

April 21, 2023

**Via email:** [Pat.Trudgeon@cityofroseville.com](mailto:Pat.Trudgeon@cityofroseville.com)

Patrick Trudgeon City Manager  
City of Roseville  
2660 Civic Center Drive  
Roseville, MN 55113

Re: Request for Extension of Temporary Stay of Enforcement  
Prince of Peace Lutheran Church  
2561 Victoria Street North

Dear Mr. Trudgeon:

Please accept this letter on behalf of Prince of Peace Lutheran Church ("Prince of Peace") and Settled Incorporated ("Settled") as a clarification of the commitment to meet the standards of the pending "Sacred Communities and Micro-Unit Dwellings," sec. 57 of Senate File 1384, the Labor Policy Omnibus bill, by June 2, 2023. On review of the bill we realized there are a two items that we cannot, and two that we may not be able to literally meet by June 2:

- **Number of Residents.** Subdivisions 3(b)(2) of the bill requires that each Settlement "have between one-third and 40 percent of the micro units occupied by designated volunteers." To reach that ratio, Prince of Peace would have to add at least one more chronically homeless person to the sacred community at Prince of Peace. Prince of Peace currently hosts one chronically homeless person and one designated volunteer, each in their own micro-unit. Prince of Peace will not add residents or micro-units during the period of the extended stay.
- **City Permitting.** Subdivision 3(c) provides that "a sacred community meeting the requirements of this section shall be approved and regulated as a permitted use, conditional use, or planned unit development, as determined by the municipality." Obviously, Prince of Peace and the City of Roseville cannot meet this requirement until the bill passes into law and the City amends its code of ordinances.
- **Anchoring.** As we said in the April 17 letter, Prince of Peace will use good faith efforts to meet its commitment to "anchoring to pin foundations with engineered fasteners; weather permitting by June 2, 2023," but wants to clarify that "weather permitting" includes weather that permits the soils to meet conditions necessary for installation of the foundations early enough to meet the June 2, 2023 commitment.

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- Inspection. Subdivision 4(b) requires inspection and certification of the micro units, "including their anchoring" by a professional engineer. Prince of Peace will have the micro units inspected within a reasonable time after the micro units are anchored, but will not be able to meet that condition by June 2, 2023 if installation of the pin foundations is delayed.

This letter is not a change in Prince of Peace's commitment to meet the standards described in our April 17 letter, especially related to life safety concerns, but we want to be open and realistic about the practical implications of complying the literal terms of the bill.

Very truly yours,

**Stinson LLP**

A handwritten signature in black ink, appearing to read "Eric Galatz", with a stylized flourish at the end.

Eric Galatz

Sec. 57. **[327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Chronically homeless" means an individual who:

(1) is homeless and lives or resides in a place not meant for human habitation, a safe haven, or in an emergency shelter;

(2) has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last three years; and

(3) has an adult head of household, or a minor head-of-household if no adult is present in the household, with a diagnosable substance use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability, including the co-occurrence of two or more of those conditions.

(c) "Designated volunteers" means persons who have not experienced homelessness and have been approved by the religious institution to live in a sacred community as their sole form of housing.

(d) "Extremely low income" means an income that is equal to or less than 30 percent of the area median income, adjusted for family size, as estimated by the Department of Housing and Urban Development.

(e) "Micro unit" means a mobile residential dwelling providing permanent housing within a sacred community that meets the requirements of subdivision 4.

(f) "Religious institution" means a church, synagogue, mosque, or other religious organization organized under chapter 315.

(g) "Sacred community" means a residential settlement established on or contiguous to the grounds of a religious institution's primary worship location primarily for the purpose of providing permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers that meets the requirements of subdivision 3.

Subd. 2. **Dwelling in micro units in sacred communities authorized.** Religious institutions are authorized to provide permanent housing to people who are chronically homeless, extremely low-income, or designated volunteers, in sacred communities composed of micro units subject to the provisions of this section. Each religious institution that has sited a sacred community must annually certify to the local unit of government that it has complied with the eligibility requirements for residents of a sacred community in this section.

Subd. 3. **Sacred community requirements.** (a) A sacred community must provide residents of micro units access to water and electric utilities either by connecting the micro units to the

utilities that are serving the principal building on the lot or by other comparable means, or by providing the residents access to permanent common kitchen facilities and common facilities for toilet, bathing, and laundry with the number and type of fixtures required for an R-2 boarding house under Minnesota Rules, part 1305.2902. PoP will submit narrative describing this by 6/2. Any units that are plumbed shall not be included in determining the minimum number of fixtures required for the common facilities.

(b) A sacred community under this section must:

(1) be appropriately insured; PoP will show proof of insurance by 6/2.  
(2) have between one-third and 40 percent of the micro units occupied by designated volunteers; and PoP is prepared to add another home in order to be in compliance with this. City does not want this therefore PoP will not add another home and will not be in compliance with this section.

(3) provide the municipality with a written plan approved by the religious institution's governing board that outlines:

- (i) disposal of water and sewage from micro units if not plumbed;
- (ii) septic tank drainage if plumbed units are not hooked up to the primary worship location's system;
- (iii) adequate parking, lighting, and access to units by emergency vehicles;
- (iv) protocols for security and addressing conduct within the settlement; and
- (v) safety protocols for severe weather. PoP will provide written plan by 6/2 for the city to respond to.

(c) A sacred community meeting the requirements of this section shall be approved and regulated as a permitted use, conditional use, or planned unit development, as determined by the municipality. When approved, additional permitting is not required for individual micro units. Instead of this, City will consider an Interim Use Permit, which will be submitted by PoP by 6/2.

(d) Sacred communities are subject to the laws governing landlords and tenants under chapter 504B.

Subd. 4. **Micro unit requirements.** (a) In order to be eligible to be placed within a sacred community, a micro unit must be built to the requirements of the American National Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical systems, and fire and life safety. A micro unit must also meet the following technical requirements: PoP will provide plans and documentation by 6/2 that the homes are built to the ANSI standards, as well as meeting the below requirements (1, 3-8)

- (1) be no more than 400 gross square feet;

(2) be built on a permanent chassis and anchored to pin foundations with engineered fasteners; If this is not done by 6/2, PoP will provide a date by which it will be done.

(3) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in ceilings, as well as residential grade insulated doors and windows;

(5) have a dry, compostable, or plumbed toilet or other system meeting the requirements of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other applicable rules; PoP will provide documentation of a dry or compostable toilet in the homes.

(6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard, current edition;

(7) have minimum wall framing with two inch by four inch wood or metal studs with framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels, with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square foot; and

(8) have smoke and carbon monoxide detectors installed.

(b) All micro units, including their anchoring, must be inspected and certified for compliance with these requirements by a licensed Minnesota professional engineer or qualified third-party inspector for ANSI compliance accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020. This needs to be done after anchoring; by 6/2 PoP will provide a date by which this can be done.

(c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain any permits or inspections required by the municipality or utility company for that connection. PoP will provide documentation by 6/2.

(d) Micro units must comply with municipal setback requirements established by ordinance for manufactured homes. If a municipality does not have such an ordinance, micro units must be set back on all sides by at least ten feet. PoP will provide documentation by 6/2.

**EFFECTIVE DATE.** This section is effective January 1, 2024.