

1.1 A bill for an act

1.2 relating to metropolitan government; modifying the time period for
1.3 comprehensive plan reviews by adjacent governmental units; clarifying water
1.4 management plan requirements; amending Minnesota Statutes 2008, sections
1.5 103B.235, subdivision 3a; 473.858, subdivision 2; 473.859, subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 103B.235, subdivision 3a, is amended to
1.8 read:

1.9 Subd. 3a. **Review by Metropolitan Council.** Concurrently with its submission of
1.10 its local water management plan to the watershed management organization as provided
1.11 in subdivision 3, each local unit of government shall submit its water management plan
1.12 to the Metropolitan Council for review and comment by the council. The watershed
1.13 management organization shall notify the council when the watershed management
1.14 organization receives a local water management plan or a plan amendment. The council
1.15 shall have 45 days to review and comment upon the local plan or parts of the plan
1.16 with respect to consistency with the council's comprehensive development guide for
1.17 the metropolitan area. The council's 45-day review period shall run concurrently with
1.18 the 60-day review period by the watershed management organization provided in
1.19 subdivision 3. The Metropolitan Council shall submit its comments to the watershed
1.20 management organization and shall send a copy of its comments to the local government
1.21 unit. If the Metropolitan Council fails to complete its review and make comments to the
1.22 watershed management organization within the 45-day period, the watershed management
1.23 organization shall complete its review as provided in subdivision 3.

1.24 Sec. 2. Minnesota Statutes 2008, section 473.858, subdivision 2, is amended to read:

2.1 Subd. 2. **Adjacent review, comment.** Local governmental units shall submit their
2.2 proposed plans to adjacent governmental units, affected special districts lying in whole or
2.3 in part within the metropolitan area, and affected school districts for review and comment
2.4 at least ~~six months~~ 90 days prior to submission of the plan to the council and shall submit
2.5 copies to them on the submission of the plan to the council. For minor plan amendments,
2.6 the council may prescribe a shorter review and comment period, or may waive the review
2.7 and comment period if the minor plan amendments involve lands that are not contiguous
2.8 to other local governmental units.

2.9 Sec. 3. Minnesota Statutes 2008, section 473.859, subdivision 2, is amended to read:

2.10 Subd. 2. **Land use plan.** (a) A land use plan ~~shall include the water management~~
2.11 ~~plan required by section 103B.235, and~~ shall designate the existing and proposed location,
2.12 intensity and extent of use of land and water, including lakes, wetlands, rivers, streams,
2.13 natural drainage courses, and adjoining land areas that affect water natural resources, for
2.14 agricultural, residential, commercial, industrial and other public and private purposes,
2.15 or any combination of such purposes. The land use plan shall also include a copy of
2.16 the current local water management plan required by section 103B.235. If the local
2.17 unit of government has a current local water management plan on file at the council,
2.18 the land use plan may reference that current local water management plan but must
2.19 include the executive summary from the current local water management plan. A current
2.20 local water management plan is a plan that is consistent with the most recently adopted
2.21 watershed management plan and that has been reviewed by the council and approved by
2.22 the watershed management organization as required by section 103B.235. The local unit
2.23 of government shall notify the council when the local unit of government sends its local
2.24 water management plan or plan amendments to the watershed management organization
2.25 for approval.

2.26 (b) A land use plan shall contain a protection element, as appropriate, for historic
2.27 sites, the matters listed in the water management plan required by section 103B.235, and
2.28 an element for protection and development of access to direct sunlight for solar energy
2.29 systems.

2.30 (c) A land use plan shall also include a housing element containing standards, plans
2.31 and programs for providing adequate housing opportunities to meet existing and projected
2.32 local and regional housing needs, including but not limited to the use of official controls
2.33 and land use planning to promote the availability of land for the development of low
2.34 and moderate income housing.

3.1 (d) A land use plan shall also include the local government's goals, intentions, and
3.2 priorities concerning aggregate and other natural resources, transportation infrastructure,
3.3 land use compatibility, habitat, agricultural preservation, and other planning priorities,
3.4 considering information regarding supply from the Minnesota Geological Survey
3.5 Information Circular No. 46.

3.6 Sec. 4. **APPLICATION.**

3.7 Sections 1 to 3 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
3.8 Scott, and Washington.

3.9 Sec. 5. **EFFECTIVE DATE.**

3.10 Sections 1 to 4 are effective the day following final enactment.