

## Multi-jurisdictional Planning

### Packet Synopsis

As land use planning and zoning has evolved from the (Village of) Euclid v. Ambler Realty 272 U.S. 365 (1926) US Supreme Court decision upholding the power of communities to zone to separate conflicting land uses under their police powers, it has become obvious that the land use planning decisions and actions by one jurisdiction can have cross-jurisdictional boundary ramifications. Furthermore, natural phenomena and features such as aquifers, watersheds, sensitive geology, eco systems and the like do not arrange themselves by the human geographic boundaries of city limits and county or town lines. By example, if a city's potable water source is beyond its boundaries, it is going to have to engage in some form of cooperation with another jurisdiction to protect the same. Other considerations such as costs and efficiencies or special area considerations logically mandate **multi-jurisdictional planning** and actions. The seven county Twin City area metropolitan Council and its various authorities is the major Minnesota example of **multi-jurisdictional planning**. Another is the Western Lake Superior Sanitary District which serves approximately 500 square miles and includes the cities of Duluth, Cloquet, Hermantown, Proctor, Carlton, Scanlon, Thomson and Wrenshall, and the surrounding townships with both sewer treatment and solid waste disposal.

Minnesota Statutes, Chapter 471, Section 471.59 - Joint Exercise of Powers is the enabling authority for Minnesota counties, cities, townships and other policy making authorities to engage in **multi-jurisdictional planning**.

The contents of this packet were selected on the basis of clarity and germaneness to the topic. They are as follows:

“Interlocal Cooperation: A manual about the Minnesota Joint Powers Act”, *Office of Local and Urban Affairs, Minnesota state Planning Agency*, St Paul, MN, 1974 – is an in depth analysis and review of Minnesota Statutes, Chapter 471, Section 471.59 - Joint Exercise of Powers act. It discusses the act in five parts that include the legal aspects of inter-governmental cooperation, organizing, administering and financing such collaborations and what to cover in developing cooperative contracts. Its Table 2 on page 27 – 30 lists all of the various governmental services then being cooperatively performed in Minnesota.

“Agreement between the city of Mankato and Blue Earth County, to establish a Joint Planning Commission Agreement” – is included as a model for a **multi-jurisdictional planning** agreement. In this instance, the agreement is for a joint planning commission. The example can also be modified to accomplish specific **multi-jurisdictional planning** goals or purposes.

“The Power of Partnership”, *Graduate Program of Public Administration*, Hamlin University, St Paul, MN, 1992 – is a review of the history of multi-jurisdictional

partnership legislation and a review of the depth and breath of such partnerships, the pros and cons of using such partnerships, legal ramifications and the successful administration of such agreements.

“When Cities and Counties Cooperate”, Schwab, Jim, *Zoning News*, November 1993, American Planning Association, Chicago, IL – is primarily writing about the rural urban interface. It states “when county and city planners are working toward the same goals, cooperative city/county land use agreements can help to contain sprawl, design more attractive urban edges and control the costs cost of extending public infrastructure. The article is felt to be of interest inasmuch as its examples give good pictures of what **multi-jurisdictional planning** can be used for and what it can achieve.

“A Multi-jurisdictional Approach to Transportation Planning for Minnesota’s Rural Rebound”, *Minnesota Technology Transfer Program – Center for Transportation Studies*, University of Minnesota, Minneapolis, MN 1999 – makes the points that **multi-jurisdictional planning** can: 1. Establish common goals and vision; 2. Improve communications; 3. Improve relationships and teamwork; 4. Leverage limited funds. The paper’s focus is on transportation, an important element in land use and community planning, and it cites specific examples of successful **multi-jurisdictional planning**.

## **INTERLIBRARY LOANS MATERIALS**

The following on **multi-jurisdictional planning** can be borrowed via MnLINK.

Multi-jurisdictional Area Development: A model and legislative program, Institute for Rural America, Lexington, KY, 1969.

## **LEGAL NOTES**

The above noted Minnesota Statutes, Chapter 471, Section 471.59 - Joint Exercise of Powers is the enabling authority for Minnesota counties, cities, townships and other policy making authorities to engage in **multi-jurisdictional planning**.