

Metro Cities Annual Meeting – Mark Your Calendar!

Metro Cities will hold its Annual Meeting on Wednesday, April 24th at 5:00 pm at the Roseville Oval Skating Center Banquet Room. The meeting will feature a social hour starting at 5:00 pm, guest speaker, and the election of Board officers and members. More information to follow! Please RSVP to Jennifer Dorn at jennifer@metrocitiesmn.org.

Metro Cities Board of Directors Openings

The Metro Cities Board of Directors will have openings for terms beginning July 1. The 19-member Board is comprised of elected and appointed officials and must be balanced by city size and population. The Board oversees Metro Cities' operational budget, strategic goals, and legislative policies. The Board also appoints municipal officials to the regional Transportation Advisory Board (TAB) and Technical Advisory Committee (TAC). A nominating committee will meet in March to recommend officers and members for election at the annual meeting. Interested applicants should submit a resume, cover letter and completed [application](#) to Jennifer Dorn at jennifer@metrocitiesmn.org. For more information contact Patricia Nauman at patricia@metrocitiesmn.org. **The deadline for applications is March 13, 2024.**

Zoning Preemption Bills Heard

The Senate Housing and Homelessness Prevention Committee heard a variety of zoning preemption bills this week. Metro Cities opposes these bills.

On Tuesday, the committee heard two zoning preemption bills, both of which were laid over for possible inclusion in an omnibus zoning preemption bill.

[SF 3303](#) – Lucero: This bill would limit the ability for cities to require a variety of aesthetic and other design mandates. The bill would be effective July 1, 2024. Metro Cities signed on to a [joint city letter](#) opposing this legislation.

[SF 3080](#) – Draheim: The language in this bill was originally identical to the “Legalizing Affordable Housing Act” authored by Representative Elkins in the House. Metro Cities submitted a [letter](#) opposing various metro-city specific provisions, as well as signing on to a [joint city letter](#) to oppose the bill. During the hearing, the bill was amended to include the following items, and all metro-specific items were stripped. As is, the bill maintains many preemption provisions, which include:

- Requiring all single-family residential areas to allow for two-family properties.
- Not allowing a city to require a planned unit development.
- Limiting square footage for accessory structures.
- Capping park dedication fees not to exceed ten percent of fair market value.
- Limiting a dedication of land for a street that is not a collector or arterial street to not exceed 32 feet.
- Requiring a local government to approve or deny a building permit request within 60 days.

On Thursday, the committee heard three zoning preemption bills, all opposed by Metro Cities. All bills were laid over for possible inclusion in an omnibus zoning preemption bill.

[SF 4601](#) – Boldon: This bill would prohibit cities from enforcing a zoning ordinance that prohibits emergency shelter facilities in all areas other than residential or agricultural.

[SF 3980](#) – Pha: This bill would authorize multifamily buildings by right without height requirements up to 150 feet, allow for no more than one off-street parking space per unit required, and prohibited public hearings. An amendment was added that would require the city to determine whether the multifamily building permit application (which would be subject to an administrative review process) is complete within seven days and notify the applicant in writing. If the city fails to do so, the application must be approved. There was some discussion from members on the committee with concerns about a short seven-day window to review applications, as well as concerns with removing the opportunity for a public hearing to provide community input.

[SF 3964](#) – Mitchell: This bill is also known as the ‘missing middle’ housing bill. Metro Cities signed on to a [joint city letter](#) opposing both SF 3980 and SF 3964. This bill contains various local pre-emption provisions:

- Cities of the first-class must allow development of four dwelling units on any residential lot.
- Cities of the second, third and fourth class must allow the development of two dwelling units on any residential lot.
- Accessory Dwelling Units (ADUs) are authorized by right.
- Sets minimum lot size requirements.
- Prohibits cities from requiring more than one off-street parking space per unit, prohibits off-street parking requirements for a dwelling unit less than a ½ mile from a transit stop.
- Provides for an expedient administrative design review process for ‘middle’ housing.
- Limits aesthetic mandates.

The bill was [amended](#) to prohibit cities from conditioning approval of a residential building permit, subdivision development or planned unit development on the creation of a homeowners association, and cannot require that a residential property be part of an homeowners association. There was discussion from committee members with concerns on limiting the ability for public hearings for community members to provide input on developments.

