



## **CITY COUNCIL AGENDA**

**• WORK SESSION •**

**Monday, March 4, 2024**

**6:00 PM.**

Community Room

1. Centerville Lake Aluminum Sulfate Treatment, Andy Nelson and Matt Kocian with Rice Creek Watershed District
2. Environmental Board Annual Goals, Andy Nelson
3. Utility Meter Reading Equipment Hardware and Customer Portal, Michael Grochala
4. Mountain Manufacturing Expansion, Michael Grochala
5. Rookery Financial Update, Hannah Lynch
6. Repurposing of Police Division Administrative Vehicle, John Swenson
7. HF 4009/SF 3964 "Missing Middle Housing" Bill, Sarah Cotton
8. Council Updates on Boards/Commissions, City Council
9. Adjourn

**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 1**

**STAFF ORIGINATOR:** Andy Nelson, Environmental Coordinator

**WORK SESSION DATE:** March 4<sup>th</sup>, 2024

**TOPIC:** Centerville Lake Aluminum Sulfate Treatment

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**BACKGROUND**

Rice Creek Watershed District (RCWD) has been awarded grant funding to be used for improving water quality in Centerville Lake. The majority of these funds will be used for alum treatments that will address internal phosphorous loading that has been responsible for algae blooms and other water quality issues.

Matt Kocian, Lake and Stream Manager with RCWD, will be present to discuss the project and answer questions from the Council.

Centerville Lake is an approximately 474 acre lake that has shoreland in Lino Lakes, Centerville, and Rice Creek Chain of Lakes Park. The lake was added to the Minnesota Pollution Control Agency's impaired waters list in 2002 due to high levels of phosphorous and chlorophyll-a.

While this lake is used for boating, fishing, and swimming, recent water quality issues have been impacting these uses. One symptom of the poor water quality has been blooms of toxic blue-green algae fueled by high levels of phosphorous. Through a series of diagnostic studies, the RCWD determined that internal phosphorus loading (i.e. recycling) from lake sediments was a major driver of the algae blooms.

RCWD has been awarded grant funding in the amount of \$954,500 from the Clean Water Fund to address water quality issues in the lake. The Clean Water Fund is used to protect, enhance, and restore water quality in lakes, rivers, and streams, and to protect groundwater from degradation. The majority of the grant amount will be used for an aluminum sulfate ("alum") treatment to address internal phosphorous loading. Alum is a commonly used tool for managing internal phosphorus loading, and has been successfully used on many lakes in Minnesota and across the country. Additional funds may be used for monitoring, engineering, and potentially reestablishing some native species in the lake. The alum treatments could begin as early as spring 2024.

RCWD is requesting a financial contribution from each project partner to assist with meeting grant match requirements. Partners on this project include the City of Centerville, Anoka County, and the City of Lino Lakes. RCWD is requesting approximately 3% of the total project budget from each partner, not to exceed \$35,000. The request is the same for each project partner. The RCWD will contribute approximately 5% of the total project budget, estimated at \$50,000.

The Environmental Board voted in favor of supporting the Centerville Lake aluminum sulfate treatments at their January 31<sup>st</sup>, 2024 meeting.

### **REQUESTED COUNCIL DIRECTION**

Staff is requesting City Council feedback regarding participation in the aluminum sulfate treatment project.

### **ATTACHMENTS**

1. Centerville Lake Aerial Photo
2. Centerville Lake Alum Treatment Frequently Asked Questions





Parcels

1 in = 1,000 Ft



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January 23, 2024  
Map Powered By Datafi





# CENTERVILLE LAKE ALUM TREATMENT FREQUENTLY ASKED QUESTIONS

## ALUM TREATMENT

### What is Alum?

Aluminum sulfate (“alum”) is one of the most widely used substances in water and wastewater treatments (USA EPA). It’s often used to address issues related to excessive nutrient levels, particularly phosphorus, and has been used in lakes across the United States and Europe to improve water quality for decades.

### How does Alum work?

When applied to water, alum forms a “fluffy” aluminum hydroxide material called “floc”. As the floc settles, it removes phosphorus and particulates (including algae) from the water column by binding to it. The floc settles on the sediment (aka lake bottom) where it forms a layer that acts as a barrier to phosphorus. Phosphorus that would release from the sediments on the lake bottom, is “locked” in place by the alum and can’t go back into the water to fuel algae blooms.

### Why are we doing this Alum treatment?

Alum reduces phosphorus, which is a significant contributor to the lake's poor water quality and harmful algae blooms (see photo below). Algae blooms like this can produce toxins that are dangerous to animals and people. Alum will improve water clarity and create a healthier lake. Alum is cost-effective and has a proven track record in restoring water quality in lakes facing similar challenges.



Figure 1 Harmful Blue Green Algae Bloom on Centerville Lake

**How long will the application take?** About a week and a half

**When will the treatment begin?** Either early spring or late fall

**What will the lake look like during treatment?** Milky-white but changing to clear water very quickly.

**How long will the effects last?** Since Centerville Lake doesn’t receive much phosphorous from *outside* the lake, this treatment is expected to last about 20 years.

### Does an alum treatment fix all water quality issues?

While an alum treatment can significantly improve water clarity/quality by reducing phosphorus levels, it may not address all issues. **Continuous monitoring and long-term management** strategies such as water quality monitoring, restoring shorelines with native plant communities, controlling invasive species, and installing other stormwater management practices around the lake are needed to protect and keep the water quality good.

### What happens after the alum treatment?

You’ll see an improvement in water clarity right after and into the following months. This improved clarity **WILL** support the regrowth of native aquatic plants. These plants are **essential** to providing habitat for aquatic life and to further improve water quality. A decrease in phosphorus will also help control algae blooms in the future.



Figure 2 Example of the native aquatic plant communities that will regrow on Centerville Lake

## SAFETY CONSIDERATIONS

### Can I swim? Can my dogs swim? What if my dog drinks lake water?

The short answer is yes, you and your dogs can swim. Health risks from alum are **VERY** low.

- Alum sinks quickly to the bottom. Coming in direct contact with the alum is **very** low.
- There are **no** restrictions on swimming or using water to water plants/lawn
- No permit is needed from Minnesota Department of Natural Resources or the Minnesota Pollution Control Agency to apply alum

### Other Considerations:

- Alum is used often in our drinking water treatment plant process. St. Cloud, St. Paul, and various other cities across Minnesota use this in the process of clean drinking water
- Alum is the primary ingredient in the OTC antacid Maalox
- Aluminum is found in many foods

### Are there any long-term health concerns for humans?

The American Alzheimer's Association says there's no link between aluminum sulfate and memory loss (a common myth). Sources: <https://www.alz.org/alzheimers-dementia/what-is-alzheimers/myths> and <https://www.alzdiscovery.org/cognitive-vitality/blog/is-there-a-link-between-aluminum-and-alzheimers>

### Does it hurt fish and aquatic life?

When used appropriately, there is a **VERY** low risk to fish. Aluminum toxicity is a concern for fish when too much alum is applied too fast. **RCWD will make sure this is not an issue and alum is applied correctly.** Minnesota Pollution Control Agency guidelines for alum application require that the pH remain within the 6.0-9.0 range.

## COMMUNITY INVOLVEMENT

### How can I support this project and other water quality work?

Attend all public meetings regarding this project. Let city and county staff know you support this project and support improving water quality on Centerville Lake. Contact staff at RCWD to do your own water quality project such as a rain garden or shoreline restoration with help from RCWD's Grant Programs, <https://www.ricecreek.org/grants/water-quality-grants/>

## Contact Information

- Project Contact:  
Matt Kocian  
*RCWD Lake and Stream Program Manager*  
[mkocian@ricecreek.org](mailto:mkocian@ricecreek.org)
- Kendra Sommerfeld  
*RCWD Outreach and Communications Coordinator*  
[ksommerfeld@ricecreek.org](mailto:ksommerfeld@ricecreek.org)



**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 2**

**STAFF ORIGINATOR:** Andy Nelson, Environmental Coordinator

**WORK SESSION DATE:** March 4<sup>th</sup>, 2024

**TOPIC:** Environmental Board Annual Work Plan 2024

**BACKGROUND**

The Environmental Board serves to provide aid and advice to the Council in its efforts to encourage productive and enjoyable harmony between people and their environment; to promote efforts which will prevent or eliminate damage to the environment and stimulate the health and welfare of people; to enrich the understanding of the ecological systems and natural resources important to the city; to advise the city in the use and management of its natural resources in order to preserve and enhance the environmental amenities for present and future residents, and to improve and ensure a lasting quality of life within the city. (City Code Chapter 217.01)

City Code Chapter 217.03 (12) describes as a duty of the Board to ‘report not less than once each year to the Council on the state and condition of the environment in the City and on the work of the commission.’ This report has historically taken the form of an annual work plan that the Board presents to the Council for approval. This annual plan includes a list of initiatives concerning current environmental issues in the major areas of focus of the Environmental Board, including wildlife, forestry, natural resources, water, and solid waste management.

The Environmental Board provided staff with feedback on the Annual Work Plan at their January 31<sup>st</sup> 2024 meeting that is included in the attached draft. Any additional feedback brought forward at the February 28<sup>th</sup>, 2024 meeting will be presented at the Work Session tonight.

**REQUESTED COUNCIL DIRECTION**

Staff is seeking direction from the City Council on acceptance or modification of the Environmental Board Annual Work Plan for 2024.

**ATTACHMENTS**

1. Environmental Board Annual Work Plan 2024

## Environmental Board Annual Work Plan 2024

### General

1. Continue to review proposed development projects and provide recommendations to the City Council. The recommendations are based upon compliance with the landscaping section of the Zoning Ordinance, and current accepted practices on topics including urban forestry, natural resource conservation, water quality, utilizing native plants where feasible, and protecting wildlife.
2. Improve and enhance environmental content on the City website, social media, and the local newspaper.
3. Promote workshops on water conservation, alternative lawn cover types, and native plants on the city website and social media platforms.

### Wildlife

1. Continue to support wildlife through utilizing the Natural Heritage Information System to identify rare, endangered, threatened, and special concern species and provide recommendations to minimize impacts to these species and improve habitat.
2. Promote the use of native plants to benefit pollinators and other organisms.
3. Work to improve existing natural areas on City land through restoration efforts with City and volunteer staff.
4. Support the heron rookery on Peltier Island.

### Forestry

1. Continue implementation of the City's Emerald Ash Borer response. This includes removal of boulevard trees and replacement with a diverse mix of species, a partnership with Rainbow Tree Care to offer a discount rate on private tree injections, and continued removals of ash trees in natural areas and parks.
2. Promote tree planting through the City tree sale and Anoka Conservation District seedling sale.

### Natural Resources

1. Review proposed changes to Landscaping Ordinance as part of the zoning ordinance update.
2. Support the pursuit of additional opportunities for wetland banks and other natural areas.
3. Improve the Greenway System and expand connectivity of greenspace in development projects.



**Water**

1. Continue to improve educational outreach materials on water conservation, both on the city website and in newsletters. Continue the smart irrigation controller program. Promote the Drive for 75 water conservation initiative.
2. Increase outreach on smart chloride use (deicing salt) use for both residents and commercial properties.

**Recycling/Solid Waste**

1. Identify ways to increase recycling tonnage. This may include expansion of the organics program, addition of programs to accept materials not currently included in city programs, and coupons for items dropped at Recycling Saturdays.

**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 3**

**STAFF ORIGINATOR:** Michael Grochala, Community Development Director

**WORK SESSION DATE:** March 4, 2024

**TOPIC:** Utility Meter Reading Equipment Hardware and Customer Portal

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**BACKGROUND**

On December 11, 2023 the City Council discussed the purchase of utility meter reading equipment hardware and customer portal and analytics software. Council members expressed concerns regarding how the information could be used for code enforcement. The item was tabled to allow time for development of a policy regarding use of the data to address this concern.

