



March 7, 2023

Re: City comments on HF 2235 (“Legalizing Affordable Housing Act”)

Dear Members of the House Housing Finance and Policy Committee:

The League of Minnesota Cities, Coalition of Greater Minnesota Cities, Metro Cities, and Municipal Legislative Commission appreciates the opportunity to provide comments in opposition to HF 2235 (Elkins). Cities are concerned with the bill’s broad preemption of city land use and zoning authorities, particularly as they are unlikely to address important housing issues across Minnesota.

Housing is a statewide issue. The best way to ensure that housing issues in the Metro area and greater Minnesota are adequately addressed is to approach statewide solutions to housing in a comprehensive way that: (1) addresses the full housing spectrum, (2) supports local innovation, (3) provides incentives instead of mandates, and (4) provides community-specific solutions throughout Minnesota. We encourage members to support HF 743 (Norris), which addresses the four principles through policy and resources that support local governments in addressing their unique housing needs as opposed to broad preemptions in HF 2235.

HF 2235 unfortunately falls short of a comprehensive approach. The legislation includes no policy that promotes housing affordability. Instead, it preempts city zoning and land use authority. Zoning is an important planning tool that benefits communities economically and socially, improves health and wellness, and helps conserve the environment ([Zoning: Why It’s Important](#)). The bill would limit this beneficial tool in multiple ways:

- Requiring that all cities, regardless of infrastructure capacity, up-zone all single-family zoned areas to allow for duplexes or an accessory dwelling unit on a single lot
- Severely deteriorating the tool that allows the development of smaller homes and lots – planned unit developments
- Capping land dedication and park dedication fees
- Prohibiting cities from requiring roads that exceed certain widths which in conjunction with limitations on off-street parking in the bill, could pose significant challenges
- Prohibiting cities from conditioning any approvals on material, design, or other conditions if not currently required by the State Building Code (which is meant to be a minimum safety standard) even to promote energy efficiency or similar goals; and
- Mandating the refunding of all building permits if not approved or denied within 60-days even if delay is outside of city control.

Thank you for consideration of our concerns. We look forward to working with Rep. Elkins and other legislators to address housing challenges in cities across the state.

Sincerely,

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