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## 'Missing middle' housing bill concerns city officials

By Jacqueline Devine [jdevine@swpub.com](mailto:jdevine@swpub.com)

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Kirt Briggs

Courtesy photo/City of Prior Lake

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A bill that would supersede local zoning rules and would allow developers to legally build up to a sixplex, apartment buildings, townhouses and cottage housing in residential neighborhoods, is raising eyebrows in cities of 10,000 or more, including Prior Lake.

The bill stems from the state's critical housing shortage and will support diverse "missing middle" affordable housing options such as duplexes, fourplexes, sixplexes, cottage courts, and multiplexes. The bill was recently amended and approved by the Housing Finance and Policy Committee. The bill awaits its first hearing in the Senate.

At the Feb. 27 Prior Lake City Council meeting, Mayor Kirt Briggs brought up some concerns within the bill that would eliminate local control at the city level.

"There is a bill circulating in the House, soon in the Senate, that would bring lasting and significant consequences to every homeowner and tax-payer in cities across Minnesota," Briggs said. "This bill is a preemption that puts in place one-size fits all zoning in our current existing neighborhoods. What it does is, if it passes into law, it will eliminate city authority to oversee local planning and zoning in residential neighborhoods."

According to legislation, the bills — HF 4009 and SF 3964 — would essentially eliminate single-family zoning in Minnesota towns with a population above 10,000. It also takes away the ability of towns and cities to shape housing with rules about parking and aesthetics, or whether lots can be subdivided.

"The law would give a for-profit developer the full right to purchase your neighbor's home, tear it down and replace it with a fourplex," Briggs said. "While the law gives the developer the full protection of statute to do just that, it also strips each and everyone one of us a right that we

all enjoy today, which is the right to a public hearing so that I could bring my voice of support or opposition to this new development.”

Briggs argued that the bill could potentially create infrastructure issues because as the bill sits now, there would be no need to adjust sewer/water pipes and developers would retrofit the current single family home water main and sewer to accommodate up to six more housing units.

“The unplanned density would sit on top of our existing infrastructure. If demand exceeds capacity and if you put too many of these high density units on that infrastructure, tax payers would be left with one of two unpleasant realities,” Briggs said. “It would allow for the degradation of the public safety or incur the cost burden of retrofitting that infrastructure that was brought on by the new and unplanned for growth.”

City Manager Jason Wedel added that even though the underlying premise of the bill is to create more affordable housing, nowhere in the bill does it state it will require any of these new homes to be more affordable.

“A home in Prior Lake can be removed and a sixplex can be built in its place and each one of those units could be very expensive,” Wedel explained. “It would not lead to any affordability, it would just put more stress and strain on our existing sewer pipes, water pipes and our streets.”

Wedel said that the City already has a process in place called the comprehensive planning process that designates parts of the city to build higher density homes.

“We have a process in place that we’ve been following for decades in which certain areas of the city are designated for these higher densities,” Wedel said. “Our infrastructure is sized to accommodate those higher densities in those locations. As part of that comprehensive process, there is a public hearing component where property owners can come in and have their voices heard.”

Wedel added that the proposed bill will eliminate the comprehensive planning process all together and the City and property owners would not be able to do anything about it.

“This proposed bill just eliminates that entire comprehensive plan and blows it out the water,” Wedel said. “It says you can now build density as a for-profit developer wherever you want and the city could do nothing about it and adjoining property managers will have no say in the —

matter. It's very scary and it's definitely something that we need to have our public raise up their voices and have our legislators hear from them."

Briggs then urged residents to reach out to their local legislators and voice their concerns.

"Council and citizens of Prior Lake, the time has come for your voice to be heard on this issue," he said. "Please tell your state representative and local representatives to not vote for any legislation that would take your voice away."