Municipal Consent for Trunk Highway Projects

Mn/DOT Environmental Stewardship and Streamlining Workshop

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What is Municipal Consent?

• Process created by MN Law (revised 2001)
• Required for certain Trunk Highway projects
• Municipality = City
• Is a City’s approval of the final layout for a Trunk Highway project
• Approval is by City Council resolution
Municipal Consent Required

For TH projects that:

– Alter Access, or

– Increase or Reduce Traffic Capacity, or

– Require Acquisition of Permanent Right-of-Way

For all of above: Within the City in question
Exceptions

Municipal Consent NOT required:

• Regulate traffic

• Install traffic control devices

• Other safety measures

………..regardless of impacts to Access, Capacity, or Right-of-Way
The Basic Process
(no Appeal)

• Mn/DOT submits layout / requests approval

• City holds Public Hearing
  • Mn/DOT presents layout at hearing

• City passes resolution
  • Approve or Disapprove
If the City Disapproves

**Mn/DOT’s Options:**

- Make changes requested by City (if any)
- Go to the Appeal Process
- Stop the project
- Start the MC process all over (new layout)
The Appeal Process
– Getting it started –

Mn/DOT Notifies City of Appeal

Appeal Board Appointed (has 3 members):

- Mn/DOT appoints one member
- City appoints one member
- Third Member:
  - Mn/DOT & City agree on, or
  - MN Chief Justice appoints 3rd member
Appeal Board
– Essential actions –

Holds hearing
Mn/DOT & City each present

Makes recommendation
• Approval of the layout
• Approval with modifications
• Disapproval of the layout
After the Appeal Process
– Mn/DOT Options if NOT Approved –

Any project
• Make recommended modifications (if any)
• Stop the project
• Prepare a new layout and submit it to City
  • Start the MC process all over

Interstate projects (additional option)
• Proceed with the disapproved layout
  – And send report to Appeal Board and City
After Mn/DOT has Layout Approval

If Mn/DOT alters (within the City):

- Access, or
- Capacity, or
- Right-of-Way

Mn/DOT must re-submit changed portion of layout for City’s approval
For more Information

Mn/DOT’s Highway Project Development (HPDP) Web site: 
http://www.dot.state.mn.us/tecsup/xyz/plu/hpdp/index.html

(See Municipal Consent under Subject Guidance)

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