
MEMORANDUM

TO: City Planning Commission, Committee of the Whole

FROM: [Peter Crandall](#), [Shanna Sether](#), and [Mei-Ling Smith](#) – CPED Land Use, Design, and Preservation

DATE: May 26, 2016

SUBJECT: Zoning code text amendment – accessory dwelling units

Background

The Minneapolis City Council passed the accessory dwelling unit zoning code text amendment on December 5, 2014. This [ordinance](#) permitted accessory dwelling units (ADUs), citywide, on lots with single- or two-family homes. ADUs have received significant attention in recent years as a way to provide more flexible housing options in urban neighborhoods. Over the past few decades, municipalities across the country have adopted standards to allow or encourage the construction of ADUs. Prior to the passage of this ordinance, ADUs were only allowed in Minneapolis in a small portion of the Phillips neighborhood. The adopted ordinance introduced three different types of ADUs, each subject to specific regulatory and design standards.

Since the adoption of the ordinance, staff has approved 50 accessory dwelling unit administrative applications (11 detached, 8 attached, and 31 internal accessory dwelling units). These ADUs have been relatively evenly distributed citywide ([interactive map](#)). Twenty-two of the approved ADUs were existing dwelling units that had not been lawfully established. In addition, there have been eight projects seeking variances of the standards of ADUs – all of which have been approved by the Zoning Board of Adjustment or City Council; a full list of the variance requests are attached to the staff memo.

Staff has received feedback from applicants, analyzed proposed ADUs that have not met the regulatory or design standards and reviewed the approved variances. With this data, staff has determined that further amendment to the ADU ordinances are merited at this time. The majority of concern expressed is related to the bulk limitations for detached ADUs. Property owners and designers have stated that the maximum 1,000 square foot allotment for all parking and habitable areas in a detached ADU does not provide enough flexibility in incorporating desired features, such as covered parking, storage, and circulation space, while maintaining adequate livable area for the dwelling. As a result, staff is proposing to increase the square footage of allowed ADUs and decreasing the maximum height allowed by right; this is intended to both allow for greater design flexibility while mitigating the potential negative impacts of building bulk on both typical and large residential lots.

The proposed ordinance refinement would also provide further clarification of the regulatory and design standards to address unintended consequences in the zoning code. The draft code text will be provided at the Committee of the Whole meeting.

Peer cities research

Staff has researched best practices to see how bulk is regulated for detached accessory dwelling units. Many cities allow at least 600 square feet of habitable area in detached ADUs, exclusive of parking areas, and often allow larger ADUs for larger lots. Minneapolis currently restricts the maximum square footage to 1,000 square feet, including parking, for all lot sizes.

