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## HEIGHT INCREASE APPLICATION

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**540.500. Purpose.** These regulations are established to identify where an increase of the maximum height requirements of a principal structure may be considered administratively. In order to be approved, the proposal must be consistent with the spirit and intent of the comprehensive plan and must further achieve the goals of the comprehensive plan.

**540.510. Application for increasing maximum height.**

- (a) *In general.* Any person having a legal or equitable interest in land, subject to the requirements of this section, may file an application to increase the height of a principal structure on a form approved by the zoning administrator, as specified in Chapter 525, Administration and Procedures.
- (b) *Ineligible uses and locations.* The following uses and property locations shall not be eligible for an application to administratively increase the height of a principal structure:
  - (1) Any property located in an interior built form overlay district.
  - (2) A single-, two-, or three-family dwelling or cluster development located in any built form overlay district.

**540.30. Relationship to other applicable regulations.** Property shall be subject to the provisions of the primary zoning district, the built form overlay district, and any other overlay district from Chapter 535, Overlay Districts, in which the property is located. Because overlay district regulations may be more or less restrictive than the primary zoning district or built form overlay district, where the provisions of the overlay, built form overlay, or primary zoning districts are in conflict, the provisions of the overlay district from Chapter 535, Overlay Districts, shall govern.

**540.520. Administrative review of applications.**

- (a) *In general.* The zoning administrator, in consultation with the planning director, shall approve or deny such application. The zoning administrator may impose such conditions and require such guarantees deemed reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan. If proposed as part of a project that includes a separate land use application, the height increase shall be reviewed concurrently with said application. Unless a site plan review application is not required, the decision date shall coincide with the city planning commission action on the site plan review application.
- (b) *Appeals.* Notwithstanding the provisions of Chapter 525, Administration and Procedures, decisions of the zoning administrator regarding the administrative review of height increases shall be subject to appeal to the city council.

**540.530. Maximum allowed height increase.** Where allowed, the maximum height requirements of principal structures may be increased up to the limits identified in Table 540-9, Maximum Allowed Height Increase, provided all applicable sections of this article are met.

<p>For reasonable accommodations or alternative formats please contact 311 at 612-673-3000. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users call 612-673-2157 or 612-673-2626. Para asistencia 612-673-2700 - Rau kev pab 612-673-2800 - Hadii aad Caawimaad u baahantahay 612-673-3500.</p>
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**Table 540-9 Maximum Allowed Height Increase**

<b><i>Built Form Overlay District</i></b>	<b><i>Height May Be Increased Up To, but Not Exceed a Total of</i></b>
Corridor 3	4 stories, 56 feet
Corridor 4	6 stories, 84 feet
Corridor 6	10 stories, 140 feet
Transit 10	15 stories, 210 feet
Transit 15	20 stories, 280 feet
Transit 20	30 stories, 420 feet
Transit 30	50 stories, 700 feet
Parks	6 stories, 84 feet
Production	20 stories, 280 feet

