Overview

H.F. No. 4165 retains most of the state's goals for local planning that were originally enacted in the 1997 Community-based Planning act, but substantially revises them. It eliminates all references to "community-based planning." It also requires Minnesota Planning to provide comprehensive planning assistance to interested local governments while eliminating the agency's review and approval of local plans. Under the bill, counties still have approval authority over a municipal plan if the municipality plans for growth beyond its current corporate boundaries; the county must approve the municipal plan if it is consistent with the county's plan.

Section

1  **State planning goals.** Revises the state's goals for local planning, including eliminating references to the community-based planning program.

2  **Technical assistance.** Strikes reference to community-based planning in the statutory section requiring Minnesota Planning (the office of strategic and long-range planning) to provide technical and financial assistance to local governments in planning.

3  **Plan review and comment.** Strikes reference to community-based planning in the statutory section providing for Minnesota Planning to review and comment on county plans.

4  **Comprehensive planning assistance.** Defines "comprehensive planning assistance." Requires Minnesota Planning to provide comprehensive planning assistance to local governments. Prohibits Minnesota Planning from requiring changes to a plan or from withholding assistance.

5  **Comprehensive plan (county planning law).** Expands the definition of a comprehensive plan.

6  **Urban growth area (county planning law).** Adds the definition of urban growth area to the county planning statutes. The same definition is already in the municipal planning statutes.

7  **General (county planning law).** Restates county authority to prepare and adopt by ordinance a comprehensive plan. Encourages counties to consider the state goals in preparing a plan. Requires an adopted comprehensive plan to be the basis for official controls. Eliminates
reference to community-based planning.

8 **Citizen participation (county planning law).** Incorporates the first state goal, citizen participation, into county planning.

9 **Notice and participation (county planning law).** Eliminates reference to community-based planning. Provides for Minnesota Planning, instead of the county, to notify other state agencies of a county’s comprehensive planning process and coordinate those agencies’ participation.

10 **Urban growth areas (county planning law).** Encourages counties, with participation by affected cities and towns, to identify urban growth areas in the counties’ plans.

11 **Coordination (county planning law).** Eliminates reference to community-based planning.

12 **Joint planning (county planning law).** Eliminates reference to community-based planning.

13 **Review and comment (county planning law).** Provides for a county or joint planning district to submit a plan to Minnesota Planning for a coordinated state agency review for consistency with state laws and rules, or impact on major state systems or plans. Eliminates reference to community-based planning, including Minnesota Planning’s review process under community-based planning and the dispute resolution process.

14 **Plan update (county planning law).** Makes periodic review and update of a county plan voluntary instead of mandatory. Eliminates reference to community-based planning.

15 **Comprehensive municipal plan (municipal planning law).** Adds to the nonexclusive list of elements that a comprehensive plan may address.

16 **General (municipal planning law).** Encourages municipalities to consider the state goals in preparing a plan, including in particular citizen participation. Eliminates reference to community-based planning.

17 **Coordination (municipal planning law).** Eliminates reference to community-based planning.

18 **Joint planning (municipal planning law).** Eliminates reference to community-based planning.

19 **Cities; urban growth areas (municipal planning law).** Eliminates reference to community-based planning. Recommends rather than requires addressing urban growth areas in a plan.

20 **Review by adjacent municipalities (municipal planning law).** Encourages rather than requires coordination of municipal plans with adjacent communities. Eliminates reference to community-based planning.

21 **County review (municipal planning law).** Eliminates reference to community-based planning.

22 **County approval (municipal planning law).** Eliminates reference to community-based planning. Eliminates the alternative dispute resolution process.

23 **Plan adoption (municipal planning law).** Prohibits a municipality from adopting a plan with urban growth areas outside the existing corporate limits until after the county has reviewed and approved the plan. Eliminates reference to community-based planning.

24-26 Strikes the 1999 repeal of Minnesota Planning’s statutes related to community-based planning that is effective July 1, 2001, and provides that these statutes are to remain in continuous effect. These sections are all amended in this bill.

27 **Repealer.** Repeals the prohibitions against a mandamus action against a county or municipality for failing to conform its community-based plan with state goals. Repeals the provision stating that nothing in the community-based planning sections limits a county’s authority to otherwise plan and enact official controls. Repeals the boundary adjustment process provisions in the municipal planning statutes governing community-based planning.