All five of the bills were laid over for possible inclusion in an omnibus zoning policy bill that is likely going to be posted today or over the weekend, and will be heard on Tuesday, March 12th in the Senate Housing and Homelessness Prevention Committee.

Metro Cities encourages city officials to contact your local legislators as well as [members](#) of the Senate Housing and Homelessness Prevention committee to oppose these bills, to express the importance of local decision making, and opposition to eliminating public processes that allow residents to communicate their needs and concerns with local officials.

Please contact Ania McDonnell at ania@metrocitiesmn.org with any questions.

Bill Prohibiting Corporate Purchasing of Single-Family Homes Heard

On Wednesday, the House Housing Committee heard a bill, [HF 685](#) - Agbaje that would restrict corporations from owning 10 or more single-family non-homestead properties with a residential tenant. The Minneapolis Federal Reserve has shared [various data and tools](#) on the concentrations of investor-owned homes in Minnesota.

Local governments, land trusts, nonprofits, and corporations engaged in construction and rehabilitation of single-family residences are exempt from this bill. The goal of the bill is to reduce the number of corporate landlords who buy and own single-family homes, taking away homeownership opportunities from residents. The bill requires corporations to provide notice of sale to the current renters and an opportunity to purchase. Short-term rentals under 30 days are considered in compliance with state and local regulations governing short-term rentals. The bill requires corporations with ten or more properties to divest of their properties within two years of August 1, 2024. The bill was passed and referred to the House Judiciary and Civil Law Committee.

Please contact Ania McDonnell at ania@metrocitiesmn.org with any questions.

Housing Infrastructure Bill Heard

On Monday, the House Capital Investment Committee heard [HF 4194](#) – Howard which would provide for \$500 million in additional housing infrastructure bonds authorized. The bill requires that the agency prioritizes preservation or recapitalization projects in 2025 and 2026. The bill adds recapitalization and housing cooperatives as new eligible uses of the funds. Recapitalization is defined as financing to address the physical and financial needs of a distressed building. The bill was passed and referred to the Housing Committee.

School Resource Officer Update

[HF 3489 \(Frazier\)](#) was passed by the House with a vote of 124-8 on Monday. This legislation comes after a change to law in 2023 that prohibited school resource officers (SROs) from using certain holds except when necessary to prevent bodily harm or death to the student being restrained or another individual in the school. The 2023 law change caused confusion and led to several agencies pulling their SROs out of schools. HF 3489 (Westlin) was passed by the Senate Finance Committee on Thursday. The bill now waits for a vote on the Senate floor. Click [HERE](#) for a summary of the bill and [HERE](#) for a previous newsletter piece on HF 3489 for details on the bill.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Group Home Bill Heard in House and Senate Committees

[HF 3938](#) (Curran) was passed, [as amended](#), by the House State and Local Government Committee and referred to the Health Committee. The bill would exempt any state licensed residential programs defined in section 245A.02, subd. 14, paragraph (b), or assisted living facilities defined in section 144G.08, subd. 7, with a licensed capacity of six or fewer persons from rental licensing regulations imposed by local governments. The Senate companion, [SF 3839](#) (Boldon) was passed, as amended, by the Senate Human Services committee earlier this week.

Proponents of the bill argue that rental licensing is duplicative of the Department of Human Services' regulation over these group homes and that cities have or will use their rental licenses to

create a de facto ban on group homes within their jurisdiction. Metro Cities submitted written testimony opposing this legislation, highlighting the important role that group homes play in our cities as well as the need for cities to ensure livability and safety standards for all residents in their communities.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

MN Voting Rights Act Heard in House and Senate

[HF 3527 \(Greenman\)](#) and [SF 3994 \(Champion\)](#) were both heard this week in the House and Senate. This legislation, titled the “Minnesota Voting Rights Act,” prohibits entities responsible for election administration from taking certain types of actions that have disparate impacts on the ability of individuals from a protected class to participate in elections, notably voter suppression and vote dilution. These bills are similar in nature to the federal Voting Rights Act, but do contain key differences.

