

**Department of Community Planning and Economic Development – Planning Division
Zoning Code Text Amendment**

Date: May 7, 2007

Initiator Of Amendment: Council Member Hodges

Date of Introduction at City Council: January 12, 2007 (Chapters 520, 530, 546, & 547)

Ward: All

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Intent Of The Ordinance: The intent of the text amendment is to ensure a greater degree of compatibility in the scale of new residential development, through the following zoning code changes:

- Introduce a maximum floor area for single and two-family dwellings,
- Reduce the maximum height for single and two-family dwellings,
- Reduce the maximum building coverage and impervious surface coverage in low density residential districts,
- Amend the site plan review standards for dwellings with one to four units to allow points for shallow hip roofs, and
- Define natural grade.

Appropriate Section(s) of the Zoning Code: Chapter 520 Introductory Provisions, Chapter 530 Site Plan Review, Chapter 546 Residence Districts, and Chapter 547 Office Residence Districts

Background: This item has been continued from the April 9, 2007, City Planning Commission. Since that meeting, staff has prepared a memo for the April 26, 2007, Committee of the Whole, which is also included in this packet.

The proposed text amendment to Chapter 520 Introductory Provisions, Chapter 530 Site Plan Review, Chapter 546 Residence Districts, and Chapter 547 Office Residence Districts relate to residential infill development, primarily single and two-family dwellings. These revisions are in response to changing residential redevelopment patterns emerging in many areas of Minneapolis. Some new homes, as well as home additions, are being built out to the maximum height and setbacks allowed as well as incorporating nontraditional building features, such as attached garages and exposed basements. Exposed basements are typically basements that are exposed for more than four to five feet above grade. These new homes maximum height and setbacks and often leave little open space on urban lots. Residents and neighborhood groups have communicated to the City that large new homes have negative impacts to surrounding properties, particularly impacts on light, open space, and privacy.

New homes are being built throughout the City on lots that are occupied as well as vacant properties. These large new infill homes are built on lots that have had previous homes or have been former vacant lots. In addition to demolishing homes to make way for new homes, some double lots are being split and a new home is built on the lot. While the entire City is experience new home construction, the trend of large homes is especially evident in Southwest Minneapolis.

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The issue of infill residential development is constantly monitored through the CPED – Planning Division. Since the addition in April 2005 of the Site Plan Review standards for new one to four unit dwellings, staff has been able better track and monitor new residential development. Staff reported back to Council on the implementation of that ordinance approximately six month later. In the summer of 2006, Council Member Hodges and CPED – Planning held community meetings in regards to residential development. On March 19, 2007, CPED – Planning staff held a community open house on the proposed ordinance changes. All official neighborhood groups were invited by email and letter to the meeting. In addition, CPED – Planning staff attended and presented at a community open house hosted by Council Member Hodges in the 13th Ward. This text amendment is not associated with an interim ordinance.

Purpose For The Amendment:

What is the reason for the amendment?

The reason for the amendment is to minimize the impact of new residential construction and additions on surrounding properties in residential neighborhoods and to preserve the traditional development pattern of residential neighborhoods. Developers are building large new homes constructed to the maximum permitted bulk, which includes height, setbacks, building footprint, and impervious surface. The proposed amendment defines a maximum buildable size for single and two-family dwellings by introducing a floor area ratio (FAR) of 0.5, or 2,500 square feet, whichever is greater. This means that the gross floor area (in square feet) of new residential construction could be up to 50 percent of the square footage of the lot, but in no case would a home be restricted to less than 2,500 square feet (provided all other standards are met). Additionally, the code changes will encourage traditional building features and development patterns, such as detached garages, basements height, attics, and open porches by not included these spaces in the total square footage allowed. In addition to the main portions of a house, other features of a house that will be included in the total size allowed includes a portion of *attached* garage space, basements that project four (4) feet from grade or more, and spaces within a home that has a ceiling height greater than fourteen (14) feet will be counted twice.

In addition to introducing a maximum FAR, other provisions are being amended that will impact the size of new development as well. The maximum height of new single and two-family homes is proposed to be lowered from thirty-five (35) to thirty (30) feet, to be measured at the midpoint of the roof. To ensure the grade or elevation of the lot is not altered drastically, natural grade will be defined as the grade prior to construction disturbance. In the R1 to R3 Residence Districts, staff proposes a reduction to the maximum building lot coverage (building footprint) and the maximum impervious surface coverage. Under Site Plan Review for new homes, points will be given for shallow hips roofs, found on the four-square style of home common in Minneapolis.

What problem is the amendment designed to solve?

When new homes are built out to the maximum bulk allowed, there are negative impacts to the surrounding homes and neighborhood character. Impacts include the loss of sunlight and views due to the physical presence of tall and large new homes, loss of shared side and back yard open space due to the size of homes and attached garages, increased water runoff from larger buildings and hard cover, as well as runoff to surrounding properties due to grade changes. The proposed regulations are designed to protect the residential character of Minneapolis neighborhoods by ensuring that new construction and additions are compatible in scale and bulk with existing neighborhoods and minimally impact water runoff to surrounding properties.

What public purpose will be served by the amendment?

The public purpose served by the amendment is to ensure that new housing construction and home additions are compatible with surrounding homes and neighborhoods. The proposed amendment is designed to maintain and strengthen neighborhood character by minimizing negative impacts associated with the bulk of new large homes and to ensure new infill housing is more compatible with existing homes. These standards will encourage residential building sizes and features to be compatible with the existing character of this city which will compliment the residential development pattern and enhance the quality and desirability of Minneapolis neighborhoods.

