

**Community Planning and Economic Development Planning Division Report  
Zoning Code Text Amendment**

**Date:** July 19, 2010

**Initiator of Amendment:** Council Member Gordon

**Date of Introduction at City Council:** September 18, 2009

**Ward:** Citywide      **Neighborhood Organization:** Citywide

**Planning Staff and Phone:** Jim Voll 612- 673-3887

**Intent of the Ordinance:** The intent of the amendment is to update standards related to parking and driveway surfacing requirements to better align with adopted applicable city policies and practices.

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

Chapter 541: Off-street Parking and Loading

Chapter 520: Introductory Provisions and Chapter 525: Administration and Enforcement were also introduced. However, staff is not recommending changes to these chapters as part of this amendment and therefore recommends returning them to the author.

**Background:** The purpose of this text amendment is to revise Section 541.300 of the zoning code, surfacing, to allow permeable or pervious materials for parking and associated drive aisles and driveways. This amendment relates only to parking areas and associated drive aisles and driveways and not to other hard-surfaced areas, such as patios or walkways.

In general, the amendment would limit turf systems for overflow parking spaces only, due to concerns with durability; however, turf systems that utilize plastic geocells or concrete grids are allowed for single and two-family dwellings. Gravel systems have been limited to industrial districts and for single-family homes, where they are currently allowed, for aesthetic reasons and for dust control. One exception is to allow open-celled paving grids utilizing gravel within the commercial and downtown districts for the parking spaces only. Pervious pavement or pervious pavement systems, with the exception of pervious concrete, pervious asphalt, and pervious pavers, would not be allowed for drive aisles or driveways, except for single and two-family uses, where gravel would be allowed for single-family dwellings and turf would be allowed for single and two-family dwellings. In addition, the ordinance clarifies and codifies staff practice with regard to ribbon drives.

This amendment was reviewed by the Public Works Department and the Regulatory Services Department, as well as the various sections of the CPED-Planning Division. The Regulatory Services Department did not make an official comment on the amendment, but did express concern over the use of turf systems for drives and parking for residential uses and the ability to enforce the difference between a turf system and regular grass. Planning staff also has concern over the durability of turf

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systems for drives and parking spaces. The proposed language addresses this concern, by specifying durable systems and indicating that prolonged parking will kill turf systems. The text amendment was also reviewed by the Citizens Environmental Advisory Committee (CEAC) at its meeting of June 6, 2010. CEAC passed a motion endorsing the concept of using permeable pavement systems. As of the writing of this report, staff has not received any correspondence from any of the neighborhood groups, but will forward comments, if any, at the City Planning Commission meeting.

### **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 reason for this amendment is to bring the City's surfacing regulations into alignment with approved and adopted policies as well as staff practice related to administrative issues such as allowing ribbon driveways.

The amendment will allow the use of permeable or pervious pavement and pavement systems. Currently many of these systems are not allowed or would require a variance to be allowed. The proposed amendment will allow more surfacing options.

There is some concern over the durability and maintenance of pervious pavement systems. The ordinance has been written with standards to address these concerns.

### **Timeliness:**

**Is the amendment timely?**

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

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

The amendment is part of a continual updating and greening of the zoning code to reflect the City's efforts to promote sustainability.

Some cities in the surrounding area allow pervious pavement, but it is not yet the norm. Please see attached list of cities and their code language, with the pervious pavement regulations highlighted.

If the amendment is denied, then a variance would be necessary to allow any of these pavement systems, with the exception of ribbon drives, which are currently allowed by administrative policy. A variance would require showing that there is a hardship to the applicant and is a difficult threshold with which to comply.

### **Comprehensive Plan:**

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

*The Minneapolis Plan for Sustainable Growth* has the following relevant policies and implementation steps from the land use and environment chapters.

**Policy 1.1: Establish land use regulations, in order 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 activity; reinforces public spaces; and visually enhances development.

**Policy 6.3: Encourage sustainable design practices in the planning, construction and operations of new developments, large additions and building renovations.**

6.3.1 Encourage developments to implement sustainable design practices during programming and design, deconstruction and construction, and operations and maintenance.

6.3.2 Ensure that developments use storm water BMPs (Best Management Practices).

6.3.5 Support the development of sustainable site and building standards on a citywide basis.

6.3.9 Develop regulations to further reduce the heat island effect in the city by increasing green urban spaces for parks and open spaces, including shading of parking lots, sidewalks and other impervious surfaces, promoting installation and maintenance of green roofs and utilization of highly reflective roofing and paving materials.

6.3.10 Promote climate sensitive site and building design practices.

**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 Chapter 541. Staff further recommends that Chapters 520 and 525 be returned to author.