

ZONING CODE TEXT AMENDMENT SUMMARY

<i>Initiator:</i>	Council Members Gordon and Goodman
<i>Introduction Date:</i>	August 5, 2016
<i>Prepared By:</i>	Kimberly Holien , Principal Planner, (612) 673-2402
<i>Specific Site:</i>	N/A
<i>Ward:</i>	Citywide
<i>Neighborhood:</i>	Citywide
<i>Intent:</i>	To add flexibility to the residential dwelling unit occupancy regulations in the zoning code by allowing for intentional communities.

APPLICABLE SECTION(S) OF THE ZONING CODE

1. Chapter 520 relating to Introductory Provisions
2. Chapter 536 relating to Specific Development Standards
3. Chapter 541 relating to Off-Street Parking
4. Chapter 546 relating to Residence Districts
5. Chapter 547 relating to Office Residence Districts
6. Chapter 548 relating to Commercial Districts
7. Chapter 549 relating to Downtown Districts
8. Chapter 551 relating to Overlay Districts

BACKGROUND

An ordinance was introduced to the City Council on August 5, 2016, to allow for intentional communities as a permitted congregate living use in all zoning districts that allow residential uses. This ordinance was originally introduced on March 21, 2008. Affected chapters are those listed above. This ordinance was introduced by Council Member Gordon and Council Member Goodman. The amendment is intended to allow flexibility in regulations governing dwelling unit occupancy by allowing for intentional communities.

The amendment would allow intentional communities as a permitted use in all districts that allow residential uses and allow them as a conditional use in the Industrial Living Overlay district (ILOD). The amendment defines “intentional community” and establishes specific development standards for the use. The proposed parking requirement is one space for the use. A companion amendment to Title 12, Chapter 244 relating to the Housing Maintenance Code has also been introduced. The amendment was before the City Planning Commission Committee of the Whole on October 20, 2016.

The companion amendment to the Housing Maintenance Code includes contains specific regulations addressing the administration and enforcement of the proposed use. This companion amendment establishes a registration process for those self-identifying as an intentional community, restricts

property owners to only having one dwelling unit under their ownership occupied by an intentional community, and further defines an intentional community based on the following factors:

- (1) Whether the members of the household share the entire dwelling unit and function as a single housekeeping unit;
- (2) Whether the members of the household have an adopted set of rules covering democratic governance, maintenance responsibilities, and other household issues;
- (3) Whether the members of the household use the dwelling unit as their legal address for purposes including but not limited to voter registration, driver's license or identification purposes, motor vehicle registration and the filing and receipt of tax documents;
- (4) Whether the group is transient or temporary in nature, as an intentional community shall be expected to remain in place for a period in excess of one (1) calendar year;
- (5) Whether the members of the household share expenses for food, rent or ownership costs, utilities and other household expenses.

The amendment to the Housing Maintenance Code will be considered by the Community Development and Regulatory Services Committee of the City Council in November and the draft language is attached for reference.

PURPOSE

What is the reason for the amendment?

The purpose of the amendment is to add flexibility to the residential dwelling unit occupancy regulations in the zoning code by allowing for intentional communities. The zoning code regulates occupancy based on the definition of family and relatedness of persons. The zoning code definition of “family” is as follows:

An individual or two (2) or more persons related by blood, marriage, domestic partnership as defined in [Chapter 142](#) of the Minneapolis Code of Ordinances, or adoption, including foster children and domestic staff employed on a full-time basis, living together as a permanent household. This definition of family is established for the purpose of preserving the character of residential neighborhoods by controlling population density, noise, disturbance and traffic congestion, and shall not be applied so as to prevent the city from making reasonable accommodation where the city determines it necessary to afford handicapped persons living together in a permanent household equal access to housing pursuant to the Federal Fair Housing Amendments Act of 1988.

The current occupancy regulations of a dwelling unit located in the R1 through R3 Districts allow for one family plus up to two unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five persons. In the higher density districts, the zoning code limits the maximum occupancy of a dwelling unit to one family plus four unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five persons.

There is no authorized variance to the occupancy regulations. As such, there are no options for larger groups (more than five) of unrelated individuals to live together. The proposed amendment would allow for self-identifying groups of individuals that meet the definition of an intentional community to reside together, regardless of what zoning district the dwelling unit is in.