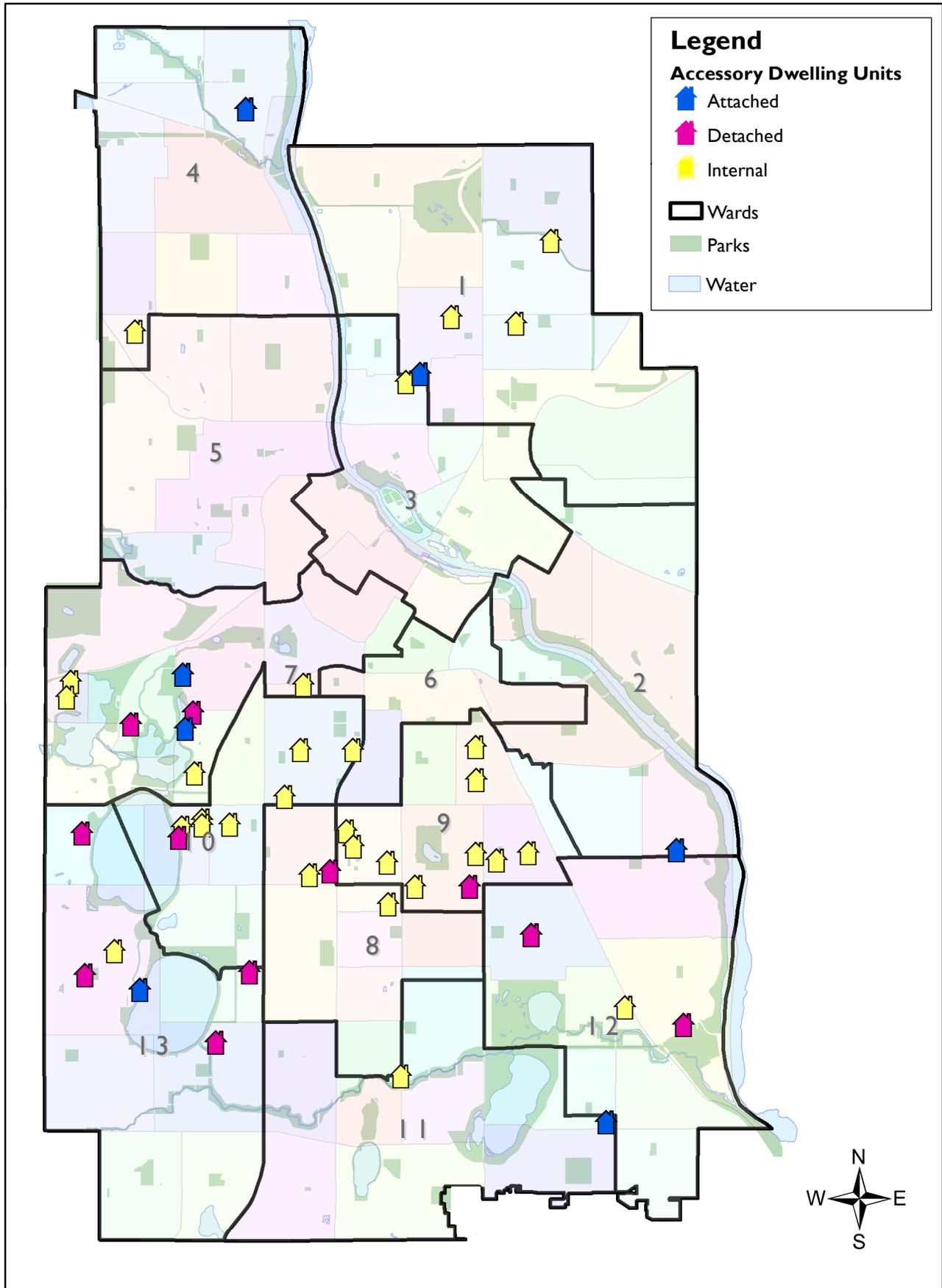
Staff is proposing that the ordinance be amended to allow additional square footage for detached ADUs, but is also proposing revised height and floor area measures that would offset the larger allowance for floor area. While the current regulations allow a maximum of 20 feet for all detached ADUs, staff is proposing a slightly stricter height limit for flat or low-pitch roofs if the proposed roofline is not consistent with that of the principal structure. This type of regulation is also common among peer cities that allow ADUs.

Summary of recommendations

- Bulk and Height Requirements:
 - Increase the maximum allowable square footage for ADUs.
 - Increase from 1,000 sq. ft. to 1,300 sq. ft. or 16% of the lot area, whichever is greater, but not to exceed 1,600 sq. ft.
 - Restrict the maximum height of ADUs to 18 feet. However, if the roof pitch matches the predominant roof pitch of the principal structure or is at least a 7:12 pitch, the maximum allowable height continues to be 20 feet.
- ADU entrances facing a side lot line would no longer be subject to the increased setback of 15 feet, or 22 feet where a driveway is present.
- Reduce the minimum window percentage from 10% to 5% of the wall facing a public street or alley.
- Housekeeping amendments to add clarity:
 - Allow variance to reduce the minimum distance between a detached ADU and the principal structure.
 - Prohibit decks facing an interior side lot line; presently only roof-top balconies are prohibited in this location.
 - Clarify that ADUs do not require off-street parking, including property located in the UA University Area Overlay District.