The Water Utility currently collects water use data. The new smart hardware and software will allow for it to be collected more frequently with the information more readily available to staff and customers. The City has relatively few regulations regarding water use. Prohibitions are generally restricted to irrigation during certain day time hours (10:00 a.m. to 6 p.m.) and days of the week based on address (odd/even).

Neither the data collected nor the software can be used to specifically identify a code violation, such as watering during prohibited times or prohibited days. The software cannot identify how water is being used. It can, however, serve as an indicator of higher than normal water use which is an aid in detecting leaks – one of the benefits of the new system. The system is capable of sending out alerts to users automatically based on information collected but this is not staff driven.

To avoid unintentionally inhibiting the use of data for operations and customer engagement and still address council concerns staff is proposing the following policy criteria:

- 1) Data may be used to support inquiries to ensure compliance or initiate additional review.
- 2) No citation may be issued directly from use of data. Any potential code enforcement violations must be independently verified by other means including but not limited to visual identification of offense in the field.



The proposed criteria would allow for use of the new system for its intended purpose to improve operations, enhance customer engagement, and aid in water conservation. Code enforcement would be consistent with the current practice of visually identifying violations in the field. It should be noted that written warnings are provided for the initial violation.

If the Council is comfortable with the proposed criteria staff will place it on the March 11 agenda for consideration. Staff is continuing to review software options and will bring a recommendation back to the City Council at a future date.

#### **REQUESTED COUNCIL DIRECTION**

Staff is requesting feedback on proposed policy criteria.

#### **ATTACHMENTS**

1. None

**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 4**

**STAFF ORIGINATOR:** Michael Grochala, Community Development Director

**WORK SESSION DATE:** March 4, 2024

**TOPIC:** Mountain Manufacturing Expansion

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**BACKGROUND**

City staff has been working with Mountain Manufacturing Technologies (400 Apollo Drive) on a proposed expansion of their existing facility. Mountain Manufacturing is a full service precision manufacturing business providing R & D, production, and machining services to the medical device industry.

They are currently proposing a 41,000 SF addition to their existing building. The City's EDA took action to acquire the adjacent 2.03 acre tax forfeit property from Anoka County to facilitate the expansion. A purchase agreement was subsequently approved in January with MIT, USA, Mountain Manufacturing's, property holding company for that property.

In addition to the tax forfeit property, Mountain Manufacturing is requesting conveyance of adjacent unused parcels to the north and northeast of their property. These parcels consist of former street right-of-way and remnant land from the Apollo Drive construction project. These parcels are necessary to accommodate additional parking required by the expansion. Utility easements, covering in place municipal and private utilities, will be retained by the City over the properties as necessary.

Staff is currently working through title issues with one of the proposed parcels relating to its original acquisition in the mid 90's.

**Compensation**

Public right-of-way reverts back to the abutting property when vacated.

The .38 acre remnant parcel (PID 17-31-22-23-0013) is partially encumbered by a telecom easement and not buildable on its own (Market Value of \$13,000). To facilitate development of the property and in recognition of the new tax base created the property is proposed to be



transferred at a nominal cost. Mountain Manufacturing will be responsible for covering City legal and administrative costs associated with the transfer.

### Process

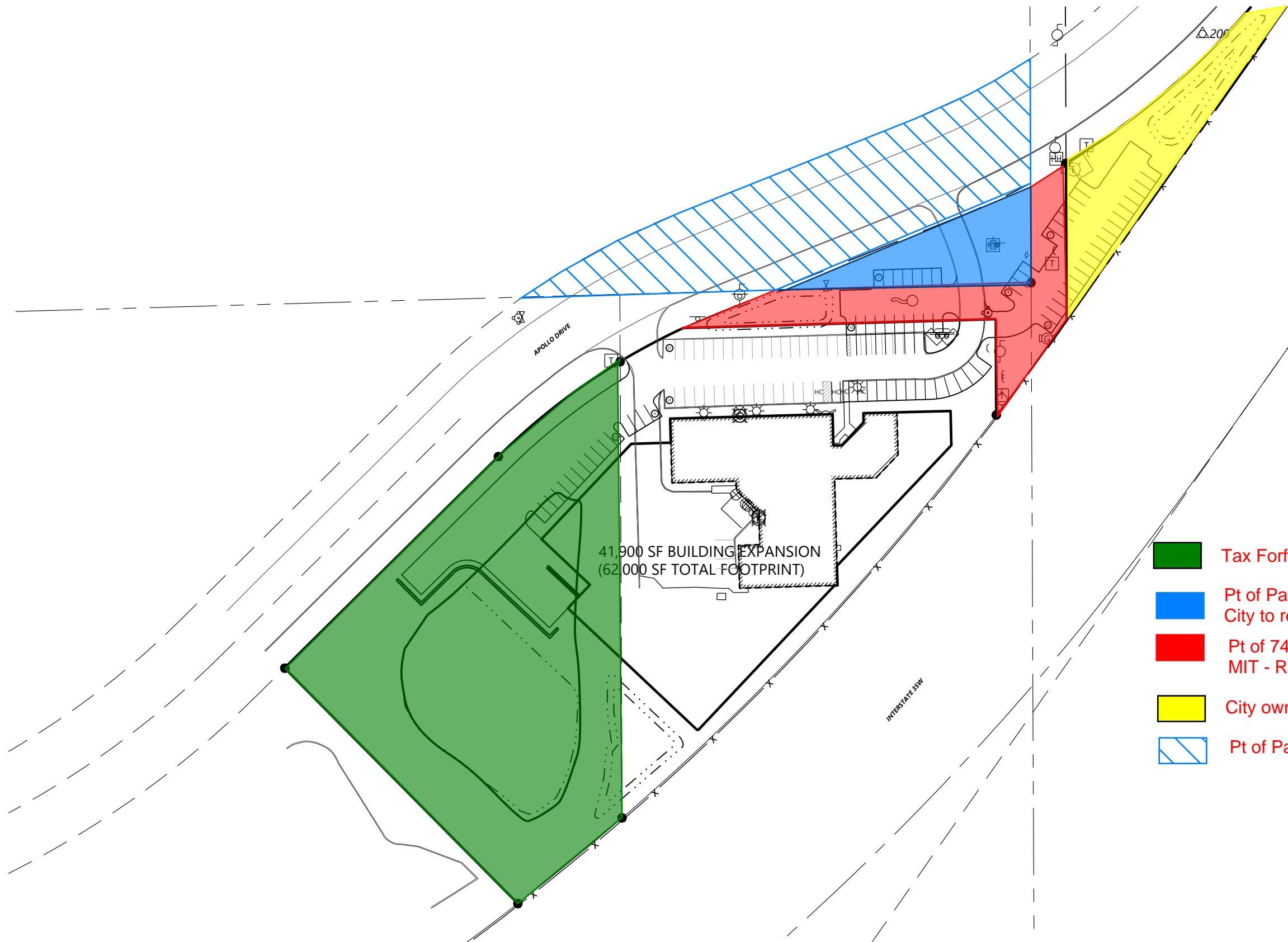
Conveyance of the city owned property (parcel 17-31-22-23-0013) will require approval by ordinance as well as the vacation of public right-of-way. Staff is tentatively scheduling these actions for April 8<sup>th</sup> and April 22<sup>nd</sup> regular City Council meetings.

### **REQUESTED COUNCIL DIRECTION**

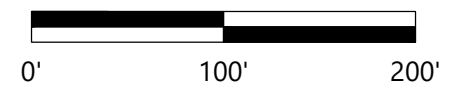
Staff is requesting any questions or comments from Council regarding the proposed transaction in advance of the planned consideration in April.

### **ATTACHMENTS**

1. Property map



- Tax Forfeit - EDA Acquired - sold to MIT
- Pt of Parcel 15 ROW Plat 1 - vacate and transfer to MIT City to retain drainage and utility easement
- Pt of 74th St and 4th Ave ROW - vacate and transfer to MIT - Retain Drainage and Utility Easement
- City owned (title issues) - convey to MIT
- Pt of Parcel 15 ROW Plat 1 - Convey to Anoka County



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PREPARED FOR:

DESIGNED: \_\_\_\_\_  
 CHECKED: \_\_\_\_\_  
 DRAWN: \_\_\_\_\_  
 FIELD CREW: \_\_\_\_\_  
 FIELD WORK DATE: \_\_\_\_\_

**MOUNTAIN MANUFACTURING TECHNOLOGIES**  
 LINO LAKES, MN

**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
 Fax (952) 937-5822 Minnetonka, MN 55343  
 Toll Free (888) 937-5150 [westwoodps.com](http://westwoodps.com)  
 Westwood Professional Services, Inc.

CONCEPT PLAN 6

SHEET NUMBER:

1

PROJECT NUMBER: 0046383.00

DATE: 01/31/2023



**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 5**

**STAFF ORIGINATOR:** Hannah Lynch, Finance Director

**WORK SESSION DATE:** March 4, 2024

**TOPIC:** Rookery Financial Update

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**BACKGROUND**

The Rookery Activity Center began operations in Spring 2022 and completed its first full fiscal year in 2023. The 2024 budget includes a \$500,000 tax levy which brings tax levy support for recreation funding back to pre-pandemic levels. Prior to the COVID-19 Pandemic and the opening of the Rookery, the tax levy supported the YMCA facility and recreation programming at roughly \$490,000 annually. While the increased tax levy supports a 2024 budget with a projected operating income of \$11,266, if budgeted revenues are not realized or expenditures surpass expectations there may be a need to assess facility offerings, membership rates, and/or an increased tax levy.

The City of Lino Lakes received \$2,417,214 of American Rescue Plan Act (ARPA) and Resolution No. 21-150 approved the spending plan for the provision of government services to re-open the Rookery Activity Center and pay-go spending for capital improvements and purchases. Those funds have been spent in full as of 12/31/2023 and the detailed use of funds is attached. A portion of the funds (\$700,463) was used to help relieve operating deficits in 2022 and 2023, while the remainder of the funds were used for renovations and costs of start-up.

Currently at 12/31/2023 while adjusting for accruals, the cash balance is a deficit of \$439,335. This deficit is calculated after a transfer in of \$152,223 from the YMCA Tax Abatement Bond Debt Service Fund due to the debt maturing in 2023. In order for the Rookery to continue on a profitable trajectory, the Council should consider relieving the cash deficit. If the recreation tax levy was continued at pre-pandemic levels beginning in 2022, the Rookery would have \$536,379 in additional cash at 12/31/2023.

The estimated 2023 General Fund surplus is \$850,000, allowing for a transfer to the Rookery Activity Center Fund at year-end.

**REQUESTED COUNCIL DIRECTION**

Staff recommends a transfer of General Fund surplus to the Rookery Activity Center Fund at 12/31/2023 to relieve the cash deficit while adjusting for accruals.

