



SCOTT COUNTY BOARD OF COMMISSIONERS

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BARB WECKMAN BREKKE, DISTRICT 1
TOM WOLF, DISTRICT 2
JODY BRENNAN, DISTRICT 3
DAVE BEER, DISTRICT 4
JON ULRICH, DISTRICT 5

March 5, 2024

RE: Comments on SF 3964 / HF 4009 ("Missing Middle Housing")

Dear Chair Port and Housing and Homelessness Prevention Committee Members,

The Scott County Board of Commissioners appreciates the opportunity to provide comments on SF3964/HF4009. As representatives of the residents of Scott County, we are concerned with provisions of the bill that preempt city zoning and land use authorities, remove public input in the residential development process, ignore long-range comprehensive plans and lack consideration for how cities utilize zoning and land use authorities to ensure investments in utilities and infrastructure are sized and scaled appropriately to support new housing density. We are particularly concerned with the potential unintended consequences of this legislation as currently drafted, including:

- Allowing numerous types of multi-unit housing to be built in our cities on lots guided and zoned for single family development - particularly within shoreland district areas, bluff protection zones, and other sensitive natural areas - could adversely impact water quality and stormwater runoff.
- Scott County administers the permitting and enforcement of individual, on-site septic systems countywide, within our cities and townships. Requiring a 4,000 square foot minimum lot size for communities like the City of Credit River (which is guided and zoned for both publicly- and privately-sewered residential development) does not consider the challenge of siting individual, on-site septic systems on these smaller lots.
- The bill eliminates any form of public input process for residents to have their concerns heard by their local public officials or to seek recourse when certain development materially impacts their property.
- Because this bill only applies to cities and not the unincorporated areas (i.e., townships), this legislation might unintentionally promote rural sprawl, as certain city property owners will choose to relocate or build in a single-family residential district in the townships to avoid uncertainty of what could happen next door where missing middle housing types will be permitted by right.
- In its long-range comprehensive plan, Scott County promotes most commercial development to locate inside the cities, where public infrastructure is available to serve this type of land use. This legislation allows multifamily development to compete with

commercial development on commercially zoned properties, which could limit the supply of city-zoned commercial land, and again unintentionally add pressure for commercial development sprawling into the townships.

- Also in its long-range comprehensive plan, Scott County supports our cities' investments in sewer, water, roads, and transit to serve planned densities throughout the community and into its future growth areas. This legislation does not consider public infrastructure capacity, but instead forces cities to accept additional housing density without any consideration for how re-sizing infrastructure (i.e., upsizing sewer pipes to meet new density) will be paid for to support the additional density, which will ultimately be borne by existing residents.

Thank you for your consideration of these comments. We look forward to continuing to work with you to identify approaches that support our cities in their efforts to address local housing needs.

Respectfully,

A handwritten signature in cursive script that reads "Barb Weckman Brekke".

Barb Weckman Brekke, Chair
Scott County Board of Commissioners

cc: Senator Draheim
Senator Duckworth
Senator Lieske
Senator Port
Senator Pratt
Representative Albright
Representative Bakeberg
Representative Hanson
Representative Pfarr
Representative Pursell
Representative Tabke