

Proposed 2014 Residential Infill Text Amendments



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BACKGROUND: RECENT HISTORY

Interim Ordinance in 5 neighborhoods within Ward 13

- No building or wrecking permits issued from March 7 through April 11, 2014
- Authorized planning study to review zoning code
- Lifted upon approval of City Council to establish Construction Management Agreement and increase enforcement

Construction Management Agreement

- 25 provisions that permit holders must follow to help alleviate construction nuisances and improve communication with neighbors

Increased enforcement

- Additional Construction Code Services and Zoning Inspectors assigned to areas with concentration of active construction sites
- Evening and weekend “sweeps” added

Zoning Text Amendment

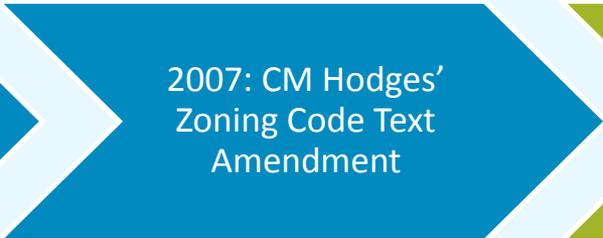
- Revisions to zoning code for 1-4 unit residential development to address concerns about neighborhood character and “massing”

BACKGROUND: ZONING CODE HISTORY



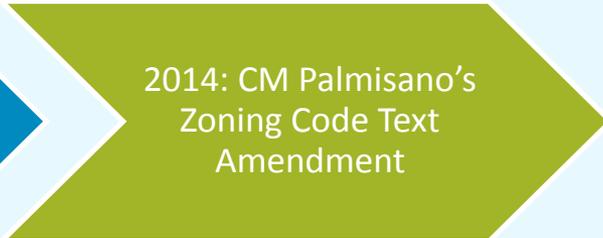
2005: Site plan review standards for new homes.

- Chapter 530 amended to require that new homes obtain “points” from a menu of options. Intended to address a proliferation of homes being constructed without elements that are important in an urban context.



2007: CM Hodges’ Zoning Code Text Amendment

- Intended to address the scale of new homes and residential additions, including regulations related to building height and maximum floor area, alteration of natural grade, and the percentage of a residential lot that may be covered by buildings and impervious surfaces.

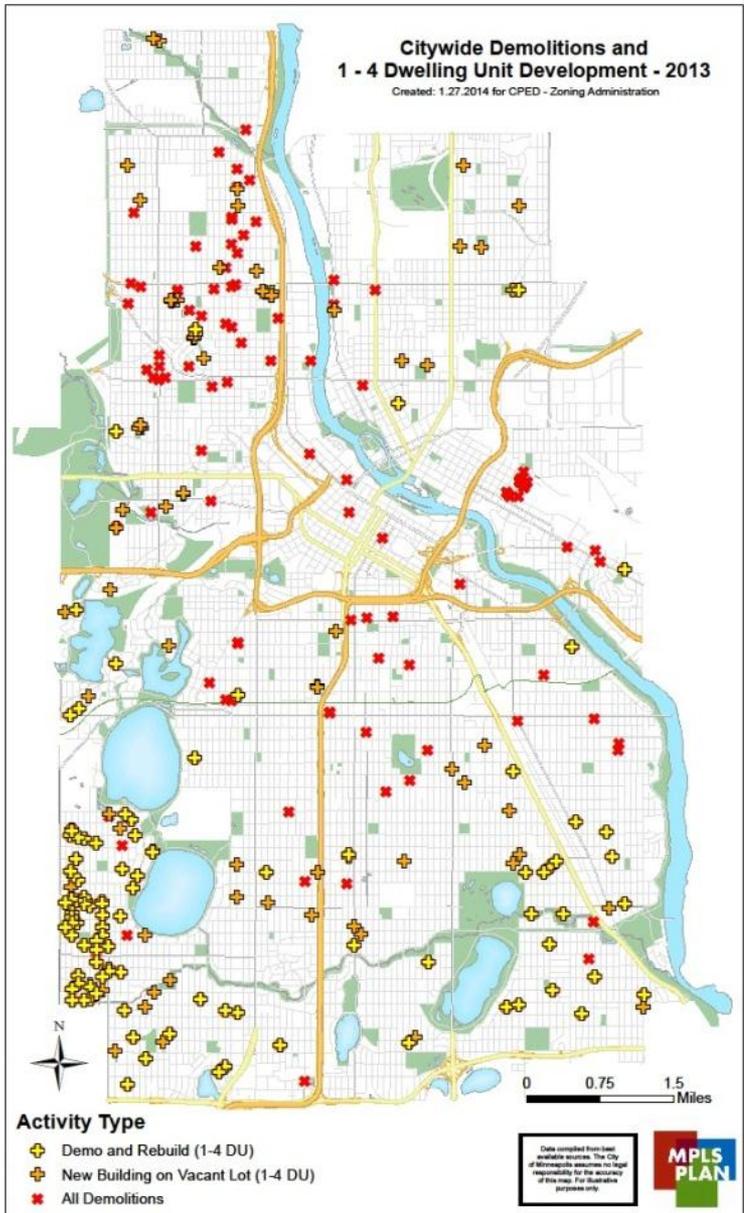


2014: CM Palmisano’s Zoning Code Text Amendment

- Further refine 2007 text amendment to better reflect changing needs of home buyers and concerns of existing residents.