**ATTACHMENTS**

Rookery Activity Center Financial Summary 12.31.2023

ARPA Itemized List 12.31.2023

**Rookery Activity Center  
Financial Summary  
12/31/2023 (Unaudited)**

	<b>Actual 2022</b>	<b>Actual 2023</b>	<b>Budget 2023</b>	<b>Budget 2024</b>
<b>Operating Income (Loss)</b>	\$ (324,098)	\$ (180,818)	\$ (166,984)	\$ 11,266
<b>Cash Balance 12/31/2023</b>	\$ (299,738)			
<u>Adjustment for accruals:</u>				
Accounts Receivable	6,168			
Prepaid Expenses	59,611			
Accounts Payable	(59,311)			
Salaries Payable	(40,015)			
Sales Tax Payable	(6,151)			
Deferred Revenue	(99,899)			
<b>Cash Balance for 2023 Activity</b>	<u>\$ (439,335)</u>			
<b>Estimated General Fund Surplus at 12/31/2023</b>	<u>\$ 850,000</u>			

**CITY OF LINO LAKES  
THE ROOKERY ACTIVITY CENTER FUND (202)**

Description	Account Number	Actual 2022	Actual 2023	Adopted 2023	Adopted 2024	Budget Detail
<b>Property Taxes</b>						
General Property Tax	202-000-3010-000	0	325,000	325,000	500,000	
		<b>0</b>	<b>325,000</b>	<b>325,000</b>	<b>500,000</b>	
<b>Intergovernmental</b>						
Other Federal Revenue	202-000-3319-000	500,000	200,463	0	0	American Rescue Plan Act (ARPA) Funds
Other Grants	202-000-3372-000	7,935	8,381	0	0	
		<b>507,935</b>	<b>208,844</b>	<b>0</b>	<b>0</b>	
<b>Charges For Services</b>						
Return Check Fee	202-000-3413-000	0	0	0	0	
Annual Membership Fees	202-000-3470-000	60,966	110,456	137,218	208,000	
Monthly Membership Fees	202-000-3471-000	217,629	507,519	736,113	655,200	
Daily Use Fees	202-000-3472-000	25,638	53,191	67,668	80,600	
EF Basic Classes/Programs	202-000-3473-000	0	0	0	0	
EF Personal & Specialty Train	202-000-3474-000	25,470	20,664	110,000	75,000	
EF Spinning Classes	202-000-3475-000	0	2,941	25,000	25,000	
Gym Rentals	202-000-3476-000	1,200	1,018	15,000	5,000	
Pool Rentals	202-000-3477-000	2,560	8,956	30,000	15,000	
Room Rentals	202-000-3478-000	1,585	4,077	6,500	7,500	
Retail Sales	202-000-3480-000	137	1,308	6,500	3,000	
Enrollment Fees	202-000-3481-000	14,001	15,834	14,820	30,000	
Locker Rental	202-000-3482-000	193	1,536	9,000	4,500	
Towel Service	202-000-3483-000	1,099	3,539	18,495	7,000	
Child Watch	202-000-3484-000	763	1,272	1,000	1,000	Non-Member Daily Fees
Program Revenue	202-000-3485-000	44,503	198,120	237,529	250,020	See Program Budget Detail
		<b>395,744</b>	<b>930,432</b>	<b>1,414,843</b>	<b>1,366,820</b>	
<b>Investment Earnings</b>						
Interest On Investments	202-000-3620-000	0	0	0	0	
		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Miscellaneous</b>						
Refunds & Reimbursements	202-000-3730-000	15	500	0	0	
Silver Sneakers	202-000-3731-000	13,755	28,491	34,232	42,100	
Renew Active/One Pass	202-000-3732-000	13,664	31,094	48,746	53,000	
Cash Over (Short)	202-000-3800-000	58	98	0	0	
Miscellaneous Revenue	202-000-3810-000	0	0	0	0	
		<b>27,492</b>	<b>60,183</b>	<b>82,978</b>	<b>95,100</b>	
<b>Other</b>						
Operating Transfers	202-000-3920-000	20,626	152,223	0	0	
		<b>20,626</b>	<b>152,223</b>	<b>0</b>	<b>0</b>	
<b>Total Revenues</b>		<b>951,796</b>	<b>1,676,681</b>	<b>1,822,821</b>	<b>1,961,920</b>	



CITY OF LINO LAKES

**THE ROOKERY ACTIVITY CENTER (202-451)**

Description	Object Code	Actual 2022	Actual 2023	Adopted 2023	Adopted 2024	Budget Detail
<b>PERSONAL SERVICES</b>						
SALARIES	4101-000	370,709	431,840	517,067	556,367	100% Activity Center Manager
OVERTIME	4102-000	452	1,180	0	0	100% Aquatic Supervisor
PART-TIME	4103-000	303,400	593,154	569,847	500,000	2 - 100% Activity Center Coordinator
TEMPORARIES	4106-000	3,803	0	0	0	100% HR Assistant
WELLNESS PROGRAM	4108-000	0	0	0	0	100% Bldg Custodial/Maintenance Supervisor
PERA	4121-000	33,859	49,804	57,343	60,478	100% Bldg Custodial/Maintenance Worker
SOCIAL SECURITY	4122-000	46,468	70,212	77,423	80,812	
ICMA EMPLOYER CONTRIBUTION	4123-000	1,015	0	0	0	
HEALTH INSURANCE	4131-000	40,365	45,931	56,575	58,057	Part-time: Aquatics Fitness Instructor, Aquatics Lead, Child
LIFE & DISABILITY INSURANCE	4133-000	903	1,134	1,398	1,495	Watch Attendant, Custodial Worker, Guest Services
DENTAL INSURANCE	4134-000	1,569	2,756	4,287	4,287	Representative, Lifeguard, Manager On Duty, Recreation
REEMPLOYMENT INSURANCE	4141-000	0	20,005	0	0	Attendant, Program Staff
WORKER'S COMPENSATION	4151-000	12,367	23,154	29,232	29,858	
		<b>814,909</b>	<b>1,239,170</b>	<b>1,313,172</b>	<b>1,291,354</b>	
<b>SUPPLIES</b>						
OFFICE SUPPLIES	4200-000	11,285	16,903	5,500	7,000	General and Office Supplies, Coffee, Pool Wristbands, Aquafit Equipment, Nest Toys
PROGRAM SUPPLIES	4205-000	4,753	11,820	14,900	24,062	See Program Budget Detail
						Cleaning Supplies, Paper Products, Soap, Pool/Sauna Parts and Pumps, Water Filters, Air Filters, Paint and Hardware, Water Fountains, Miscellaneous Building Supplies
MAINTENANCE SUPPLIES	4211-000	22,735	30,141	46,500	44,300	
CHEMICALS	4222-000	5,527	9,567	7,200	12,000	Pool Testing Supplies, Chlorine, Acid, Bicarbonate
						T-shirts, Lanyards, Locks, Diapers, Goggles, Swim Caps, Toothpaste, Deodorant, Shampoo, Socks, and Earbuds
RESALE ITEMS	4235-000	139	990	5,000	2,500	
SMALL TOOLS	4240-000	15,710	3,786	10,000	9,000	Tools, Equipment, and Furniture
		<b>60,149</b>	<b>73,206</b>	<b>89,100</b>	<b>98,862</b>	
<b>OTHER SERVICES AND CHARGES</b>						
PROFESSIONAL SERVICES	4300-000	30,887	68,000	10,000	10,000	Repair/Calibration of HVAC and Electrical Systems, Safety Systems Monitoring
						Metro-INET Services, Programs & Support, CivicRec Annual Maintenance, WhenWork Scheduling Software
OTHER CONSULTANT	4310-000	4,204	52,193	57,779	59,000	
TELEPHONE	4321-000	2,572	3,929	2,750	5,400	Emergency Phone Services, Cell Phone Stipends
POSTAGE	4322-000	154	0	2,500	500	
						MRPA Annual Conference, Mileage Reimbursement, Professional Development/Training, Lifeguard & Instructor Certifications
TRAVEL & TUITION	4330-000	4,963	7,921	3,000	6,000	
PRINTING & PUBLISHING	4340-000	597	420	667	0	
PAYMENT PROCESSING	4345-000	13,103	21,015	38,997	30,000	Credit Card and Healthy Contribution Processing Fees
INSURANCE	4361-000	14,372	26,839	26,290	30,458	General Liability & Property Insurance
UNIFORMS	4370-000	1,901	3,543	2,850	2,000	
ELECTRICITY	4381-000	74,474	101,502	88,000	88,000	
UTILITIES	4382-000	12,677	18,767	10,920	14,000	Water & Sewer Service
HEAT	4383-000	30,434	40,703	55,750	55,750	
SANITATION	4384-000	5,363	3,740	6,000	6,000	Refuse Collection
		<b>195,700</b>	<b>348,572</b>	<b>305,503</b>	<b>307,108</b>	
<b>CONTRACTUAL SERVICES</b>						
CONTRACTED SERVICES	4410-000	17,122	10,862	12,500	14,000	Copier Maintenance, Rug Service, Pest Control, Annual Inspections (Alarm, Elevator, Fire Extinguishers), Irrigation Service
CONT SRVS - FITNESS PROVIDER	4411-000	162,803	157,684	241,230	214,980	Endurance Fitness Monthly Fee and Share of Program Revenue
CONT SRVS - PROGRAMS	4412-000	2,635	10,013	7,550	6,350	See Program Budget Detail
RENTAL EQUIPMENT	4415-000	0	682	0	0	
SPECIAL PROJECTS	4418-000	5,000	0	8,750	5,000	Scholarship/Financial Aid
SUBSCRIPTIONS & DUES	4452-000	1,486	1,240	1,000	2,000	MRPA Membership, Pool Certification Fee
MARKETING	4900-000	16,091	16,070	11,000	11,000	
		<b>205,136</b>	<b>196,551</b>	<b>282,030</b>	<b>253,330</b>	
<b>CAPITAL OUTLAY</b>						
EQUIPMENT	5000-000	0	0	0	0	
		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>TOTAL ROOKERY ACTIVITY CENTER</b>		<b>1,275,894</b>	<b>1,857,499</b>	<b>1,989,805</b>	<b>1,950,654</b>	

The Rookery Renovations - ARPA Funds

12/31/2023

Actual

Item	Vendor	Fiscal Year	Actual Amount	GL Code	Project Description
<b>Admin Offices</b>					
Cubicles	Innovative Office Solutions	2022	\$ 10,550.32	202-451-4240-301	
Flooring (carpet)	Hauglies	2022	\$ 1,196.80	202-451-4300-301	
Lighting (LED upgrades)	LJ Level Construction	2022	\$ 8,613.50	202-451-4300-301	Upgrades in admin offices, copy room, and front desk
<b>Cattail Room</b>					
Lighting	Metro Sound & Lighting, J.Beacher	2023	\$ 11,397.72	202-451-4300-301	
<b>Child Watch</b>					
Doors	WHC	2022	\$ 2,815.00	202-451-4300-301	
Flooring (carpet)	Hauglies	2022	\$ 13,587.08	202-451-4300-301	
Lighting (LED upgrades)	Meridian	2022	\$ 4,886.00	202-451-4300-301	Upgrades in child watch & hallways
Toys & Furnishings		2022	\$ 6,651.94	202-451-4240-301	Tables, storage cabinets, toys
<b>Fitness/Studio Area</b>					
Flooring (carpet/tile)	Hauglies	2022	\$ 37,968.60	202-451-4300-301	Carpet tile and thick rubber flooring
Flooring (resurface)	Dave's Floor Sanding	2021	\$ 2,761.00	202-451-4300-301	Sand and finish
		2022	\$ 2,761.00	202-451-4300-301	
Dehumidifier - Daikin	NAC	2022	\$ 6,350.00	202-451-4300-301	Studio
Lighting (LED upgrades)	Aid Electric	2022	\$ 10,040.74	202-451-4300-301	Lighting upgrades, fan install, outlets for lights (wire equipment at 2nd floor)
Paint	Edina Painting	2021	\$ 3,750.00	202-451-4300-301	Entire upper level including studio. City provided the paint.
<b>Front Desk/Lobby</b>					
Temporary Security Cameras		2022	\$ 708.65	202-451-4240-301	
Safe		2022	\$ 1,036.08	202-451-4200-301	
<b>General Facility</b>					
Office Supplies		2022	\$ 6,579.46	202-451-4200-301	
Maintenance Supplies		2021	\$ 3,973.59	202-451-4211-301	
		2022	\$ 27,304.30	202-451-4211-301	Paint, ceiling tiles, pool vacuum & maint kin, interior signage, storage racks
Small Tools/Equip		2021	\$ 891.77	202-451-4240-301	
		2022	\$ 6,551.38	202-451-4240-301	Floor scrubber, credit card readers, TV
Professional Services		2021	\$ 10,969.69	202-451-4300-301	
		2022	\$ 36,118.51	202-451-4300-301	Architect services, install block & window in gym, electrical & wiring, pool inspection
Advertising		2022	\$ 788.03	202-451-4340-301	
Rental Equipment		2022	\$ 1,657.36	202-451-4415-301	Lift rentals
<b>Computers and Hardware</b>					
Front Desk	Amazon/POS Guys	2021	\$ 1,596.55	202-451-4240-301	Bar code scanners, cash drawers, connection hardware, printers
	Dell/Forte	2022	\$ 2,070.92	202-451-4240-301	2 - touch screen monitors, micro desktops, credit card readers
		2022	\$ 592.00	202-451-4310-301	2 - Microsoft licenses
FT Staff	Dell/SHI	2021	\$ 1,072.00	202-451-4310-301	4 - Microsoft licenses
		2022	\$ 273.00	202-451-4310-301	1 - NetMotion (Lisa Lamey)
		2022	\$ 6,150.18	202-451-4240-301	4 - laptops, docks, keyboard/mouse; 11 - monitors
Bldg Maint		2022	\$ 1,106.90	202-451-4240-301	1- laptop, dock, monitor
		2022	\$ 296.00	202-451-4310-301	1 - Microsoft licenses
Network Switch	City of Roseville	2022	\$ 8,541.62	202-451-4310-301	
Door Access	Electro Watchman	2022	\$ 13,129.07	202-451-4300-301	Main doors and admin offices - same system at all City buildings
Electronic Message Board		2022	\$ 2,648.64	202-451-4240-301	TVs and digital signage customization software
	Reach	2022	\$ 1,119.00	202-451-4300-301	
Fiber Cable Extension	Cornerstone/All State Communications	2022	\$ 48,503.00	202-451-4300-301	Run fiber from Civic Complex / Run from back HVAC room to net work closet
<b>Flooring and Tile Contract</b>					
	Hauglies	2022	\$ 197,321.94	202-451-4300-301	Tile in lobby, main hallway, locker rooms. Carpet in main vestibule, lobby sitting area, service counter, birthday party room, and childcare entrance. Wall tile in locker rooms.
<b>Furniture</b>					
General Supplies, Equipment and FF&E Contingency	iSpace, Innovative	2022	\$ 39,473.90	202-451-4240-301	Maddy's Office (desk - 3, bookcase - 2, standing desk & mat, filing cabinet), Lobby Furniture, Portable Lifeguard Chair, Floor Tent Signs - Pool Deck
HVAC Cleaning		2023	\$ 14,200.00	202-451-4300-301	
HVAC Roof Top Unit (RTU) #1	NAC	2022	\$ 18,200.00	202-451-4300-301	

