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## Letter: Strong concerns over housing bills

Mar 21, 2024



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As the mayors of Carver, Chanhassen, Chaska and Victoria, we all share strong concerns about several housing bills, including HF 4009, SF 1370 and SF 3980, which are advancing quickly through the state legislature.

The proposed legislation would severely limit the ability for residents and businesses to provide feedback and be a part of the public process that has traditionally been part of the residential development process in our communities.



This legislation would broadly preempt city zoning and land use authority and ignore long range local comprehensive plans. It lacks consideration for how cities utilize zoning and land use to ensure the health, safety and welfare for residents and scale infrastructure to support new housing density.

Other concerning elements of these bills include:

- Allowing duplex conversion of any existing home or lot.
- Allowing multi-family dwellings to be constructed by right, meaning there's no opportunity for public feedback, in any commercially zoned district or multifamily area. Imposing new height restrictions could result in buildings as tall as 150 ft throughout our communities.
- Limiting minimum parking requirements while requiring higher density. This could result in developers underbuilding parking resulting in spillover onto city streets that were not designed to accommodate dense on-street parking.

Our cities have spent decades carefully planning development. We each have comprehensive plans which reflect the unique needs of our communities. All of our locally-led efforts included countless hours invested by residents and community officials. If this legislation passes, these plans will be replaced with a one-size-fits-all state-mandated framework.

Special interest groups and some legislators claim this legislation would help promote affordable housing and result in the construction of more affordable starter homes. Unfortunately, this is a misleading narrative due to the market realities of supply and demand and market forces outside city control. While we appreciate the efforts being made to address the housing crisis, we believe certain aspects of the proposed legislation must be modified to better align with the unique needs and challenges faced by our local communities.

If these bills become state statute, they will forever change land use, planning and development across our communities and throughout the state. Not only will local control be lost; so too will your voice because "by right" will replace local zoning authority and the public hearing process.

We have all connected with our State Representatives and State Senators, many of whom have experience serving as local elected officials, to let them know we have serious concerns with the proposed housing bills. If this proposed legislation concerns you too, we encourage you to make your voices heard by asking questions and sharing your feedback.



**Courtney Johnson** – Mayor, City of Carver

**Elise Ryan** – Mayor, City of Chanhassen

**Mark Windschitl** – Mayor, City of Chaska

**Debra McMillan** – Mayor, City of Victoria



# Relaxing zoning is a housing solution with consequences

As suburban mayors, we understand the need but must emphasize why local control is needed.

Opinion editor's note: This article was submitted by several Twin Citiesarea mayors. Their names are below.

...

In the last few years, the suburbs of Minneapolis and St. Paul have seen tremendous growth fueled by low interest rates and cities working with developers to build singlefamily homes, townhouses and multifamily units. Many cities like ours have worked with builders to grant exemptions from current zoning to encourage smaller lots to provide greater access to attainable homeownership. However, the prices of these homes on smaller lots continued to climb. The promise of lower price points from builders has yet to come to fruition.

We know that one key component to promoting homeownership is to curate and protect naturally occurring affordable housing (NOAH). One of the ways to promote NOAH is to create opportunities for people older than 55 to downsize.

Currently, more than 1,000 seniors are waiting to get into county-owned affordable housing in Dakota County alone. When seniors downsize, their homes become important housing stock for the next generation of homeowners. The new metrowide sales tax to support housing will be crucial in increasing opportunities for seniors. However, those projects could be at risk because of new legislative initiatives.

As mayors, we are invested in ensuring that our communities retain the ability to shape our future and maintain local control. Evan Ramstad's recent column in the Star Tribune ("Relaxed zoning could be on its way," March 3) advocates for legislation that would significantly alter the landscape of housing development in Minnesota, and while the intention to address the pressing need for more housing is commendable, the approach proposed raises critical concerns.

The proposed legislation, HF 4009 and SF 3964, seeks to eliminate single-family zoning in cities with populations exceeding 10,000 and strip municipalities' authority to regulate aspects of housing such as parking, aesthetics and lot subdivisions. While the bill aims to increase housing affordability, it does so at the expense of communities, which must tailor development to their unique needs. It also does nothing to guarantee that these new units are owner-occupied, which we know is most households' main wealth-building generator.

