

## CHAPTER 572A

PLANNING DISPUTE RESOLUTION;  
MEDIATION; ARBITRATION

572A.015 Chapter 414 disputes; mediation.  
572A.02 Arbitration.

572A.03 Arbitration panel decision standards.

**572A.015 CHAPTER 414 DISPUTES; MEDIATION.**

Subdivision 1. [Repealed, 2003 c 2 art 5 s 17]

Subd. 2. **Mediation.** Within ten days of receiving a request for mediation that the director of the Office of Strategic and Long-Range Planning has required under section 414.12, subdivision 1, the bureau shall provide written notice of the request for mediation to the parties and provide a list of neutrals experienced in land use planning and local government issues obtained from the Supreme Court, Bureau of Mediation Services, Minnesota State Bar Association, Hennepin County Bar Association, Office of Dispute Resolution, and others. Within 30 days thereafter, the affected parties, shall select a mediator from the list of neutrals or someone else acceptable to the parties and submit to mediation for a period of 30 days facilitated by the bureau. If the dispute remains unresolved after the close of the 30-day mediation period, the bureau shall prepare a report of its recommendations and transmit the report within 30 days to the parties. Within 60 days after the date of issuance of the mediator's report, the dispute shall be submitted to binding arbitration as provided in this chapter. The mediator's report submitted to the parties is informational only and is not admissible in arbitration.

**History:** 2003 c 2 art 5 s 14

**572A.02 ARBITRATION.**

*[For text of subs 1 to 5, see M.S.2002]*

Subd. 6. **Decision.** The arbitrators, after a hearing on the matter, shall make a decision regarding the dispute within 60 days and transmit an order to the parties and the Office of Strategic and Long-Range Planning. Unless appealed by an aggrieved party within 30 days of receipt of the arbitration panel's order by the office, the office shall execute an order in accordance with the arbitration panel's order and shall cause copies of the same to be mailed to all parties entitled to mailed notice, the secretary of state, the Department of Revenue, the state demographer, individual property owners if initiated in that manner, the affected county auditor, and any other party of record. The affected county auditor shall record the order against the affected property.

**History:** 2003 c 2 art 5 s 15

**572A.03 ARBITRATION PANEL DECISION STANDARDS.**

*[For text of subs 1 to 4, see M.S.2002]*

Subd. 5. **Orderly annexations within a designated area.** For orderly annexations within a designated area under section 414.0325, which require a hearing, the arbitration panel may order the annexation: (1) if it finds that the subject area is now or is about to become urban or suburban in character and that the annexing municipality is capable of providing the services required by the area within a reasonable time; (2) if it finds that the existing township form of government is not adequate to protect the public health, safety, and welfare; or (3) if it finds that annexation would be in the best interests of the subject area. The panel may deny the annexation if it conflicts with any provision of the joint agreement. The panel may alter the boundaries of the proposed annexation by increasing or decreasing the area so as to include that property within

the designated area which is in need of municipal services or will be in need of municipal services.

If the annexation is denied, no proceeding for the annexation of substantially the same area may be initiated within two years from the date of the board's order unless the new proceeding is initiated by a majority of the area's property owners and the petition is supported by affected parties to the resolution. In all cases, the arbitration panel shall set forth the factors which are the basis for the decision.

*[For text of subs 6 to 8, see M.S.2002]*

**History:** 2003 c 2 art 5 s 16