## The Rookery Renovations - ARPA Funds

12/31/2023

Actual

Item	Vendor	Fiscal Year	Actual Amount	GL Code	Project Description
Key Cores - Repin	Wheeler Hardware	2022	\$ 7,690.00	202-451-4300-301	
Landscaping/Building Exterior		2022	\$ 24,235.18	202-451-4300-301	Exterior cleaning will be done in-house
LED Retrofits	Meridian Energy	2022	\$ 4,917.00	202-451-4300-301	
Murals/artwork		2022	\$ 2,025.00	202-451-4300-301	Logos behind front desk & locker rooms, pool area mural
Paint					
Mezzanine Railings and Door Frames	Edina Painting	2021	\$ 3,900.00	202-451-4300-301	
Remaining Areas	Edina Painting	2022	\$ 46,950.00	202-451-4300-301	Paint walls and ceilings in gym, activity center, kids area, offices, common areas
Parking Lot		2022	\$ 154,220.79	202-451-4410-301	Mill & overlay, upgrade ADA compliance
Engineering Services	WSB	2022	\$ 4,851.25	202-451-4300-301	
		2022	\$ 21,172.25	202-451-4304-301	
Security System	Marco Systems	2022	\$ 19,660.63	202-451-4240-301	
		2023	\$ 9,885.00	202-451-4240-301	
Signage					
Exterior	Indigo Signs	2022	\$ 17,557.79	202-451-4240-301	Illuminated Halo Stud "The Rookery Activity Center" sign
Interior		2022	\$ 18,830.00	202-451-4300-301	
Washer/dryer		2022	\$ 15,256.00	202-451-4240-301	30lb capacity washer, 50lb capacity dryer.
Towels		2022	\$ 1,229.30	202-451-4240-301	
Window Cleaning		2022	\$ 3,075.50	202-451-4300-301	
<b>Gymnasium</b>					
Equipment (Sport/Gym)		2022	\$ 4,685.19	202-451-4240-301	Pickle Ball Courts & Equipment
Flooring (resurface)	Dave's Floor Sanding	2022	\$ 24,869.00	202-451-4300-301	Sand and finish. Restriping and new logo.
Base Tile	Hauglies	2022	\$ 4,670.40	202-451-4300-301	
<b>Locker Rooms</b>					
Benches		2022	\$ 2,879.92	202-451-4240-301	
Countertops	LJ Level Construction	2022	\$ 5,789.85	202-451-4300-301	
Dryers and other fixtures	BMSI	2022	\$ 16,510.29	202-451-4211-301	Hand dryers, shower sea, baby changers, grab bars
Lockers	The Locker Guy	2022	\$ 113,754.16	202-451-4300-301	Removal of existing and installation of new high phenolic lockers
Sloped Tops	The Locker Guy				Change order for sloped tops
Partitions	BMSI	2022	\$ 19,982.44	202-451-4300-301	(8) Solid Plastic Stalls, (1) Urinal Screen, (14) Shower Stalls w/ Curtains
Plumbing (showers)	Hugo Plumbing	2022	\$ 7,915.00	202-451-4300-301	
Plumbing (touchless fixtures)	NAC	2022	\$ 21,755.00	202-451-4300-301	Hands free plumbing fixtures & remount toilets and urinals
Sauna Unit	AirMist	2022	\$ 2,150.00	202-451-4211-301	
<b>Party Room</b>					
General Carpentry	LJ Level Construction	2022	\$ 52,269.99	202-451-4300-301	Renovating previous conference room
<b>Pool Area</b>					
Dehumidification Unit - Dectron	NAC/TMS Johnson	2022	\$ 84,100.00	202-451-4300-301	Supplies heating, cooling, and dehumidification to the pool area
	NAC/TMS Johnson	2023	\$ 23,650.00	202-451-4300-301	
	SCR	2023	\$ 10,758.29	202-451-4300-301	Repairs to unit
Equipment (Pool)	Recreation Supply Company	2021	\$ 8,878.63	202-451-4240-301	Kickboards, life vests, lap lane pennants, pool rope, racing line lane, lane reel
	Recreonics, Adolph Kiefer	2022	\$ 13,806.59	202-451-4240-301	Ring buoy, aqua jogger, water volley & spine board kit, AED, life vest rack, lifeguard chair
License Fee		2022	\$ 675.00	202-451-4300-301	
Mechanical Systems Replacement and Repairs	NAC	2022	\$ 51,930.00	202-451-4300-301	New fans, assemblies, motors, belts, and balancing the ventilation system.
Paint	Edina Painting	2022	\$ 64,900.00	202-451-4300-301	Entire pool area and the three locker rooms
Pool Deck Furniture		2022	\$ 2,814.62	202-451-4240-301	
Pool Deck Tile Replacement	Hauglies	2022	\$ 1,571.84	202-451-4300-301	
Pre-Opening	Aqua Logic	2022	\$ 65,000.00	202-451-4300-301	New water feature, R&M existing infra, provide safety equipment & signage
Pool Start-up/Operator Training	Aqua Logic	2022	\$ 6,000.00	202-451-4300-301	Filling of pools, equipment start-up, balancing of pool chemicals, operator training
Wall Tile	Hauglies	2022	\$ 7,565.80	202-451-4300-301	Wall tile by shower
Waterslide (refurbish)	Aqua Logic	2022	\$ 62,700.00	202-451-4300-301	
<b>Services/Support</b>					
Branding/Marketing	GameDay Sports	2022	\$ 5,000.00	202-451-4300-301	
CivicPlus					Recreation software & website
CivicRec	CivicPlus	2022	\$ 28,085.00	202-451-4300-301	
CivicRec User Import	CivicPlus	2022	\$ 1,500.00	202-451-4300-301	
CivicRec GIS Integration	CivicPlus	2022	\$ 2,625.00	202-451-4300-301	

**The Rookery Renovations - ARPA Funds**

12/31/2023  
Actual

<u>Item</u>	<u>Vendor</u>	<u>Fiscal Year</u>	<u>Actual Amount</u>	<u>GL Code</u>	<u>Project Description</u>
Civic Engage	CivicPlus	2022	\$ 63,040.00	202-451-4300-301	
Isaac Sports Group		2022	\$ 3,200.00	202-451-4300-301	
<b>OTHER</b>					
Contingency					
Operating Deficit		2022	\$ 500,000.00	Operating Deficit	
Operating Deficit		2023	\$ 200,462.87	Operating Deficit	
<b>GRAND TOTAL</b>			<b>\$ 2,417,213.81</b>		



**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 6**

**STAFF ORIGINATOR:** John Swenson, Public Safety Director

**WORK SESSION DATE:** March 4, 2024

**TOPIC:** Repurposing of Police Division Administrative Vehicle

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**BACKGROUND**

The Police Division administrative vehicles will be replaced in the coming weeks as authorized in the 2023 and 2024 adopted budgets.

During the 2023 budget discussion, it was decided that Police Administrative Vehicle 397 would be replaced as part of the capital replacement plan. It was also decided during this discussion that Vehicle 397 would be repurposed and transferred to Public Services for use by various City staff.

This Public Services Shared Vehicle would be used by custodial and maintenance, elections, environmental, and administrative staff to conduct City business. If the vehicle is available for use, it would be the expectation that staff use this vehicle instead of a personal vehicle and requesting mileage reimbursement.

Since this decision was based off of information gathered in the summer of 2022, staff re-evaluated the police administrative vehicles (301, 397, & 398) to ensure that the best conditioned vehicle is retained for use by City staff.

After an evaluation of these three vehicles, it is recommended that Vehicle 301 be repurposed for use by City staff and Vehicles 397 and 398 be sold.

**REQUESTED COUNCIL DIRECTION**

Staff is seeking Council direction on repurposing Police Administrative Vehicle 301 as the Public Services Shared Vehicle, rather than Police Administrative Vehicle 397.

**ATTACHMENTS**

None

**CITY COUNCIL  
WORK SESSION STAFF REPORT  
ITEM NO. 7**

**STAFF ORIGINATOR:** Sarah Cotton, City Administrator

**WORK SESSION DATE:** March 4, 2024

**TOPIC:** HF 4009/SF 3964 “Missing Middle Housing” Bill

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**BACKGROUND**

Legislation has been introduced (HF 4009/SF 3964) that includes a multitude of concerning zoning and land use preemption provisions.

The League of Minnesota Cities and Metro Cities provided comments in opposition to HF 4009 due to concerns with provisions in the bill that “broadly preempt city zoning and land use authorities, remove public input in the residential development process, ignore long range local comprehensive plans, and lack consideration for how cities utilize zoning and land use to ensure the health, safety, and welfare of residents and scale infrastructure to support new housing density.”

The bill language as proposed would:

- Set a base level for density allowed on any residential lot by right (or without needing to go through a discretionary review processes) regardless of size at 2 units statewide and 4 units in cities of the first class. If certain conditions are met, 8 units are allowed in second-, third-, and fourth-class cities and 10 units may be allowed per lot in cities of the first class.
- Force administrative approvals of projects that meet the standards in the bill language and prohibit public input in the approval process.
- Limit minimum lot size requirements to no greater than 2,500 square feet for first class cities and 4,000 square feet for all other cities except for Greater Minnesota cities with populations of less than 5,000.
- Require all cities to accept Accessory Dwelling Units on all residential lots regardless of size and allow property owners to subdivide their lots by right.
- Prohibit off-street parking from being required close to major transit stops and limits off-street parking minimum requirements to 1 spot per unit in other areas.
- Allow multifamily buildings to be built up to 150 feet tall on any lot in a commercial zoning district.

- Broadly prohibit design standards for residential development and eliminates minimum square footage and floor area ratio requirements.