What problem is the amendment designed to solve?

The City of Minneapolis currently regulates occupancy both through the Zoning Code and the Housing Maintenance Code. The Zoning Code regulates occupancy based on the definition of family, while the Housing Maintenance Code regulates occupancy based on the total square footage of the dwelling and each sleeping room. The policy intent of the occupancy regulations in the zoning code is to maintain the residential character of certain areas in the City. The occupancy regulations of the housing maintenance code and building code are life safety provisions intended to ensure the health, safety and welfare of residents. As such, there are residential structures in the City that could safely accommodate more occupants than the Zoning Code allows, but are unable to be fully utilized due to an ordinance that evaluates the relatedness of the individuals. This amendment is intended to remedy that.

The proposed text amendment would relax the occupancy regulations in a limited manner by providing a legal mechanism for people who are not related to share a dwelling unit. Minneapolis is fairly unique in that occupancy is regulated in both the Zoning Code and the Housing Maintenance Code. In doing peer cities research, most cities that have a Housing Maintenance Code do not regulate occupancy in the zoning code. The proposed amendment could be a first step in relaxing the occupancy regulations and a potential test for eliminating the redundancy in the City Code on this issue.

What public purpose will be served by the amendment?

The amendment is intended to allow flexibility to the current occupancy regulations in the zoning code by providing an opportunity for increased occupancy that does not rely on the relatedness of persons. Some existing housing cooperatives in the City would become conforming under the proposed amendment and large historic and non-historic homes could become fully occupied or used more efficiently. The proposed amendment also serves a public purpose by providing opportunities for aging in place and increasing affordable housing options in the City.

What problems might the amendment create?

The amendment is not expected to create any significant problems. The occupancy of dwelling units that house intentional communities will still be regulated by the Housing Maintenance code and all life safety provisions of Chapter 244, Housing, would apply. There are specific requirements proposed in the companion amendment to Chapter 244 that would establish a registration process for those self-identifying as an intentional community, and restrict property owners to only having one dwelling unit under their ownership occupied by an intentional community. The companion amendment also establishes enforcement guidelines for the use. Dwelling units occupied by intentional communities would also require a rental license in most cases, which adds another layer of oversight and review. While this amendment may result in larger numbers of people occupying individual dwelling units, all dwelling units occupied by intentional communities would still be subject to existing regulations that address noise, maintenance and upkeep and the number of vehicles that may park on a zoning lot.

TIMELINESS

Is the amendment timely?

The amendment is timely given the recent growth trends in the City and the need to provide additional housing options to accommodate that growth. The amendment is also timely given the fact that the City appears to be unique among peer cities in terms of how we regulate occupancy. Specific examples on that issue are provided below.

Is the amendment consistent with practices in surrounding areas?

Staff conducted research of peer cities nationwide for examples of how this particular issue is addressed. In general, Minneapolis seems to be in the minority among larger cities by regulating occupancy by number of individuals in the zoning code. Other cities that regulate occupancy in the zoning code often regulate occupancy based on square footage, similar to our Housing Maintenance Code. Many zoning codes among peer cities are silent on maximum occupancy. Research did not find any cities that define “intentional communities” in their zoning code. Other cities that allow for communal living arrangements take a variety of approaches in doing so. Few examples were not found in any of the typical peer cities that staff analyzes when drafting zoning code text amendments, but examples were found elsewhere. The City of San Francisco, California, defines family as:

“A single and separate living unit, consisting of either one person, or two or more persons related by blood, marriage or adoption or by legal guardianship pursuant to court order; plus necessary domestic servants and not more than three roomers or boarders; a group of not more than five persons unrelated by blood, marriage or adoption, or such legal guardianship unless the group has the attributes of a family in that it (a) has control over its membership and composition; (b) purchases its food and prepares and consumes its meals collectively; and (c) determines its own rules or organization and utilization of the residential space it occupies.”