**540.540. Required premiums.**

- (a) *In general.* Adequate premiums shall be provided as identified in Table 540-10, Allowed Height Increase per Premium in the Corridor and Parks Built Form Overlay Districts or Table 540-11, Allowed Height Increase per Premium in the Transit and Production Built Form Overlay Districts, as applicable, in order to be eligible to achieve the intended height increase. Premiums provided shall comply with the standards of section 540.640, Height Increase Premiums. For specific use premiums, the use must be allowed by the zoning district or districts in which the property is located for a development to be eligible for the premium.
- (b) *Existing buildings.* Where projects within these districts already exceed the applicable height limits or an addition is too small to trigger site plan review, one (1) of the following may be provided in lieu of the premiums in Table 540-10, Allowed Height Increase per Premium in the Corridor and Parks Built Form Overlay Districts or Table 540-11, Allowed Height Increase per Premium in the Transit and Production Built Form Overlay Districts, provided the additional floor area does not exceed two thousand five hundred (2,500) square feet and such exception occurs only one (1) time in any five-year period:
- (1) *Green roof, subject to the following standards:* Installation of an extensive, intensive, semi-intensive, modular, or integrated green roof system that covers the roof area of the addition or an equivalent area elsewhere on the building.
  - (2) *Living wall system, subject to the following standards:* Provide a living wall system on at least one (1) building elevation. The living wall shall be composed of panels that total a minimum of sixty (60) percent of the wall area on the building elevation, or five hundred (500) square feet, whichever is greater. Window area is included in the calculation of the wall area, but in no case shall the living wall cover windows. Not less than twenty (20) percent of the plantings shall provide greenery year-round.
  - (3) *Enhanced stormwater management and native landscaping, subject to the following standards:* Not less than fifty (50) percent of the site not occupied by buildings including all required landscaped yards shall be landscaped per the standards in Chapter 550, Article V, Site Plan Review Standards. Provide capacity for infiltrating stormwater generated onsite with artful rain garden design, or subterranean stormwater collection and filtration system, that serves as a visible and/or visually appealing amenity. Rain garden designs shall be visually compatible with the form and function of the space and shall include for long-term maintenance of the design. Native species plantings shall be prioritized on the landscaping plan, including plantings that support pollinators.
  - (4) *Art feature, subject to the following standards:* Provision of art that shall strive to promote quality design, enhance a sense of place, contribute to a sense of vitality, show value for artist and artistic processes, and use resources wisely. The art shall be maintained in good order for the life of the principal structure. The art shall be located where it is highly visible to the public. If located indoors, such space shall be clearly visible and easily accessible from adjacent sidewalks or streets. The art

shall be valued at not less than one-fourth (¼) of one (1) percent of the capital cost of the principal structure.

- (5) *Shared bicycles and electric vehicle chargers, subject to the following standards:* Public access to shared bicycles available for short-term use as defined in section 555.230 of the Minneapolis Code of Ordinances. Applies to mixed-use and nonresidential uses only. A minimum of ten (10) shared bicycles and four (4) electric vehicle chargers per one (1) commercial use must be provided to qualify as an amenity. Bicycle parking spaces and racks shall be located in an area that is convenient and visible from the principal entrance of the building.

**Table 540-10 Allowed Height Increase per Premium in the Corridor and Parks Built Form Overlay Districts**

<b>Premium</b>	<b>Built Form Overlay District and Premium Value</b>			
	<b>Corridor 3</b>	<b>Corridor 4</b>	<b>Corridor 6</b>	<b>Parks</b>
Affordable housing	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Child care center	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Environmental sustainability	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Grocery store	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Historic preservation	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Mixed-use building	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Outdoor open space	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet
Through-block connections	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet	1 story, 14 feet

**Table 540-11 Allowed Height Increase per Premium in the Transit and Production Built Form Overlay Districts**

<b>Premium</b>	<b>Built Form Overlay District and Premium Value</b>			
	<b>Transit 10</b>	<b>Transit 15</b>	<b>Transit 20 and Transit 30</b>	<b>Production</b>
Affordable housing	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Child care center	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Environmental sustainability	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Grocery store	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Historic preservation	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Mixed-use building	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Outdoor open space	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet
Through-block connections	2 stories, 28 feet	2 stories, 28 feet	3 stories, 42 feet	2 stories, 28 feet

#### **540.640. Height increase premiums.**

- (a) *In general.* The allowed premiums for height increases in the corridor, transit, parks, and production built form overlay districts shall be as specified in Table 540-14, Height Increase Premiums. All applicable standards shall be met to be eligible for a premium.
- (b) *Exceptions.* Exceptions to the height increase premium standards of this article may be approved where the alternative meets the intent of the standards and includes an exceptional design or style that will enhance the area or that is more consistent with the design of the site.