Undoubtedly, Minnesota faces a housing shortage that impedes our economic growth. However, addressing this issue should not come at the cost of relinquishing local control over zoning decisions.

Zoning regulations serve a vital purpose in ensuring our residents' health, safety and welfare, as well as preserving the character and integrity of our neighborhoods. Additionally, local zoning ordinances play a crucial role in safeguarding natural habitats and promoting sustainable development practices, thereby protecting the environment for future generations.

Moreover, the proposed legislation overlooks the potential consequences of its sweeping changes. While proponents argue that liberalizing zoning will increase housing availability and affordability, the reality may be more nuanced. There is a risk that hastily implemented measures could result in unintended consequences, including overdevelopment and strain on infrastructure that was carefully planned and expensive to fix if overburdened.

Furthermore, the bill needs to adequately consider the input of local communities and residents whom these changes directly impact. Decisions about housing development should be made through a collaborative process that incorporates the perspectives and concerns of

all stakeholders through the public hearing process in planning commissions and city councils rather than imposed through top-down mandates from the Legislature.

As we contemplate solutions to Minnesota's housing challenges, we must prioritize strategies that balance promoting development and preserving the unique character of our communities. This requires a nuanced approach that empowers local governments to make informed decisions tailored to their specific circumstances rather than imposing one-size-fits-all mandates from the state level.

As mayors, we remain committed to advocating for policies that empower our cities to chart our path forward while addressing the pressing needs of our residents. We must work together to find solutions that promote sustainable development, economic growth and vibrant communities across Minnesota.

The suburban mayors who submitted this article are Luke Hellier of Lakeville, Anne Burt of Woodbury, Chris Kostick of Credit River, Tim Sanders of Blaine, Brad Wiersum of Minnetonka, Jeff Wosje of Plymouth and Kirt Briggs of Prior Lake.

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## **COLUMN: Missing Middle Housing Bills are missing the mark**

By Keith Wettschreck Guest Columnist

Mar 27, 2024

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The State Legislature is set to consider several bills this month to address the housing shortage in Minnesota. Known as the Missing Middle Housing Bills, they are meant to clear a path for more affordable and attainable housing options throughout the state.

While everyone can agree that addressing these housing issues is vital, the proposed Missing Middle Housing legislation is missing the mark – and the outcome may have long-lasting impacts to St. Michael neighborhoods. The proposed bills (HF 4009/HF 4010 and SF 3964/SF 3980/SF 1310/SF 3303/SF 1370) do not consider how cities utilize zoning and land use to ensure appropriately sized infrastructure (streets/traffic and underground water and sewer) to support new housing density.

For decades, cities like St. Michael have planned for growth and infrastructure according to our comprehensive plan. The addition of duplex, triplex, or fourplex dwelling units on any residential lot by right will increase the demand for sewer, water, stormwater, and road capacity beyond what was planned. And, there is not a clear answer on who will pay for the upsizing of infrastructure – existing taxpayers?

The proposed bills do very little, if anything, to create homeownership opportunities. In fact, they may work against it.

St. Michael has long held that opportunities to own a home are important. Home ownership creates stability in the community and is the starting point of generational wealth. City officials have worked to ensure those opportunities exist in St. Michael with a large variety of housing types and densities having been built in recent decades.

Additionally, the proposed bills would replace existing zoning and land use authorities – such as the St. Michael Planning Commission and City Council – with an overly broad and rigid framework that eliminates the ability for cities to account for and be responsive to local conditions.

In addition, the opportunity for public input in the residential development process would be removed. The legislation would essentially silence the voices of residents and city leaders at the local level.

The proposed bills would allow construction of duplexes, triplexes, and fourplexes in single-family areas without regard for existing zoning ordinances, the environment, the character of the neighborhood, or impacts to traffic and infrastructure. While housing is a statewide issue, addressing affordability and availability must continue to be locally driven to account for each city's respective needs.

In St. Michael, we are fortunate to have established great relationships with the state lawmakers who represent us. They have historically been supportive partners to the city and have worked tirelessly to advocate for St. Michael and the surrounding communities they represent.