What problems might the amendment create?

Certain properties will become nonconforming to the new standards. Because the changes will affect home additions as well as new homes, staff identified the existing FAR for single-family dwellings throughout the city. A small portion of single family homes in Minneapolis will exceed the proposed 0.5 FAR, approximately 727 properties or 0.9 percent¹ of Minneapolis single-family dwellings. This number includes conforming lots of 5,000 sq. ft. or greater and non-conforming lots of less than 5,000 sq. ft. A homeowner would be required to seek a variance in order to add floor area to any existing dwelling that exceeds the maximum permitted FAR.

Timeliness:

Is the amendment timely?

Residential development, especially the design and size, is constantly monitored through the CPED – Planning Division. Since the addition in April 2005 of the Site Plan Review standards for new one to four unit dwellings, staff has been able better track and monitor new residential development. Building permits for new single family dwellings have been increasing in the last two years, particularly in Southwest Minneapolis. In this area of Minneapolis, permits for new single-family dwellings have doubled from approximately twelve (12) new homes per year prior to 2004 to more than double that number in 2005 and 2006 (see attached Map 1). Council Member Hodges and CPED – Planning held community meetings in the summer of 2006 in regards to residential development.

Is the amendment consistent with practices in surrounding areas?

Practices in surrounding areas and cities similar to Minneapolis vary widely in terms of the scope and standards for new construction of single and two-family dwellings. Cities similar to Minneapolis have incorporated a variety of tools to address issues of compatible residential development. For example, St. Paul² and Edina³ have reduced their permitted building heights and building coverage. Maximum FAR

¹ Total Gross Floor Area (as provided by the City of Minneapolis Assessor’s Office) divided by the lot size.

² St. Paul, Minnesota has lower height and building lot coverage for new single and two-family dwellings. The maximum height for new single-family dwelling is 3 stories, or 30 ft., whichever is less and has a maximum building coverage of 35 percent of the lot.

³ Edina, Minnesota is also dealing with similar large infill redevelopment. Edina has a lower height requirement for single and two-family dwellings to 30 ft., and has an additional increased side yard setback when a home is taller than 15 ft. Maximum building coverage varies in the low density residential zoning districts from 25 to 30 percent of the lot.

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is used by cities similar in size, age and development patterns such as Austin, TX, Atlanta, GA, and Denver, CO to ensure compatibility of new housing construction in established neighborhoods.

Are there consequences in denying this amendment?

Currently, the buildable area for new single and two-family homes allows for a very large home. On a typical 5,000 sq. ft. lot, a new building can have up to a 3,000 sq. ft. footprint, have a height of 2.5 stories or 35 feet, which ever is greater, and above ground finished livable area of 7,500 sq. ft. If the proposed changes are not adopted, some new housing construction will continue to maximize the buildable area, continuing to impact the surrounding areas. Certain areas of Minneapolis, such as Southwest, may be impacted more than others by new construction of large homes. New homes will continue to be inconsistent with features of neighborhood character, such as the setbacks, pattern, height and bulk of new homes. New homes will continue to impact light, privacy and views of existing residential areas, potentially leading to a loss of neighborhood desirability.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The proposed revisions would implement numerous goals and policies stated in the *Minneapolis Plan*. In particular, the revisions would bring the zoning ordinance more into alignment with the policies of Chapter 4, Marketplaces: Neighborhoods, and Chapter 9, City Form. The following policies are most relevant to the proposed changes:

Policy 4.12. Minneapolis will reasonably accommodate the housing needs of all of its citizens.

Policy 4.14. Minneapolis will maintain the quality and unique character of the city's housing stock, thus maintaining the character of the vast majority of residential blocks in the city.

Policy 4.15. Minneapolis will carefully identify project sites where housing redevelopment and or housing revitalization are the appropriate responses to neighborhood conditions and market demand.

Applicable Implementation Steps

- Maintain and strengthen the architectural character of the city's various residential neighborhoods

Policy 9.5. Minneapolis will support the development of residential dwellings of appropriate form and density.

Policy 9.8. Minneapolis will maintain and strengthen the character of the city's various residential areas.

Applicable Implementation Steps

- Infill development standards must reflect the setbacks, orientation, pattern, materials, height and scale of surrounding one and two family dwellings.

Policy 9.16. Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.

Applicable Implementation Steps

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- Encourage the design of all new buildings to fulfill light, privacy and view requirements for the subject building as well as for adjacent buildings.
- Promote the preservation and enhancement of view corridors that focus attention on natural or built features, such as the downtown skyline, landmark buildings, significant open spaces or water bodies.

Policy 9.21. Minneapolis will preserve and enhance the quality of living in residential neighborhoods, regulate structures and uses which may affect the character or desirability of residential areas, encourage a variety of dwelling types and locations and a range of population densities, and ensure amenities, including light, air, privacy and open space.

Applicable Implementation Steps

- Apply the form and density approach within the context of a neighborhood or a site and within the framework of The Minneapolis Plan and NRP Plans when evaluating the appropriateness of development proposals for specific sites.

Recommendation of the Department of Community Planning and Economic Development – Planning Division:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment.

Attachments:

- Proposed zoning code changes
- Map of location and year of new building permits in Minneapolis
- Written communication, including new communication since the April 9, 2007, City Planning Commission meeting
- April 26, 2007, Committee of the Whole Memo