



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #12
April 13, 2015

ZONING CODE TEXT AMENDMENT SUMMARY

<i>Initiator:</i>	Council Member Palmisano
<i>Introduction Date:</i>	February 13, 2015
<i>Prepared By:</i>	Jason Wittenberg , Planning Manager, (612) 673-2297
<i>Specific Site:</i>	N/A
<i>Ward:</i>	Citywide
<i>Neighborhood:</i>	Citywide
<i>Intent:</i>	To amend the calculation of floor area ratio (FAR) for single- and two-family dwellings.

APPLICABLE SECTION(S) OF THE ZONING CODE

- Chapter 546, Residence Districts
- Chapter 547, Office Residence Districts

BACKGROUND

In 2014 the City Planning Commission and City Council adopted a zoning code text amendment related to residential development with fewer than five units. The revisions became effective on October 1, 2014. Revisions included, for example, changes to site plan review standards, permitted building height and floor area, required yards, building coverage and impervious surfaces. On February 13, 2015, Council Member Palmisano, the author of the 2014 amendment, introduced subject matter to revise a provision governing the calculation of the gross floor area (GFA) of single- and two-family dwellings in the Residence and Office Residence Districts.

The provision in question is a regulation that stipulates the extent to which a basement may extend above natural grade without being considered GFA. Single- and two-family dwellings are subject to a maximum floor area ratio (FAR) of 0.5. Prior to the 2014 amendment, a basement could extend up to four feet (48 inches) above natural grade for 50% of the home's perimeter and not count toward the maximum FAR. This above-grade allowance was changed to 30 inches in 2014. In practice, staff has found that the new provision has frequently resulted in practical difficulties. The proposed change would allow 42 inches of basement to extend above natural grade while not being counted as GFA. Note that the 30-inch standard included limited exceptions related to grade changes and groundwater. With the proposed flexibility, staff proposes to eliminate those exceptions.

PURPOSE

What is the reason for the amendment?

The purpose of the amendment is to allow flexibility regarding the amount of basement area that may extend above natural grade before such basement area is counted as gross floor area for single- and two-family homes in the Residence and Office Residence districts.

What problem is the amendment designed to solve?

A zoning code amendment adopted effective October 1, 2014, substantially reduced the amount of basement area that may extend above grade in order to be exempt from maximum floor area calculations. The allowed first floor elevation went from four feet to 2.5 feet. In practice, this strict standard has caused practical difficulties, including for property owners who wish to add to existing homes. When an existing home has a first-floor elevation that is higher than 30 inches, the existing basement must be counted toward the maximum floor area. In many cases, this precludes the property owner from adding floor area because the existing home exceeds the maximum floor-area ratio.

What public purpose will be served by the amendment?

The amendment will balance the objectives of allowing regulatory flexibility while ensuring that the first floor elevation of homes cannot be substantially higher than traditional development patterns in Minneapolis. The amendment would result in a standard that would still be more restrictive than the basement height regulations that were in place prior to October 1, 2014.

What problems might the amendment create?

The amendment is not expected to create significant problems. In City staff's experience administering newer rules regarding the height of the first-floor elevation of new homes, the current standard has proven to be too restrictive. The proposed standard will still ensure that the first floor of new homes (and additions) is compatible with predominant development patterns. Some architects have suggested a more contextual approach to the regulation of basement height; suggesting that the basement height of surrounding dwellings should govern the first-floor elevation of a new home. Staff has concerns about the ease of administration of such a regulation but would consider a more contextual approach in the future.

TIMELINESS

Is the amendment timely?

The amendment is timely given that staff has had sufficient experience administering regulations that took effect on October 1, 2014. Further, residential construction is somewhat seasonal in nature, so timely adoption of the amendment will minimize the number of situations where the existing regulation results in practical difficulties in the building season that is arriving now.

Is the amendment consistent with practices in surrounding areas?

Practices vary in surrounding and peer cities. The City's existing rules regarding the allowed height of the finished first-floor are generally more restrictive than similar regulations in peer cities.

Are there consequences in denying this amendment?

If the amendment is denied, City staff will continue to administer a very restrictive standard related to the allowed height of the first-floor for single- and two-family dwellings.

COMPREHENSIVE PLAN

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

Urban Design Policy 10.4: Support the development of residential dwellings that are of high quality design and compatible with surrounding development.

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.
- 10.4.3 Advance the understanding of urban housing and retail design among members of the design and development community.

Urban Design Policy 10.7: Maintain and preserve the quality and unique character of the city's existing housing stock.

- 10.7.1 Rehabilitation of older and historic housing stock should be encouraged over demolition.
- 10.7.2 Encourage the use of high quality and durable materials for construction and historic preservation.
- 10.7.3 Encourage adaptive reuse, retrofit and renovation projects that make the city's housing stock competitive on the regional market.
- 10.7.4 Renovation of housing should reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- 10.7.5 Provide the flexibility in the city's ordinances to improve and maintain existing structures.

Urban Design Policy 10.8: Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.

- 10.8.1 Infill development shall reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- 10.8.2 Infill development shall incorporate the traditional layout of residential development that includes a standard front and side yard setbacks, open space in the back yard, and detached garage along the alley or at back of lot.
- 10.8.3 Building features of infill development, such as windows and doors, height of floors, and exposed basements, shall reflect the scale of surrounding dwellings.
- 10.8.4 Detached garages are preferred over attached garages and should be accessory in size and use to the primary residential structure.
- 10.8.5 New driveways should be prohibited on blocks that have alley access and no existing driveways.
- 10.8.6 Traditional setbacks, orientations, pattern, height and scale of dwellings should be created in areas where no clear pattern exists.
- 10.8.7 Low density residential development proposals should be evaluated and compared to the form and density of the neighborhood.
- 10.8.8 Appropriate non-residential land uses, such as institutional, public and suitable commercial uses, should be integrated into low density residential areas through proper building location and design, landscaping, and other site improvements.