Attachments

- Approved ADU map
- ADU variances since December 2015
- Renderings



Minneapolis' Accessory Dwelling Units

Variance Requests

3213 East Lake Calhoun Parkway

New construction of a single-family dwelling with a detached ADU

Zoned R2 Two-Family District – maximum density is a duplex

Irregular lot: 45x310x42x293 (12,786 sqft)

Variance request to increase the maximum gross floor area from 1,000 square feet to 1,563 sqft (781 sqft ADU)

Denied by the Zoning Board of Adjustment – appeal (project) granted by the City Council based on the practical difficulty included the size and length of the zoning lot

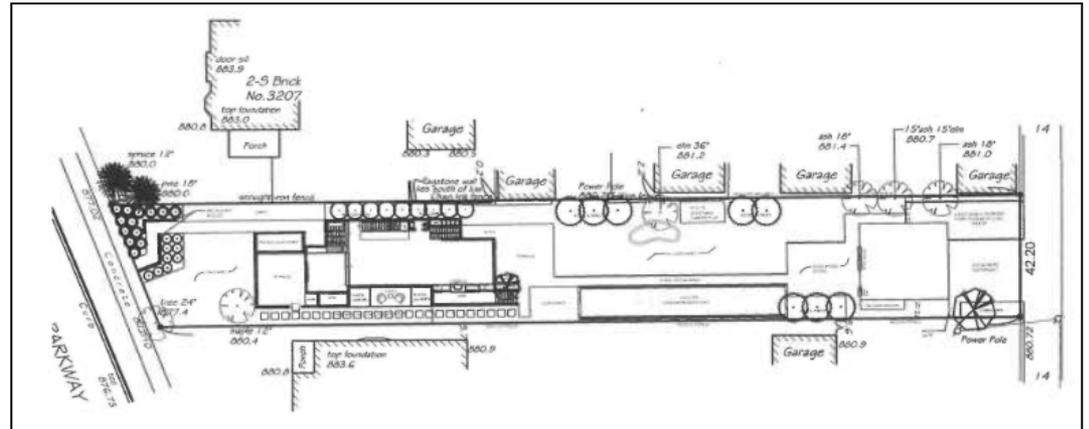


Image credit: Shaw Design Associates, Inc.



781 SF

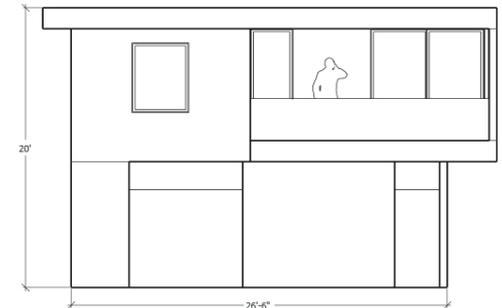


Image credit: Peterssen/Keller Architecture

Variance Requests

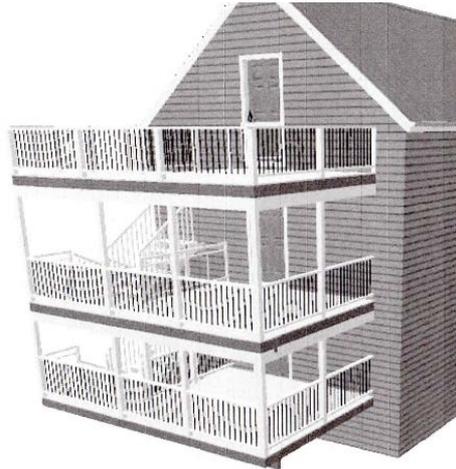
1407 Emerson Avenue North

Existing single-family dwelling with a proposed internal ADU in attic

Property zoned R2B Two-Family District (lot area insufficient to allow for a duplex)

Applicant proposed a new external deck and stairs that would access the ADU and required a variance

Denied by the Zoning Board of Adjustment – appeal (project) granted by the City Council based on the practical difficulty related to an existing, nonconforming internal stair