As written, the proposed legislation has the potential to undo years of thoughtful community engagement by the City of Lino Lakes and other cities across Minnesota who have made great efforts to engage their community on how to best address many of the same items contained in this legislation through the Comprehensive Plan and updates to zoning regulations.

The proposed bill has bipartisan support in the House and Senate and additional supporters of the bill include Neighbors for More Neighbors, Habitat for Humanity, Housing First Minnesota, Minnesota Realtors, Minnesota Housing Partnership, and other advocates focused on the need for additional density and more housing opportunities.

LMC and Metro Cities 2024 Legislative Priorities included for reference purposes only.

### **REQUESTED COUNCIL DIRECTION**

Cities are encouraged to reach out to their legislators with concerns regarding this bill. The LMC and Metro Cities will continue to advocate for local control when it comes to local decision-making authority on residential development. Staff will continue to keep the Council aware of any developments regarding the bill as proposed.

### **ATTACHMENTS**

HF 4009/SF 3964

League of Minnesota Cities 2024 Legislative Priorities

Metro Cities Association of Metropolitan Municipalities 2024 Legislative Priorities

This Document can be made available  
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **4009**

- 02/19/2024 Authored by Kraft, Howard, Nash, Elkins, Wolgamott and others
- 02/22/2024 The bill was read for the first time and referred to the Committee on Housing Finance and Policy
- 02/22/2024 Adoption of Report: Amended and re-referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act

1.2 relating to local government; establishing minimum allowable densities on

1.3 residential lots in cities; requiring the authorization of middle housing types to be

1.4 built on residential lots; authorizing subdivision of residential lots; limiting parking

1.5 requirements established by cities; requiring the Minnesota Housing Finance

1.6 Agency to create a model ordinance for cities; limiting city aesthetic mandates on

1.7 residential building permits; establishing requirements for multifamily residential

1.8 developments in cities; proposing coding for new law in Minnesota Statutes,

1.9 chapter 462.

1.10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.11 Section 1. [462.3571] MULTIFAMILY RESIDENTIAL DEVELOPMENTS.

1.12 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have

1.13 the meanings given them.

1.14 (b) "Affordable housing development" means a multifamily residential development in

1.15 which:

1.16 (1) at least 20 percent of the residential units are for households whose incomes do not

1.17 exceed 50 percent of the area median income; or

1.18 (2) at least 40 percent of the residential units are for households whose incomes do not

1.19 exceed 60 percent of the area median income.

1.20 The deed or declaration for an affordable residential unit must also contain a restrictive

1.21 covenant requiring the property to remain affordable housing for at least 30 years.

1.22 (c) "City" means a home rule charter or statutory city.

1.23 (d) "Residential unit" means a residential dwelling for the use of a single owner or tenant.

2.1 (e) "Structure" means anything constructed or installed for residential or commercial  
2.2 use which requires a location on a parcel of land.

2.3 Subd. 2. **Multifamily residential developments.** (a) Subject to compliance with all  
2.4 municipal standards, multifamily residential developments are a permitted use in any  
2.5 commercial zoning district. A multifamily residential development may not be constructed  
2.6 on a lot zoned for a single-family home unless otherwise authorized by law, rule, or  
2.7 ordinance.

2.8 (b) A multifamily residential development may be mixed use so long as at least 50  
2.9 percent of the square footage of the development is dedicated to residential use.

2.10 Subd. 3. **Compliance with comprehensive plan; zoning.** A multifamily residential  
2.11 development must be approved by a city if it is consistent with the comprehensive plan on  
2.12 the date of submission and complies with the requirements of this section and all state and  
2.13 municipal standards.

2.14 Subd. 4. **Applicable zoning standards.** (a) A city may not impose more restrictive  
2.15 standards on a multifamily residential development than those that apply to property zoned  
2.16 for the current use of the parcel.

2.17 (b) A city must not impose a height requirement on a multifamily residential development  
2.18 that is less than the tallest structure within a one-quarter mile radius of the parcel on which  
2.19 the development will be built, or the maximum height permitted under the city's official  
2.20 controls, whichever is higher, so long as the maximum height of the development is no  
2.21 more than 150 feet.

2.22 (c) A city must not impose a setback requirement on a multifamily residential  
2.23 development that is less than the smallest minimum setback distance required of a structure  
2.24 within a one-quarter mile radius of the parcel on which the development will be built.

2.25 Subd. 5. **Parking requirements limited.** A city may not require more than one off-street  
2.26 parking space per residential unit.

2.27 Subd. 6. **Affordable housing development; height requirements.** (a) An affordable  
2.28 housing development must be permitted to exceed both a maximum height requirement and  
2.29 a maximum floor area ratio limitation imposed by city official controls as provided in  
2.30 paragraphs (b) and (c). The authority in paragraphs (b) and (c) that will produce the tallest  
2.31 development with the most number of affordable housing units on the parcel shall be applied  
2.32 to the affordable housing development.

2.33 (b) An affordable housing development may either:

3.1 (1) exceed the height requirement for the zoning district where the affordable housing  
3.2 development will be located by 35 feet in height; or

3.3 (2) match the maximum allowed height in any zoning district within one mile of the  
3.4 affordable housing development, so long as the maximum height is no more than 150 feet.

3.5 (c) An affordable housing development must be permitted to do one of the following,  
3.6 whichever results in the largest development:

3.7 (1) exceed the maximum density as permitted by city standards or the city's  
3.8 comprehensive plan by 30 percent;

3.9 (2) exceed the lot coverage ratio by 30 percent;

3.10 (3) exceed the floor area ratio by 30 percent; or

3.11 (4) exceed the maximum impervious lot coverage area by 30 percent.

3.12 Subd. 7. **Administrative review process.** (a) Notwithstanding any law, rule, or ordinance  
3.13 to the contrary, a city must establish an administrative review process for building permit  
3.14 applications for multifamily housing development projects. The administrative review  
3.15 process must review and approve or deny such building permit applications based on the  
3.16 application's conformity with the city's comprehensive plan, other applicable zoning  
3.17 requirements, and state law. An application may not be approved contingent on the  
3.18 development being a part of planned unit development, the approval of a conditional use  
3.19 permit, the completion of a study, or other condition that is not related to conformity with  
3.20 the city's comprehensive plan, zoning requirements, and state law.

3.21 (b) An application denial must be in writing and must describe the reasons for denial  
3.22 and the ways the application or development design can be amended to receive approval at  
3.23 a future date. Nothing in this subdivision prevents an applicant who received a denial from  
3.24 submitting a new application for the same multifamily housing development, which shall  
3.25 be treated as a new submission by the city.

3.26 (c) The administrative review process shall not involve a public hearing unless one is  
3.27 required by state or federal law. Approval or denial of an application does not require  
3.28 approval by the city council or a subcommittee of the council.

3.29 (d) An application subject to the administrative review process under this subdivision  
3.30 must be approved or disapproved within 60 days following the receipt by the city of a  
3.31 completed application by the applicant. If the city fails to approve or disapprove an  
3.32 application within 60 days, the application shall be deemed approved. The city may not  
3.33 request an extension for review of the application from the applicant.



4.1 (e) A city may request that an applicant incorporate certain design elements into the  
4.2 development that go beyond the criteria in state law and city official controls. The applicant  
4.3 may incorporate those elements in the design of the development but is not required to do  
4.4 so.

4.5 Subd. 8. **Local funds.** Notwithstanding any law, rule, or ordinance to the contrary, a  
4.6 city may not impose requirements on a multifamily housing development that are more  
4.7 restrictive than the requirements in this section if a multifamily housing development is  
4.8 funded in whole, or in part, with local funds or is located in a tax increment financing district  
4.9 or other special district created by the city.

4.10 **EFFECTIVE DATE.** This section is effective January 1, 2025.

4.11 Sec. 2. **[462.3575] CITY MINIMUM RESIDENTIAL DENSITIES AND**  
4.12 **ASSOCIATED REQUIREMENTS.**

4.13 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
4.14 the meanings given them.

4.15 (b) "Accessory dwelling unit" means any building that contains one dwelling unit used,  
4.16 intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or  
4.17 occupied for living purposes and is located on the same property as an existing dwelling.  
4.18 An accessory dwelling unit may be attached or detached from the existing dwelling.

4.19 (c) "Affordable housing" means a residential dwelling unit affordable to households at  
4.20 or below 115 percent of the area median household income, for an owner-occupied unit, or  
4.21 at or below 60 percent of the area median household income, for a unit that is leased. The  
4.22 deed or declaration for the unit must also contain a restrictive covenant requiring the property  
4.23 to remain affordable housing for at least ten years, if the unit is owner-occupied, or at least  
4.24 30 years if the unit is leased.

4.25 (d) "All-electric and efficient home" means a residential dwelling unit that utilizes  
4.26 electricity as its sole source of energy for heating, hot water heating, cooling, and appliances,  
4.27 and meets the most current minimum efficiency standards of a zero energy ready home  
4.28 under the Zero Energy Ready Home program administered by United States Department  
4.29 of Energy.

4.30 (e) "City" means a home rule charter or statutory city.

4.31 (f) "Cottage housing" means residential dwelling units on a lot with a common open  
4.32 space that either:

- 5.1 (1) is owned in common; or
- 5.2 (2) has units owned as condominium units with property owned in common and a  
5.3 minimum of 20 percent of the lot size as open space.
- 5.4 (g) "Courtyard apartment" means a building with up to four attached residential dwelling  
5.5 units arranged on two or three sides of a yard or garden.
- 5.6 (h) "Duplex" means a two family home, classified as an IRC-2 in the State Building  
5.7 Code and not meeting the definition of townhouse.
- 5.8 (i) "Fiveplex" means a building containing five residential dwelling units intended for  
5.9 nontransient occupancy and not meeting the definition of townhouse.
- 5.10 (j) "Fourplex" means a building containing four residential dwelling units intended for  
5.11 nontransient occupancy and not meeting the definition of townhouse.
- 5.12 (k) "Lot" means any contiguous parcel of land in the possession of, owned by, or recorded  
5.13 as the property of the same claimant or person.
- 5.14 (l) "Major transit stop" means a stop or station for a guideway or for a busway, as the  
5.15 terms are defined in section 473.4485, subdivision 1.
- 5.16 (m) "Metropolitan area" has the meaning under section 473.121, subdivision 2.
- 5.17 (n) "Middle housing" means buildings that are single-family detached homes and  
5.18 residential properties that are compatible in scale, form, and character with single-family  
5.19 detached homes. Middle housing includes all of the following housing types:
- 5.20 (1) duplexes;
- 5.21 (2) triplexes;
- 5.22 (3) fourplexes;
- 5.23 (4) fiveplexes;
- 5.24 (5) sixplexes;
- 5.25 (6) townhouses;
- 5.26 (7) stacked flats;
- 5.27 (8) courtyard apartments;
- 5.28 (9) cottage housing; and
- 5.29 (10) single-family detached homes.

6.1 (o) "Residential dwelling unit" or "unit" means a residential dwelling unit for the use of  
6.2 a single owner or tenant, and applies to any type of residential structure unless otherwise  
6.3 specified.

6.4 (p) "Single-family detached home" means any building that contains one residential  
6.5 dwelling unit used, intended, or designed to be built, used, rented, leased, let, or hired out  
6.6 to be occupied, or occupied for living purposes that is not attached to another structure.

6.7 (q) "Sixplex" means a building containing six residential dwelling units intended for  
6.8 nontransient occupancy and not meeting the definition of townhouse.

6.9 (r) "Stacked flat" means a nontransient residential building of no more than three stories  
6.10 on a lot zoned for residential development in which each floor is a residential dwelling unit.

6.11 (s) "Townhouse" means a single-family residential dwelling unit constructed in a group  
6.12 of three or more attached units in which each unit extends from the foundation to the roof  
6.13 and with open space on at least two sides. Each single-family residential dwelling unit shall  
6.14 be considered to be a separate building. Separate building service utilities shall be provided  
6.15 to each single-family residential dwelling unit when required by the Minnesota State Building  
6.16 Code.

