

## ZONING CODE TEXT AMENDMENT SUMMARY

<i>Initiator:</i>	Council Member Bender
<i>Introduction Date:</i>	June 17 <sup>th</sup> , 2016
<i>Prepared By:</i>	<u>Peter Crandall</u> , City Planner, (612) 673-2247
<i>Specific Site:</i>	Citywide
<i>Ward:</i>	Citywide
<i>Neighborhood:</i>	Citywide
<i>Intent:</i>	To amend the definition of a “half story”

## APPLICABLE SECTION(S) OF THE ZONING CODE

- Chapter 520, Introductory Provisions

## BACKGROUND

In August, 2014 the City Council adopted revisions to the regulations that govern demolition and construction for 1-4 unit residential buildings. As part of those changes, an amendment was made to the definition of a “half story” as it relates to residential development. This change removed a condition stating that any approved “half story” construction be located on a principal residential structure with a maximum district or use height of two and one half (2.5) stories, allowing for “half story” construction on buildings of 3 or more stories.

Since the adoption of those revisions city staff and the City Planning Commission have encountered several approved projects that raise concern about the addition of half story constructions to buildings of 3 or more stories and their ability to integrate with the existing character and design of Minneapolis neighborhoods. The half story guidelines encourage the use of a gable or double-pitched roof in order to meet design requirements. This roof type is seen as incongruent with many residential building types in the city with a height of greater than two and a half (2.5) stories. Additionally, half stories do not require additional side yard setbacks which can pose challenges for neighboring properties.

The proposed amendment seeks to reinstate the language requiring that half stories be located in districts with a maximum district or use height of two and one half (2.5) stories. Any half story located on any other residential structure will be considered a full story.

## PURPOSE

### **What is the reason for the amendment?**

The amendment seeks to reinstate language previously redacted from the definition of a half story by requiring that any approved half stories be located on a principal residential structure with maximum district or use height of two and a half (2.5) stories. This change will result in development that is more consistent with traditional neighborhood patterns and context and will assist in implementing key policies of the Minneapolis Plan for Sustainable Growth.

**What problem is the amendment designed to solve?**

The construction of an approved half story is usually achieved through the use of a hip, gable or double-pitched roof design. These roof types are not commonly found on single or multiple-family dwellings of greater than two and half stories in the city of Minneapolis. Several developments have been approved in recent years that employ the half story allowance to construct buildings that are incongruent with their surrounding neighborhood character and inconsistent with the design of buildings of a similar height and density in Minneapolis. Currently, builders are utilizing the half story definition to construct what is essentially an extra level of living space that does not provide the additional side yard that would be triggered by a full story. The proposed amendment partially solves this issue by limiting the definition of half stories to include only principal residential structures with a maximum district or use height of two and a half (2.5) stories.

**What public purpose will be served by the amendment?**

The amendment will de-incentivize the construction of half stories on buildings taller than two and half (2.5) stories. It will also trigger an additional 2 feet of side yard setbacks for any half story construction on a building of 3 stories or higher. This will alleviate some of the conflict between new residential construction on smaller infill sites and surrounding properties. It will also begin to address the design of smaller scale residential infill projects and how to integrate them more appropriately with their neighborhood context and with current design standards and best practices for infill development.

**What problems might the amendment create?**

While the amendment may not always result in appropriate design choices for infill development it will de-incentivize half-story type constructions for taller residential infill projects. It will mean, however, that projects located in districts with a maximum height allowance of 3 or more stories will be subject to additional side yard setbacks. On smaller scale infill sites this could pose challenges for developing multiple family projects that are appropriately scaled for their context and functionally efficient.

Additional work may be needed to address the appropriate design and best practices for integrating smaller scale residential infill developments into the existing urban fabric.

**TIMELINESS**

**Is the amendment timely?**

The amendment coincides with a noticeable increase in interest for developing smaller scale multiple-family buildings in residential neighborhoods. While many of these projects are celebrated as representing the “missing middle” in terms of housing scale and intensity, they pose some challenges in terms of integrating into the existing urban fabric. This amendment recognizes that half stories are more appropriately relegated to residential buildings of less than 3 stories in height in Minneapolis.

**Is the amendment consistent with practices in surrounding areas?**

Many surrounding cities, including St. Paul, and peer cities define a half story for the purposes of their zoning code but few of them provide incentives such as reduced setbacks or have height limits with half story increments. Some cities, such as Seattle, allow pitched roofs to extend a certain amount over the maximum height limit (5 feet) to accommodate structures that resemble half stories, but do not define

them specifically as such. The proposed changes appear to conform to standard best practices in surrounding areas.

**Are there consequences in denying this amendment?**

Consequences of denying the amendment would likely include the construction of additional three and half story buildings that are inconsistent with their context.

**COMPREHENSIVE PLAN**

The amendment will implement the following applicable policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and Chapter 1: Land Use 1-4 Adopted 10/2/09 Amended 3/22/11, 8/16/11 The character and quality of residential areas are aspects of traditional urban form. Protecting this character and quality enhances community livability, reinforces public spaces, and visually enhances development.

**Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.**

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

**Urban Design Policy 10.4: Support the development of residential dwellings that are of high quality design and compatible with surrounding development.**

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

**Urban Design Policy 10.8: Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.**

- 10.8.1 Infill development shall reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows:

**A. Text amendment to Chapter 520, *Introductory Provisions*.**

Recommended motion: **Approve** the text amendment to Chapter 520 related to the Zoning Code: *Introductory Provisions*

## ATTACHMENTS

- I. Ordinance amending Chapter 520, *Introductory Provisions*.

**ORDINANCE  
of the  
CITY OF MINNEAPOLIS**

**By Bender**

**Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code:  
Introductory Provisions**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 of the above entitled ordinance be amended to read as follows:

**520.160. - Definitions.**

Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

*Story.* That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or fourteen (14) feet, whichever is less, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. Where a portion of a building included between the upper surface of any floor and the upper surface of the floor next above exceeds fourteen (14) feet in height, each fourteen (14) feet or fraction thereof is considered a story except that the first story may be up to twenty (20) feet in height for all buildings other than single- and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units. If the finished floor surface directly above a basement, cellar or unused under floor space is more than six (6) feet above grade, for more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade at any point, such basement, cellar or unused under floor space shall be considered a story.

*Story, half.* A partial story that meets the following criteria:

(1) The half story will be located on a principal residential structure with a maximum district or use height of two and one half (2.5) stories. A partial story located in any other district or on any other use shall be considered a full story.

~~(1)~~ (2) Habitable space located under a gable or hip roof and all of the roof rafters shall be located within two (2) feet of the floor joists, except at gable ends or where dormers are allowed.

~~(2)~~ (3) Dormers on the half story will meet the following standards.

- a. The total width of all dormers on any façade will not exceed fifty (50) percent of the width of the wall of the floor below the half story roof.
- b. Dormers will be located no closer than three (3) feet from any end-of-house corner of the floor below and any gable end wall.
- c. Dormers will not extend beyond the wall below and will not interrupt the eave edge of the hip or gable roof.