The last line of this definition is very similar to the proposed definition of “intentional community,” particularly portion proposed in Chapter 244, Housing. The city of Ames, Iowa, allows for “functional families” in their zoning code as a conditional use. Their definition of functional family is lengthy, but essentially allows for alternative family types to occupy single-family homes. The City of Ann Arbor, Michigan, also allows for function families through what they call an “exception use permit.” In its definition of family, The City of Poughkeepsie, New York, contains a rebuttable presumption that four or more unrelated persons living in a single dwelling do not constitute the functional equivalent of a traditional family, but allows for an exception where said group of related persons meet the following criteria:

1. Shares the entire house
2. Lives and cooks together as a single housekeeping unit
3. Shares expenses for food, rent, utilities or other household expenses, and
4. Is permanent and stable.

In terms of general occupancy regulations, the City of Minneapolis is fairly unique in that it generally does not allow for any number of unrelated individuals to be considered a family. A legal memorandum prepared by the New York Department of State notes *“Some municipalities have attempted to define “family” to comply with court decisions by providing for discretionary review of groups of unrelated persons greater than a specified number to ensure that they are the functional equivalent of a family. Under this approach, the municipality defines all related persons and a specific number (e.g.- four) of unrelated individuals as constituting a “family.”* The City of Portland takes this approach and regulates occupancy by household. Their definition of household is “One or more persons related by blood, marriage, domestic partnership, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit.” The City of Chicago, Illinois, allows for up to three unrelated individuals to be considered a family. The City of Seattle also regulates occupancy through a definition of household, which is defined as a “housekeeping unit consisting of any number of related persons; eight or fewer non-related, non-transient persons,

eight or fewer related and non-related non-transient persons, unless a grant of special or reasonable accommodation allows an additional number of persons.”

Are there consequences in denying this amendment?

There are no significant consequences to denying this amendment. If the amendment is denied, City staff will continue to enforce occupancy based on the relatedness of individuals. However, the proposed amendment would be an incremental step in relaxing occupancy regulations and would provide for additional housing types and opportunities in the City.

COMPREHENSIVE PLAN

The amendment will implement the following applicable policies of [The Minneapolis Plan for Sustainable Growth](#):

Land Use Policy 1.1: Establish land use regulations 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.

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

- 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.

Housing Policy 3.4: Preserve and increase the supply of safe, stable, and affordable supportive housing opportunities for homeless youth, singles and families.

- 3.4.4 Evaluate City policies and regulations related to the creation of supportive housing and smaller housing units, including Single Room Occupancy (SRO) housing.

Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.

- 3.6.2 Promote housing development in all communities that meets the needs of households of different sizes and income levels.
- 3.6.3 Maintain a healthy supply of multifamily ownership and rental housing, and promote the development of alternative forms of homeownership such as cooperative housing and cohousing.

The proposed amendment will support Land Use Policy 1.8 by providing housing opportunities that are not currently permitted in the zoning code. Allowing for increased occupancy through intentional communities will allow for adaptive reuse of existing, large single-family homes and provide affordable housing options. The proposed amendment specifically supports Housing Policy 3.6 above, by provide alternative forms of homeownership. These changes will also further an ongoing effort to streamline the development review process.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, amending Chapters 520, 536, 546, 547, 548, 549, 550, and 551 relating to Introductory Provisions, Specific Development Standards, Residence Districts, Office Residence Districts, Commercial Districts, Downtown Districts, Industrial Districts, and Overlay Districts, as follows:

A. Text amendment.

Recommended motion: **Approve** the text amendment to allow flexibility to the residential dwelling unit occupancy regulations in the zoning code by allowing for intentional communities.

ATTACHMENTS

1. Chapter 520 relating to Introductory Provisions
2. Chapter 536 relating to Specific Development Standards
3. Chapter 541 relating to Off-Street Parking
4. Chapter 546 relating to Residence Districts
5. Chapter 547 relating to Office Residence Districts
6. Chapter 548 relating to Commercial Districts
7. Chapter 549 relating to Downtown Districts
8. Chapter 551 relating to Overlay Districts
9. Draft text amendment to Chapter 244, Housing

ORDINANCE

By Gordon and Goodman

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.

