

Community Planning & Economic Development Department

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MEMORANDUM

DATE: October 31, 2013

TO: Planning Commission- Committee of the Whole Members

FROM: Kimberly Holien – Senior Planner

SUBJECT: Zoning code text amendment: Customer service and technical changes

On August 16, 2013, Council Member Schiff gave notice of intent to introduce every chapter of the Zoning Code and Land Subdivision Regulations to comprehensively review and amend these ordinances for the purpose of improving customer service, implementing numerous technical changes and ensuring more effective alignment with policy objectives. The items that have been specifically identified for inclusion in this amendment are primarily streamlining and housekeeping items that will improve customer service and reflect current staff practices and policies. While staff may identify additional minor items to address prior to the November 12th, 2013 public hearing, the current list of items to be included in this amendment is as follows:

Chapter 520, Introductory Provisions:

- Amending the definition of limited entertainment to more closely align with the Class C-1 License definition. The draft language will allow up to five amplified or non-amplified musicians, in lieu of three non-amplified musicians allowed under the current definition.

Chapter 527, Planned Unit Development:

- Streamlining and housekeeping modifications to clarify items and ease implementation.

Chapter 530, Site Plan Review:

- Eliminate the building placement exemption and parking location exemption for uses in the C3S, Community Shopping Center district. The site plan review standards require that building be setback not more than eight (8) feet from the front lot line in order to reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The current standards also required that on-site accessory parking facilities shall be located to the rear or interior side of the site, within the principal building served, or entirely

below grade. The C3S district is currently exempt from both of these standards and that exemption will be eliminated as part of the amendment.

Chapter 535, Regulations of General Applicability:

- Clarify that the minimum width of required interior side yards for all multiple-family dwellings only increases to 15 feet for a side-facing principal entrance.
- Amending the permitted obstructions in required yards table as follows:
 - The section for air conditioners will be simplified and modified to meet current industry standards.
 - Bicycle racks will be permitted obstructions in the required front or rear yard for all uses except 1-4 unit dwellings. Uses other than Public and Institutional uses will be limited to eight bike racks in a required yard.
 - Open porches will be allowed to project up to eight feet, an increase over the current allowance of six feet.
 - Rain barrels and cisterns will be permitted obstructions in required side and rear yards, with size limitations.
 - Permitted stair width in a required front or corner side yard will be increased to eight feet (currently six) with the maximum size of an entrance landing staying at 36 square feet. Permitted stair width for Public and Institutional uses will increase to 12 feet.
 - Permitted walkway width will be increasing from four feet to six feet. Permitted walkway width for Public and Institutional uses will increase to 12 feet
- Language will be added to Article VIII, Communications Towers, Antennas and Base Units to clarify review responsibilities based on our current departmental structure.
- Solar energy systems will have an additional performance standard for minimizing glare from the reflector.

Chapter 541, Off-street Parking and Loading:

- A “Food and Beverages” sub-heading is not included under commercial uses within Table 541-3 Bicycle Parking Requirements. Those uses are listed in the table, but they don’t have a sub-heading.
- A density bonus is awarded in the downtown districts for putting all required parking in underground or in an enclosed structure. However, we’ve eliminated parking requirements in the downtown districts. Possible solution may simply be to eliminate the word “required” from 549.110.

Chapter 546, Residence Districts:

- Child care centers will become a permitted use in all residential districts. This is currently a conditional use in the residence districts. The existing specific development standards will not change, including the requirement that the use must be located in an *existing* nonresidential structure when locating in the residence and OR1 Districts.
- For the “front yard increase” requirement, replace language regarding the “nearest front corners” to reflect current interpretation and practice:

“the required front yard shall be not less than that established by a line joining ~~the nearest front corners~~ those parts of both buildings nearest to the front lot line, not including any obstructions allowed by Table 535-1 Permitted Obstructions in Required Yards.”

Chapter 547, Office Residence Districts:

- Early childhood learning centers, preschools, development achievement centers, educational arts centers and child care centers will become permitted uses in the OR1 districts (currently conditional uses).
- Building bulk requirements will be added for medical and dental laboratories in the OR2 and OR3 districts and blood/plasma collection facilities in the OR3 districts.
- For the “front yard increase” requirement, replace language regarding the “nearest front corners” to reflect current interpretation and practice:

“the required front yard shall be not less than that established by a line joining ~~the nearest front corners~~ those parts of both buildings nearest to the front lot line, not including any obstructions allowed by Table 535-1 Permitted Obstructions in Required Yards.”

Chapter 548, Commercial Districts:

- Eliminate the maximum lot size of 20,000 square feet in the C1 district.
- Reduce the transitional front yard setback requirement from 40 feet to 25 feet where a street frontage includes property zoned as a residence or office residence district and property zoned as a commercial district, or where a street frontage includes structures used for permitted or conditional residential purposes.
- Replace confusing language regarding side yard setbacks to clarify that “equal to...a conditional use on the abutting residential lot...” actually means 5+2(x).

Chapter 549, Industrial Districts:

- Veterinary clinics will be added as permitted uses in I1, Light Industrial and I2, Medium Industrial districts.
- Reduce the transitional front yard setback requirement from 40 feet to 25 feet where a street frontage includes property zoned as a residence or office residence district and property zoned as a commercial district, or where a street frontage includes structures used for permitted or conditional residential purposes.
- Replace confusing language regarding side yard setbacks to clarify that “equal to...a conditional use on the abutting residential lot...” actually means 5+2(x).

Chapter 550, Downtown Districts:

- Reduce the transitional front yard setback requirement from 40 feet to 25 feet where a street frontage includes property zoned as a residence or office residence district and property zoned as a commercial district, or where a street frontage includes structures used for permitted or conditional residential purposes.
- Replace confusing language regarding side yard setbacks to clarify that “equal to...a conditional use on the abutting residential lot...” actually means 5+2(x).

Chapter 598, Land Subdivision:

- Technical streamlining and housekeeping modifications that reflect current staff practices.

Housekeeping:

- General housekeeping of all zoning code chapters to clarify confusing provisions, codify existing interpretations and correct typographical errors in the zoning ordinance.

A draft of the proposed code text has been attached for review. This item is scheduled for the November 12, 2013 City Planning Commission meeting.