

**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.

**AN ORDINANCE
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.