Variance Requests

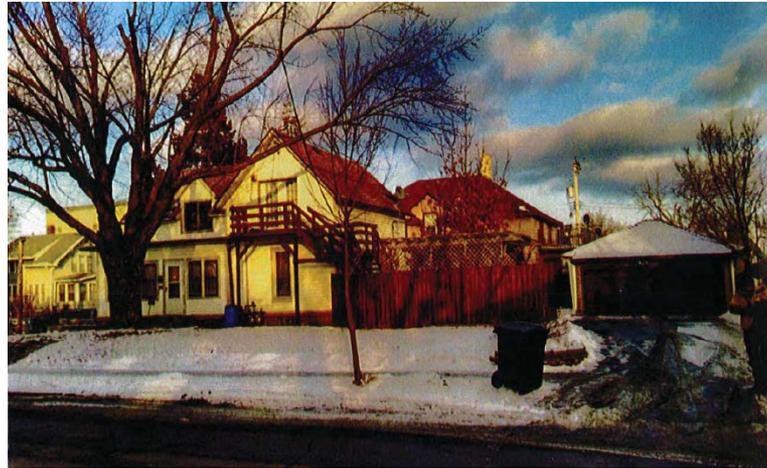
2801 18th Avenue South

Existing single-family dwelling with a proposed internal ADU in attic

Property zoned R2B Two-Family District (lot area insufficient to allow for a duplex)

Applicant proposed to add an ADU to the upper floor of an existing single-family dwelling. A stairway and deck was constructed on the building in 1980 and intended to access the new ADU, which required a variance.

Approved by the Zoning Board of Adjustment based on the practical difficulty that the stair and deck were constructed prior to the adoption of the ordinance



Variance Requests

1116 Vincent Avenue South

Existing detached garage, converted to ADU prior to 2010. The applicant previously sought variances to legalize the condition; these applications were approved with the condition the buildings were attached. The applicant did not pursue a building permit and the approvals expired.

Zoned R1 Single-Family District, 8,100 sqft lot, with significant grade change.

Variance of the Development Standards in Chapter 537, Accessory Uses and Structures, specifically to allow for an Accessory Dwelling Unit to be located in front of the single-family dwelling to which it is accessory.

Approved by the Zoning Board of Adjustment with the practical difficulty related to the change of grade and existing location of the detached garage.



Variance Requests

3508 45th Street East

Existing single-family dwelling with an attached garage; proposed internal ADU above.

Property zoned R1A Single-Family District; lot area is 16,610 sqft.

Applicant proposed to add an ADU to the upper floor of an existing attached garage. A wooden stairway and second-story deck exists on the east side of the home and leads to a door connecting the deck to habitable space above the garage. Variance required for enclosed stairway.

Approved by the Zoning Board of Adjustment based on the practical difficulty of the property location and that the stair and deck were constructed prior to the adoption of the ordinance.



Variance Requests

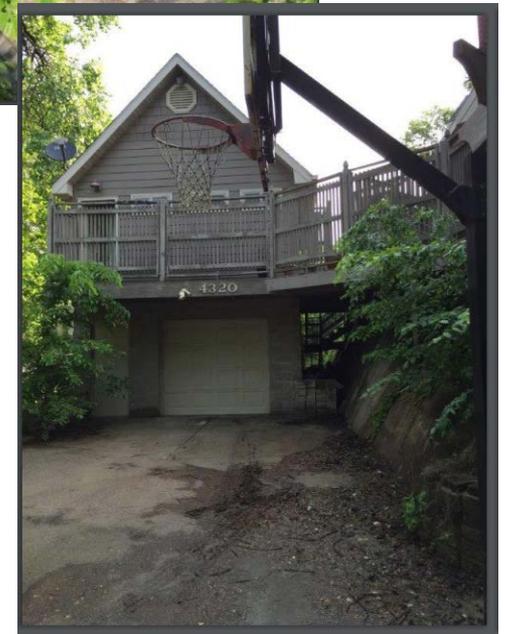
4320 West Lake Harriet Parkway

Existing detached garage, accessory to a single-family dwelling. The garage was proposed to be converted to an ADU.

Zoned R1 Single-Family District and SH Shoreland Overlay District, 5,120 sqft lot.

