the unit to consider in reviewing the unit’s comprehensive plan.” Further, the statutes indicate that the system statement includes the following:

- (1) *the timing, character, function, location, projected capacity, and conditions on use for existing or planned metropolitan public facilities, as specified in metropolitan system plans, and for state and federal public facilities to the extent known to the council; and*
- (2) *the population, employment, and household projections which have been used by the council as a basis for its metropolitan system plans.*

In addition, the system statement provides procedural information on the system statement definition, next steps, and the dispute resolution process should a community disagree with any element of the system statement. To view past examples of the full content, system statements issued in 2015 can be accessed on the Council’s website at <https://metrocouncil.org/Communities/Planning/Local-Planning-Assistance/System-Statements.aspx>. The reader should note that these system statements are not mid-cycle system statements, rather they are decennial system statements, issued after the adoption of *Thrive MSP 2040* and the accompanying system and policy plans.

Each mid-cycle system statement will address changes to the *2040 Transportation Policy Plan* and the *2040 Regional Parks Policy Plan*. There have been no amendments to the *2040 Water Resources Policy Plan* or the *Housing Policy Plan* since the 2015 System Statements were issued. Each system statement will include key changes in the relevant system plan and specific considerations that affect the community.

What Happens After We Issue a System Statement

After system statements are issued, communities are directed to contact their sector representatives with any questions. If there are elements with which a community disagrees, the community should also

start with the sector representative, who will then gather any necessary technical staff to work through issues. Typically, disagreements are resolved by working with staff. This is uncommon with mid-cycle system statements as the changes do not usually have a significant impact on local plans, and usually do not impact as many communities.

If a community and the Council are unable to resolve disagreements, a community does have the ability to request a hearing to determine whether the system statement should be amended. The request must be made within 60 days of receipt of the system statement, and is conducted by either the Land Use Advisory Committee or the State Office of Administrative Hearings. If a hearing is requested, it must be held within 60 days after the request or at a mutually agreed upon date. Minn. Stat. § 473.857 further details the timeframes under which a hearing report and final determination by the Council must be made. In the last decennial planning cycle, there were six requests for a hearing with only one request moving forward to a hearing. The other requests were resolved through discussions between the communities and Council staff.

If no requests for a hearing are made within 60 days of system statement receipt, the system statement is considered final. Communities may commence their local planning process and may avail themselves of the Council's technical assistance and workshops to aid in that process.

Communities are then responsible for reviewing the new information and determining whether any changes are needed in their local comprehensive plans. If they determine a need to update their comprehensive plans, then communities follow the typical comprehensive plan amendment process as outlined in Chapter 473 and submit those amendments to the Council for review.