Citywide Demolitions and 1 - 4 Dwelling Unit Development - 2013

Created: 1.27.2014 for CPED - Zoning Administration



TRADITIONAL MINNEAPOLIS HOUSING CHARACTERISTICS

- Most existing housing in Minneapolis was built between the 1880s and the 1950s. This represents a range of architectural styles including:
 - Victorian/East Lake
 - Four Squares
 - Bungalows
 - Tudor Revival
 - Cape Cods
 - Ramblers
- While styles vary, there are many common characteristics:
 - Narrow lots (typical lot is 40 ft. by 125 ft.)
 - Detached single-family homes
 - Open space: front, sides and back yards
 - Height: 1 story to 2½ stories
 - Detached garages

HOUSING FEATURES ARE CHANGING

- Housing changes reflect current demands/lifestyles, for example:
 - Attached garages
 - Larger rooms and closet space
 - Multiple bathrooms
 - Finished basements
 - Guest space
 - High ceilings
- Housing changes also reflect current regulations and trends: materials, building, energy and zoning code changes

CONCERNS ABOUT INFILL HOUSING

AS SHARED BY WARD 13 FOCUS GROUPS, CITY STAFF

- New homes continue to take up too much of lot, “boxing in” neighbors next door.
- Garage placement on property can have adverse affect on neighbors.
- First floor height should be similar to first floor height of neighboring homes; grade of land should not be built up artificially.
- Some roofs are pitched too high and result in dead space that cannot even be used for attic space yet impact the “air space” of the block.
- Can decrease value of neighboring homes by creating “canyon” effect.
- Land must be preserved for storm water absorption.
- Tree protection should be paramount yet trees continue to be removed or killed during construction.
- Setback requirements are not adequate to maintain sunlight.
- Basements are built too deep and too wide, causing new homes to sit too close to or invade the water table, exacerbating flooding problems for neighbors and public infrastructure.
- Loss of mature trees on private property creates disputes between neighbors and hurts urban forest, biodiversity.
- Houses built on altered grade sit high above neighbors, causing privacy and shade concerns.

GOALS OF ZONING CODE TEXT AMENDMENT

- Ensure that new construction projects better align with the policy objectives outlined in the City's comprehensive plan.
- Draft reasonable standards that result in improved outcomes for all Minneapolis neighborhoods and residents.
- Strike a fair balance between the preferences and needs of existing residents and those of new homeowners.

FLOOR AREA RATIO (FAR)

FAR: Total square feet of a home / total square feet of the property

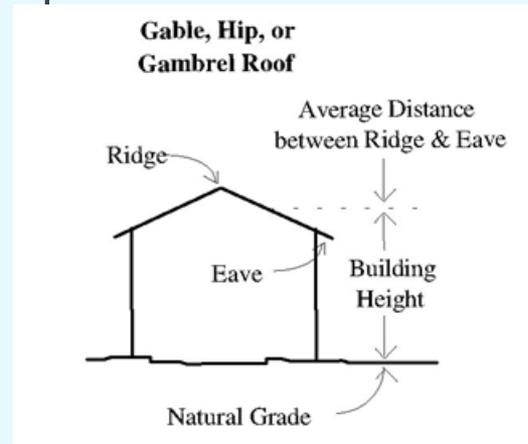
- **Proposed changes:**
 - Retain existing maximum FAR at 0.5 but eliminate 250 sq. ft. allowance for attached garage
 - If 50% of the perimeter of a basement extends more than 2.5' above ground, it counts as FAR (currently 4')

FLOOR AREA RATIO (FAR)

- **Sample of 125 SF homes recently approved by the City:**
 - Average (mean) FAR = 0.37, median = 0.36
- **FAR by quadrants of the city**
 - SW: 52% of total; Avg = 0.427
 - South: 24% of total; Avg = 0.33
 - North: 16.4% of total Avg = 0.288
 - East: 0.8% of total Avg = 0.34
- **Gross Floor Area** (sum of the area of all floors above grade)
 - Sample size = 56
 - Avg (mean) = 2,493 sq. ft.; median = 2,513

HEIGHT

- **Proposed changes:**
 - Proposed maximum height of 28' (currently 30') at midpoint/average distance between peak and eave.



- Establish a new/additional maximum height to the highest point/ridge line of the roof of 33'.
- Maintain existing building and floor area exceptions - R1 example in section 546.240 (c) and (d).

HEIGHT

- **Sample of 256 SF homes recently approved by the City:**
 - Avg (mean) 23.84', median = 24.5' (midpoint btwn peak & eave)
 - 7% had a height over 28 feet at midpoint

- **Breakdown of 256 by sector of City**
 - SW: 54% of total; Avg = 24.7
 - South: 25% of total; Avg = 23.3
 - North: 17% of total; Avg = 22.63
 - East: 4% of total Avg = 20.85

- **Sample of 240 SF homes recently approved by the City:**
 - Avg (mean) 28.4', median = 29 (to peak/ridge line)
 - 8.75% had a height over 33 feet

WAYS TO INCREASE SIZE AND HEIGHT

(UNCHANGED FROM 2007 AMENDMENTS)

- If 50% of homes within 100 ft. exceed size or height, new home or addition can increase to largest size.
- For residential additions to homes that exceed that FAR or are very close to the maximum, a one time increase up to 500 sq. ft.
- May apply for variance to increase size, subject to demonstrating that regulations cause practical difficulty.

