

CITY OF VICTORIA

Victoria, MN  Est. 1915

March 5, 2024

To: Representative Jim Nash
349 State Office Building
St. Paul, MN 55155

RE: HF 4009

Dear Representative Nash:

Thank you for your dedication to address the important issues of middle housing, lifecycle housing, and housing availability. As the City of Victoria, we share your commitment to ensuring that every individual and family can find their North Star home and hope it is within Victoria, Carver County, or our surrounding neighbors.

While we appreciate the efforts being made to address the housing crisis and commend the collaboration with cities and developers, we also believe that certain aspects of House File 4009 (HF 4009) require careful reconsideration and modification to better align with the unique needs and challenges faced by local communities.

Victoria, with its challenging soil conditions, multiple waterways, and shoreland districts, places an importance on protecting our natural resources, and waterways. The proposed density and provisions regarding Accessory Dwelling Units (ADUs) may inadvertently compromise our ability to safeguard our natural spaces effectively. For example, with Victoria's heavy clay soils, having multiple primary structures in close proximity may create erosion and drainage issues for those living in these homes. These are items not addressed within the State Building Code, but as stewards of our communities, it is imperative we have the flexibility to address the distinct geographic features and characteristics of our area while tackling the housing crisis.

Acting as stewards of our community, we firmly believe in transparency throughout every aspect of the public process. Limiting public hearings restricts the voices of constituents. It is important to ensure that every resident has a meaningful opportunity to contribute to decisions made by their government.

We also acknowledge the challenges facing rural or suburban communities like ours, where public transit options are limited and where vehicle ownership is still required to get to work, school, and local businesses. It is crucial for us to provide adequate parking for our future residents, and we urge you to consider granting cities the flexibility to meet the parking needs of our constituents, both current and future. Further, as an area experiencing rapid growth amidst aging state roadway infrastructure, congestion and traffic patterns are important considerations in our development plans. Limiting conditional uses and precluding the ability to request important safety measures, such as traffic studies, impedes our ability to prioritize the safety and well-being of our residents, business patrons, and community members.

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Overall, our concerns to HF 4009 stems from our commitment to safety, environmental preservation, and fostering inclusive communities for current and future generations. We strongly believe that modifications to the bill are necessary to afford cities like ours the flexibility required to build resilient, safe, and thriving communities.

Thank you for considering our concerns and for your dedication to finding solutions that benefit all communities across our state. We are in this together and welcome any questions or future conversation about HF 4009.

Sincerely,



Debra McMillan
Mayor, City of Victoria

COUNCIL MEMO

Agenda Item # 9.6

Meeting Date: April 1, 2024
Agenda Section: Ordinances & Resolutions
Item Description: RES/Resolution Supporting Retention of City Zoning Authority
Submitted By: Doug Borglund, Community Development Director

BACKGROUND INFORMATION

As the City Council is aware there have been a number of bills circulating in the legislative process this year in St. Paul at the State Capital. Many of the bills that have been proposed take stock in advancing efforts to increase production of affordable housing supply and construction. Many of these proposed preemption bills are focused on addressing affordable housing both rental and ownership across the State and would preempt local zoning and land use regulations.

The City of Anoka as a community and its housing stock is already near 50% rental and 80% of its housing stock is already affordable. Anoka has small lots already. Anoka has higher in density already. Anoka's market rate rent can be considered affordable. Anoka's home values are affordable overall. How will the proposed legislative changes help the City of Anoka?

If some of the bills being considered pass. The results could include loss of local control including the ability for communities and its citizens across the State to provide public input as part of the development approval process. The proposed laws are of preemptive nature to say the least and would include many mandates that may not be realistic, practical, and costly.

Enclosed is a resolution that has been put forth by the League of Minnesota Cities for consideration that would be shared as part of the ongoing legislative process this Spring.

FINANCIAL IMPACT

NA

REQUESTED COUNCIL ACTION

Staff is recommending the City Council approve the proposed resolution as presented.

REQUIRED VOTE

A majority vote of the City Council is required.



2015 First Avenue, Anoka MN 55303
Phone: (763) 576-2700 Website: www.anokaminnesota.com

**CITY OF ANOKA, MINNESOTA
RESOLUTION**

RES-2024-XXXX

A RESOLUTION SUPPORTING RETENTION OF CITY ZONING AUTHORITY

WHEREAS, decisions about local zoning and land use that best fit community needs are best left to city residents and officials;

WHEREAS, cities use zoning and land use regulations to balance property usage, plan for community growth, dedicate space and capacity for public infrastructure to support development (roads, parks and trails, transportation, sewer, stormwater, water, etc.), mitigate flooding and erosion, and preserve natural resources among others;

WHEREAS, the Minnesota State Legislature, in an attempt to address housing availability and affordability challenges, is considering measures that would preempt city authority to regulate land use and zoning and assign that authority to state government;

WHEREAS, passage of those measures would inadequately address housing availability and affordability challenges;

WHEREAS, a rigid framework for land use and zoning mandated by the state makes little sense and cities require flexibility to address their own unique circumstances;

WHEREAS, provisions of the proposed state measures would place the fiscal burden for infrastructure cost of new residential development on the shoulders of existing homeowners and renters in our local communities;