**Table 540-14 Height Increase Premiums**

<b><i>Premium</i></b>	<b><i>Standards</i></b>
Affordable Housing	<ul style="list-style-type: none"> <li>a. The development shall comply with the city's inclusionary housing requirements by providing affordable units on-site rather than utilizing one (1) of the compliance alternatives.</li> <li>b. The development must include at least twenty (20) dwelling units to qualify for the affordable housing bonus. In developments with fewer than fifty (50) units, all inclusionary housing standards that apply to developments with fifty (50) or more units shall apply to the development.</li> <li>c. The premium value shall be double when the affordable units are on-site and affordable at or below thirty (30) percent of the area median income, without income averaging.</li> </ul>
Child care center	<p>The development includes a child care center that meets the following standards:</p> <ul style="list-style-type: none"> <li>1) Not less than two thousand (2,000) square feet of enclosed space.</li> <li>2) The use shall comply with the specific use standards for child care centers in Chapter 545, Use Regulations.</li> <li>3) The development shall include on-site, dedicated outdoor space with at least one thousand five hundred (1,500) square feet total and at least seventy-five (75) square feet per child.</li> </ul>
Environmental sustainability—Climate resiliency	<p>The project shall achieve at least one of the following standards:</p> <ul style="list-style-type: none"> <li>a. Any performance standard (LEED, PHIUS, EGC, etc.) that achieves the Minnesota Sustainable Building 2030 (SB 2030) 2010-2014 Energy Standard, a sixty (60) percent energy/carbon reduction from the 2003 Average Building Baseline. The evaluation shall be submitted by a certified architect. Building utility energy and water information shall be submitted annually as part of the Minneapolis Energy Benchmarking program.</li> <li>b. Not less than forty (40) percent of electricity usage shall be derived from renewable energy sources through on-site generation and/or renewable energy credits (RECs).</li> </ul>
Grocery store	<p>The development includes a grocery store that meets the following standards:</p> <ul style="list-style-type: none"> <li>1) Not less than ten thousand (10,000) square feet of public space.</li> <li>2) The store shall include fresh produce in compliance with the staple food requirements of Chapter 203, Grocery Stores, of the Minneapolis Code of Ordinances.</li> </ul>
Historic preservation	<ul style="list-style-type: none"> <li>a. The structure shall be a locally designated historic structure or shall be determined to be eligible to be locally designated as a historic structure, as provided in Chapter 599 of the Minneapolis Code of Ordinances, Heritage Preservation.</li> <li>b. The historic structure, if undesignated, shall be subject to the same restrictions that are applicable to locally designated historic structures and the recommendations contained in the Secretary of the Interior's Standards for Rehabilitation.</li> <li>c. The historic structure shall be rehabilitated pursuant to the applicable guidelines of the heritage preservation ordinance and the recommendations contained in the Secretary of the Interior's Standards for Rehabilitation, if necessary.</li> </ul>