Variance of the Development Standards in Chapter 537, Accessory Uses and Structures, specifically to allow for an Accessory Dwelling Unit to be located in front of the single-family dwelling to which it is accessory and to reduce the minimum distance between the principal dwelling and the ADU.

Approved by the Zoning Board of Adjustment with the practical difficulty related to the unique shape of the lot and existing location of the detached garage.



Variance Requests

2401 Sheridan Avenue South

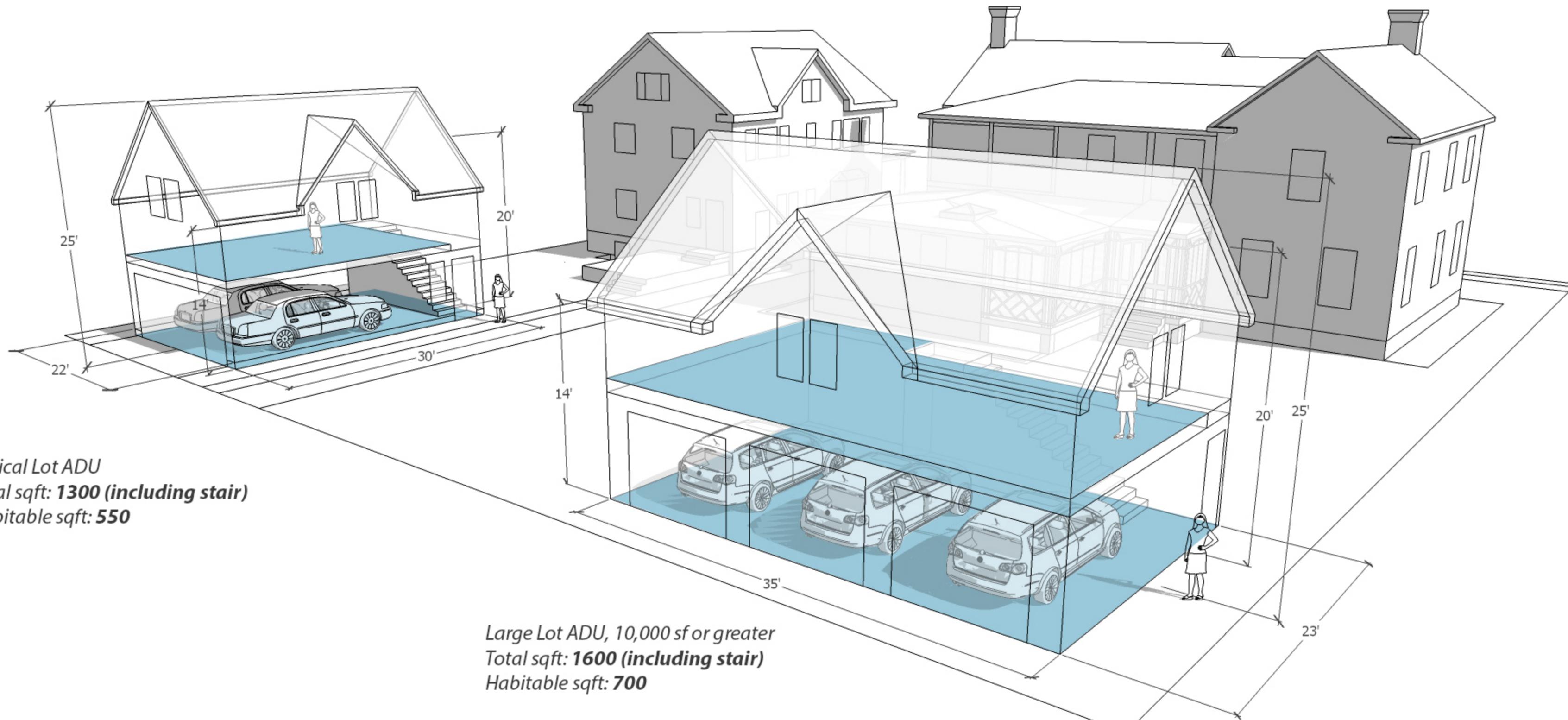
Existing detached garage, accessory to a single-family dwelling. The garage was proposed to be converted to an ADU.

