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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1134

02/19/2025 Authored by Elkins
03/27/2025 The bill was read for the first time and referred to the Committee on State Government Finance and Policy
By motion, recalled and re-referred to the Committee on Elections Finance and Government Operations

1.1 A bill for an act
1.2 relating to metropolitan government; amending Metropolitan Land Planning Act
1.3 requirements and authority; amending Minnesota Statutes 2024, sections 473.254,
1.4 subdivision 2; 473.858, subdivision 1; 473.865, subdivisions 2, 3; repealing Laws
1.5 2017, First Special Session chapter 3, article 3, section 126; Laws 2018, chapter
1.6 214, article 2, section 46.

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

1.8 Section 1. Minnesota Statutes 2024, section 473.254, subdivision 2, is amended to read:

1.9 Subd. 2. Affordable, life-cycle goals. (a) The council shall negotiate with each
1.10 municipality to establish affordable and life-cycle housing goals for that municipality that
1.11 are consistent with and promote the policies of the Metropolitan Council as provided in the
1.12 adopted Metropolitan Development Guide. The council shall adopt, by resolution after a
1.13 public hearing, the negotiated affordable and life-cycle housing goals for each municipality
1.14 by January 15, 1996, and by January 15 in each succeeding year for each municipality newly
1.15 electing to participate in the program or for each municipality with which new housing
1.16 goals have been negotiated. By June 30, 1996, and by June 30 in each succeeding year, for
1.17 each municipality newly electing to participate in the program or for each municipality with
1.18 which new housing goals have been negotiated, each municipality shall identify to the
1.19 council the actions it plans to take to meet the established housing goals.

1.20 (b) Only parcels that are consistent with and promote the policies of the Metropolitan
1.21 Development Guide and are zoned for multifamily housing at the guided level of density
1.22 may qualify toward a municipality's affordable and life-cycle housing goals under this
1.23 subdivision.

2.1 APPLICATION. This section applies in the counties of Anoka, Carver, Dakota,
2.2 Hennepin, Ramsey, Scott, and Washington.

2.3 Sec. 2. Minnesota Statutes 2024, section 473.858, subdivision 1, is amended to read:

2.4 Subdivision 1. **No conflicting zoning, fiscal device, official control.** Within nine months
2.5 following the receipt of a metropolitan system statement for an amendment to a metropolitan
2.6 system plan and within three years following the receipt of a metropolitan system statement
2.7 issued in conjunction with the decennial review required under section 473.864, subdivision
2.8 2, every local governmental unit shall have reviewed and, if necessary, amended its
2.9 comprehensive plan in accordance with sections 462.355, 473.175, and 473.851 to 473.871
2.10 and the applicable planning statute and shall have submitted the plan to the Metropolitan
2.11 Council for review pursuant to section 473.175. The provisions of sections 462.355, 473.175,
2.12 and 473.851 to 473.871 shall supersede the provisions of the applicable planning statute
2.13 wherever a conflict may exist. If the comprehensive municipal plan is in conflict with the
2.14 zoning ordinance, the zoning ordinance shall be brought into conformance with the plan by
2.15 local government units in conjunction with the review and, if necessary, amendment of its
2.16 comprehensive plan required under section 473.864, subdivision 2. A local government
2.17 unit shall not adopt any fiscal device or official control which is in conflict with its
2.18 comprehensive plan, including any amendments to the plan, or which permits activity in
2.19 conflict with metropolitan system plans, as defined by section 473.852, subdivision 8. The
2.20 comprehensive plan shall provide guidelines for the timing and sequence of the adoption
2.21 of official controls to ensure planned, orderly, and staged development and redevelopment
2.22 consistent with the comprehensive plan. For purposes of this section, a fiscal device or
2.23 official control shall not be considered to be in conflict with a local government unit's
2.24 comprehensive plan or to permit an activity in conflict with metropolitan system plans if
2.25 such fiscal device or official control is adopted to ensure the planned, orderly, and staged
2.26 development of urbanization or redevelopment areas designated in the comprehensive plan
2.27 pursuant to section 473.859, subdivision 5. A fiscal device or an official control does not
2.28 conflict with a comprehensive plan if the fiscal device or official control permits all of the
2.29 uses permitted or required in the comprehensive plan at the densities permitted or required
2.30 by the comprehensive plan and prohibits all of the uses expressly prohibited by the
2.31 comprehensive plan. A fiscal device or an official control for land guided for commercial
2.32 or industrial use may be more specific than the comprehensive plan regarding the kinds of
2.33 commercial or industrial uses that are allowed in specific locations.

