

Subject Multifamily residential developments

Authors Kozlowski and others

Analyst Chelsea Griffin

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Overview

This bill, as amended by H4010DE1, provides requirements and limitations for cities related to multifamily residential developments.

Effective January 1, 2025.

Summary

Section Description

1 **[462.3571] Multifamily residential developments.**

Subd. 1. Definitions. Defines the following terms for the purposes of the section: “affordable housing development,” “city,” “commercial use,” “cottage housing,” “courtyard apartment,” “duplex,” “fiveplex,” “fourplex,” “environmental justice area,” “metropolitan area,” “multifamily residential development,” “residential unit,” “single-family detached home,” “sixplex,” “stacked flat,” “structure,” “townhouse,” and “triplex.”

Subd. 2. Multifamily residential developments. Requires a multifamily residential development to be a permitted use in any zoning district that allows for commercial use except for certain industrial zoning districts. Prohibits a multifamily residential development from being constructed on a lot zoned for a single-family detached home unless otherwise authorized by law, rule, or ordinance. Allows a city to require a conditional use permit for a multifamily residential development only if the specific circumstances of the development raise concerns related to the public health, safety, and general welfare.

Subd. 3. Applicable zoning standards. Requires a multifamily residential development to comply with any standards, performance conditions, or requirements imposed by a city to promote the public health, safety, and general welfare. Enumerates minimum height requirements for cities based on city classification. Provides limitations on city setback requirements for multifamily residential developments. Authorizes a city to impose a height or setback requirement that is different from the requirements in this subdivision if the

Section **Description**

requirements would result in a multifamily residential development that would substantially vary in compatibility and scale with surrounding properties. Limits the application of the subdivision to cities other than fourth class cities.

Subd. 4. Parking requirements limited. Prohibits a city from requiring more than one off-street parking space per residential unit except in the case of disability parking spaces required to meet the requirements of the Americans with Disabilities Act.

Subd. 5. Affordable housing development; height and mass requirements. Authorizes an affordable housing development to exceed one or more maximum dimensional standards imposed by city official zoning controls as a zoning density bonus.

Subd. 6. Administrative review process. Requires a city to establish an administrative review process subject to the procedures under section 15.99 for a multifamily residential development meeting the requirements of this section. Prohibits an application reviewed through the administrative review process to be approved contingent on certain factors if the multifamily residential development complies with the requirements of this section.

Subd. 7. Exceptions. Clarifies that this section does not authorize a multifamily residential development that is prohibited under a state or federal law or rule that protects the environment, certain natural or scenic areas, areas of critical or historical concern, and the public health. Also provides that a multifamily residential development may not be inconsistent with approved plans under chapter 103B (water planning and project implementation).

Effective January 1, 2025



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