SIDE YARD SETBACK

- **Definition:** Amount of land required to be undeveloped between building and side lot lines
- **Proposed change for single and two-family homes in R or OR districts:**

YARDS	REQUIRED YARDS FOR SINGLE-FAMILY DWELLINGS AND PERMITTED COMMUNITY RESIDENTIAL FACILITIES (FEET)	REQUIRED YARDS FOR ALL OTHER USES (FEET)
Front, <u>subject to section 546.160(b)</u>	20	20
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. or greater: 7</u>	5+2X
Corner Side	8	8+2X

X = number of stories above the first floor

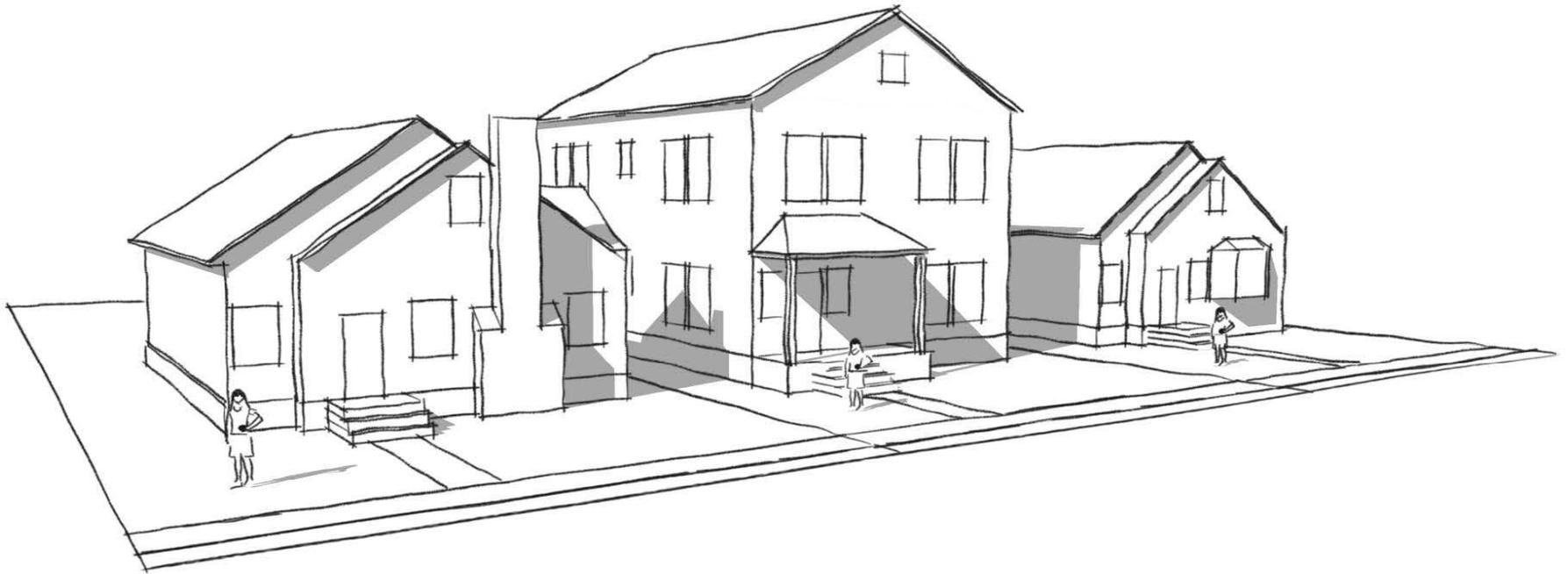
What's possible today

Existing Regulations



What's Possible Under New Regulations

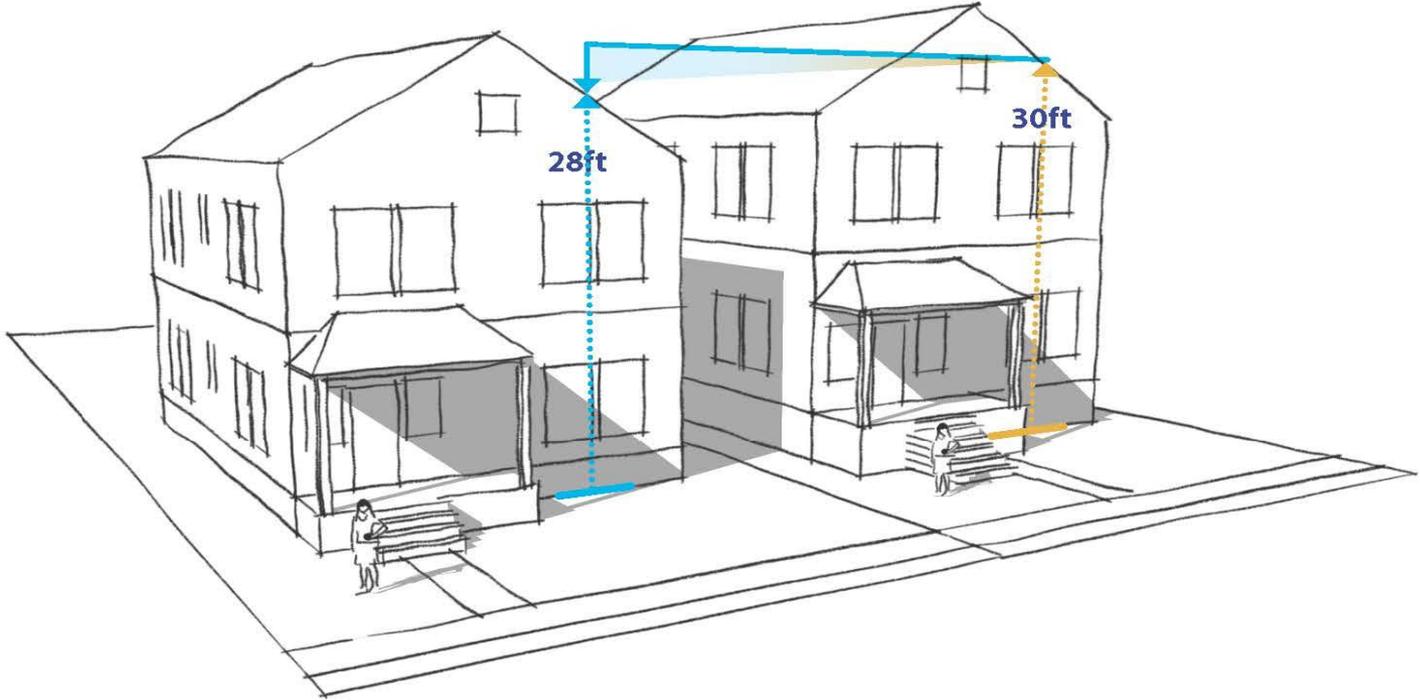
New Regulations



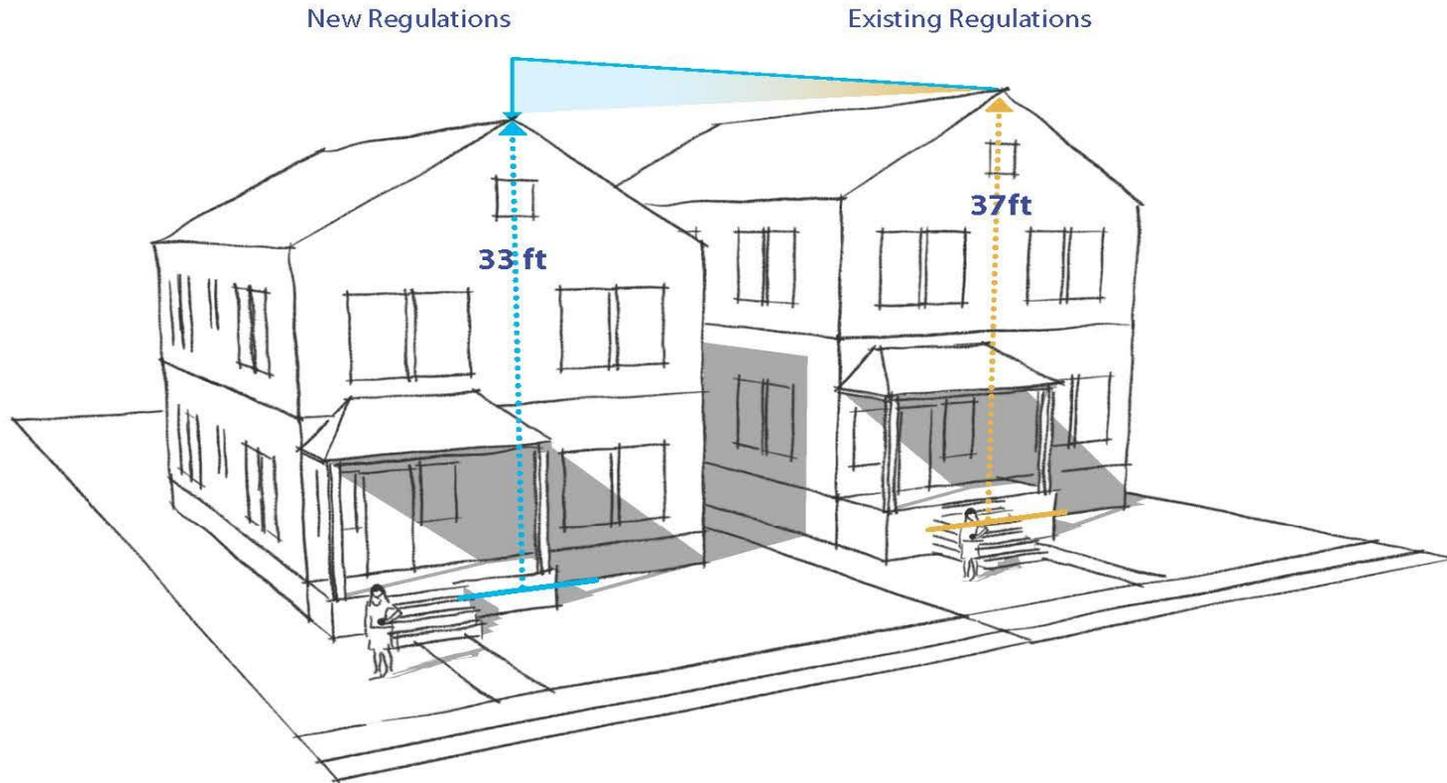
Reduce the maximum height of single and two-family dwellings from **30ft to 28ft** as measured at midpoint between peak and eave