WHEREAS, building of multiple housing units on a single residential lot with inadequate spacing, as allowed in the proposed zoning preemption measures, could result in service delivery problems like limiting emergency medical services and fire departments' access to city neighborhoods;

WHEREAS, provisions would also silence local residents from their concerns regarding proposed developments during public comment periods of city council and other public meetings;

AND, WHEREAS, cities across the state have already put in years of work to address zoning issues, and continue to do so, with the help of community engagement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANOKA, MINNESOTA AS FOLLOWS:

The City of Anoka opposes state proposals that seek to preempt local zoning and land use decision-making when it comes to residential development;

Supports constructive policy alternatives to incentivize and bolster city efforts for addressing housing challenges;

And, advocates for a city-state partnership to consider reforms that are proven to address housing availability and affordability and that ensure efforts can be locally led and shaped.

Adopted by the Anoka City Council this the 1st day of April, 2024.

ATTEST:

Amy T. Oehlers, City Clerk

Phil Rice, Mayor



February 20, 2024 (2:39 p.m.)

Attn. Rep. Zack Stephenson (DFL) District: 35A
449 State Office Building *
St. Paul, MN 55155

&

Attn. Rep. Jim Abeler
5 University Avenue W.
Minnesota Senate Bldg., Room 2207
St. Paul, MN 55155

RE: Proposed Bills: HF 4009 and SF 3964

Dear Representative Stephenson & Representative Abeler,

The 2 proposed bills HF 4009 and SF 3964 being proposed and heard this afternoon addressing middle housing and many other land use elements primarily allow various types of multi-unit housing to be built by right without discretionary review processes. It would require cities to allow between 2-6 (or more if certain conditions are met) residential units on each lot regardless of size and other local factors like infrastructure capacity, public safety and emergency responder access, and other public health and safety concerns. Local authority would be limited to issuing permits that meet certain rigid descriptions with no ability for public hearings, local City Council approval, or for additional conditions addressing variable of a site to be applied.

As one example from the proposed bill would allow building up to multi-family dwellings to potentially be up to up to 150' in height in large areas of a city is not a reasonable change. Buildings of that size and density of that magnitude carry a host of fire, water, sewer, emergency response, stormwater, and neighborhood impacts. These bills would not only allow those to be built by right, but would prohibit any form of public hearing or City Council decision on the matter, even for residents directly affected.

Local government responsibilities for a wide range of other issues are not addressed, including fire and emergency services access, capacity and equipment, environmental review, infrastructure capacity, stormwater management, state wetland and shoreland regulations, non-conforming lots, blighted areas, potential nuisance situations, direct impact on neighboring properties through watershed and solar access, and other issues.

These proposed bills completely eliminate any form of public ability to petition government to address their concerns regarding certain developments that materially impacts their property and/or community. Further, it provides no way for citizens of Anoka to seek recourse and make their voice heard before their local elected officials.

Anoka as a community and its housing stock is already near 50% rental and 80% of its housing stock is already affordable. Anoka has small lots already. Anoka is higher in density already. Anoka's market rate rent can be considered affordable. Anoka's home values are affordable.

How will the proposed legislative changes help the City of Anoka? This will only result in a loss of local control and a loss for the citizens of Anoka to participate in the future of their community going forward.

Doug Borglund

Doug Borglund
Community Development Director
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Anoka, MN 55303

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City of Waconia

March 18, 2024

Representative Jim Nash
349 State Office Building
St. Paul, MN 55155

Dear Representative Nash,

On behalf of the City Council, we are writing to express our concerns and opposition with respect to the legislation that is proposed in House File 4009. Our concerns and opposition stem from the preemption of city zoning and land use authorities, removal of public input in the residential development process, ignore long range goals established in our comprehensive plan and lack of consideration that development has on the city's ability to support development by infrastructure such as water, sewer, and storm water utilities.

The bill as proposed creates a broad-brush approach that limits local policy makers such as the City Council and Planning Commission in determining the best approach to meeting the local housing needs of our community. As you know, Waconia is a desirable place to live, and our local growth goals have reflected the demand that the market has brought to our community. We have demonstrated and supported flexibility in providing for development to respond to market conditions as well as enacted policies that financially, and through regulation, that reward more affordable and varied housing options in our community.

The legislation proposed removes the balance and compatibility that we have sought to have developed in Waconia and removes local input and consideration to the unique characteristics, capability and capacity of our infrastructure, and demand on public safety resources to serve the public.

We encourage you to oppose this legislation, and rather work with local communities on policy, incentives, or other tools that municipalities can utilize to further achieve broader state level goals as it relates to housing in Waconia. We invite you to meet with the City Council to further dialogue on how the city can be an active partner in these discussions and hear our concerns regarding the impacts that this legislation would have on the future of Waconia.

Regards,

Nicole Waldron, Mayor

City Hall
201 South Vine Street
Waconia, MN 55387
952-442-2184

Public Services
310 10th Street East
Waconia, MN 55387
952-442-2615

Fire Station
26 Maple Street South
Waconia, MN 55387
952-442-2316

Safari Island Community Center
1600 Community Drive
Waconia, MN 55387
952-442-0695

Ice Arena
1250 Oak Avenue
Waconia, MN 55387
952-442-RINK (7465)