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

Section 1. That Section 520.160 contained in Chapter 520, Introductory Provisions, be amended by adding thereto a new definition for "Intentional community" in alphabetical sequence to read as follows:

520.160 Definitions.

Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Intentional community. A group of two or more persons living together as a single household, sharing in the management of resources, maintenance and household expenses, that meets the requirements of Chapter 244, Housing Maintenance Code. An intentional community shall share an entire dwelling unit and may not function as a rooming house.

Section 2. That Section 536.20 contained in Chapter 536, Specific Development Standards, be amended by adding thereto a new specific development standard for "Intentional community" in alphabetical sequence to read as follows:

536.20. - Specific development standards.

The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Intentional Community.

1) The use shall comply with all requirements of Title 12, Housing, of the Minneapolis Code of Ordinances relating to intentional communities. For purposes of this ordinance, a use that does not meet the intentional community requirements of Title 12, Housing, shall comply with the occupancy regulations of the zoning code or otherwise be prohibited.

(2) The use shall comply with all occupancy requirements of Title 5, Building Code, and Title 12, Housing, of the Minneapolis Code of Ordinances.

Section 3. That the Residential Uses section of Table 541-1 contained in Section 541.170 of Chapter 541, Off-Street Parking and Loading, be amended to read as follows:

Table 541-1 Specific Off-Street Parking Requirements

Use	Minimum Parking Requirement	Maximum Parking Allowed	Notes (see 541.170)
RESIDENTIAL USES			
Dwellings	1 space per dwelling unit, except an accessory dwelling unit shall not be required to provide off-street parking	No maximum except as regulated by Article VIII, Special Parking Provisions for Specific Zoning Districts	1 Existing dwellings nonconforming as to parking may provide off-site parking within 300 feet
Congregate living			
Community residential facility	1 space per 4 beds	1 space per bed	1
Board and care home/Nursing home/Assisted living	1 space per 3 beds	1 space per bed	2
Community correctional facility	1 space per 4 beds	1 space per bed	1
Dormitory	1 space per 2 beds	1 space per bed	1
Emergency shelter	None	1 space per bed	1
Faculty house	1 space per 2 beds	1 space per bed	1
Fraternity or sorority	1 space per 2 beds	1 space per bed	1
Hospitality residence	1 space per 3 guest rooms	1 space per guest room	2
Inebriate housing	1 space per 4 beds	1 space per bed	1
<u>Intentional Community</u>	<u>1 space per dwelling unit</u>	<u>No maximum except as regulated by Article VIII, Special Parking Provisions</u>	<u>1</u>

		<u>for Specific Zoning Districts</u>	
Overnight shelter	As approved by C.U.P. where the use requires a C.U.P.; otherwise, as determined by the zoning administrator	As approved by C.U.P. where the use requires a C.U.P.; otherwise, as determined by the zoning administrator.	1
Residential hospice	1 space per 3 beds	1 space per bed	1
Supportive housing	1 space per 4 beds	1 space per bed	1
INSTITUTIONAL AND PUBLIC USES			
Educational Facilities			
College or university	Not less than 1 space per classroom and + 1 space per five (5) students based on the maximum number of students attending classes at any one (1) time	Not more than 1 space per classroom and other rooms used by students and faculty + 1 space per 3 students based on the maximum number of students attending classes at any one (1) time	2
Early childhood learning center	1 space per 2 employees + 2 drop off spaces (either off-street or on-street by permission of the city engineer)	1 space per employee + up to 4 drop off spaces (either off-street or on-street by permission of the city engineer)	1
Preschool	1 space per 2 employees + 2 drop off spaces (either off-street or on-street by permission of the city engineer)	1 space per employee + up to 4 drop off spaces (either off-street or on-street by permission of the city engineer)	2
School, grades K—12	1 space per classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one (1) time	2 spaces per classroom + 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one (1) time	2
School, vocational or business	1 space per classroom + 1 space per 5 students based on the maximum number of students attending classes at any one (1) time	1 space per classroom + 1 space per 3 students based on the maximum number of students attending classes at any one (1) time	2

