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

Date: July 13, 2009

Initiator of Amendment: Council Member Gordon

Date of Introduction at City Council: December 21, 2007, and June 26, 2009

Ward: All

Planning Staff and Phone: Haila Maze (612) 673-2098

Intent of the Ordinance: The proposed text amendments are intended to enhance general regulations, permitted encroachments, and incentives related to the administrative site plan review process for 1-4 unit residential structures.

Appropriate Section(s) of the Zoning Code: Chapter 520 Zoning Code: Introductory Provisions, Chapter 525 Zoning Code: Administration and Enforcement, Chapter 530 Zoning Code: Site Plan Review, Chapter 535 Zoning Code: Regulations of General Applicability

Background: These proposed text amendments are in response to the University District Moratorium and the recommendations of the University Alliance Zoning and Planning Regulatory Review task force. They are part of a larger collection of recommendations designed to improve livability and preserve neighborhood character.

As the impacts of some types of new development were a major impetus for the formation of this task force, a development moratorium was put into place in August 2008. This moratorium restricted new 1-4 unit developments and demolitions of homes in the University District area. The task force's work, therefore, included the charge to address the concerns which led to the moratorium (described below).

These amendments are also in response to Council Member Gordon's December 2007 subject matter introduction. In addition to the design standards in the 1-4 unit administrative review process, that introduction also referenced the neighborhood notification and review process. Since this introduction, staff has made administrative changes which significantly enhance the extent and timeliness of information provided to the public about pending development applications. As a result, staff has determined that no additional text amendments are needed to address this issue.

Purpose for the Amendment:

What is the reason for the amendment?

This amendment is designed to be responsive to concerns raised in the University District regarding the quality of development being constructed - particularly that approved through the City's administrative review process.

The administrative review process currently allows applicants to receive a point toward a required minimum if they construct a front porch on a new residence. However, the regulations do not currently define what constitutes a porch, besides a minimum square footage requirement. This amendment adds needed detail, so that a porch cannot receive a point unless it meets more specific standards.

What problem is the Amendment designed to solve?

A review of some recent residential developments revealed that some recently approved projects which received points for having a front porch in fact have porches that are unattractive and incompatible with the main structure.

Design problems include:

- Porch constructed with raw wood
- Porch materials are not compatible with adjoining structures
- Porch is minimalist, unappealing design that adds nothing to building appearance

While flexibility in design standards is desirable, to allow for a diversity of design and creativity on behalf of developers, it was determined that certain minimum standards for porches would be desirable.

As it has been determined that this is a citywide, not just a University District issue, this will apply to the points system for all administrative reviews citywide.

What public purpose will be served by the amendment?

Like many elements of the zoning code, the primary purpose of this amendment is to reduce the negative impacts of a new development on the surrounding area. The result should be more attractive and appealing housing in the city. Furthermore, improving the functionality of porches allows for more use of them by residents - a desirable goal in enhancing the presence of "eyes on the street."

What problems might the amendment create?

Staff does not anticipate any problems with adopting this text amendment. The proposed standards are not mandatory for all new porches but instead apply when a developer seeks to obtain a point toward satisfying the minimum standards in Table 530-2 for new residential buildings having 1-4 units.

Timeliness:

Is the amendment timely?

The amendment is very timely. This is a result of the study required subsequent to the issuance of the 1-4 unit moratorium in August 2008. It is currently on track to be approved and in effect by the time the moratorium expires. The City knows that there are developers waiting for the moratorium to lapse so they can proceed with their applications. Having this in place by that point is critical to ensuring that the purpose of the moratorium is fulfilled – and that future developments are evaluated based on these revised standards.

Is the amendment consistent with practices in surrounding areas?

There is wide variation in design standards for porches in other municipalities. The City's design standard system, in which a minimum number of points must be obtained from a list of options, is relatively unique.

Are there consequences in denying this amendment?

The primary consequence of denying this amendment would be that the standards for porches to remain as they are in the administrative review process. The result could be additional projects with substandard, unattractive porches being approved that are incompatible with the surrounding traditional neighborhood character.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The following Urban Design policies of The Minneapolis Plan for Sustainable Growth apply:

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

Applicable Implementation Steps

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.

Policy 10.7: Maintain and preserve the quality and unique character of the city's existing housing stock.

Applicable Implementation Steps

10.7.2 Encourage the use of high quality and durable materials for construction and historic preservation.

10.7.3 Encourage adaptive reuse, retrofit and renovation projects that make the city's housing stock competitive on the regional market.

10.7.4 Renovation of housing should reflect the setbacks, orientation, pattern, materials,

height and scale of surrounding dwellings.

Recommendation of the Community Planning and Economic Development Planning Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending chapters 530 and 535. Staff further recommends that chapters 520 and 525 be returned to author.

Attachment:

- Proposed text amendment language