

**Legislative Committee Meeting Notes:
Joint Meeting with MACPZA – Minnesota Association of County Planning and Zoning
Administrators – Legislative Committee
December 7, 2009
Association of MN Counties Conference
Hyatt Hotel, Minneapolis
3:00 – 5:00 p.m.**

Attendees: APA MN: Lance Bernard, President; Legislative Committee Co-Chairs Andrew Mack and Bob Patton (end of meeting), Jon Sevald, Mike Wozniak, Suzanne Rhees. **MACPZA:** Mark Erickson, President, Timothy Nelson, Legislative Committee Chair, Annalee Garletz, AMC Policy Analyst; other board and committee members

Welcome and introductions

Both organizations discussed their decision-making processes and how their platform statements were developed. Tim Nelson explained that MACPZA has had a legislative committee for a long time and developed its own policies. These are filtered up through the executive board and updated every year. MACPZA is an affiliate of AMC, which has its own legislative committee. MACPZA have to be careful not to contradict their “bosses” – the County Board members.

Lance provided background on MnAPA: about an 80:20 split between Metro and out-state members. Mike explained that APA MN previous role was mainly to educate members; provide policy guides, etc. to assist individual members. Andrew explained that APA MN is affiliated with APA-National but functions mainly on its own with regard to state-level policies and legislative initiatives.

Tim asked about APA MN involvement in legislation and state rules – APA MN was involved in shoreland rule-making, but not directly in legislation.

Mark explained that MACPZA is now on the front end of rule-making – used to be reactive but now proactive. Platform is more hands-on than APA MN because county zoning administrators are the ones carrying out may rules.

How did this happen? Members were aggressive in asking to be on rule-making and study committees. AMC was able to grant legitimacy to MACPZA. This is a recent relationship – has made a big difference. MACPZA’s platform needs to be consistent with AMCs

Annalee explained that AMC has many affiliate members they work with – each has its own platform. These need to be specific but also to allow some wiggle room at legislature. MACPZA and Solid Waste both provide AMC with more technical detail via their individual platforms.

2010 Platforms: Overview of Organization Statements & Common Objectives

Discussion of platform items: On annexation issues, APA MN needs to be careful because so many twp and city members. (Jon Sevald mentioned Sherburne County’s role in 2009 session battle.) Mike: there is a lot you can do as an individual. Yet plans outside the Metro area are “anything goes” – where is common ground? Why are the P & Z enabling laws so antiquated?

Process for collaboration between APA MN & MACPZA

Discussed potential for collaboration – APA MN is interested in collaborating with AMC and others on legislative reform.

MACPZA has already started working on rationalizing Chapters 472 and 394 – are looking at a 2-phase process: 1) recodify basic principles in statute, working on building trust and consensus; 2) leave controversial aspects for later consideration. Comprehensive plan standards for counties should be added. Establish 7-8 basic planning principles. Make the process easier for public to understand. They see lots of legislation coming through that pits one level of government against another.

- Mike: enabling laws establish a peculiar relationship between county and township. If a township decides not to govern, the county governs under 394, but if township goes it alone, 462 applies. Dual permitting...

Discussion of whether APA MN can participate in MACPZA's process. Annalee stated that MACPZA will be going to various organizations for input after their initial work.

- Both organizations agree on basic pieces such as comp plan components: i.e., “if you're going to take this on, you need to meet certain minimum standards.” Mike: natural resources is most important cross-boundary issue – when townships take on authority, they need to assume responsibilities as well.
- Annalee noted that AMC, LMC and the MAT did start looking at legislative reform about 10 years ago – Deb Dyson has been working on concept of a unified statute – but haven't reached consensus. Annalee and an attorney have analyzed the combined document and identified each part of language in terms of what level of government it pertains to.
- Mark noted that there is no association of professional city planners and zoning officers – perhaps APA MN could represent them. Cities have greater ability to do comp plans than counties. Suzanne stated that APA MN has many county/township planners as well and doesn't just represent cities.
- Annalee described the “Redesign” project, which calls for transparency – is piecemeal nature of land use regulatory process “transparent” enough?
- Suzanne: APA National can serve as a resource – chapter grant, expert assistance.
- Andrew: Legislature typically creates a study committee – is that likely?
- Annalee: tried to begin study process in the past, but lost opportunity when state planning agency was cut – not a good time to ask for money. CGMC and others are pushing so hard on some ideas that we need to put something forward. As part of negotiations on SF 913 in 2009 session, counties and townships made promise to Sen. Skoe to be fair and efficient
- Need to think regionally about planning in MN – training session among members?
- State initiative on watershed mgmnt will bring planning to forefront
- Mike: TMDL efforts along Lake Pepin – county can't dictate to townships if not doing the right thing themselves.
- Annalee: should counties have greater role in annexation battles? County boards were kept off Municipal Commission on purpose.
- APA MN has an accredited program, but MACPZA doesn't – talking about certifying zoning administrators

- MACPZA priorities for session – extension for updating ordinances on septic system – but mainly hold on to what we have and try to avoid unfunded mandates. (mandatory comp plans would be therefore be dangerous)
- Transportation funding is based on transportation plans – these should be based on land use, but aren't. Payment in lieu of taxes – more land being purchased under Heritage amendment – counties should be identifying open space in their comp plans but often don't.
- Power in unity of planning professions – be ready to go in 2011. Don't get too bogged down in costs of planning.

Next steps: how to keep moving forward

- Could Mark & Andrew explore establishing a liaison person on each committee? (Lance– maybe a APA MN/MACPZA member?)
- White paper? Joint meetings. Need different points of view, people who can translate into legislation.
- Agreed to develop a joint policy platform on State Planning Enabling Reform between MACPZA and APA MN, cities and townships – show legislature that we're working on it. Don't want other organizations to “sneak in” ahead of them.
- Create a year-long strategy for both groups showing end point – joint study. Get backing & legitimacy from APA-National.
- Sen. Dille's committee tried to get speakers in on TDR, etc. AMC will try to put something together.
- Take Planner's Day at Capitol and expand into 2-hour session like this (policy discussion).
- Consider seeking foundation funds
- Note specific leg. committee chairs – Senators Skoe, Bakk, Dibble; Representatives Hornstein, Hosch, Michael Nelson
- Tim, Bob, Andrew will communicate & come up with subcommittee, including committee chairs/organization presidents. (MACPZA does most business through e-mail.)
- APA MN will put together an outline of a work program as a starting point.

Adjourned: 5:10 pm