Social, Cultural, Charitable and Recreational Facilities			
Athletic field, including stadiums and grandstands	As approved by C.U.P. where the use requires a C.U.P. otherwise, as determined by the zoning administrator.	As approved by C.U.P. where the use requires a C.U.P. otherwise, as determined by the zoning administrator.	1
Cemetery	None	As approved by C.U.P.	1
Club or lodge	1 space per 500 sq. ft. of GFA excluding rooming units + 1 space per rooming unit	1 space per 100 sq. ft. of GFA excluding rooming units + 1 space per rooming unit	2
Community center	As determined by the zoning administrator based on the principal uses in the community center	As determined by the zoning administrator based on the principal uses in the community center	
Community garden	None	See Specific Development Standards	1 The minimum requirement of 4 spaces shall not apply
Community service facility	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Convention center	None if located in the downtown area, otherwise as determined by the zoning administrator	As determined by the zoning administrator	2
Developmental achievement center	1 space per 500 sq. ft. of GFA + 2 drop off spaces (either off-street or on-street by permission of the city engineer)	1 space per 200 sq. ft. of GFA + up to 4 drop off spaces (either off-street or on-street by permission of the city engineer)	2
Educational arts center	1 space per classroom + 1 space per 5 students based on the maximum number of students attending classes at any one (1) time	1 space per classroom + 1 space per 3 students based on the maximum number of students attending classes at any one (1) time	2
Golf course, miniature golf, or driving range	5 spaces per hole (golf course); 1 space per hole (miniature golf); 1 space per tee (driving range)	10 spaces per hole (golf course); 2 spaces per hole (miniature golf); 2 spaces per tee (driving range)	1
Library	1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space per 200 sq. ft. of GFA	2
Mission	1 space per 500 sq. ft. of GFA in	1 space per 200 sq. ft. of	2

Multiple-family dwelling, three (3) and four (4) units					P	P	P	P	
Multiple-family dwelling, five (5) units or more					P	P	P	P	✓
Planned Unit Development					C	C	C	C	✓
Congregate Living									
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons					C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons						C	C	C	✓
Board and care home/ Nursing home/ Assisted living						C	C	C	✓
Emergency shelter serving six (6) or fewer persons	C	C	C	C	C	C	C	C	✓
Emergency shelter serving seven (7) to sixteen (16) persons					C	C	C	C	✓
Emergency shelter serving seventeen (17) to thirty-two (32) persons						C	C	C	✓
Faculty house						C	C	C	✓
Fraternity or sorority						C	C	C	✓
Hospitality residence						C	C	C	✓
<u>Intentional Community</u>	<u>P</u>	<u>✓</u>							
Residential hospice						C	C	C	✓
Supportive housing						C	C	C	✓

Section 5. That the Residential Uses section of Table 547-1 contained in Section 547.30 of Chapter 547, Office Residence Districts, be amended to read as follows:

Table 547-1 Principal Uses in the Office Residence Districts

Use	OR1	OR2	OR3	Specific Dev. Standards
RESIDENTIAL USES				
Dwellings				
Single or two-family dwelling	P			

Single- or two-family dwelling existing on the effective date of this ordinance or conversion of a building existing on the effective date of this ordinance to a single- or two-family dwelling		P	P	
Cluster development	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	
Planned Unit Development	C	C	C	✓
Congregate Living				
Community residential facility serving six (6) or fewer persons	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	✓
Board and care home/ Nursing home/ Assisted living		C	C	✓
Dormitory		C	C	✓
Emergency shelter serving six (6) or fewer persons	C	C	C	✓
Emergency shelter serving seven (7) to sixteen (16) persons	C	C	C	✓
Emergency shelter serving seventeen (17) to thirty-two (32) persons		C	C	✓
Faculty house		C	C	✓
Fraternity or sorority		C	C	✓
Hospitality residence		C	C	✓
<u>Intentional community</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Residential hospice		C	C	✓
Supportive housing		C	C	✓

Section 6. That the Residential Uses section of Table 548-1 contained in Section 548.30 of Chapter 548, Commercial Districts, be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
RESIDENTIAL USES						
Dwellings						
Single or two-family dwelling	P	P				
Single or two-family dwelling existing on the effective date of this ordinance			P	P	P	
Cluster development	C	C	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	P	P	
Planned Unit Development	C	C	C	C	C	✓
Congregate Living						
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	C	C	✓
Board and care home/Nursing home/Assisted living	C	C	C	C	C	✓
Emergency shelter serving up to sixteen (16) persons	C	C	C	C	C	✓
Emergency shelter serving seventeen (17) to thirty-two (32) persons		C	C	C	C	✓
Inebriate housing		C			C	✓
<u>Intentional community</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Overnight shelter		C			C	✓
Residential hospice						
Supportive housing		C			C	✓