New Regulations

Existing Regulations



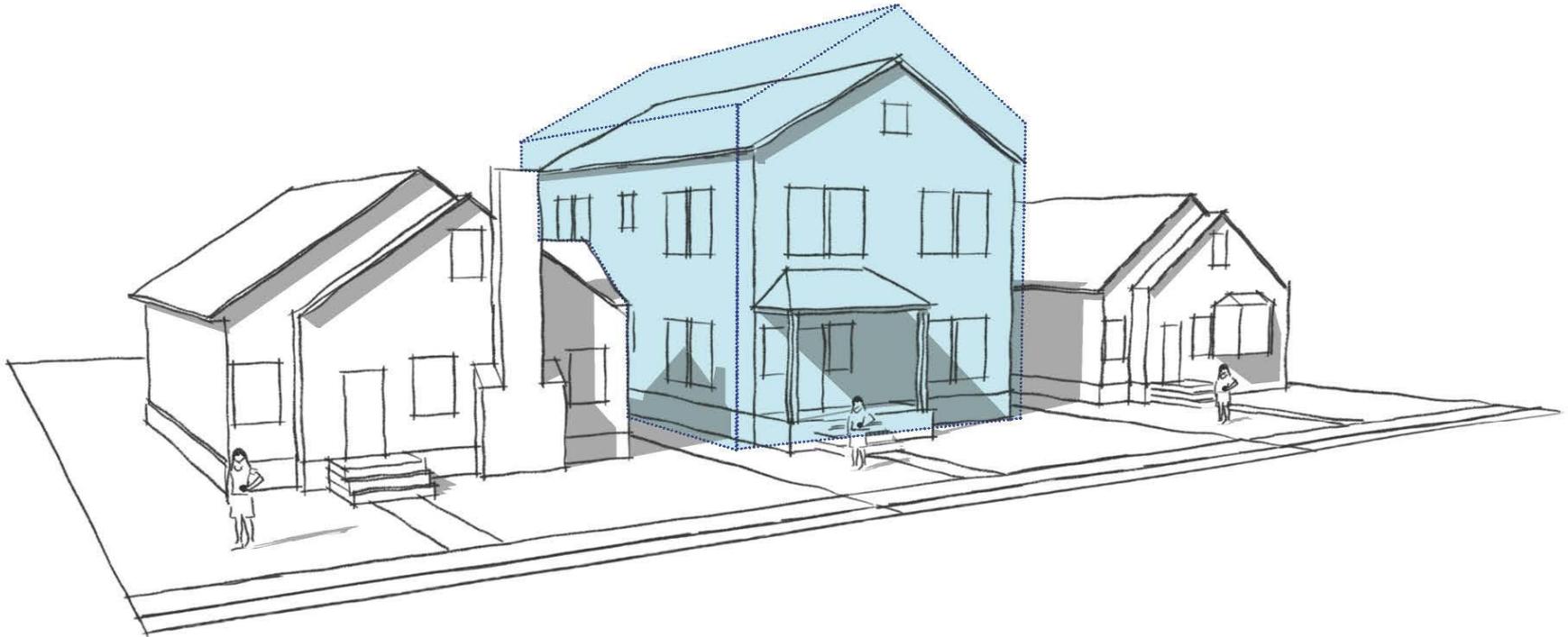
Establish a new maximum allowable height
to the highest point of the roof at **33 ft**



Reduce the amount of basement that can extend above ground before it's counted as part of maximum floor area from **4 ft to 2.5 ft**



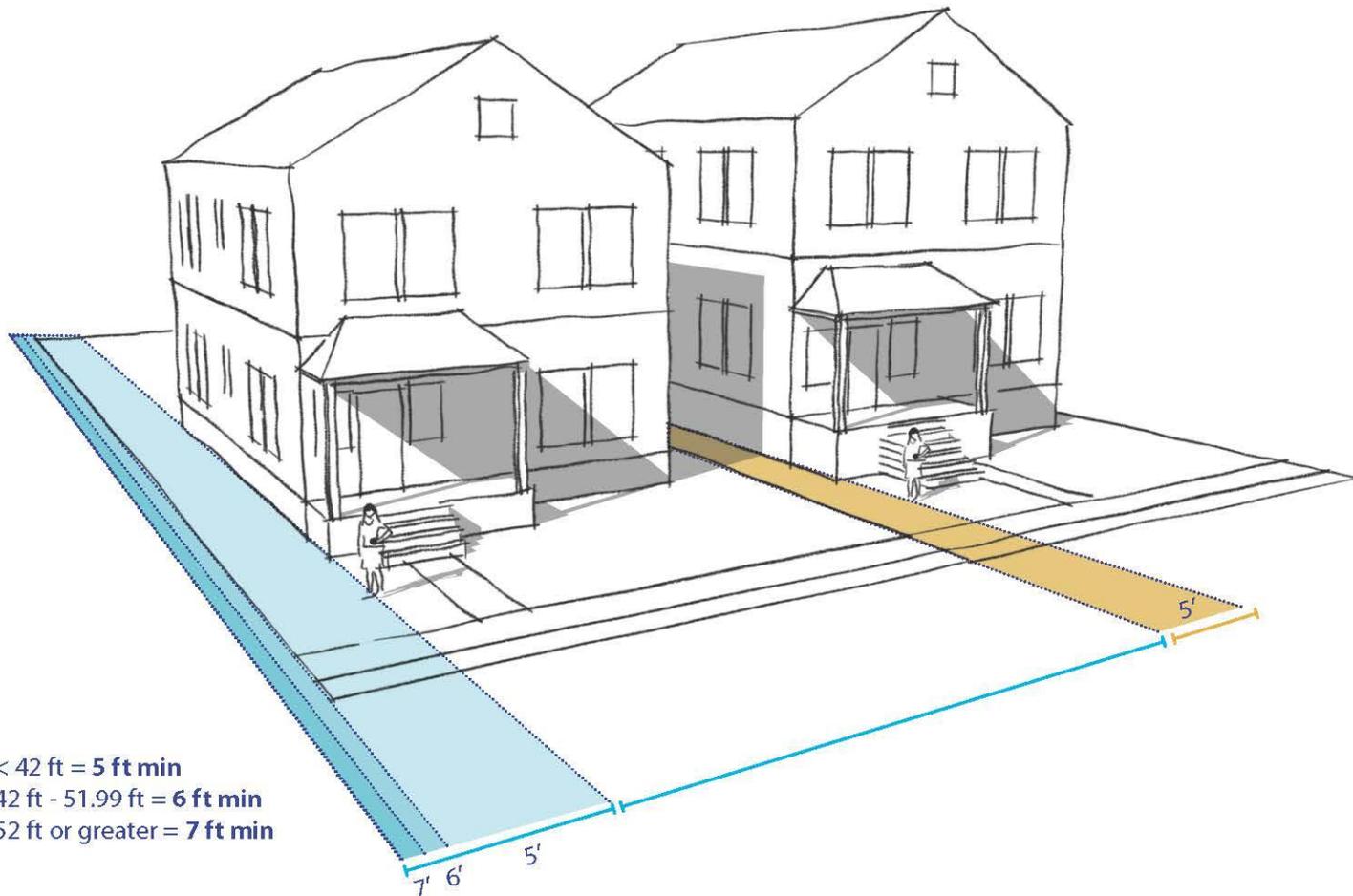
Massing Comparisson (blue shows previous possible buildout)



