HOUSE RESEARCH =

Bill Summary —

FILE NUMBER: H.F. 1035 DATE: February 27, 2009

Version: The delete-everything amendment, H1035DE1

Authors: Hosch and others

Subject: Greenhouse gas emissions reduction; land use, development, TIF, state bond

funding

Analyst: Deborah A. Dyson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill changes local governance and land use policies and controls in four areas. First, it directs the commissioner of education to consider energy and environmental impacts of proposed new school facilities and prohibits giving a negative review based on acreage. Second, it prohibits municipal incorporations after June 1, 2009. Third, it limits development in unincorporated areas and provides for city growth areas. Fourth, it authorizes "compact development" TIF districts.

Section

- 1 Legislative findings.
- Commissioner approval (school siting). Prohibits the commissioner of education from giving a negative or unfavorable review of a proposed school facility based on the acreage of the proposed school site. Requires the commissioner of education to evaluate the energy and environmental impact of any new school facility, and if it is to be on a new site, the change in pupil transportation costs and the costs of new infrastructure.
- 3 Incorporations prohibited after June 1, 2009.
- 4 City (municipal land planning act). Defines city as a statutory or home rule charter city.
- 5 **Authority for zoning (municipal land planning act).** Strikes city extraterritorial zoning authority; see section 7 for new authority.
- Limited residential densities in unincorporated areas (municipal land planning act). Limits residential densities in unincorporated areas to no more than one unit per 40 acres as of August 1, 2009; if over that density as of August 1, 2009, must not increase. Does not apply to areas in the growth area, areas governed by shoreland regulations, and seasonal residential recreational property. Allows county cluster development ordinances.

7 **City growth areas (municipal land planning act).** Permits a city to establish a growth area by ordinance after making determinations.

Requires county review and public hearings.

Allows for a designated growth area.

Gives the city the exclusive right to plan, adopt, and enforce official controls in the growth area.

Requires review of the growth area at least every ten years.

Provides for annexation by ordinance of parts of the growth area as development occurs and sewer and water service is extended.

Requires a city to file its growth area ordinance and maps with the Office of Administrative Hearings Municipal Boundary Adjustments.

- **Authority (subdivision regulations, municipal land planning act).** Strikes city extraterritorial zoning authority; see section 7 for new authority.
- 9 Compact development district (tax increment financing-TIF). Defines "compact development district."
- **Duration limits; terms (TIF).** Provides that a compact development district has the same duration as a housing district or a redevelopment district 25 years.
- 11 Compact development districts (TIF). Specifies uses of increment from a compact development district.
- **Repealer.** Repeals section 394.232 (community based planning) and 414.02 (municipal incorporations).