6.17 (t) "Triplex" means a building containing three residential dwelling units intended for  
6.18 nontransient occupancy and not meeting the definition of townhouse.

6.19 Subd. 2. **Middle housing types permitted.** Any city in the metropolitan area and any  
6.20 city outside of the metropolitan area with a population of 10,000 or more must authorize at  
6.21 least six types of middle housing other than single-family detached homes to be built on  
6.22 residential lots in the city to achieve the density requirements in this section.

6.23 Subd. 3. **Cities of the first class; required residential densities.** (a) A city of the first  
6.24 class must permit the development of at least four residential dwelling units on any residential  
6.25 lot that is more than one-half mile from a major transit stop, unless one of the following  
6.26 criteria are met:

6.27 (1) if all of the units are all-electric and efficient homes, the city must permit the  
6.28 development of at least six residential dwelling units on the lot;

6.29 (2) if at least two of the units are affordable housing, the city must permit the development  
6.30 of at least six residential dwelling units on the lot; or

6.31 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
6.32 also affordable housing, the city must permit the development of at least eight residential  
6.33 dwelling units on the lot.

7.1 (b) A city of the first class must permit the development of at least six residential dwelling  
7.2 units on any residential lot that is one-half mile or less from a major transit stop, unless one  
7.3 of the following criteria are met:

7.4 (1) if all of the units are all-electric and efficient homes, the city must permit the  
7.5 development of at least eight residential dwelling units on the lot;

7.6 (2) if at least two of the units are affordable housing, the city must permit the development  
7.7 of at least eight residential dwelling units on the lot; or

7.8 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
7.9 also affordable housing, the city must permit the development of at least ten residential  
7.10 dwelling units on the lot.

7.11 (c) The requirements of this subdivision apply regardless of the types of middle housing  
7.12 authorized by the city under subdivision 2.

7.13 Subd. 4. **Greater Minnesota small cities; required residential densities.** A city with  
7.14 a population of less than 10,000 that is located outside of the metropolitan area must permit  
7.15 the development of at least two residential dwelling units on any residential lot.

7.16 Subd. 5. **Other cities; required residential densities.** (a) A city to which the  
7.17 requirements of subdivisions 3 and 4 do not apply must permit the development of at least  
7.18 two residential dwelling units on any residential lot that is more than one-half mile from a  
7.19 major transit stop, unless one of the following criteria are met:

7.20 (1) if all of the units are all-electric and efficient homes the city must permit the  
7.21 development of at least three residential dwelling units on the lot;

7.22 (2) if at least one of the units is affordable housing, the city must permit the development  
7.23 of at least three residential dwelling units on the lot; or

7.24 (3) if all of the units are all-electric and efficient homes and at least one of the units is  
7.25 also affordable housing, the city must permit the development of at least four residential  
7.26 dwelling units on the lot.

7.27 (b) A city subject to this subdivision must permit the development of at least four  
7.28 residential dwelling units on any residential lot that is one-half mile or less from a major  
7.29 transit stop, unless one of the following criteria are met:

7.30 (1) if all of the units are all-electric and efficient homes, the city must permit the  
7.31 development of at least six residential dwelling units on the lot;

8.1 (2) if at least two of the units are affordable housing, the city must permit the development  
8.2 of at least six residential dwelling units on the lot; or

8.3 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
8.4 also affordable housing, the city must permit the development of at least eight residential  
8.5 dwelling units on the lot.

8.6 (c) The requirements of this subdivision apply regardless of the types of middle housing  
8.7 authorized by the city under subdivision 2.

8.8 Subd. 6. **Municipal standards.** (a) Any standards, performance conditions, or  
8.9 requirements imposed by a city for residential dwelling units permitted under subdivisions  
8.10 3, 4, and 5 must directly relate to protecting public health, safety, and general welfare.

8.11 (b) A city may not use official controls to prohibit the application of this section, including  
8.12 imposing performance conditions, standards, requirements, ordinances, fees, exactions, and  
8.13 dedications on any residential dwelling unit or development that are more restrictive than  
8.14 those in this section or other law or rule.

8.15 Subd. 7. **Commercial district designation.** A city with a population of 10,000 or more  
8.16 that does not have a major transit stop within the boundaries of the city must designate the  
8.17 boundaries of at least one commercial district in the city. The commercial district must be  
8.18 adjacent to residential property. The boundaries of the commercial district must be treated  
8.19 as a major transit stop for the purposes of determining properties to which the densities in  
8.20 subdivisions 3 and 5 apply.

8.21 Subd. 8. **Accessory dwelling units authorized.** (a) An accessory dwelling unit may be  
8.22 built on any residential lot in a city, regardless of total lot size, street frontage, connectivity  
8.23 between the accessory dwelling unit and the primary dwelling on the lot, and whether the  
8.24 lot is occupied by the property owner, so long as the accessory dwelling unit is built in  
8.25 conformance with the Minnesota State Building Code.

8.26 (b) A city may permit more than one accessory dwelling unit to be built on a residential  
8.27 lot.

8.28 (c) An accessory dwelling unit qualifies as a residential dwelling unit for the purposes  
8.29 of subdivisions 3, 4, and 5.

8.30 Subd. 9. **Minimum lot size permitted.** (a) A city may, by ordinance, require a minimum  
8.31 lot size in accordance with this subdivision to which the density requirements of subdivisions  
8.32 3 and 5 apply.

8.33 (b) A minimum lot size for a city of the first class must not be greater than:

9.1 (1) 2,500 square feet for a single-family detached home, duplex, triplex, fourplex,  
9.2 fiveplex, sixplex, stacked flat, and courtyard apartment; or

9.3 (2) 1,200 square feet for a townhome and cottage housing.

9.4 (c) A minimum lot size for a city subject to subdivision 5 must not be greater than:

9.5 (1) 4,000 square feet for a single-family detached home, duplex, triplex, fourplex,  
9.6 fiveplex, sixplex, stacked flat, and courtyard apartment; or

9.7 (2) 1,200 square feet for a townhome and cottage housing.

9.8 (d) This subdivision does not apply to a city located outside of the metropolitan area  
9.9 with a population of less than 10,000.

9.10 Subd. 10. City official controls; limitations. (a) City official controls establishing,  
9.11 directly or indirectly, the permitted size, scale, or form of a building may only impose the  
9.12 following limitations:

9.13 (1) building height maximums;

9.14 (2) yard or setback requirements;

9.15 (3) maximum lot coverage;

9.16 (4) impervious surface maximums;

9.17 (5) lot width minimums;

9.18 (6) lot area minimums; and

9.19 (7) a maximum number of residential units per lot.

9.20 (b) City official controls must not impose architectural features, minimum square footage,  
9.21 garage square footage, or floor area ratios, and must not create practical difficulties in the  
9.22 placement of residential units on any lot.

9.23 (c) City official controls establishing, directly or indirectly, the maximum square footage,  
9.24 gross floor area, or other size standard for residential dwelling units must be increased by  
9.25 at least ten percent per single-family unit built on a lot where multiple single-family units  
9.26 will be developed. A city may opt not to adjust a height standard for single-family units  
9.27 entitled to other standard adjustments under this paragraph.

9.28 (d) A city must reduce a setback standard by at least one foot for an all-electric and  
9.29 efficient home.

10.1 Subd. 11. **Parking requirements limited.** (a) A city may not require off-street parking  
10.2 space for a residential dwelling unit that is one-half mile or less from a major transit stop.

10.3 (b) A city may not require more than one off-street parking space per residential dwelling  
10.4 unit that is over one-half mile from a major transit stop.

10.5 Subd. 12. **Affordable housing; replacement required.** Affordable housing on a  
10.6 residential lot may only be demolished, in whole or in part, for the construction of middle  
10.7 housing if the middle housing development will create at least as many affordable housing  
10.8 units as exist in the structure to be demolished.

10.9 Subd. 13. **Subdivision of lots permitted; administrative review process established.** (a)  
10.10 Notwithstanding any law, rule, or ordinance to the contrary, a city must permit a residential  
10.11 lot to which the density requirements of subdivisions 3, 4, and 5 apply to be subdivided in  
10.12 a manner that allows all units to be built on the property to be single-family detached homes.

10.13 (b) A residential lot created from the subdivision of property under paragraph (a) that  
10.14 is smaller than a minimum lot size required pursuant to subdivision 9 is not subject to the  
10.15 density requirements under subdivisions 3, 4, and 5.

10.16 (c) A city shall process an application to subdivide a residential lot in accordance with  
10.17 the procedures under subdivision 14.

10.18 Subd. 14. **Administrative design review process established.** (a) Notwithstanding  
10.19 section 462.358, subdivision 3b, or any other law, rule, or ordinance to the contrary, a city  
10.20 must establish an administrative design review process for building permits for middle  
10.21 housing development projects and subdivision applications under subdivision 13. The  
10.22 administrative review process must review and approve or deny such building permit and  
10.23 subdivision applications based on the application's alignment with the city's comprehensive  
10.24 plan and other applicable zoning requirements. The administrative review process shall not  
10.25 involve a public hearing unless one is required by state or federal law or the project involves  
10.26 or affects a lot located in a historic district under section 138.73. The city may hold a public  
10.27 hearing on a building permit or subdivision application under this section for requests for  
10.28 variances from city zoning requirements. Except as provided in paragraph (b), an application  
10.29 subject to the administrative design review process under this paragraph must be approved  
10.30 or disapproved within 60 days following the receipt by the city of a completed application  
10.31 by the applicant. If the city fails to approve or disapprove an application within 60 days,  
10.32 the application shall be deemed approved.



11.1 (b) A city must specify in writing all requirements for an application for a building  
11.2 permit for middle housing or for a subdivision to be considered complete. The written  
11.3 completion requirements must accompany each application.

11.4 (c) An applicant may direct the city to toll the 60-day review period for an application  
11.5 for a building permit for middle housing or for a subdivision application under subdivision  
11.6 13. The applicant may also direct the city to begin to run the 60-day time period for an  
11.7 application that was previously tolled upon request by the applicant. A request under this  
11.8 paragraph must be in writing. A city may not charge a fee to the applicant for a request  
11.9 under this paragraph.

11.10 Subd. 15. **Model ordinance.** (a) On or before December 31, 2024, the commissioner of  
11.11 the Minnesota Housing Finance Agency must develop and publish a model ordinance for  
11.12 adoption by cities that addresses the requirements of this section. On or before July 1, 2025,  
11.13 a city must adopt the model ordinance under this subdivision or amend its official controls  
11.14 to be consistent with the requirements of this section as part of an alternative density plan  
11.15 under subdivision 16.

11.16 (b) The Minnesota Housing Finance Agency must convene an advisory group of  
11.17 stakeholders to provide information during the development of the model ordinance. The  
11.18 advisory group must represent expertise in city administration, housing affordability, housing  
11.19 construction, municipal land use planning and zoning, and any other topics that the agency  
11.20 determines are necessary.

11.21 Subd. 16. **Alternative density plans.** A city may develop an alternative density plan  
11.22 and submit the plan to the commissioner of the Minnesota Housing Finance Agency for  
11.23 approval. The commissioner may approve an alternative density plan under this subdivision  
11.24 only if the city demonstrates that the plan will result in an equal or greater amount of middle  
11.25 housing production that would occur with the adoption of the model ordinance under  
11.26 subdivision 15. The commissioner must approve or disapprove an alternative density plan  
11.27 within 120 days of the day of receipt of the plan by the commissioner.

11.28 Subd. 17. **Exception.** Nothing in this section authorizes a residential dwelling unit that  
11.29 is prohibited by state or federal law, or an ordinance adopted pursuant to such a state or  
11.30 federal law, that protects floodplains, areas of critical concern, wild and scenic rivers, or  
11.31 that otherwise restrict residential dwelling units to protect the environment or scenic areas.

