



CITY ENGINEERS ASSOCIATION OF MINNESOTA

Engineering Our Cities' Futures

March 7, 2024

Senator Lindsey Port

Chair – Senate Housing and Homelessness Prevention Committee

RE: Comments on SF 3980 and SF 3964

Chair Port and Committee Members:

On behalf of the City Engineers Association of Minnesota (CEAM) thank you for the opportunity to share the following comments on SF 3980 and SF 3964; both of which address items related to housing density and limits to local authority and control.

CEAM has many concerns about the details of these bills and the significant limits they place on local authority and control as it pertains to land use policies. Primarily, we have concerns about how the cities will be able to enforce engineering and operational limits and requirements on proposed developments given the language in this bill.

Many of our concerns are related to the “one size fits all” language for these bills. While there are different allowances for proposed developments in cities of the first class versus non-first class cities, there is no differentiation between suburban, exurban, rural or other city types and locations. The needs and operational considerations for these different types of cities do vary and do matter.

We appreciate the ability of cities to set controls and limitations as set in SF 3964 Subdivision 9, paragraph (a), but it seems unclear whether important limitations such as impervious surface maximums, storm water management systems, sanitary sewer capacity restrictions, water service limitations and setback requirements that are important for public infrastructure maintenance are allowed conditions and requirements for the affordable housing and lots within certain radii of major transit stops. Given the work that cities across the state have done to provide resiliency for our sewer, water and stormwater systems, we worry that the intent of this bill could prevent us from limiting characteristics that could jeopardize these factors in high impact areas.

In general, we are also concerned about the precedent of statewide zoning and density requirements. We feel that incentivizing density in areas that make sense in each community is a better tactic towards meeting bigger picture density goals than to create instant division and controversy towards these goals.

Also, while we understand that far too many developments have been subject to “Not In My Backyard” stereotypes and opposition, we also feel that these bills will not get the public debate and input that such a far reaching policy should receive due to the nature of the legislative process. Further, the bills themselves eliminate any opportunity for the public to petition government agencies to address their

concerns regarding certain developments that materially impact their property and provides no way for residents to seek recourse and make their voice heard before their local elected officials.

Thank you for the opportunity to share CEAM's comments and concerns on these bills. We appreciate your consideration.

Sincerely,

City Engineers Association of Minnesota Executive Committee

Mark DuChene – City of Faribault
President

Debra Heiser – City of St Louis Park
Vice President

Matt Leonard – City of Monticello
Secretary/Treasurer

Jennifer Edison – WSB & Associates
Associate Member – Private Sector

Jennifer Payne
Associate Member – Public Sector

Michael Thompson – City of Plymouth
1st Past President

Justin Femrite – City of Elk River
2nd Past President