

**Minneapolis City Planning Department Report  
Zoning Code Text Amendment**

**Date:** December 9, 2002

**Initiator Of Amendment:** Council Member Ostrow

**Date of Introduction at City Council:** September 27, 2002

**Ward:** All

**Planning Staff And Phone:** Jason Wittenberg, 673-2297

**Intent Of The Ordinance:** To increase the maximum permitted size of accessory structures on large lots.

**Appropriate Section(s) of the Zoning Code:** Chapter 537

**Background:** This zoning code text amendment would allow larger accessory structures on residential parcels that are larger than 6,760 square feet. When constructing structures accessory to dwellings of one or two units, such structures are currently limited to 676 square feet of floor area under section 537.60(b)(1). This limit includes the sum of all detached accessory structures on the parcel as well as attached garages. The proposed amendment would borrow from the zoning regulations that were in place under the City's previous zoning code (into November of 1999). Under the previous ordinance, accessory structures were limited to 676 square feet or 10 percent of the lot area, whichever was greater. (This rule is still in place for residential buildings with three or more dwelling units.) Unlike the previous rule, this amendment proposes a "cap" of 1,000 square feet on structures accessory to single- and two-family dwellings.

**Purpose For The Amendment:**

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

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

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

**What problems might the amendment create?**

The City Council is concerned that owners of relatively large residential parcels (specifically, those with single- or two-family dwellings) are unable to take advantage of that large lot area to construct accessory structures larger than the current 676-square-foot limitation.

The City Council believes that it is problematic that owners of large parcels are restricted to 676 square feet when constructing accessory structures.

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The amendment is essentially in the interest of those property owners with large lots who wish to construct large accessory structures. In order for the amendment to benefit a property owner, the lot would have to be greater than 6,760 square feet. According to city records, 16.8 percent of the residential lots in the city are greater than 6,760 square feet in area. Note that this includes properties with multi-family dwellings, which already benefit from the 10 percent rule. It is expected that the amendment would slightly reduce the number of requests to vary the maximum permitted garage size.

Planning Department staff has several concerns about completely returning to the “10 percent rule” found in the City’s previous zoning code whereby owners of large lots could construct accessory structures that covered up to 10 percent of the lot area:

- Extremely large garages were constructed by-right on extremely large lots. Such garages have negatively affected the character of a number of our neighborhoods.
- Extremely large garages could, in many cases, be constructed one foot from a neighboring side lot line. Because of the relatively small size of most urban lots, it is necessary to allow residents to construct garages close to their side lot lines in order to allow adequate space to maneuver into and out of the garages. This allowance can have consequences for neighbors of those who construct large, intrusive garages. Under the 10 percent rule, for example, the owner of a lot measuring 80 feet in width by 150 feet in depth could construct a structure 38-feet-long by 30-feet-wide and that 38-foot length could be one foot from a neighbor’s side property line. This can be quite imposing as well as having a significant impact on the amount of sunlight reaching the neighboring yard.
- Planning staff is aware of examples of property owner’s purchasing parcels adjacent to their homes specifically due to the fact that the combination of the two lots would allow for construction of a much larger garage. This practice reduces opportunities for residential infill development.

The Planning Department believes that setting a 1,000-square-foot cap on the size of accessory structures on large lots would limit the kinds of negative consequences outlined above.

### **Timeliness:**

**Is the amendment timely?**

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

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

The City Council has, in the recent past, disagreed with the Planning staff and Board of Adjustment on several variance applications to increase the maximum permitted size of accessory structures. Some of these variance requests have been to construct large garages on relatively large lots.

The amendment is generally consistent with practices in nearby communities, including the regulations following communities:

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- St. Paul zoning code, section 62.106(4): “On zoning lots containing one- and two-family dwellings, accessory buildings shall not occupy more than one thousand (1,000) square feet of the zoning lot.”
- Richfield zoning code, section 521.05, limits private garages to 1,000 square feet in gross floor area.
- Edina zoning code, section 850.11, sub. 6: “The combined total area occupied by all accessory buildings and structures, excluding attached garages, shall not exceed 1,000 square feet for lots used for single dwelling unit buildings.”
- Golden Valley: “The cumulative total of all accessory buildings and attached garages shall not exceed 1,000 square feet or the square footage of the footprint of the primary building (including square footage of attached garage), whichever is less.”
- Columbia Heights zoning code limits the sum of all accessory structures to 1,000 square feet.

The consequence of denying this amendment is that structures accessory to single- and two-family dwellings would continue to be limited to 676 square feet of floor area. A 1999 study (attached) indicated that the mean size of new garages in the city at that time was 518 square feet. Most homeowners, therefore, construct garages that are well within the current limitation.

### **Comprehensive Plan:**

#### **How will this amendment implement the Comprehensive Plan?**

The following policies of the Minneapolis Plan are related to the proposed amendment:

**Relevant Policy: 9.8.** Minneapolis will maintain and strengthen the character of the city’s various residential areas.

#### **Relevant Implementation Steps:**

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

**Staff comment:** Assuming the City Planning Commission and City Council adopt a 1,000 square foot cap as recommended, the character of the city’s residential districts should not be substantially altered by very large garages.

**Relevant 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.

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*Staff comment:* Planning staff would be extremely concerned about the impact that accessory structures greater than 1,000 square feet in area would have on the character and desirability of the city's residential areas.

### **Recommendation Of The City Planning Department:**

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the text amendment.