11.32 Subd. 18. **State Building Code; State Fire Code.** This section does not modify any  
11.33 requirement of the State Building Code or State Fire Code.

12.1 **EFFECTIVE DATE.** This section is effective July 1, 2025, except that subdivisions  
12.2 1, 15, and 16 are effective July 1, 2024, and that subdivisions 4 and 5 are effective July 1,  
12.3 2026.

12.4 Sec. 3. **[462.3576] LIMITATION ON AESTHETIC MANDATES FOR CITIES.**

12.5 A home rule charter or statutory city must not condition approval of a residential building  
12.6 permit, subdivision development, or planned unit development on the use of one or more  
12.7 of the following:

12.8 (1) specific materials for aesthetic reasons for property used for a residential purpose as  
12.9 defined by the State Building Code;

12.10 (2) minimum square footage or floor area ratios;

12.11 (3) architectural design elements including, but not limited to, decks, balconies, porches,  
12.12 gables, roof pitch, and elevation design standards;

12.13 (4) garage square footage; or

12.14 (5) common space, pools, or any common property necessitating a homeowner's  
12.15 association.

12.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 3964**

(SENATE AUTHORS: MITCHELL, Port, Fateh, Pha and Draheim)

DATE	D-PG	OFFICIAL STATUS
02/19/2024	11655	Introduction and first reading Referred to State and Local Government and Veterans

1.1 A bill for an act

1.2 relating to local government; establishing minimum allowable densities on

1.3 residential lots in cities; requiring the authorization of middle housing types to be

1.4 built on residential lots; authorizing subdivision of residential lots; limiting parking

1.5 requirements established by cities; requiring the Minnesota Housing Finance

1.6 Agency to create a model ordinance for cities; limiting city aesthetic mandates on

1.7 residential building permits; proposing coding for new law in Minnesota Statutes,

1.8 chapter 462.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. [462.3575] CITY MINIMUM RESIDENTIAL DENSITIES AND

1.11 ASSOCIATED REQUIREMENTS.

1.12 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have

1.13 the meanings given.

1.14 (b) "Accessory dwelling unit" means any building that contains one dwelling unit used,

1.15 intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or

1.16 occupied for living purposes and is located on the same property as an existing dwelling.

1.17 An accessory dwelling unit may be attached or detached from the existing dwelling.

1.18 (c) "Affordable housing" means a residential dwelling unit affordable to households at

1.19 or below 115 percent of the area median household income, for an owner-occupied unit, or

1.20 at or below 60 percent of the area median household income, for a unit that is leased. The

1.21 deed or declaration for the unit must also contain a restrictive covenant requiring the property

1.22 to remain affordable housing for at least ten years, if the unit is owner-occupied, or at least

1.23 30 years if the unit is leased.

2.1 (d) "All-electric and efficient home" means a residential dwelling unit that utilizes  
2.2 electricity as its sole source of energy for heating, hot water heating, cooling, and appliances  
2.3 and meets the most current minimum efficiency standards of a zero energy ready home  
2.4 under the Zero Energy Ready Home Program administered by United States Department  
2.5 of Energy.

2.6 (e) "City" means a home rule charter or statutory city.

2.7 (f) "Cottage housing" means residential dwelling units on a lot with a common open  
2.8 space that either:

2.9 (1) is owned in common; or

2.10 (2) has units owned as condominium units with property owned in common and a  
2.11 minimum of 20 percent of the lot size as open space.

2.12 (g) "Courtyard apartment" means a building with up to four attached residential dwelling  
2.13 units arranged on two or three sides of a yard or garden.

2.14 (h) "Duplex" means a two-family home, classified as an IRC-2 in the State Building  
2.15 Code and not meeting the definition of townhouse.

2.16 (i) "Fiveplex" means a building containing five residential dwelling units intended for  
2.17 nontransient occupancy and not meeting the definition of townhouse.

2.18 (j) "Fourplex" means a building containing four residential dwelling units intended for  
2.19 nontransient occupancy and not meeting the definition of townhouse.

2.20 (k) "Lot" means any contiguous parcel of land in the possession of, owned by, or recorded  
2.21 as the property of the same claimant or person.

2.22 (l) "Major transit stop" means a stop or station for a guideway or busway, as the terms  
2.23 are defined in section 473.4485, subdivision 1.

2.24 (m) "Middle housing" means buildings that are single-family detached homes and  
2.25 residential properties that are compatible in scale, form, and character with single-family  
2.26 detached homes. Middle housing includes all of the following housing types:

2.27 (1) duplexes;

2.28 (2) triplexes;

2.29 (3) fourplexes;

2.30 (4) fiveplexes;

2.31 (5) sixplexes;

3.1 (6) townhouses;

3.2 (7) stacked flats;

3.3 (8) courtyard apartments;

3.4 (9) cottage housing; and

3.5 (10) single-family detached homes.

3.6 (n) "Residential dwelling unit" or "unit" means a residential dwelling unit for the use of  
3.7 a single owner or tenant and applies to any type of residential structure unless otherwise  
3.8 specified.

3.9 (o) "Single-family detached home" means any building that contains one residential  
3.10 dwelling unit used, intended, or designed to be built, used, rented, leased, let, or hired out  
3.11 to be occupied, or occupied for living purposes that is not attached to another structure.

3.12 (p) "Sixplex" means a building containing six residential dwelling units intended for  
3.13 nontransient occupancy and not meeting the definition of townhouse.

3.14 (q) "Stacked flat" means a nontransient residential building of no more than three stories  
3.15 on a lot zoned for residential development in which each floor is a residential dwelling unit.

3.16 (r) "Townhouse" means a single-family residential dwelling unit constructed in a group  
3.17 of three or more attached units in which each unit extends from the foundation to the roof  
3.18 and with open space on at least two sides. Each single-family residential dwelling unit shall  
3.19 be considered a separate building. Separate building service utilities shall be provided to  
3.20 each single-family residential dwelling unit when required by the State Building Code.

3.21 (s) "Triplex" means a building containing three residential dwelling units intended for  
3.22 nontransient occupancy and not meeting the definition of townhouse.

3.23 Subd. 2. **Middle housing types permitted.** A city must authorize at least six types of  
3.24 middle housing other than single-family detached homes to be built on residential lots in  
3.25 the city to achieve the density requirements in this section.

3.26 Subd. 3. **Cities of the first class; required residential densities.** (a) A city of the first  
3.27 class must permit the development of at least four residential dwelling units on any residential  
3.28 lot that is more than one-half mile from a major transit stop, unless one of the following  
3.29 criteria are met:

3.30 (1) if all of the units are all-electric and efficient homes, the city must permit the  
3.31 development of at least six residential dwelling units on the lot;

4.1 (2) if at least two of the units are affordable housing, the city must permit the development  
4.2 of at least six residential dwelling units on the lot; or

4.3 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
4.4 also affordable housing, the city must permit the development of at least eight residential  
4.5 dwelling units on the lot.

4.6 (b) A city of the first class must permit the development of at least six residential dwelling  
4.7 units on any residential lot that is one-half mile or less from a major transit stop, unless one  
4.8 of the following criteria are met:

4.9 (1) if all of the units are all-electric and efficient homes, the city must permit the  
4.10 development of at least eight residential dwelling units on the lot;

4.11 (2) if at least two of the units are affordable housing, the city must permit the development  
4.12 of at least eight residential dwelling units on the lot; or

4.13 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
4.14 also affordable housing, the city must permit the development of at least ten residential  
4.15 dwelling units on the lot.

4.16 (c) The requirements of this subdivision apply regardless of the types of middle housing  
4.17 authorized by the city under subdivision 2.

4.18 **Subd. 4. Other cities; required residential densities.** (a) A city of the second, third,  
4.19 or fourth class must permit the development of at least two residential dwelling units on  
4.20 any residential lot that is more than one-half mile from a major transit stop, unless one of  
4.21 the following criteria are met:

4.22 (1) if all of the units are all-electric and efficient homes, the city must permit the  
4.23 development of at least three residential dwelling units on the lot;

4.24 (2) if at least two of the units are affordable housing, the city must permit the development  
4.25 of at least three residential dwelling units on the lot; or

4.26 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
4.27 also affordable housing, the city must permit the development of at least four residential  
4.28 dwelling units on the lot.

4.29 (b) A city of the second, third, or fourth class must permit the development of at least  
4.30 four residential dwelling units on any residential lot that is one-half mile or less from a  
4.31 major transit stop, unless one of the following criteria are met:

5.1 (1) if all of the units are all-electric and efficient homes, the city must permit the  
5.2 development of at least six residential dwelling units on the lot;

5.3 (2) if at least two of the units are affordable housing, the city must permit the development  
5.4 of at least six residential dwelling units on the lot; or

5.5 (3) if all of the units are all-electric and efficient homes and at least two of the units are  
5.6 also affordable housing, the city must permit the development of at least eight residential  
5.7 dwelling units on the lot.

5.8 (c) The requirements of this subdivision apply regardless of the types of middle housing  
5.9 authorized by the city under subdivision 2.

5.10 Subd. 5. **Municipal standards.** (a) Any standards, performance conditions, or  
5.11 requirements imposed by a city for residential dwelling units permitted under subdivisions  
5.12 3 and 4 must directly relate to protecting public health, safety, and general welfare.

5.13 (b) A city may not use official controls to prohibit the application of this section, including  
5.14 imposing performance conditions, standards, requirements, ordinances, fees, exactions, and  
5.15 dedications on any residential dwelling unit or development that are more restrictive than  
5.16 those in this section or other law or rule.

5.17 Subd. 6. **Commercial district designation.** A city that does not have a major transit  
5.18 stop within the boundaries of the city must designate the boundaries of at least one  
5.19 commercial district in the city. The commercial district must be adjacent to residential  
5.20 property. The boundaries of the commercial district must be treated as a major transit stop  
5.21 for the purposes of determining properties to which the densities in subdivisions 3 and 4  
5.22 apply.

5.23 Subd. 7. **Accessory dwelling units authorized.** (a) An accessory dwelling unit may be  
5.24 built on any residential lot in a city, regardless of total lot size, street frontage, connectivity  
5.25 between the accessory dwelling unit and the primary dwelling on the lot, and whether the  
5.26 lot is occupied by the property owner, so long as the accessory dwelling unit is built in  
5.27 conformance with the State Building Code.

5.28 (b) A city may permit more than one accessory dwelling unit to be built on a residential  
5.29 lot.

5.30 Subd. 8. **Minimum lot size permitted.** (a) A city may, by ordinance, require a minimum  
5.31 lot size in accordance with this subdivision to which the density requirements of subdivisions  
5.32 3 and 4 apply.

5.33 (b) A minimum lot size for a city of the first class must not be greater than:



6.1 (1) 2,500 square feet for a single-family detached home, duplex, triplex, fourplex,  
6.2 fiveplex, sixplex, stacked flat, and courtyard apartment; or

6.3 (2) 1,200 square feet for a townhome and cottage housing.

6.4 (c) A minimum lot size for a city of the second, third, or fourth class must not be greater  
6.5 than:

6.6 (1) 4,000 square feet for a single-family detached home, duplex, triplex, fourplex,  
6.7 fiveplex, sixplex, stacked flat, and courtyard apartment; or

6.8 (2) 1,200 square feet for a townhome and cottage housing.

6.9 Subd. 9. **City official controls; limitations.** (a) City official controls establishing,  
6.10 directly or indirectly, the permitted size, scale, or form of a building may only impose the  
6.11 following limitations:

6.12 (1) building height maximums;

6.13 (2) yard or setback requirements;

6.14 (3) maximum lot coverage;

6.15 (4) impervious surface maximums;

6.16 (5) lot width minimums;

6.17 (6) lot area minimums; and

6.18 (7) a maximum number of residential units per lot.

6.19 (b) City official controls must not impose architectural features, minimum square footage,  
6.20 garage square footage, or floor area ratios and must not create practical difficulties in the  
6.21 placement of residential units on any lot.