Interior sideyard requirements

New Regulations

Existing Regulations



Lot width < 42 ft = **5 ft min**
Lot width 42 ft - 51.99 ft = **6 ft min**
Lot width 52 ft or greater = **7 ft min**

CURRENT SITE PLAN DESIGN STANDARDS (AKA POINTS SYSTEM)

- Currently, proposed projects must achieve a minimum of 15/24 points from menu of options

Table 530-2 Standards for single and two-family dwellings and multiple-family dwellings having three or four dwelling units

<i>Points</i>	<i>Design Standard</i>
5	Not less than one (1) off-street parking space per dwelling unit is provided in an enclosed structure that is detached from the principal structure
5	The structure includes a basement as defined by the building code
4	The primary exterior building materials are masonry, brick, stone, stucco, wood, cement-based siding, and/or glass
3	Not less than twenty (20) percent of the walls on each floor that face a public street, not including walls on half stories, are windows
3	Not less than ten (10) percent of the walls on each floor that face a rear or interior side lot line, not including walls on half stories, are windows
2	The pitch of the primary roof line is 6/12 or steeper. However, the points shall be awarded for a building with a flat roof where there is at least one existing building with a flat roof or a hip roof with a primary roof line of less than 6/12 where there is at least one existing building with a hip roof with a similar pitch within one hundred (100) feet of the site.
1	The structure includes an open, covered front porch of at least seventy (70) square feet that is not enclosed with windows, screens, or walls, provided there is at least one existing open front porch within one hundred (100) feet of the site. The porch may include handrails not more than three (3) feet in height and not more than fifty (50) percent opaque. The finish of the porch shall match the finish of the dwelling or the trim on the dwelling. For the purpose of this section, raw or unfinished lumber shall not be permitted on an open front porch.
1	The development includes at least one (1) deciduous tree in the front yard



Site Plan Review:

Residential Point System (1-4 units)

New residences containing 1-4 dwelling units shall obtain a minimum of 15 points from the categories illustrated below. Designs must also comply with the standards included in Chapter 535, Regulations of General Applicability.

DETACHED GARAGE

At least one parking space is provided in an enclosed garage that is detached from the main structure.

5 POINTS

6/12 ROOF PITCH

The pitch of the primary roof line is 6/12 or steeper (or less-steep or flat if there is a roof of similar pitch within 100 feet).

2 POINTS

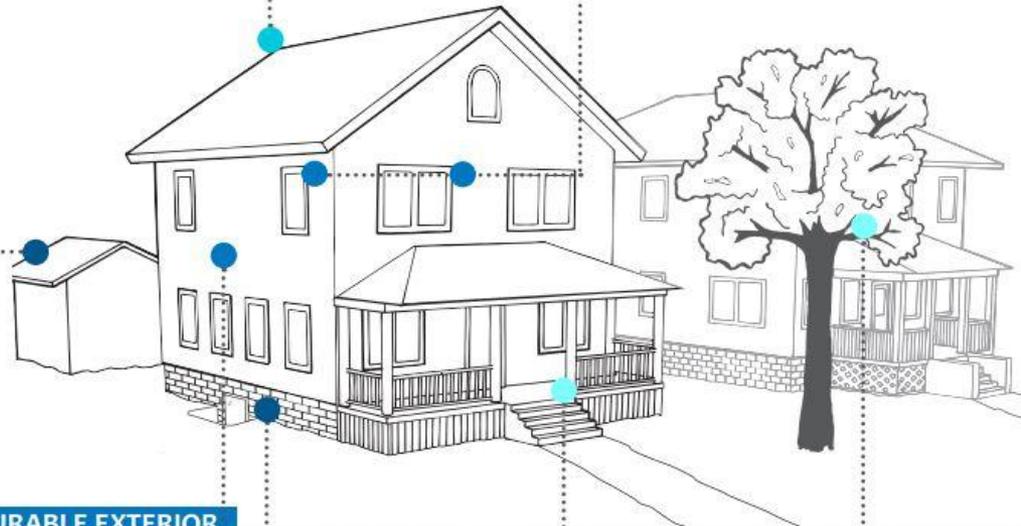
SUFFICIENT WINDOW AREA

At least 10% of the walls on each floor that face a rear or interior side lot line, not including walls on half stories, are windows.

