



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: January 23, 2024

Subject: Sacred Communities Ordinance

Beginning on January 1, 2024, cities must allow faith communities to site micro units on religious property to house chronically homeless individuals, extremely low-income individuals, and volunteers.

The proposed ordinance incorporates the Sacred Settlement law into the City's zoning ordinance.

- Section 1 establishes a parking requirements of 1 parking space per volunteer unit for the sacred settlement. This is in addition to any parking requirements due to the religious use.
- Section 2 adds sacred communities as a conditional use in the R-1, R-2, R-3, C-1 and C-2 zoning districts.
- Section 3 establishes the performance standards for the sacred settlements. All of the performance standards are set forth under M.S. § 327.30, the Sacred Communities Law. The performance standards include the following:
 - Be no more than 400 gross square feet
 - Be built on a permanent chassis and anchored to pin foundations with engineered fasteners.
 - Have exterior material compatible in composition, appearance and durability to materials used in standard residential construction.
 - Meet minimum framing standards and insulation ratings for doors and windows and include a dry, compostable or plumbed toilet meeting MPCA rules.
 - Include smoke and carbon monoxide detectors and complex with municipal setback requirements.
 - Have access to water and electric utilities either by connecting the units to the principal building or by providing access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry consistent with boarding house requirements under Minnesota Rules, part 1305.2902.

The performance standards also establish minimum standards for the religious institution's operation of the settlement itself. These standards include:

- Appropriate level of insurance and have between one-third and 40% of the micro units occupied by designated volunteers.

- Adherence to all laws governing landlord and tenants under Minnesota Statutes Chapter 504B.
- A written plan provided to the city in which the settlement is approved by the religious institution's governing board that includes:
 - Plans for disposal of water and sewage if not plumbed and septic tank drainage if plumbed units are not connected to the primary worship location's system.
 - Adequate parking, lighting, and access to units by emergency vehicles.
 - Protocols for security and addressing conduct within the settlement as well as safety protocols for severe weather.
 - Requirement to obtain a conditional use.

The City is unable to add additional standards to the conditional use permit that are not included in the law. However, the creation of a sacred settlement cannot cause the site to go out of compliance with any provision of the City's zoning code nor can it cause a public nuisance as outlined in City Code.

The Planning Commission held a public hearing on the ordinance at its January 22, 2024 meeting. The Planning Commission recommended approval of the Sacred Settlement ordinance.

If you have any questions, please do not hesitate to contact me at 763-784-6491.