

Minneapolis City Planning Department Report

Zoning Code Text Amendment Permitted Obstructions

Date: February 10, 2003

Initiator of Amendment: Council Member Gary Schiff

Ward: Citywide **Neighborhood Organization:** Citywide

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Subject Matter of the Ordinance: Amendments to Title 20, Chapter 535, Regulations of General Applicability, related to the Permitted Obstructions in Required Yards table.

Affected Sections of the Zoning Code: Table 535-1 Permitted Obstructions in Required Yards found in Chapter 535, Regulations of General Applicability.

Background: The proposed amendments to Table 535-1 are intended to allow more flexibility to property owners to make improvements to their property. The amendments will allow wider stairs and larger entrance landings in required front and corner side yards, and will allow wider walkways for larger residential uses and institutional and public uses, including schools, parks and libraries. In the past, variances have been required to increase the width and size of these elements of a property. The amendment is meant to decrease the number of variances applied for.

Purpose of the Amendment: There are five changes being proposed to Table 535-1 Permitted Obstructions in Required Yards. The first two changes clarify provisions that relate to flagpoles and lighting fixtures and lampposts. Specifically, these changes make reference to section 535.110 which regulates the height of flagpoles and lampposts. The third change relates to stairs and entrance landings. Specifically, this change will permit stairs in a required front or corner side yard to be as wide as six (6) feet, and will permit entrance landings to be as large as thirty-six (36) square feet in area. The fourth change relates to vestibules. Specifically, this change removes vestibules as a permitted obstruction in the rear yard. This provision was erroneously included in the original ordinance. And the fifth change relates to walkways. Specifically, this change will permit multi-family dwellings of five (5) or more units to have walkways as wide as six (6) feet, and permit institutional and public uses to have walkways as wide as eight (8) feet.

What Problem is the Amendment Designed to Solve? The amendments are intended to allow more flexibility to property owners to make improvements to their property, and to decrease the number of variances applied for.

What Public Purpose will be Served by the Amendment? The amendment recognizes the need to increase the size of stairs, landings and walkways in required yards. By making the proposed changes to the permitted obstructions table, the number of variances that property owners apply for should decrease.

What Problems Might the Amendment Create? The Planning Department does not foresee any problems that the amendments would create.

Is the Amendment Timely? One of the city council's initiatives is to streamline the development process. By making the proposed changes to the permitted obstructions table, more flexibility is given to property owners to make improvements to their property. The number of variances applied for should decrease.

Is the Amendment Consistent with Practices in Other Areas? Staff reviewed the zoning codes for St. Paul, Minnesota and Portland, Oregon. Neither of these cities have regulations that govern stairs, entrance landings, vestibules or walkways. The City of Portland, Oregon did require that residential buildings have front entrance landings of a minimum size depending on the number of dwelling units within the building.

How will the Amendment Implement the Comprehensive Plan? One of the policies found in the Comprehensive Plan (Policy 4.14) specifically addresses the importance of maintaining the unique character of the city's housing stock. Another policy found in the Comprehensive Plan (Policy 4.4) specifically addresses the importance of adaptively reusing existing buildings. These amendments are intended to allow more flexibility to property owners to make improvements to their property

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

Schiff

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

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

Section 1. That the following portions of Table 535-1 of the above-entitled ordinance be amended to read as follows:

Table 535-1 Permitted Obstructions in Required Yards

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Flagpoles, <u>subject to section 535.110</u>	P	P	P
Lighting fixtures and lampposts, <u>subject to section 535.110</u>	P		P
Stairs not exceeding four (4) feet in width, and entrance landings not exceeding sixteen (16) square feet in area and not more than the height of the level of the first floor or four (4) feet above the average level of the adjoining natural grade whichever is less, and handrails for such stairs not more than three (3) feet in height and not more than fifty (50) percent opaque, not including permanently roofed porches. <u>In a front or corner side yard stairs shall not exceed six (6) feet in width and entrance landings shall not exceed thirty-six (36) square feet in area.</u>	P	P	P
Vestibules projecting not more than five (5) feet into the required yard and having an area not exceeding fifty (50) square feet	P		P
Walkways, not exceeding four (4) feet in width. <u>Walkways for multiple-family dwellings of five (5) units or more shall not exceed six (6) feet in width. Walkways for Institutional and Public Uses shall not exceed eight (8) feet in width.</u>	P	P	P