3 POINTS

At least 20% of the walls on each floor that face a public street, not including walls on half stories, are windows.

3 POINTS



DURABLE EXTERIOR MATERIALS

The primary exterior building materials are masonry, brick, stone, stucco, wood, cement-based siding, and/or glass.

4 POINTS

BASEMENT

The structure includes a basement as defined by the building code.

5 POINTS

FRONT PORCH

The structure includes an open-air, covered front porch of at least 70 square feet if there is at least one existing open front porch within 100 feet of the site.

1 POINT

FRONT YARD TREES

There is at least one deciduous tree in the front yard.

1 POINT

ACCESSIBILITY BONUSES:

Designs that offer certain accessibility features will receive point bonuses that allow them to bypass some of these requirements while still fulfilling the 15-point minimum.

PERCENTAGE OF HOMES THAT ARE EARNING EACH POINT CATEGORY (2009-2013)

- Basement ** 96%
- Roof pitch* 81%
- Detached garage ** 70%
- Materials 70%
- Front windows 57%
- Porch 57%
- Tree** 47%
- Side windows 37%

*May be eliminated

**May be amended

PROPOSED SITE PLAN DESIGN STANDARDS (NEED 17 POINTS)

POINTS	INCENTIVE	INCENTIVE DESCRIPTION
6	Materials	Primary exterior materials = masonry, brick, stone, stucco, wood, cement-based siding and/or glass
4	Height	Is within ½ story of the predominant height of res. buildings within 100'
3	Windows (facing a public street)	At least 20% of each wall that faces a public street is windows (not including walls on half stories)
3	Trees	The total diameter of trees retained or planted equals two (2) inches, measured at breast height, per one thousand (1,000) square feet of total lot area, or fraction thereof
3	Detached garage	Each dwelling unit has at least 1 off-street space in a detached structure <u>located entirely in the rear 40' or 20% of lot, whichever is greater, and accessory structure is at least 20' away from habitable portion of principal structure</u>
3	Basement	Structure includes a basement as defined by the building code. <u>May be required to provide proof of no conflict with groundwater.</u>
2	Windows (rear/interior)	At least 10% of each wall facing rear/interior side lot line is windows (not including walls on half stories)
2	Stormwater	Stormwater best management practice(s). See BMPs that qualify property owner for reduced stormwater utility fees.
1	Front porch	Unenclosed, covered porch at least 70 sq. ft. provided there is at least 1 existing front porch within 100 ft.
= 27		

PROPOSED SITE PLAN DESIGN STANDARDS (CONT'D)

Alternative Compliance: Zoning Administrator may approve alternatives to the standards , allowing a new structure to obtain fewer than the minimum number of points, upon finding each of the following:

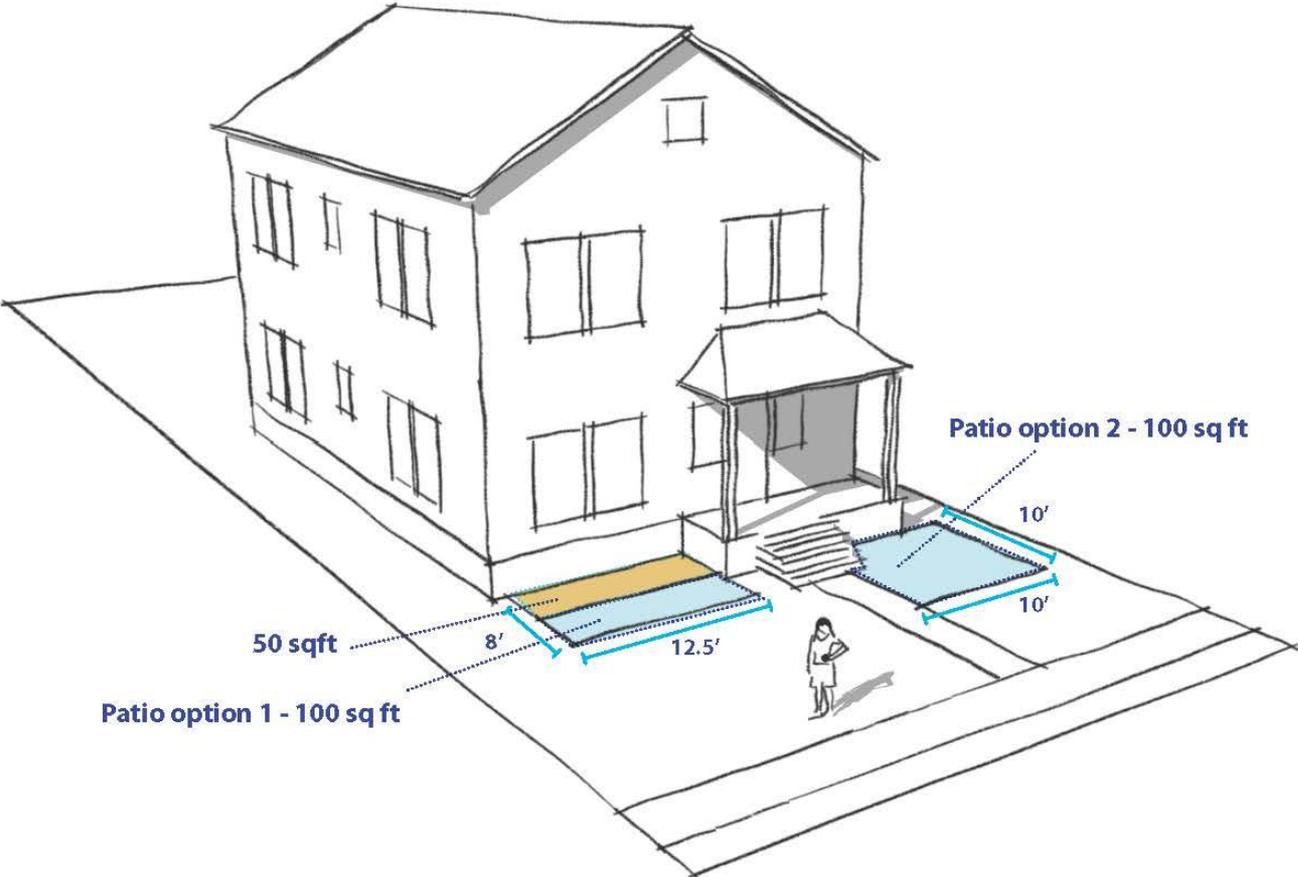
1. The scale of the proposed structure is consistent with existing residential structures in the immediate area. In comparing the scale of the proposed structure to existing structures, the zoning administrator shall consider floor area, height, façade width, and consistency with the established pattern of front, side, and rear yards in the vicinity.
2. The proposed structure exhibits exceptional design features that achieve at least one of the following:
 - a. Incorporates traditional design features found in the immediate area;
 - b. Demonstrates exceptional creativity and incorporates high-quality, durable exterior materials.
3. On sloped sites, the proposed design responds to the topography of the site by following existing patterns in the vicinity and minimizing the apparent mass when viewed from lower elevations.
4. The proposal is consistent with the applicable urban design policies of the Comprehensive Plan.