The city has reached out to each of them about our concerns with the proposed legislation. We are working to ensure that the voices of St. Michael residents continue to be heard. If you share these concerns, we encourage you to do the same and contact Senator Eric Lucero [sen.eric.lucero@mnsenate.gov](mailto:sen.eric.lucero@mnsenate.gov) and

Representative Walter Hudson [rep.walter.hudson@house.mn.gov](mailto:rep.walter.hudson@house.mn.gov)

Rigid, state-mandated frameworks that lack consideration for how cities plan for and pay for infrastructure to support new residential development will create serious consequences for St. Michael and all cities across the state. We are hopeful the state will choose to partner with cities and recognize the importance of allowing decisions to be made at the local level with resident input.

*- Keith Wettschreck is the mayor of the city of St. Michael. He can be reached at [keithw@stmichaelmn.gov](mailto:keithw@stmichaelmn.gov).*

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## **Albertville discusses concerns about Middle Housing Bill**

Council approves plans for a 105,157-square-foot warehouse

By Jessica Charpentier [jessica.charpentier@apgecm.com](mailto:jessica.charpentier@apgecm.com)

Mar 28, 2024

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At the March 18 Albertville City Council meeting, Wright County Commissioner Jeanne Holland updated the council about concerns regarding the Missing Middle Housing Bill, which is going through the Minnesota State Legislature.

Also during the meeting, the council approved plans for a 105,157-square-foot warehouse/distribution industrial building.

### **Missing Middle Housing Bill**

The Missing Middle Housing Bill has been making its way through the Minnesota Legislature and many cities have voiced concerns about the bill. Commissioner Holland spoke about Wright County Commissioner Nadine Schoen, Wright County Commissioner Tina Diedrick, St. Michael City Administrator Steven Bot and her visiting Senator Eric Lucero (R-St. Michael) to discuss the topic.

Another meeting was coordinated with Lucero which included Albertville City Administrator Adam Nafstad, Bot, St. Michael Community Development Director Marc Weigle, Holland, Schoen and Monticello Mayor Lloyd Hilgart.

The Middle Housing Bill is meant to combat the housing shortage and would restrict local government zoning authority by allowing duplex, triplex and fourplex units on many lots.

The bill was authored by Representative Larry Kraft (DFL-St. Louis Park) and Sen. Nicole Mitchell (DFL-Woodbury). The bill would affect minimum and maximum lot size restrictions for residential developments.

This could cause an increased demand for sewer, water and utilities on lots that were designated for smaller developments. According to Nafstad, an amendment to the bill by Lucero (SF 3303) would also eliminate local government aesthetic standards and limitations on the size of garage and accessory structures on lots.

“We told him we would like his amendment to be taken out. He said at this point because it’s omnibus, he doesn’t think it can be taken out and was pretty adamant about that. He said if he wouldn’t of presented this bill, somebody else would and he wanted to be at the table for this discussion,” Holland said.

According to Holland, Lucero said he has been getting a lot of feedback from constituents in favor of the bill. Holland stated many cities have expressed problems with the bill.

“This bill, if passed at the state – they are not responsible for the end product, they’re not responsible for any of the detrimental issues that arise from it, they’re not responsible for the utility provision for increased density, they’re not responsible for anything. That all falls back to the city without the authority to make the decisions locally,” City Planner Al Brixius said.

## **Medart Industrial Development**

Medart Inc., an automobile parts facility, is seeking approval from the council for a 105,157-square-foot warehouse/distribution industrial building. In August 2022, the council approved plans by Medart Inc. for a self-storage facility, but the plans have not moved forward.

To move forward with the warehouse/industrial building, the planning and zoning commission and the city council will need to repeal the self-storage facility plans.

Medart Inc. is seeking approval to combine lots one and two of the development site into one lot. Phase one of the project will be the office/warehouse and phase two will be a future 70,000 to 84,000-square-foot warehouse expansion.

“The PUD gives us opportunity to allow for a variety of uses, there’s some flexibilities that are being requested,” Al Brixius said.

Flexibilities include allowing the loading area to be near a public street and for proof of parking to meet the city’s parking requirements. The phase one parking stalls will be 73, which is below the required 121 stalls but is based on Medart’s phase one parking needs.