**Table 540-14 continued.**

Mixed-use commercial and residential	<ul style="list-style-type: none"> <li>a. The commercial space within the development must comply with at least two (2) of the of the following three (3) standards:               <ul style="list-style-type: none"> <li>1) The commercial space shall occupy at least sixty-five (65) percent of the building's ground-floor street frontage and a minimum interior depth of thirty (30) feet,</li> <li>2) The commercial spaces shall occupy at least twenty-five (25) percent of the floor area of the building footprint,</li> <li>3) The commercial space shall occupy at least five (5) percent of the gross floor area of the building.</li> </ul> </li> <li>b. The development shall include no fewer than four (4) residential units above the commercial space.</li> <li>c. For properties located in commercial mixed-use and downtown districts where ground floor active or commercial uses are required, the required commercial space shall comply with all three (3) standards of part (a).</li> </ul>
Outdoor open space	<ul style="list-style-type: none"> <li>a. Outdoor open space shall comprise at least fifty (50) feet of the street frontage of the zoning lot and shall contain not less than five thousand (5,000) contiguous square feet. The outdoor open space shall be a plaza, pocket park, or community garden.</li> <li>b. An outdoor open space that meets the definition of a plaza under Chapter 550, Article XIV, Plazas, shall be subject to the requirements of that article. Variances granted from the development standards for plazas do not disqualify the plaza from being awarded the premium provided the standards of this article are met.</li> <li>c. An outdoor open space designed as a pocket park shall also be subject to the plaza standards under Chapter 550, Article XIV, Plazas.</li> <li>d. An outdoor open space designed as a community garden shall have permanent and viable growing space, which provide fencing, watering systems, soil, secured storage space for tools, solar access, and pedestrian access as applicable. The facility shall be designed to be architecturally compatible with the development and to minimize the visibility of mechanical equipment.</li> <li>e. Not less than forty (40) percent of the first-floor façade facing the outdoor open space shall include windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level. The first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than fifty (50) percent of the linear building frontage along each wall facing the outdoor open space.</li> <li>f. Outdoor open space may contain tables and facilities for food service, but a majority of the space shall be available for general public use without charge.</li> <li>g. The outdoor open space shall be open to the general public at least during the normal business hours of the surrounding area.</li> <li>h. At least one (1) short-term bicycle space shall be provided for each one thousand five hundred (1,500) square feet of the outdoor open space area, or fraction thereof. Bicycle parking provided to meet this requirement shall not count toward the minimum requirement of the development.</li> </ul>

**Table 540-14 continued.**

Through-block connection	<ul style="list-style-type: none"><li>a. The connection shall connect two (2) public streets on opposite sides of the block, or shall connect a public street to an urban open space on the opposite side of the block, or shall connect two (2) urban open spaces on opposite sides of the block, or shall connect to another interior through-block connection. The through-block connection shall not require walking across or through driveways, parking areas, or other areas with vehicle maneuvering. In addition, on developments involving less than one-half (½) block, the interior through-block connection may connect two (2) public streets on opposite sides of the block in combination with corridors in one (1) or more buildings.</li><li>b. The connection shall be located not more than three (3) feet above or below the level of the sidewalk, shall have a minimum interior clear width of twelve (12) feet and a minimum height of twelve (12) feet. The maximum interior through-block connection premium shall be increased by one (1) where the interior through-block connection has a minimum interior clear width of sixteen (16) feet.</li><li>c. The connection may be outdoors or enclosed but shall be accessible year-round and open to the general public at least during the normal business hours of the surrounding area.</li><li>d. Not less than forty (40) percent of the first floor facing an outdoor through-block connection shall include windows of clear or lightly tinted glass that allow views into and out of the building at eye level.</li><li>e. The connection entrances shall be clearly visible from adjacent sidewalks or streets.</li></ul>
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## HEIGHT INCREASE APPLICATION REQUIREMENTS CHECKLIST

Staff will accept only complete applications that include all of the items listed below and any specific application requirements. If any of the items are missing at the time of submittal, the application will be deemed incomplete and staff will not accept the application.<sup>1</sup>

	Completed Height Increase Application Worksheet and Accuracy Declaration.
	Statement addressing the required findings (see below).
	Correct fees paid (checks payable to Minneapolis Finance Department). If the property is in the SH and/or MR Overlay District and requires a conditional use permit to increase height, please refer to the fee schedule in the General Land Use Application.
	Complete application(s) for all land use approvals related to the development. Additional requirements may apply if the property is in the SH and/or MR Overlay District and requires a conditional use permit to increase height.

### REQUIRED FINDINGS

**540.550. Required findings.** Before approval of an administrative height increase, and in addition to providing the required premium or premiums, the zoning administrator shall find:

- (1) The building furthers principles of human scale design and massing, particularly facing the public realm in the lower floors of the building.
- (2) The portion of the building receiving the height increase responds to a change in built form on adjacent properties in less intense built form overlay districts with a gradual transition in height and scale.
- (3) The building form and massing is distributed and oriented in a manner appropriate to the scale and proportion of the built surroundings to reasonably address the impact of shadowing on adjacent properties, the public realm, and existing solar energy systems, and to allow access to light and air of adjacent properties.
- (4) Exterior materials are consistent and compatible on all sides of the building.

