

- 1.1
- Senator moves to amend S.F. No. 3303 as follows:
- 1.2
- Delete everything after the enacting clause and insert:
- 1.3
- "Section 1. **[462.3576] LIMITATION ON AESTHETIC MANDATES FOR CITIES.**
- 1.4
- A home rule charter or statutory city must not condition approval of a residential building
- 1.5
- permit, subdivision development, or planned unit development on the use of one or more
- 1.6
- of the following:
- 1.7
- (1) specific materials for aesthetic reasons for property used for a residential purpose as
- 1.8
- defined by the State Building Code;
- 1.9
- (2) residential building or accessory structure to a residential building minimum square
- 1.10
- footage or floor area ratios;
- 1.11
- (3) architectural design elements including, but not limited to, decks, balconies, porches,
- 1.12
- gables, roof pitch, and elevation design standards;
- 1.13
- (4) garage square footage; or
- 1.14
- (5) common space, pools, or any common property necessitating a homeowner's
- 1.15
- association.
- 1.16
- EFFECTIVE DATE.** This section is effective July 1, 2025."
- 1.17
- Amend the title accordingly

Office of the Revisor of Statutes

HF 3168 Status in the House for the 93rd Legislature (2023 - 2024)		
Current bill text: As Introduced Version List	Companion: SF3303 Companion Text Senate Search	Revisor number: 23-02224
Long Description	Further Committee Actions	House Research Summary Fiscal Notes

Description

Regulations on residential development limited.

Authors (3)

[Nash](#); [Dotseth](#); [Mekeland](#)

Actions

Separated	Chronological
-----------	-------------------------------

House

03/30/2023	Introduction and first reading, referred to Housing Finance and Policy	pg. 2539 Intro
------------	--	--

Office of the Revisor of Statutes

SF 3303 as introduced - 93rd Legislature (2023 - 2024) Posted on 03/05/2024 09:46am

KEY: ~~stricken~~ = removed, old language. underscored = added, new language.

[Version List](#) [Authors and Status](#)

 [Pdf](#)  [Rtf](#)

Jump to page/line #

Current Version - as introduced

A bill for an act
relating to housing; limiting regulations on certain residential development;
proposing coding for new law in Minnesota Statutes, chapter 462.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[462.3575] LIMITING REGULATIONS ON RESIDENTIAL DEVELOPMENT.**

Subdivision 1. **Limitation on aesthetic mandates.** A municipality shall not condition approval of a building permit, subdivision development, or planned unit development on the use of specific materials, design, or other aesthetic conditions that are not required by the State Building Code under chapter 326B.

Subd. 2. **Limitation on square footage.** A municipality shall not impose a minimum square footage requirement.

Subd. 3. **Exception.** This section shall not apply to a proposed residential development that is to be developed by the municipality itself.

EFFECTIVE DATE. This section is effective the day following final enactment.

Bills That Would Restrict City Zoning Authority, Including Problematic Missing Middle Housing Bill, to Be Heard by Senate Housing Committee

March 4, 2024

The proposed legislation includes broad provisions that remove significant aspects of local decision-making authority when it comes to residential development.

On March 5 and March 7, the Senate Housing and Homelessness Prevention Committee will hear four bills that seek to broadly preempt longstanding city zoning and land use authorities related to residential development. These bills mark a continuation of the Legislature's trend this session in seeking to address housing challenges in Minnesota with statewide preemptions of local authority.

City leaders, especially those who are represented by Senators who sit on the Senate Housing and Homelessness Prevention Committee, are encouraged to reach out to their legislators with concerns regarding these four bills.

Proposed policy provisions

The March 5 hearing will include SF 3303, authored by Sen. Eric Lucero (R-Dayton), which would broadly limit material design standards and other aesthetic provisions. Specifically, cities could not mandate aesthetic features or require that certain building materials be used for residential properties. They would also be prohibited from requiring minimum square footage or floor area ratio, among other preemptive provisions. The House companion is HF 3168, (Rep. Jim Nash, R-Waconia).

The March 5 hearing will also include SF 3080, authored by Sen. Rich Draheim (R-Madison Lake), which is the Senate version of the "Legalizing Affordable Housing Act" that was heard during the 2023 legislative session in the House. The House companion is HF 2235, (Rep. Steve Elkins, DFL-Bloomington).

The bill would also broadly preempt local authority for zoning and land use with provisions that include:

- Mandatory upzoning of single family lots for all cities.
- Prohibition on roads that exceed 32 feet in width.
- Prohibitions on imposing material design and aesthetic requirements.
- Concerning provisions related to permitting and inspection processes.

- Required density regardless of if infrastructure is in place to support new density.

The March 7 hearing will include [SF 3964](#), authored by [Sen. Nicole Mitchell](#) (DFL-Woodbury), and [SF 3980](#), authored by [Sen. Susan Pha](#) (DFL-Brooklyn Park). This will be the first Senate hearing for SF 3964, also known as the Missing Middle Housing bill, which was heard in the [House Housing Finance and Policy Committee](#) on Feb. 20. The House companion is [HF 4009](#), ([Rep. Larry Kraft](#), DFL-St. Louis Park).

SF 3964 and SF 3980 include provisions that:

- Broadly preempt city zoning and land use authorities.
- Remove public input in the residential development process.
- Lack consideration for how cities utilize zoning and land use to ensure public health, safety and welfare, finance, and scale public infrastructure to support new housing density.

For more information on what is included in these bills, [see a previous article](#).

[Read more news articles.](#)

Your LMC Resource

Daniel Lightfoot

IGR Representative & Federal Relations Manager

(651) 281-1295 or (800) 925-1122

dlightfoot@lmc.org