Senator ..... moves to amend S.F. No. 2229 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2024, section 394.25, is amended by adding a subdivision to read:

Subd. 11. **Homeowners associations.** (a) A county must not condition approval of a residential building permit or conditional use permit, residential subdivision development or residential planned unit development, or any other permit related to residential development, on the:

(1) creation of a homeowners association;

(2) inclusion of any service, feature, or common property necessitating a homeowners association;

(3) inclusion of any terms in a homeowners association declaration, bylaws, articles of incorporation, or any other governing document that is not required under state law or state rule; or

(4) adoption or revocation of, or amendment to, a rule or regulation governing the homeowners association or its members.

(b) A county must not take any action that requires a residential property to be part of a homeowners association or provide an incentive for such membership. A county must not require or incentivize a homeowners association to adopt, revoke, or amend a term in any governing document or a rule or regulation not required under state law or state rule.

(c) Nothing in this section prohibits a county from adopting or enforcing ordinances relating to the maintenance or insurance of private common areas or from enforcing such ordinances.

Sec. 2. Minnesota Statutes 2024, section 394.25, is amended by adding a subdivision to read:

Subd. 12. **Residential construction materials and design standards.** (a) A county must not impose any of the following requirements, by ordinance or as a condition of approval of any request related to a residential development, if the residential development meets or exceeds applicable standards established in the State Building Code:

(1) a minimum number or type of exterior finish materials, including siding;

(2) the presence of shutters, columns, gables, decks, balconies, or porches;

(3) minimum garage square footage, size, width, or depth;

(4) front elevation design requirements regarding proportions of building features;

(5) building articulation, roof pitch, or garage protrusion;

(6) minimum number or placement of windows; or

(7) the orientation or dimensions of the structure except that a county may require an egress point on a street-facing side of the structure.

(b) A county must not impose any other standards or requirements that exceed those established by the State Building Code related to architectural design elements, aesthetic standards, or specific construction materials, except a county may impose such standards if:

(1) the county identifies a documented risk to public health, safety, or general welfare; and

(2) the requirement is not prohibited by paragraph (a).

(c) Properties in a historic district under sections 138.73 and 471.193, are exempt from this subdivision.

Sec. 3. Minnesota Statutes 2024, section 394.25, is amended by adding a subdivision to read:

Subd. 13. **Minimum parking mandates restricted.** (a) For the purposes of this subdivision, "minimum parking mandate" means a law, rule, or ordinance that specifies a minimum number of motor vehicle parking spaces, including on-street or off-street within a garage or other enclosed area.

(b) A county must not impose minimum parking mandates greater than one stall per residential unit, except that a county may pass and enforce an ordinance under section 169.346, subdivision 4, related to disability parking spaces or any provision of the Minnesota Accessibility Code, Minnesota Rules, chapter 1341.

Sec. 4. Minnesota Statutes 2024, section 462.357, is amended by adding a subdivision to read:

Subd. 10. **Minimum parking mandates restricted.** (a) For the purposes of this subdivision, "minimum parking mandate" means a law, rule, or ordinance that specifies a minimum number of motor vehicle parking spaces, including on-street or off-street within a garage or other enclosed area.

(b) A municipality must not impose minimum parking mandates greater than one stall per residential unit, except that a municipality may pass and enforce an ordinance under section 169.346, subdivision 4, related to disability parking spaces or any provision of the Minnesota Accessibility Code, Minnesota Rules, chapter 1341.

Sec. 5. **[462.3577] MUNICIPALITIES; HOMEOWNERS ASSOCIATIONS.**

(a) A municipality, joint planning board, or public corporation must not condition approval of a residential building permit or conditional use permit, residential subdivision development or residential planned unit development, or any other permit related to residential development, on the:

(1) creation of a homeowners association;

(2) inclusion of any service, feature, or common property necessitating a homeowners association;

(3) inclusion of any terms in a homeowners association declaration, bylaws, articles of incorporation, or any other governing document that is not required under state law or state rule; or

(4) adoption or revocation of, or amendment to, a rule or regulation governing the homeowners association or its members.

(b) A municipality, joint planning board, public corporation, or the Metropolitan Council must not take any action that requires a residential property to be part of a homeowners association or provide an incentive for such membership. A municipality, joint planning board, public corporation, or the Metropolitan Council must not require or incentivize a homeowners association to adopt, revoke, or amend a term in any governing document or a rule or regulation not required under state law or rule.

(c) Nothing in this section of law prohibits a project applicant from providing a utility easement to access public infrastructure.

Sec. 6. **[462.3578] MUNICIPALITIES; RESIDENTIAL DESIGN STANDARDS.**

(a) A municipality or the Metropolitan Council must not impose any of the following requirements, by ordinance or as a condition of approval of any request related to a residential development, if the residential development meets or exceeds applicable standards established in the State Building Code:

(1) a minimum number or type of exterior finish materials, including siding;

(2) the presence of shutters, columns, gables, decks, balconies, or porches;

(3) minimum garage square footage, size, width, or depth;

(4) front elevation design requirements regarding proportions of building features;

(5) building articulation, roof pitch, or garage protrusion;

(6) minimum number or placement of windows; or

(7) the orientation or dimensions of the structure except that a municipality may require an egress point on a street-facing side of the structure.

(b) A municipality or the Metropolitan Council must not impose any other standards or requirements that exceed those established by the State Building Code related to architectural design elements, aesthetic standards, or specific construction materials, except a municipality may impose such standards if:

(1) the municipality identifies a documented risk to public health, safety, or general welfare; and

(2) the requirement is not prohibited by paragraph (a).

(c) Properties in a historic district under sections 138.73 and 471.193, are exempt from this section.

Sec. 7. **[462.3594] ADMINISTRATIVE REVIEW.**

(a) A municipality must establish and follow an administrative process to review requests related to any proposed residential development adhering to local zoning controls in a zoning district that permits residential buildings in accordance with the process outlined in section 15.99. Notwithstanding language to the contrary in section 15.99, subdivision 2, for both the preliminary and final plat, the time limit in section 15.99 applies in lieu of the process required under section 462.358. Failure of a municipality to deny a request within the time limit provided under section 15.99 is approval of the request.

(b) A municipality must specify in writing, including on any application form provided by the municipality, all requirements that a request must fulfill for a request to be deemed complete and for the time limit in section 15.99, subdivision 2, to begin. Such requirements may not include a requirement that an applicant waive any rights, forgo the process established in this subdivision, or consent to exactions, dedications, or fees, except that a municipality may charge a standard application fee for the request.

(c) A municipality engaging in the process established in paragraph (a) must:

(1) approve or deny a land use request or proposed subdivision request based on the alignment of the request with the municipality's comprehensive plan, applicable zoning requirements, and subdivision regulations in place as of June 1, 2025, unless the current comprehensive plan, zoning requirements, or subdivisions regulations are more permissive;

(2) not require a conditional use permit or planned unit development agreement, except that a municipality may require a conditional use permit or planned unit development agreement to address an identified and documented risk to health or safety;

(3) not require more than two community meetings prior to approval of a request, except if more are required by state or federal law, or the project involves or affects a lot located in a historic district under section 138.73; and

(4) provide any development agreement to the applicant no less than three days in advance of final plat approval or before final approval of a request if a plat is not required."

Amend the title accordingly