Zoned R1 Single-Family District and SH Shoreland Overlay District, 5,115 sqft lot.

Variance of the Development Standards in Chapter 537, Accessory Uses and Structures, specifically to increase floor area, reduce setbacks and reduce window area.

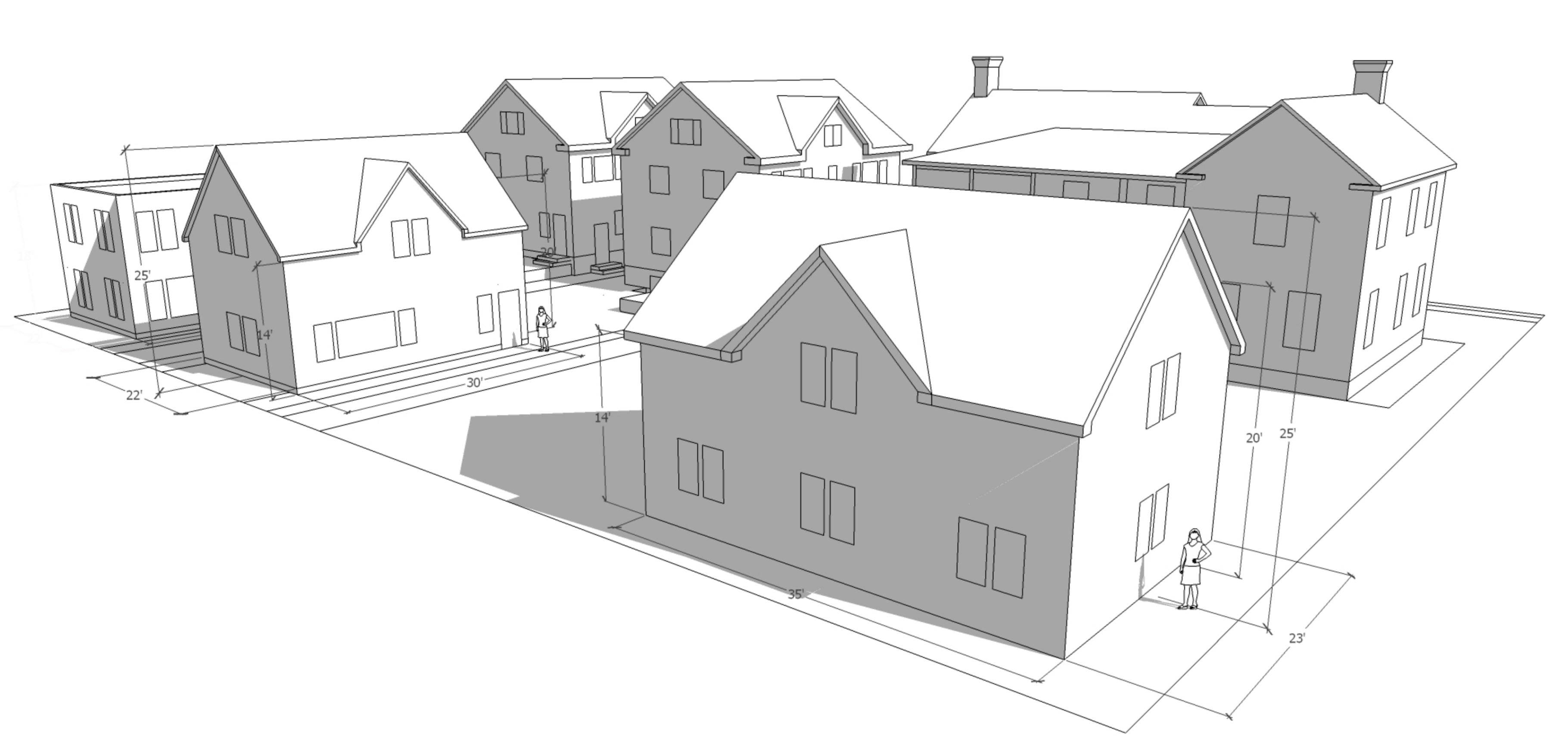
Approved by the Zoning Board of Adjustment with the practical difficulty related to conversion of the existing detached garage.