(b) Notification. In conducting the review of requests for alternative compliance from this article, the zoning administrator shall mail notice of the request to property owners within one hundred (100) feet of the property and shall allow a public comment period of not less than ten (10) calendar days between the date of notification and the final decision. The zoning administrator's decision may be appealed in accordance with the standards of Chapter 525, Administration and Enforcement.

OTHER CODE CHANGES

- **Required yards, building coverage, impervious surface, etc.**
 - Reduce max permitted lot coverage in R1-R3 from 50% to 45%
 - Reduce max impervious surfaces in the R1-R3 districts from 65% to 60%
 - Eliminate adjacent alley house from front yard increase standards when drawing a straight line from neighboring homes
 - Consider allowing larger patios in required front yards for 1-4 unit buildings
 - Amend regulation requiring impervious walkway connection from front entrance to public sidewalk with hard-surfaced walkway
 - Clarify that yard requirements apply to homes that are reconstructed after building alteration meets definition “demolition.”

Ground-level patios up to one hundred (100) square feet, constructed of decorative concrete, pavers or stone, may extend more than four feet into the required front yard provided the patio is located less than 10 feet from a public sidewalk and shall be designed in a manner that would prevent the patio from being used for off-street parking.



OTHER CODE CHANGES (CONTINUED)

- **Urban form and character**
 - 60% of front façade is allowed to be street-facing garage. Amend this requirement to include basement-level garages.
 - Clarify that attached garages facing the street cannot extend more than 5' in front of any first floor habitable space
 - Prohibit residential curb cuts at the front of a property when the property has alley access. Establish a new variance authorizing exceptions for practical difficulties.

OTHER CODE CHANGES (CONTINUED)

- **Other**
 - Amend definition of a “half-story.” Current definition may be too strict, and adding flexibility would be off-set by more strict limit on maximum height.
 - Amend definition of “demolition.” Current standard lacks clarity.
 - Create standard related to basements that conflict with groundwater

ZONING CODE TEXT AMENDMENT: SUMMARY OF PROPOSED CHANGES

	CURRENT	PROPOSED
FLOOR AREA RATIO (FAR)	0.5 (allowance for 250 square foot attached garage)	0.5 (eliminate allowance for attached garage)*
BASEMENT THAT CAN EXTEND ABOVE GROUND AND NOT COUNT TOWARD MAXIMUM FLOOR AREA	4 feet	2.5 feet. Allow 4 feet on sloping lots.
HEIGHT	30 feet at midpoint between peak and eave	28 feet at midpoint between peak and eave. Establish a new maximum height to the highest point of the roof—33 feet.*
SIDE YARD SETBACK	R1: 6 ft. from side property line R1A through R6: 5 ft. from side property line	Each interior side yard shall equal not less than 5, 6, or 7 feet, depending on the lot width
PERMITTED LOT COVERAGE (I.E. AMOUNT THAT CAN BE COVERED BY BUILDINGS)	50%	45%
PERMITTED IMPERVIOUS SURFACES	65%	60%

* Maintain existing building and floor area exceptions if 50% of homes within 100 ft. exceed size or height, new home or addition can increase to largest size (e.g., 546.240(c)&(d)).

FOR FURTHER INFORMATION

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