Medart Inc. is also asking for a fire lane portion of the site to remain unpaved until 2035 to allow Medart time to pave the fire lane at the same time as the phase two warehouse expansion.

Albertville is asking for changes to the plans including more landscape screening in the southern loading area and screening along the western edge of the west parking lot to block headlights directed towards the public street, which Medart Inc. has agreed to do.

The council approved the development plans.

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Jessica Charpentier  
Community Editor



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## 'Missing middle' housing bill concerns city officials

By Jacqueline Devine [jdevine@swpub.com](mailto:jdevine@swpub.com)

Mar 6, 2024

1 of 3



The Minnesota State Capitol Building

File photo/ Southwest News Media

A bill that would supersede local zoning rules and would allow developers to legally build up to a sixplex, apartment buildings, townhouses and cottage housing in residential neighborhoods, is raising eyebrows in cities of 10,000 or more, including Prior Lake.

The bill stems from the state's critical housing shortage and will support diverse "missing middle" affordable housing options such as duplexes, fourplexes, sixplexes, cottage cour



and multiplexes. The bill was recently amended and approved by the Housing Finance and Policy Committee. The bill awaits its first hearing in the Senate.

At the Feb. 27 Prior Lake City Council meeting, Mayor Kirt Briggs brought up some concerns within the bill that would eliminate local control at the city level.

“There is a bill circulating in the House, soon in the Senate, that would bring lasting and significant consequences to every homeowner and tax-payer in cities across Minnesota,” Briggs said. “This bill is a preemption that puts in place one-size fits all zoning in our current existing neighborhoods. What it does is, if it passes into law, it will eliminate city authority to oversee local planning and zoning in residential neighborhoods.”

According to legislation, the bills — HF 4009 and SF 3964 — would essentially eliminate single-family zoning in Minnesota towns with a population above 10,000. It also takes away the ability of towns and cities to shape housing with rules about parking and aesthetics, or whether lots can be subdivided.

“The law would give a for-profit developer the full right to purchase your neighbor’s home, tear it down and replace it with a fourplex,” Briggs said. “While the law gives the developer the full protection of statute to do just that, it also strips each and everyone one of us a right that we all enjoy today, which is the right to a public hearing so that I could bring my voice of support or opposition to this new development.”

Briggs argued that the bill could potentially create infrastructure issues because as the bill sits now, there would be no need to adjust sewer/water pipes and developers would retrofit the current single family home water main and sewer to accommodate up to six more housing units.

“The unplanned density would sit on top of our existing infrastructure. If demand exceeds capacity and if you put too many of these high density units on that infrastructure, tax payers would be left with one of two unpleasant realities,” Briggs said. “It would allow for the degradation of the public safety or incur the cost burden of retrofitting that infrastructure that was brought on by the new and unplanned for growth.”

City Manager Jason Wedel added that even though the underlying premise of the bill is to create more affordable housing, nowhere in the bill does it state it will require any of the



new homes to be more affordable.

“A home in Prior Lake can be removed and a sixplex can be built in its place and each one of those units could be very expensive,” Wedel explained. “It would not lead to any affordability, it would just put more stress and strain on our existing sewer pipes, water pipes and our streets.”

Wedel said that the City already has a process in place called the comprehensive planning process that designates parts of the city to build higher density homes.

“We have a process in place that we’ve been following for decades in which certain areas of the city are designated for these higher densities,” Wedel said. “Our infrastructure is sized to accommodate those higher densities in those locations. As part of that comprehensive process, there is a public hearing component where property owners can come in and have their voices heard.”

Wedel added that the proposed bill will eliminate the comprehensive planning process all together and the City and property owners would not be able to do anything about it.

“This proposed bill just eliminates that entire comprehensive plan and blows it out the water,” Wedel said. “It says you can now build density as a for-profit developer wherever you want and the city could do nothing about it and adjoining property managers will have no say in the matter. It’s very scary and it’s definitely something that we need to have our public raise up their voices and have our legislators hear from them.”

Briggs then urged residents to reach out to their local legislators and voice their concerns.

“Council and citizens of Prior Lake, the time has come for your voice to be heard on this issue,” he said. “Please tell your state representative and local representatives to not vote for any legislation that would take your voice away.”





