



March 3, 2023

To: Chair Howard, Vice Chair Agbaje and members of the House Housing Finance and Policy Committee

Re: Opposition to *Legalize Affordable Housing Act* [HF 2235](#)

On behalf of the members of the Municipal Legislative Commission (MLC), we write asking for you to oppose **HF2235**.

This “Legalize Affordable Housing Act” is foundationally, a zoning preemption bill without any policy that ensures deeper affordability. Local zoning is an important planning tool that benefits communities economically and socially, improves health and wellness, and helps preserve and improve our environment. Each community has its own unique characteristics and locally identified housing needs that impact how development occurs. Whether it is topography, soils, forests, lakes, we are all unique and we know best how to facilitate efficient and cost-effective development.

While “legalize affordable housing” exists in the title of the bill, **HF2235** offers no assurance of reducing the cost of a new home. Instead, it preempts city zoning and land use authority absent a demonstrated reduction or guaranty that the preemption provisions in the bill would translate to a reduced sales price, devoid of market dynamics, from a for-profit builder. This bill would require all cities to “up-zone” existing single family zoned areas to allow for duplexes regardless of the underlying infrastructure’s capacity to handle the increased density. It restricts cities use of a *Planned Unit Development* (PUD) as a tool in providing the flexibility that is needed to address the unique characteristics, challenges and complexities that abound with new developments. This bill would also cap what cities can collect for new parks that are only needed *but for* the new residents and growth in the community from development.

The bill contains provisions that would serve to both prescribe narrow public street width(s) while also limiting adequate off-street parking for new homes. The implications of these provisions are clear, there will be an increased demand for on-street parking on a narrower road section. These provisions might fully meet the new housing needs for a community in Arizona or Florida. Unfortunately, Minnesota cities must address the realities of balancing snow storage, on-street vehicle storage, *and*, at the same time, provide multi-modal opportunities in the public-right-of-way while assuring public safety mobility in the harshest of Minnesota winters.

Special interest groups may claim **HF2235** alone would enhance new home affordability and result in the construction of more affordable starter homes. Given the market realities of supply and demand and forces outside city control, it is a misleading narrative. If it were true, objective data would exist to show that market forces could be thwarted and that the proposed changes would result in builders shifting to smaller more modest developments and an automatic reduction in the sales price of a new home. As the data do not exist, the provisions of **HF2235**

are asking us, legislators, cities and taxpayers to trade-off the elimination of longstanding local decision-making authority in exchange for an unrealized *hope* or *possibility* of enhancing affordability.

Our MLC cities are committed to growth and affordable development and appreciate the relationship we have with our builders. We ask that you work with the stakeholders involved to develop comprehensive statewide policy and resources that incentivizes change at the local level and provides for community-specific solutions to housing challenges rather than the heavy-handed approach in HF 2235. HF 2235 removes the ability of cities to respond to locally identified needs and we respectfully ask that you oppose **HF2235**.

We would look forward to the opportunity of speaking directly with you on the importance of opposing this bill in person or providing testimony should this bill receive a hearing.

Sincerely,



James Hovland
Chair, MLC
Mayor, City of Edina

cc: Mike Maguire, Mayor of Eagan
Kirt Briggs, Mayor of Prior Lake
Anne Burt, Mayor of Woodbury
Matt Lehman, Mayor of Shakopee
Clint Hooppaw, Mayor of Apple Valley
Ron Case, Mayor of Eden Prairie
Janet Williams, Mayor of Savage
Jeff Weisensel, Mayor of Rosemount
Tim Busse, Mayor of Bloomington
Jeffry Wosje, Mayor of Plymouth
Luke Hellier, Mayor of Lakeville
Shep Harris, Mayor of Golden Valley
Mark Steffenson, Mayor of Maple Grove
Elizabeth Kautz, Mayor of Burnsville
Brenda Dietrich, Mayor of Inver Grove Heights
Sue Denkinger, Mayor of Shoreview
Elise Ryan, Mayor of Chanhassen
Brad Wiersum, Mayor of Minnetonka