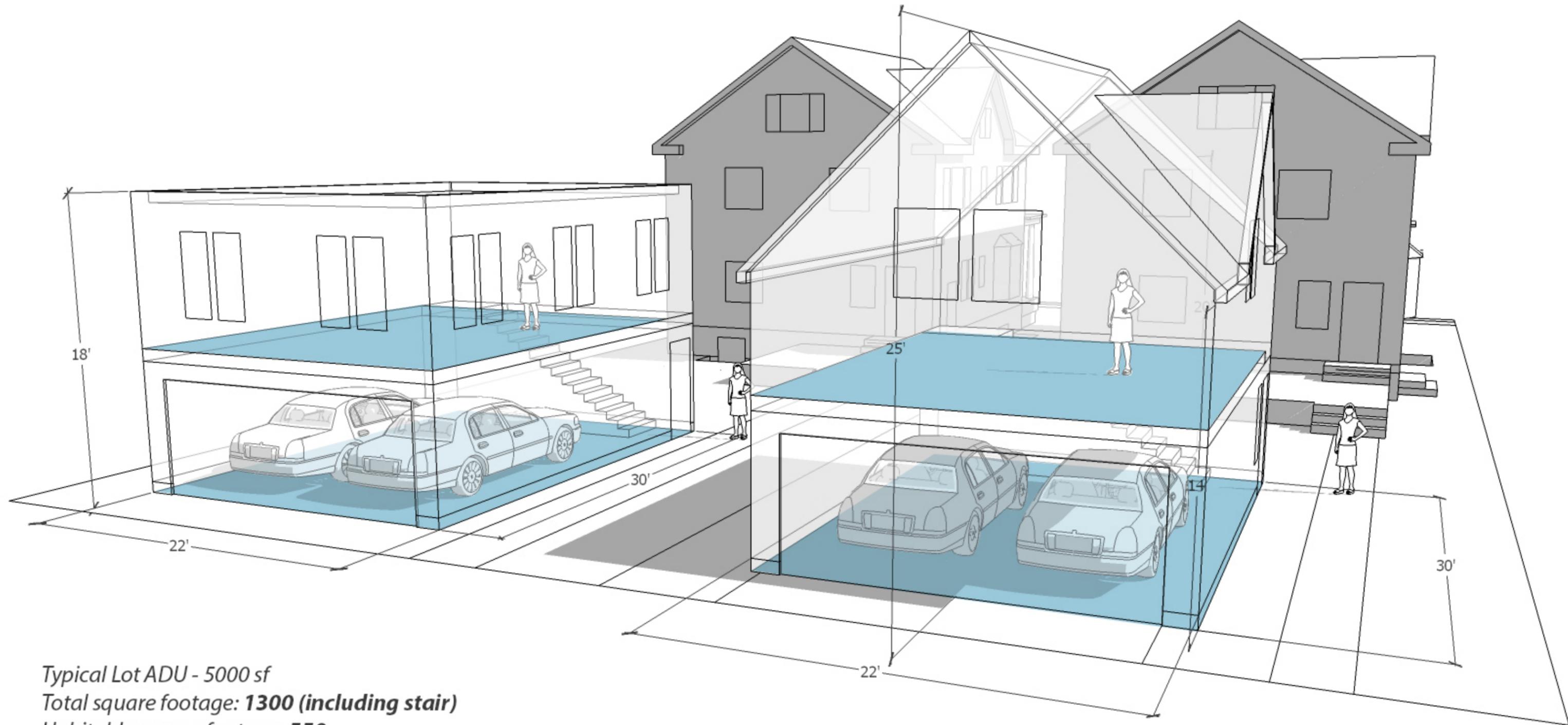




Typical Lot ADU
Total sqft: 1300 (including stair)
Habitable sqft: 550

Large Lot ADU, 10,000 sf or greater
Total sqft: 1600 (including stair)
Habitable sqft: 700





Typical Lot ADU - 5000 sf
Total square footage: **1300 (including stair)**
Habitable square footage: **550**