Consistent with the above policies of the comprehensive plan, the amendment will encourage housing investment and will ensure compatibility with the city's built form. Policy 10.8.3 (above) is particularly relevant to this amendment. When a new home is constructed with a first-floor height substantially taller than those of adjacent homes, the result is often a jarring departure from the scale, rhythm, and character of a block.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending Chapter 546, Residence Districts, and Chapter 547, Office Residence Districts.

ATTACHMENTS

- I. Ordinance amending Chapter 546, Residence Districts, and Chapter 547, Office Residence Districts.

**AN ORDINANCE
OF THE
CITY OF
MINNEAPOLIS**

By Palmisano

Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code: Residence Districts.

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

Section 1. That Section 546.240 of the above-entitled ordinance be amended to read as follows:

546.240. - Building bulk requirements.

- (a) In general. The maximum height for all principal structures, except for single- and two-family dwellings, located in the R1 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the R1 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-3, R1 Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
 - (4) Half story floor area.
 - (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor

area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

- (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 2. That Section 546.300 of the above-entitled ordinance be amended to read as follows:

546.300. - Building bulk requirements.

- (a) In general. The maximum height for all principal structures, except for single- and two-family dwellings, located in the R1A District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the R1A District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-5, R1A Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
 - (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

- (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
- (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 3. That Section 546.360 of the above-entitled ordinance be amended to read as follows:

546.360. - Building bulk requirements.

- (a) In general. The maximum height for all principal structures, except for single- and two-family dwellings, located in the R2 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the R2 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-7, R2 Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
 - (4) Half story floor area.

- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
 - (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 4. That Section 546.420 of the above-entitled ordinance be amended to read as follows:

546.420. - Building bulk requirements.

- (a) In general. The maximum height of all principal structures, except for single- and two-family dwellings, located in the R2B District shall be two and one-half (2.5) stories or thirty-five (35) feet in height, whichever is less. The maximum height for all single- or two-family dwellings located in the R2B District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-9, R2B Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from~~

~~unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

- (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
 - (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 5. That Section 546.480 of the above-entitled ordinance be amended to read as follows:

546.480. - Building bulk requirements.

- (a) In general. The maximum height of all principal structures, except for single- and two-family dwellings, located in the R3 District shall be two and one-half (2.5) stories or thirty-five (35) feet in height, whichever is less. The maximum height for all single- or two-family dwellings located in the R3 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-11, R3 Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

- ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
- ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
- (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
 - (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
 - (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 6. That Section 546.530 of the above-entitled ordinance be amended to read as follows:

546.530. - Building bulk requirements.

- (a) In general. The maximum height and the maximum floor area ratio of all principal structures located in the R4 District shall be as specified in Table 546-13, R4 Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

- ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
- ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
- (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
- (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
- (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 7. That Section 546.580 of the above-entitled ordinance be amended to read as follows:

546.580. - Building bulk requirements.

- (a) In general. The maximum height and the maximum floor area ratio of all principal structures located in the R5 District shall be as specified in Table 546-15, R5 Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
- (1) Detached accessory structures.
- (2) Open porches.
- (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

- ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
- ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
- (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
 - (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
 - (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 8. That Section 546.630 of the above-entitled ordinance be amended to read as follows:

546.630. - Building bulk requirements.

- (a) In general. The maximum height and the maximum floor area ratio of all principal structures located in the R6 District shall be as specified in Table 546-17, R6 Lot Dimension and Building Bulk Requirements.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

- ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
- ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
- (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.
 - (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
 - (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

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OF THE
CITY OF
MINNEAPOLIS**

By Palmisano

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

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

Section 1. That Section 547.240 of the above-entitled ordinance be amended to read as follows:

547.240. - Building bulk requirements.

- (a) In general. The maximum height of all principal buildings, except for single- and two-family dwellings, located in the OR1 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single- or two-family dwellings located in the OR1 District shall be two and one-half (2.5) stories or twenty-eight (28) feet, whichever is less. The highest point of the roof of a single- or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 547-3, Lot Dimension and Building Bulk Requirements in the OR1 District.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
 - (4) Half story floor area.
 - (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family

dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

- (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 2. That Section 547.310 of the above-entitled ordinance be amended to read as follows:

547.310. - Building bulk requirements.

- (a) In general. The maximum height and floor area ratio of buildings located in the OR2 District shall be as specified in Table 547-4, Lot Dimension and Building Bulk Requirements in the OR2 District.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
 - (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor

area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

- (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

Section 3. That Section 547.350 of the above-entitled ordinance be amended to read as follows:

547.350. - Building bulk requirements.

- (a) In general. The maximum height and floor area ratio of buildings located in the OR3 District shall be as specified in Table 547-5, Lot Dimension and Building Bulk Requirements in the OR3 District.
- (b) Gross floor area computation for single- or two-family dwellings. The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single- or two-family dwellings shall not include the following:
 - (1) Detached accessory structures.
 - (2) Open porches.
 - (3) The basement floor area if the finished floor of the first story is ~~thirty (30)~~ forty-two (42) inches or less from natural grade for more than fifty (50) percent of the total perimeter. ~~Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
 - (4) Half story floor area.
- (c) Floor area ratio increase. Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single- and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall

not exceed the maximum floor area ratio of the largest single- and two-family dwelling within the one hundred (100) foot radius.

- (2) Single- and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one (1) time by no more than five hundred (500) square feet.
- (d) Height increase. Notwithstanding the height limitations of this chapter, the maximum height of single- and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single- and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.