Section 7. That the Residential Uses section of Table 549-1 contained in Section 549.30 of Chapter 549, Downtown Districts, be amended to read as follows:

Table 549-1 Principal Uses in the Downtown Districts

Use	B4	B4S	B4C	B4N	Specific Development Standards
RESIDENTIAL USES					
Dwellings					
Cluster development	C	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	P	
Planned Unit Development					
Congregate Living					
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons	C	C	C	C	✓
Board and care home/Nursing home/Assisted living	C	C	C	C	✓
Dormitory	C	C	C	C	✓
Emergency shelter serving up to thirty-two (32) persons	C	C	C	C	✓
Hospitality residence	P	P	P	P	✓
Inebriate housing		C	C	C	✓
<u>Intentional community</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
Overnight shelter	C	C	C	C	✓
Residential hospice	C	C	C	C	✓
Supportive housing	C	C	C	C	✓

Section 8. That Section 551.370, contained in Article IV relating to the Industrial Living Overlay District of Chapter 551, Overlay Districts, be amended to read as follows:

551.370. Conditional uses. In addition to the conditional uses allowed in the primary zoning district, the following conditional uses may be allowed in the IL Overlay District, subject to the provisions of Chapter 525, Administration and Enforcement.

(1) Dwelling units, emergency shelters, intentional communities, overnight shelters, and supportive housing, subject to the following conditions:

a. Emergency shelters, intentional communities, overnight shelters, and supportive housing shall be subject to the requirements of Chapter 536, Specific Development Standards.

b. Alterations made to the exterior of an existing building shall maintain the architectural integrity and character of the building and surrounding area.

c. The maximum height of single- and two-family dwellings and cluster developments shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less.

d. No vibration, excessive dust, noise, light, glare, smoke, odor, truck traffic or other substance or condition, shall be generated by uses in the building that will have an adverse impact on the residential use of the building.

e. Emergency shelters and overnight shelters may not be a conditional use in the IL Overlay District until the completion of the next comprehensive plan update, as of December 11, 2015.

(2) Planned unit developments that include dwelling units.

(3) School, grades K—12, subject to the following conditions:

a. Schools, grades K—12, shall be subject to the requirements of Chapter 536, Specific Development Standards.

Section 8. That Section 551.1320, contained in Article XVII relating to the University Area Overlay District of Chapter 551, Overlay Districts, be amended to read as follows:

551.1320. Off-street parking. (a) Minimum number of off-street parking spaces. The minimum off-street parking requirement for residential uses shall be one-half (½) parking space per bedroom. For the purpose of this ordinance, an efficiency dwelling unit shall be considered equivalent to a one (1) bedroom dwelling unit in calculating the minimum parking requirement. Parking reductions allowed in the PO Pedestrian Oriented Overlay District shall be applied after calculating parking based on this provision.

(b) Location. Off-street parking for single- and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units shall be located entirely within the rear twenty-five (25) feet of the lot. Lots providing at least one (1) parking space in a detached accessory structure are not subject to this standard.

(c) Dimensions. Off-street parking for single- and two-family dwellings ~~and~~ multiple-family dwellings having three (3) or four (4) dwelling units, and intentional communities shall comply with the following standards:

(1) One hundred (100) percent of the required parking spaces may be provided as compact spaces.

(2) Parking lots of one (1) or more spaces that encroach into the required interior side yard shall provide landscaping and screening not less than three (3) feet in height consistent with the provisions of section 530.170 of this ordinance.

(3) Surface parking areas in the rear twenty-five (25) feet of the lot shall have an interior side yard of not less than two (2) feet.

(4) Surface parking areas shall have a rear yard of not less than two (2) feet. The rear yard may be reduced to zero (0) feet where adjacent to an alley.