6.22 (c) City official controls establishing, directly or indirectly, the maximum square footage,  
6.23 gross floor area, or other size standard for residential dwelling units must be increased by  
6.24 at least ten percent per single-family unit built on a lot where multiple single-family units  
6.25 will be developed. A city may opt not to adjust a height standard for single-family units  
6.26 entitled to other standard adjustments under this paragraph.

6.27 (d) A city must reduce a setback standard by at least one foot for an all-electric and  
6.28 efficient home.

6.29 Subd. 10. **Parking requirements limited.** (a) A city may not require off-street parking  
6.30 space for a residential dwelling unit that is one-half mile or less from a major transit stop.

7.1 (b) A city may not require more than one off-street parking space per residential dwelling  
7.2 unit that is over one-half mile from a major transit stop.

7.3 Subd. 11. **Affordable housing; replacement required.** Affordable housing on a  
7.4 residential lot may only be demolished or remodeled for the construction of middle housing  
7.5 if the middle housing development will create at least as many affordable housing units as  
7.6 exist in the structure to be demolished or remodeled.

7.7 Subd. 12. **Subdivision of lots permitted; administrative review process established.** (a)  
7.8 Notwithstanding any law, rule, or ordinance to the contrary, a city must permit a residential  
7.9 lot to which the density requirements of subdivisions 3 and 4 apply to be subdivided in a  
7.10 manner that allows all units to be built on the property to be single-family detached homes.

7.11 (b) A residential lot created from the subdivision of property under paragraph (a) that  
7.12 is smaller than a minimum lot size required pursuant to subdivision 8 is not subject to the  
7.13 density requirements under subdivisions 3 and 4.

7.14 (c) Notwithstanding any law, rule, or ordinance to the contrary, a city must permit units  
7.15 on residential lots created from the subdivision process under paragraph (a) to share water,  
7.16 wastewater, and sanitary sewer infrastructure.

7.17 (d) A city shall process an application to subdivide a residential lot in accordance with  
7.18 the procedures under subdivision 13.

7.19 Subd. 13. **Administrative design review process established.** (a) Notwithstanding  
7.20 section 462.358, subdivision 3b, or any other law, rule, or ordinance to the contrary, a city  
7.21 must establish an administrative design review process for building permits for middle  
7.22 housing development projects and subdivision applications under subdivision 12. The  
7.23 administrative review process must review and approve or deny such building permit and  
7.24 subdivision applications based on the application's alignment with the city's comprehensive  
7.25 plan and other applicable zoning requirements. The administrative review process shall not  
7.26 involve a public hearing unless one is required by state or federal law or the project involves  
7.27 or affects a lot located in a historic district under section 138.73. The city may hold a public  
7.28 hearing on a building permit or subdivision application under this section for requests for  
7.29 variances from city zoning requirements. Except as provided in paragraph (b), an application  
7.30 subject to the administrative design review process must be approved or disapproved within  
7.31 60 days following the receipt by the city of a completed application by the applicant. If the  
7.32 city fails to approve or disapprove an application within 60 days, the application shall be  
7.33 deemed approved.

8.1 (b) A city must specify in writing all requirements for an application for a building  
8.2 permit for middle housing or for a subdivision to be considered complete. The written  
8.3 completion requirements must accompany each application.

8.4 (c) An applicant may direct the city to toll the 60-day review period for an application  
8.5 for a building permit for middle housing or for a subdivision application under subdivision  
8.6 12. The applicant may also direct the city to begin to run the 60-day time period for an  
8.7 application that was previously tolled upon request by the applicant. A request under this  
8.8 paragraph must be in writing. A city may not charge a fee to the applicant for a request  
8.9 under this paragraph.

8.10 Subd. 14. **Model ordinance.** (a) On or before December 31, 2024, the commissioner of  
8.11 the Minnesota Housing Finance Agency must develop and publish a model ordinance for  
8.12 adoption by cities that addresses the requirements of this section. On or before July 1, 2025,  
8.13 a city must adopt the model ordinance under this subdivision or amend its official controls  
8.14 to be consistent with the requirements of this section as part of an alternative density plan  
8.15 under subdivision 15.

8.16 (b) The Minnesota Housing Finance Agency must convene an advisory group of  
8.17 stakeholders to provide information during the development of the model ordinance. The  
8.18 advisory group must represent expertise in city administration, housing affordability, housing  
8.19 construction, municipal land use planning and zoning, and any other topics that the agency  
8.20 determines are necessary.

8.21 Subd. 15. **Alternative density plans.** A city may develop an alternative density plan  
8.22 and submit the plan to the commissioner of the Minnesota Housing Finance Agency for  
8.23 approval. The commissioner may approve an alternative density plan under this subdivision  
8.24 only if the city demonstrates that the plan will result in an equal or greater amount of middle  
8.25 housing production that would occur with the adoption of the model ordinance under  
8.26 subdivision 14. The commissioner must approve or disapprove an alternative density plan  
8.27 within 120 days of the day of receipt of the plan by the commissioner.

8.28 Subd. 16. **Exception.** This section does not apply to any parcel located in a floodplain.

8.29 Subd. 17. **State Building Code; State Fire Code.** This section does not modify any  
8.30 requirement of the State Building Code or State Fire Code.

8.31 **EFFECTIVE DATE.** This section is effective July 1, 2025, except that subdivisions  
8.32 1, 14, and 15 are effective July 1, 2024.

9.1 Sec. 2. **[462.3576] LIMITATION ON AESTHETIC MANDATES FOR CITIES.**

9.2 A home rule charter or statutory city must not condition approval of a residential building  
9.3 permit, subdivision development, or planned unit development on the use of one or more  
9.4 of the following:

9.5 (1) specific materials for aesthetic reasons for property used for a residential purpose as  
9.6 defined by the State Building Code;

9.7 (2) minimum square footage or floor area ratios;

9.8 (3) architectural design elements, including but not limited to decks, balconies, porches,  
9.9 gables, roof pitch, and elevation design standards;

9.10 (4) garage square footage; or

9.11 (5) common space, pools, or any common property necessitating a homeowner's  
9.12 association.

9.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

# 2024 LEGISLATIVE PRIORITIES

The League of Minnesota Cities promotes excellence in local government through effective advocacy, expert analysis, and trusted guidance for all 855 Minnesota cities.



## Adult-Use Cannabis

Legislation should be responsive to the needs of cities as they arise from the implementation of the adult-use cannabis industry, including providing adequate funding through the Local Government Cannabis Aid fund. The League supports efforts that would increase discretion and local authority.

## Bonding

The League supports a substantial bonding bill that includes appropriations for municipal water and wastewater infrastructure, local roads and bridges, housing, the local road wetland replacement fund, flood hazard mitigation, and dam repair and removal projects.

## Emergency Medical Services (EMS)

The League supports the work of the EMS Delivery and Sustainability Task Force and will engage in the work of the Minnesota Legislature's Joint Task Force on EMS. The League will advocate for funding and policy solutions that recognize different EMS models and support EMS statewide.

## Employment Issues

The League supports clarifying the Earned Sick and Safe Time law regarding applicability to paid on-call firefighters, public sector part-time EMS personnel, and other unique positions. The League also supports preserving inherent managerial rights for public employers to make decisions regarding budget, personnel, and appropriate levels of public service.

## Housing

The League seeks to build on the historic level of housing funding passed in 2023 and ensure successful implementation of new programs. The League also seeks to advance policy that builds on the state-local partnership and allows broader authority for cities to address their locally-identified housing needs while ensuring that local decision-making authority on zoning and land use remains.

## Local Government Aid (LGA)

The League is thankful for the significant LGA changes passed into law in 2023 and supports allowing annual increases to LGA to keep pace with rising costs due to inflationary pressures on city budgets.

## Local Control

The League will oppose legislation that erodes local control in cities across Minnesota.

## Local Sales Taxes

The League supports a change in law to generally allow cities to enact a local sales tax for public improvements and capital replacement costs without requiring a special law authorization.

## Public Safety Duty Disability

The League will seek ongoing state funding for measures related to injury prevention, treatment, and employer reimbursements. The League will oppose efforts to expand conditions presumed to be work-related for workers' compensation purposes.

## Sales Tax Exemption on Construction Materials

The League supports legislation to streamline the process required for cities to secure the sales tax exemption on construction materials.

## School Resource Officers (SROs)

The League calls on the legislature and governor to work with stakeholders including law enforcement, local government, and education organizations to clarify laws pertaining to the authority SROs have in schools.

## Water and Wastewater Infrastructure and Policies

The League supports the state providing the technical and financial resources needed for municipal drinking water, stormwater, and wastewater systems.

# LEAGUE OF MINNESOTA CITIES INTERGOVERNMENTAL RELATIONS STAFF

The League's Intergovernmental Relations (IGR) staff work on legislative issues that matter to cities. Feel free to contact our IGR staff members with any questions, concerns, or suggestions regarding legislative issues.



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- Member Relations

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## 2024 LEGISLATIVE PRIORITIES

### AIDS, REVENUES AND TAXES

Metro Cities supports legislation to simplify the sales tax exemption process for construction materials purchased by local governments.

Metro Cities supports allowing cities to impose local sales taxes without the need for legislative approval.

### ADULT-USE CANNABIS

Metro Cities supports local control and zoning authority related to cannabis businesses, coordination between policymakers, the Office of Cannabis Management, and city officials as the law is implemented, and adequate funding for cities in recognition of local financial implications and needs resulting from cannabis legalization.

### ECONOMIC DEVELOPMENT

Metro Cities supports funding for the Minnesota Investment Fund, Job Creation Fund, Redevelopment Grant Program, and programs that support the region's workforce.

Metro Cities supports tools to address conversion of vacant commercial space to residential or new types of uses that support economic growth, such as state funding, tax credits and tax increment financing.

### EMERGENCY MEDICAL SERVICES (EMS)

Metro Cities supports allowing local units of government to designate licensed ambulance service provider(s) for their community, tools and local authority that ensure transparency by providers, decoupling the professional standards oversight role from the service area determination and regional balance on the EMSRB.

### ENVIRONMENT

Metro Cities supports resources to address PFAS/PFOS, and state funding for programs that support local climate action planning, climate resiliency, and climate related infrastructure projects.

### HOUSING

Cities are responsible for local land use and zoning. Metro Cities opposes preemption over local land use decisions.

Metro Cities supports lowering the threshold of eligibility for cities to receive 4d(1) aid, as well as ongoing aid to mitigate the impact of the class rate reduction.

Metro Cities supports statutory clarity to allow for local impact fees to serve new residential development.

### HOUSING

Metro Cities supports capital funding for local housing needs, including incenting home ownership, expanding housing aid grants for metropolitan cities under 10,000 in population, preservation of existing affordable housing, and programs that promote racial equity in homeownership.

### LOCAL AUTHORITY

Metro Cities supports local authority and decision making, including over local planning and zoning, city budgets and local public rights of way.

Metro Cities supports laws to increase efficiencies in election administration and opposes laws that place undue financial or administrative burdens on local governments.

### METROPOLITAN INFLOW-INFILTRATION MITIGATION

Metro Cities supports capital funding to assist metropolitan cities with local inflow-infiltration mitigation.

### PUBLIC SAFETY

Metro Cities supports clarity on legislation related to school resource officers (SROs), ongoing funding for local public safety needs, and incentives to address retention and recruitment challenges faced by local police and fire departments.

### REGIONAL GOVERNANCE

Metro Cities supports appointment of Metropolitan Council members by the Governor with four-year staggered terms, increasing local official input on the nominating process for Metropolitan Council members and providing for a statutory public comment period after members are nominated and before they are appointed.

### TRANSPORTATION and TRANSIT

Metro Cities supports resources for the Local Road and Local Bridge, Corridors of Commerce, and Local Road Wetland Replacement programs, and other investments in local transportation infrastructure.

Metro Cities supports a comprehensive regional transit system supported by state and regional sources, and policies that allow providers to adequately address local transit service needs.