



March 5, 2024

**Re: City comments on SF 3080 (“Legalizing Affordable Housing Act”)**

Chair Port and Members of the Senate Housing and Homelessness Prevention Committee:

The League of Minnesota Cities, Coalition of Greater Minnesota Cities, Metro Cities, Minnesota Association of Small Cities and Municipal Legislative Commission appreciates the opportunity to provide comments in opposition to SF 3080 (Draheim). 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.

While we appreciate the provisions in Article 1 of the bill that seeks a clear path for cities to impose impact fees to support new development and the clarification in Article 2 that exempts comprehensive plans are exempt from review under the Minnesota Environmental Rights Act, SF 3080 unfortunately falls short of a comprehensive approach. The legislation includes no policy that promotes housing affordability. Instead, it broadly 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. 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 Senator Draheim and other legislators to address housing challenges in cities across the state.

Sincerely,

Daniel Lightfoot  
League of Minnesota Cities

Ania McDonnell  
Metro Cities

Elizabeth Wefel  
Coalition of Greater Minnesota Cities

Tom Poul  
Municipal Legislative Commission

Cap O’Rourke  
Minnesota Association of Small Cities