2.34 APPLICATION. This section applies in the counties of Anoka, Carver, Dakota,
2.35 Hennepin, Ramsey, Scott, and Washington.

3.1 Sec. 3. Minnesota Statutes 2024, section 473.865, subdivision 2, is amended to read:

3.2 Subd. 2. **No conflict with plans.** A local governmental unit shall not adopt any official
 3.3 control or fiscal device which is in conflict with its comprehensive plan or which permits
 3.4 activity in conflict with metropolitan system plans. A fiscal device or an official control
 3.5 does not conflict with a comprehensive plan if the fiscal device or official control permits
 3.6 all of the uses permitted or required in the comprehensive plan at the densities permitted or
 3.7 required by the comprehensive plan and prohibits all of the uses expressly prohibited by
 3.8 the comprehensive plan. A fiscal device or an official control for land guided for commercial
 3.9 or industrial use may be more specific than the comprehensive plan regarding the kinds of
 3.10 commercial or industrial uses that are allowed in specific locations.

3.11 **APPLICATION.** This section applies in the counties of Anoka, Carver, Dakota,
 3.12 Hennepin, Ramsey, Scott, and Washington.

3.13 Sec. 4. Minnesota Statutes 2024, section 473.865, subdivision 3, is amended to read:

3.14 Subd. 3. **Amendments.** If an official control conflicts with a comprehensive plan as the
 3.15 result of an amendment to the plan, the official control shall be amended by the unit within
 3.16 nine months following the amendment to the plan so as to not conflict with the amended
 3.17 comprehensive plan. If a development application is submitted that is not in conflict with
 3.18 the comprehensive plan, the unit must process the application in accordance with section
 3.19 15.99.

3.20 **APPLICATION.** This section applies in the counties of Anoka, Carver, Dakota,
 3.21 Hennepin, Ramsey, Scott, and Washington.

3.22 Sec. 5. **METROPOLITAN COUNCIL.**

3.23 The Metropolitan Council must review and amend as appropriate its Metropolitan
 3.24 Development Guide, policy plans, and system statements to make them consistent with the
 3.25 effect of the repeal of the special laws in section 6.

3.26 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
 3.27 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
 3.28 Scott, and Washington.

3.29 Sec. 6. **REPEALER.**

3.30 Laws 2017, First Special Session chapter 3, article 3, section 126; and Laws 2018, chapter
 3.31 214, article 2, section 46, are repealed.

4.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

Laws 2017, First Special Session chapter 3, article 3, section 126

Sec. 126. **OAK GROVE; COMPREHENSIVE PLAN.**

Subdivision 1. Oak Grove. Notwithstanding any law, metropolitan system plan, the 2015 system statement for the city of Oak Grove, or administrative law judge's decision to the contrary, the area of the city that was the subject of the administrative law judge's decision in OAH 5-2106-33226, dated May 10, 2016, is designated "rural residential" for the purposes of the city's comprehensive plan update.

Subd. 2. Metropolitan Council. The Metropolitan Council shall conform its metropolitan development guide, system plans, and the system statement for the city of Oak Grove to accommodate the provisions in subdivision 1.

EFFECTIVE DATE. This section is effective the day after the governing body of the city of Oak Grove and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. This section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Laws 2018, chapter 214, article 2, section 46

Sec. 46. **NOWTHEN; COMPREHENSIVE PLAN.**

Notwithstanding any law, metropolitan system plan, or the 2015 system statement for the city of Nowthen, the Metropolitan Council shall conform its metropolitan development guide, system plans, and the system statement for the city of Nowthen to implement any changes requested by the city of Nowthen relating to the council's designation of part or all of the city for purposes of the metropolitan development guide, systems plans and statements, and the city's comprehensive plan.

EFFECTIVE DATE; APPLICATION. This section is effective the day after the governing body of the city of Nowthen and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3. This section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.