### FEES

APPLICATION TYPE	FEE (DOLLARS)
Administrative reviews to increase height:	
0 – 9,999 square feet of lot area	525
10,000 – 43,559 square feet of lot area	780
43,560 square feet of lot area or more	1,000

<sup>1</sup> City staff will review the initial application submission to determine completeness and will notify the applicant of what, if any, additional information must be submitted. Please be aware that supplemental information may also be requested during the evaluation and hearing process.

## HEIGHT INCREASE APPLICATION WORKSHEET

Please complete the following tables. Attach a separate document and/or plans, if necessary.

**Notes:**

- A zoning lot may not be awarded multiple increases for the same height increase premium. In no case shall any item in a planned unit development be counted as an amenity for an alternative if it is used to qualify for a floor area ratio or height incentive in the Built Form Districts or any other amenity in Table 550-4, Amenities.
- Except as allowed by the affordable housing premium, all premiums shall be maintained for the life of the principal structure. The length of compliance with the affordable housing premium shall be as required by the Unified Housing Policy.
- The height increase premium application shall be reviewed and processed concurrently with any required land use applications.
- If a property contains split zoning, height may only be increased as authorized in each built form overlay district for that portion of development in which the development is located, and the property shall be required to be rezoned to add the SZ Split Zoning Overlay District, per section 535.770 of the zoning code.

BUILT FORM OVERLAY DISTRICT	CHECK APPLICABLE DISTRICT(S)	REQUESTED NUMBER OF PREMIUMS	VALUE OF EACH PREMIUM	MAXIMUM ALLOWED HEIGHT	REQUESTED HEIGHT (STORIES/FEET)
Corridor 3	<input type="checkbox"/>		1 story, 14 feet	4 stories, 56 feet	
Corridor 4	<input type="checkbox"/>		1 story, 14 feet	6 stories, 84 feet	
Corridor 6	<input type="checkbox"/>		1 story, 14 feet	10 stories, 140 feet	
Parks	<input type="checkbox"/>		1 story, 14 feet	6 stories, 84 feet	
Transit 10	<input type="checkbox"/>		2 stories, 28 feet	15 stories, 210 feet	
Transit 15	<input type="checkbox"/>		2 stories, 28 feet	20 stories, 280 feet	
Transit 20	<input type="checkbox"/>		3 stories, 42 feet	30 stories, 420 feet	
Transit 30	<input type="checkbox"/>		3 stories, 42 feet	50 stories, 700 feet	
Production	<input type="checkbox"/>		2 stories, 28 feet	20 stories, 280 feet	



### Height Increase Premiums

PREMIUM TYPE	DESCRIPTION OF HOW REQUESTED PREMIUM WILL BE MET		
Affordable housing			
Child care center			
Environmental sustainability			
Grocery store			
Historic preservation			
Mixed-use building			
Outdoor open space			
Through-block connections			
TOTAL NUMBER OF PREMIUMS		TOTAL REQUESTED HEIGHT INCREASE (STORIES/FEET)	

**Height Increase Premiums for Applicable Existing Buildings for Additions Less Than 2,500 Sq. Ft. (Section 540.540 (b))**

PREMIUM TYPE	DESCRIPTION OF HOW REQUESTED PREMIUM WILL BE MET		
Green roof			
Living wall system			
Enhanced stormwater management and native landscaping			
Art feature			
Shared bicycles and e-Vehicle chargers			
<b>TOTAL NUMBER OF PREMIUMS</b>		<b>TOTAL REQUESTED HEIGHT INCREASE (STORIES/FEET)</b>	

**ACCURACY DECLARATION**

My signature attests to the fact that the attached application is complete and accurate to the best of my knowledge. I understand that the staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay review of my application or may result in denial of my request.

Property owner's signature (if different from applicant): \_\_\_\_\_

Applicant's name (please print): \_\_\_\_\_

Applicant's signature: \_\_\_\_\_