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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2367

05/16/2015 Authored by Clark

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance

1.1 A bill for an act  
1.2 relating to local government; establishing a green zone grant program; allowing  
1.3 amortization of certain facilities; appropriating money; amending Minnesota  
1.4 Statutes 2014, section 462.357, subdivision 1c; proposing coding for new law  
1.5 in Minnesota Statutes, chapter 116J.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [116J.445] GREEN ZONE INITIATIVES.

1.8 Subdivision 1. Grant program established; purpose. In order to encourage and  
1.9 assist cities with development of green zones, the commissioner shall make grants to cities  
1.10 for green zone projects from money appropriated to the commissioner for this program.

1.11 Subd. 2. Definitions. (a) For purposes of this section, the following terms have  
1.12 the meanings given.

1.13 (b) "City" means a statutory or home rule charter city.

1.14 (c) "Green zone" means a geographic area designated by a city that is  
1.15 disproportionately and adversely affected by environmental pollution from past or present  
1.16 industries and uses and that is socially, politically, and economically challenged or  
1.17 vulnerable. In addition to any other area that may be designated a green zone, an area with  
1.18 a facility that requires a permit under section 116.07 and is located:

1.19 (i) within a half-mile of a site designated by the federal government as an EPA  
1.20 superfund site due to residential arsenic contamination and near the junctions of several  
1.21 heavily trafficked state, county, and municipal roads that carry both truck and auto traffic;  
1.22 and

1.23 (ii) in a community where a majority of the population are low-income persons  
1.24 of color and American Indians and a disproportionate percentage of the children have

2.1 childhood lead poisoning, asthma, or other environmentally related health problems, is  
 2.2 a green zone.

2.3 Subd. 3. **Eligible projects.** A green zone project for which a city may be eligible  
 2.4 to receive a grant under this section must be part of an overall green zone program of  
 2.5 the city that targets new green infrastructure and retrofits to an area in a comprehensive  
 2.6 manner. Elements of the program may include:

2.7 (1) development or renovation of affordable, clean, and safe housing;

2.8 (2) improvements to energy efficiency or increasing availability and use of  
 2.9 renewable energy in homes, businesses, or public properties;

2.10 (3) development of urban agriculture;

2.11 (4) cleanup of contaminated property for reuse;

2.12 (5) development of projects that create living wage jobs;

2.13 (6) development of programs to foster educational, social, and economic strength  
 2.14 and resiliency of the residents; or

2.15 (7) development of recreational facilities and programs for the residents.

2.16 Subd. 4. **Application.** (a) The commissioner must develop forms and procedures  
 2.17 for soliciting and reviewing applications for grants under this section. The commissioner  
 2.18 must evaluate complete applications to determine that the applicant and project are eligible  
 2.19 and have a strong likelihood of success at the stated goals.

2.20 (b) The determination of whether to make a grant is within the discretion of the  
 2.21 commissioner, subject to this section.

2.22 Subd. 5. **Maximum grant amount.** A city may receive no more than \$..... in two  
 2.23 years for one or more projects.

2.24 Subd. 6. **Cancellation of grant; return of grant money.** If, after five years, the  
 2.25 commissioner determines that a project has not proceeded in a timely manner and is  
 2.26 unlikely to be completed, the commissioner must cancel the grant and require the grantee  
 2.27 to return all grant money awarded for that project.

2.28 Subd. 7. **Appropriation.** Grant money returned to the commissioner is appropriated  
 2.29 to the commissioner to make additional grants under this section.

2.30 Sec. 2. Minnesota Statutes 2014, section 462.357, subdivision 1c, is amended to read:

2.31 Subd. 1c. **Amortization prohibited; exceptions.** (a) Except as otherwise provided  
 2.32 in this subdivision, a municipality must not enact, amend, or enforce an ordinance  
 2.33 providing for the elimination or termination of a use by amortization which use was  
 2.34 lawful at the time of its inception.

2.35 (b) This subdivision does not apply to:

3.1           (1) adults-only bookstores, adults-only theaters, or similar adults-only businesses, as  
3.2 defined by ordinance; or

3.3           (2) a facility that requires a permit under section 116.07 and is located:

3.4           (i) within a half-mile of a site designated by the federal government as an EPA  
3.5 superfund site due to residential arsenic contamination and near the junctions of several  
3.6 heavily trafficked state, county, and municipal roads that carry both truck and auto traffic;  
3.7 and

3.8           (ii) in a community where a majority of the population are low-income persons  
3.9 of color and American Indians and a disproportionate percentage of the children have  
3.10 childhood lead poisoning, asthma, or other environmentally related health problems.