Click [HERE](#) to view a summary of HF 3527 and [HERE](#) to view a joint letter from the League of Minnesota Cities, the Association of Minnesota Counties, and the Minnesota Association of County Officers. If passed in its current form, this bill creates a complicated new set of legal standards for local governments to interpret and establishes violations based on outcomes rather than any particular action taken by local governments.

The bill includes a presuit notice process to, if possible, settle claims outside of the judicial process. As drafted, this process requires a notice letter for any alleged violation, requires a political subdivision to work with potential plaintiffs to address the violation, and establishes a procedure for reimbursing costs associated with producing and sending the letter. The range of actions a local government might take in response to a presuit notice are wide ranging and some would require extensive community engagement. Metro Cities will continue to monitor this legislation as it moves through the committee process in both bodies.

HF 3527 was passed, as [amended](#), on Wednesday and referred to the House Judiciary and Civil Law Committee. SF 3994 was passed, as [amended](#), on Thursday and referred to the Senate Committee on State and Local Government.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Solar on Public Buildings Program Opening

The Minnesota Department of Commerce is launching the Solar on Public Buildings (SPB) grant program this spring. The Request for Proposals (RFP) for the first application round **will be open April 22 until June 3, 2024**. Learn more on the [SPB website](#), where you can also find [webinar slides](#) for the proposed program, a [one-pager](#) and an updated [FAQ](#). [Public comments](#) are open through March 22, 2024. To start the process, set up a free consultation with Clean Energy Resource Teams’ Peter Lindstrom (plindstr@umn.edu).

Local Climate Action Grants

The Minnesota Pollution Control Agency (MPCA) is accepting applications for local climate action grants until **4:00PM on April 30, 2024**. Up to \$2.3 million in funding is available to be awarded during FY24 for local climate action planning and implementation projects, with the potential for additional funding. Submit questions about this grant to grants.pca@state.mn.us, subject line: “FY24 Local Climate Action Grants” no later than 4 p.m. CST on April 18, 2024. The MPCA is hosting a [virtual informational meeting](#) on Thursday, March 21 from 1:00PM to 3:00PM to answer

questions about this program. Click [HERE](#) for more information about this grant opportunity, how to apply, types of eligible projects, and more.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Bills of Note

[HF 4485](#), Novotny/[SF 4442](#), Lucero: Bill regulates property management companies and prohibits certain conduct by homeowners associations.

[HF 4504](#), Koznick/[SF 4772](#), Drazkowski: Bill repeals the retail delivery passed last year as part of the omnibus transportation bill.

[HF 4506](#), Koznick/[SF 4681](#), Pratt: Bill modifies the governance structure of the Metropolitan Council and eliminates the Transportation Advisory Board (TAB).

[HF 4536](#), Howard: Bill establishes a housing infrastructure grant program for cities and appropriates funding.

[HF 4541](#), Backer/[SF 4205](#), Howe: Bill appropriates \$48 million from the general fund for the Emergency Communication Networks Division to issue grants to local governments and others participating in the ARMER system.

[HF 4554](#), Virnig/[SF 4461](#), Mann: Bill allows unlimited remote participation under the open meeting law.

[HF 4555](#), Howard: Bill requires entities receiving local affordable housing aid to maintain their locally funded housing expenditures at a level that is not less than the average level of the expenditures for the three preceding fiscal years.

[HF 4556](#), Howard/[SF 4704](#), Port: Bill implements recommendations of the Workgroup on Expediting Rental Assistance for improving application approval times for the family homelessness prevention and assistance program, the emergency assistance program, and emergency general assistance.

[HF 4600](#), Huot/[SF 4697](#), Seeberger: Bill makes changes to qualifications and registration processes for emergency medical responders.

[HF 4612](#), Carroll/[SF 4658](#), Carlson: Bill appropriates \$15 million in bonds to the metropolitan cities inflow and infiltration grants.

[HF 4617](#), Quam: Bill dedicates a portion of local government aid to cities for pre-1940 housing improvements.

[HF 4618](#), Her/[SF 4678](#), Murphy: Bill provides assistance to preserve naturally-occurring affordable housing.

[HF 4629](#), West: Bill makes several changes to the law regarding lower-potency hemp products.

[HF 4635](#), Huot/[SF 3925](#), Rasmusson: Bill clarifies the criminal penalty for cannabis use and possession by persons under the age of 21.