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# Mayors tell Walz to say no on land use changes

Dan Netter (https://finance-commerce.com/authors/dnetter/) // March 21, 2024 // 4 Minute Read

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subject=Mayors+tell+Walz+to+say+no+on+land+use+changes&body=On Wednesday, a group of mayors from throughout the Twin Cities metro met with Gov. Tim Walz and told him about their concerns about bills at the Legislature that would... You can read the content in details following link https%3A%2F%2Ffinance-commerce.com%2F2024%2F03%2Fmayors-tell-walz-to-say-no-on-land-use-changes%2F)

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On Wednesday, a group of mayors from throughout the Twin Cities metro met with Gov. Tim Walz and told him about their concerns about bills at the Legislature that would make sweeping changes to land use regulations at the state level.

The bill in question is House File 4009, sponsored by Rep. Larry Kraft, DFL-St. Louis Park. Put forward last month, the bill will make it difficult for city officials to prevent the building of denser housing, up to six-plex homes, on lots that previously were zoned for single-family homes.

The Senate is considering a similar bill, SF 3964.

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Friday, March 22

Wednesday, March 27

7:30am Roseville Business Council

11:30am Strategic Decision-Making in

Thursday, March 28

1:00pm Building Transformation For

Tuesday, April 2

9:00am The Impact of ULI Minnesota

11:30am 1st Tuesday Featuring Tim H

Thursday, April 4

8:00am New Development Througho

Events shown in time zone: Central Time - Chicago

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See the full list of events here

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Lakeville Mayor Luke Hellier said in an interview with Finance & Commerce that Walz was “open” to the concerns brought forth by the mayors about the proposed changes.

Hellier said the mayors were concerned the bill would preempt the comprehensive plans that are developed over years by cities. Cities, Hellier asserted, are best equipped to handle their zoning issues, not legislators.

Hellier said legislators believe that removing public hearings will create a sudden rush of development. Ultimately, he said, cities are still going to struggle with the lack of capital and high labor costs.

Prior Lake Mayor Kirt Briggs said all plans in a city’s comprehensive plan flow from the zoning that a city assigns. If the bill is passed, he said, those plans get turned upside down.

One requirement from HF 4009 is that cities need to allow multifamily units to be built in districts that are zoned commercial. Five percent of Prior Lake is zoned for commercial development. This requirement would create a challenge for the city, Briggs said.

“Commercial land allows a city like Prior Lake to diversify our property tax base,” Briggs said. “We are doing all that we can to attract commercial business, and therefore the inability to safeguard land for that use challenges our economic stability.”

Beyond feeling the bill preempts comprehensive plans, Hellier also said the bill does not consider the way sewer and septic infrastructure is used in more rural cities and outer ring suburbs. Hellier points to Inver Grove Heights, which he said is fully developed and 40% of their homes use septic for plumbing. If you took a single-family home with a septic system and developed it into a six-plex, the septic would become overwhelmed.

“I think some of the technical engineering aspect of what they’re trying to do doesn’t make sense,” Hellier said.

The bills have support from a coalition of groups including the Minnesota Realtors, organized labor groups, business groups, nonprofit developers and some local officials.

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Kraft said in an interview last month that the entire state is facing a shortage of housing, so “we need a lens that looks at how we solve this statewide.”

“I really appreciate local control, but no city can resolve this issue on their own,” Kraft said. “If you have this island approach with cities then what could wind up happening is the things that they try to do to ... build more housing can get swamped if other cities aren’t doing the same thing. We’re not mandating things, we’re saying ‘more needs to be allowed.’”

At least Apple Valley, Lakeville, Shorewood and Excelsior have passed resolutions against the bills. Most of the resolutions were provided by the League of Minnesota Cities.

At least three counties, Scott, Carver and Dakota, have also passed resolutions and sent letters saying the bills “ignore long-range comprehensive plans” created by the cities, as well as disregard how infrastructure is scaled to support housing density.

*Do you know of another city council or municipal board that passed a resolution either in support or against the preemption of local zoning? Contact Dan Netter at [dnetter@finance-commerce.com](mailto:dnetter@finance-commerce.com) (<mailto:dnetter@finance-commerce.com>)*

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