(5) Parking lots shall be defined by durable curbing material that allows for on site drainage of stormwater runoff and discourages parking of vehicles on landscaped areas of a lot.

(6) Lots providing at least one (1) parking space in a detached accessory structure are not subject to standards (1) through (4) above.

ORDINANCE
By Gordon and Goodman

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

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

That Section 244.820 of the above-entitled ordinance be amended to read as follows:

244.820. Dwelling unit to be occupied by one (1) family. (a) No dwelling unit shall be occupied by more than one (1) family. However, unrelated persons may occupy a dwelling unit when such occupancy is permitted and authorized.

(b) When, in the opinion of the director of regulatory services, it is necessary for the protection of the health, safety and welfare of the occupants, the owner or agent of dwelling units let to another may be required to post in a conspicuous place, with a transparent cover, a card issued by the director of regulatory services setting forth the maximum number of persons who may lawfully occupy such a dwelling unit. Said card shall be posted inside the dwelling unit at eye level on, or within four (4) feet of, the main entrance door.

(c) For purposes of this section, a family may include a group of two (2) or more unrelated adults living together in a dwelling unit when operating as an intentional community. Factors that shall be considered in determining whether a group operates as an intentional community include:

(1) Whether the members of the household share the entire dwelling unit and function as a single housekeeping unit;

(2) Whether the members of the household have an adopted set of rules covering democratic governance, maintenance responsibilities, and other household issues;

(3) Whether the members of the household use the dwelling unit as their legal address for purposes including but not limited to voter registration, driver's license or identification purposes, motor vehicle registration and the filing and receipt of tax documents;

(4) Whether the group is transient or temporary in nature, as an intentional community shall be expected to remain in place for a period in excess of one (1) calendar year;

(5) Whether the members of the household share expenses for food, rent or ownership costs, utilities and other household expenses.

(d) Occupation of a dwelling unit as an intentional community shall be subject to the following limitations:

(1) A dwelling unit in which the various occupants act as separate roomers may not be deemed to be occupied by an intentional community.

(2) A rental property owner may have an ownership interest in no more than one (1) dwelling occupied as an intentional community. Cooperatives whose members live in the dwellings they own will not be

subject to this limitation, nor will rental property owners which are nonprofit organizations registered with or organized pursuant to the laws of the State of Minnesota.

(3) No registration may be accepted for any intentional community to be located at a property at which a rental property owner with any ownership interest in properties classified as Tier II or Tier III by the director of regulatory services has an ownership interest.

(4) If the representative member of the intentional community ceases residence in the intentional community, the intentional community must provide a representative member to update the registration required by this section.

(5) If a household or the members of a household registered as an intentional community do not meet or no longer meet the standards of this section, the household shall not qualify for recognition as an intentional community and shall be subject to enforcement for violation of this section or any other applicable section of this Code. Additionally, intentional communities and the members thereof shall comply with all provisions of this Code involving noisy and unruly assemblies or other regulations protecting the public health, safety and repose and violation thereof may constitute good cause to determine that such standards have not been met.

(6) An intentional community that dissolves shall inform the director of regulatory services of its dissolution within ten (10) days. Furthermore, if any of the information required to be provided with the initial registration of the intentional community should change, the intentional community shall inform the director within ten (10) days.

7) A dwelling unit in which various occupants are part of a residential program of the type regulated by sections 535.120 and 535.130 may not be deemed to be occupied by an intentional community.

(e) In order to occupy a dwelling unit as an intentional community pursuant to this section, the community shall file a registration with, and on a form approved by, the director of regulatory services, which shall include the following information:

(1) The name and address of the intentional community;

(2) The name and current contact information of a representative member of the intentional community;

(3) The name and current contact information, and a notarized statement of approval of the intentional community, from the property owner;

(4) A notarized statement from the representative member of the intentional community, attesting that the intentional community meets the standards established by this section and that it will be operated in compliance with all other applicable requirements of this Code;

(5) An accurate and current floor plan of the dwelling unit, so that the maximum legal occupancy pursuant to the housing maintenance code and building code can be determined;

(6) If applicable and available, a cooperative registration number or other legal documentation establishing the existence of the intentional community as a recognized and legal entity;

(7) A copy of any applicable lease, if one exists or is required by law.