[HF 4645](#), Kozlowski/[SF 4592](#), Xiong: Bill appropriates money for the Minnesota homeless study.

[HF 4740](#), Burkel: Bill permits cities to issue on-sale liquor licenses, a wine license, or a malt-liquor license to a golf course.

[HF 4746](#), Hassan/[SF 4780](#), Fateh: Bill regulates transportation network companies. Retains local licensing authority.

[HF 4747](#), Howard: Bill authorizes the use of tax increment from redevelopment districts to convert vacant or underused commercial or industrial buildings to residential purposes, provides rules for calculating the original net tax capacity of property to be converted from commercial or industrial to residential purposes, and exempts districts established to convert vacant or underused commercial or industrial buildings to residential purposes from the market value finding requirement.

[HF 4749](#), Bahner: Bill requires reporting of cybersecurity incidents impacting public sector organizations in Minnesota.

[HF 4759](#), Acomb: Bill establishes a program to award grants to political subdivisions to assess the feasibility of installing geothermal energy systems.

[SF 4466](#), Xiong: Bill allows for housing and redevelopment authorities to establish local housing trust funds.

[SF 4467](#), Xiong/[HF 4465](#), Kozlowski: Bill amends notice periods related to the abandoned property of a tenant.

[SF 4535](#), Wesenberg: Bill authorizes an owner to restrict access to an easement held by a government entity.

[SF 4536](#), Wesenberg: Bill requires actual notice for easements held by a government entity.

[SF 4567](#), Fateh: Bill prohibits the expansion of the Metropolitan Urban Service Area.

[SF 4577](#), Hoffman/[HF 4567](#), Brand: Bill protects involuntary conveyors of PFAS from liability.

[SF 4579](#), Dibble/[HF 4558](#), Hollins: Bill regulates single-metered utility service in residential buildings.

[SF 4601](#), Boldon: Bill prohibits municipalities from enforcing or enacting an ordinance prohibiting emergency housing facilities.

[SF 4603](#), Fateh: Bill establishes a vehicle size and weight surcharge for motor vehicle registration.

[SF 4615](#), Pha: Bill creates a right to house youth for residential tenants.

[SF 4628](#), Duckworth: Bill modifies the eligible uses for public safety aid passed during the 2023 legislative session.

[SF 4629](#), Kreun/[HF 3915](#), Petersburg: Bill appropriates \$15 million in bond proceeds for the local road wetland replacement program.

[SF 4650](#), Port: Bill implements recommendations of the Workgroup on Expediting Rental Assistance for improving application approval times for the family homelessness prevention and assistance program, the emergency assistance program, and emergency general assistance.

[SF 4658](#), Carlson/[HF 4612](#), Carroll: Bill appropriates \$15 million in bond proceeds for inflow and infiltration grants in the metropolitan area.

[SF 4666](#), Hawj/[HF 4708](#), Wolgamott: Bill appropriates \$15 million in bond proceeds and \$16 million from the general fund for the local road wetland replacement program.

[SF 4676](#), Fateh/[HF 4627](#), Sencer-Mura: Bill requires a cumulative impact analysis for transportation projects before they can be included in the STIP or TIP. The bill has a series of required actions for projects that are determined to result in “adverse impacts”.

[SF 4677](#), Hawj/[HF 4646](#), Sencer-Mura: Bill requires alternative design analyses for major highway projects.

[SF 4717](#), Jasinski: Bill allows cities to use small cities assistance or larger cities assistance account funds for debt service obligations.

[SF 4718](#), Anderson/[HF 3634](#), Huot: Bill limits a municipality’s ability to regulate battery-charged security fences, creates statewide standards for these fences.

[SF 4728](#), Dibble: Bill allows local governments to impose a time-limited moratorium on approval of applications for right-of-way and small wireless facility permits.

[SF 4782](#), Port/[HF 4757](#): Bill makes several changes to the law passed last year legalizing adult-use cannabis.

Metro Cities News is emailed periodically to Metro Cities member mayors, councilmembers, city managers/administrators, and city staff to keep officials and staff abreast of important metro city issues.

If you’d like to sign up to receive Metro Cities News, please email newsletter@metrocitysmn.org and provide the following: Name, Title, Employer and Email address. Thank you!

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