

**Department of Community Planning and Economic Development –
Planning Division Report
Zoning Code Text Amendment**

Date: November 28, 2005

Initiator Of Amendment: Council Member Lilligren

Date of Introduction at City Council: April 2, 2004

Ward: All

Planning Staff And Phone: Jason Wittenberg, (612) 673-2297

Intent Of The Ordinance: The amendment would reduce the minimum lot area requirement for two-family dwellings in the R2B District and amend the authorized variance related to two-family dwellings in the R2B District.

Appropriate Section(s) of the Zoning Code: Table 546-9; 525.520

Background: City zoning regulations were amended effective January 1, 1995, to increase the minimum lot area requirement for two-family dwellings in the R2B District from 5,000 to 10,000 square feet. The City Council has requested that staff analyze a zoning code text amendment that would reduce this minimum lot area requirement.

When the minimum lot area requirement was increased, the city adopted an authorized variance that allowed applicants to file an application to reduce the minimum lot area requirement “up to fifty-five (55) percent for newly constructed two-family dwellings located in the R2B District, provided the surrounding properties are primarily two-family dwellings developed on lots similar in size to the proposed development.” Thus, a mechanism has existed to allow, under certain circumstances, newly constructed two-family dwellings on lots in the R2B District having at least 4,500 square feet. With the proposed amendment to the minimum lot area requirement, the authorized variance noted above would be stricken from the ordinance. A general variance to reduce minimum lot area up to 30 percent, which is applicable to any uses that have a minimum lot area requirement, would remain in ordinance.

Purpose For The Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

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Since 1995, the zoning code has required 10,000 square feet of lot area in order to establish a two-family dwelling in the R2B zoning district. The purpose of this amendment is to reduce the minimum lot area requirement while also eliminating the ability to vary the minimum lot area requirement by up to 55 percent for new two-family dwellings. The zoning code would still authorize requests to vary the minimum lot area requirement by up to 30 percent.

The proposed amendment recognizing that a relatively small percentage of residential lots in Minneapolis have 10,000 square feet of area. Thus, while the R2B District is intended to be a single- and two-family residence district, few two-family dwellings can actually be constructed on lots in the R2B District without first obtaining a variance. See the attached maps indicating the areas of the city having R2B zoning and the distribution of lots within the R2B District that have between 5,000 and 10,000 square feet as well as lots with 10,000 square feet or greater. Staff expects to also to produce a map distinguishing parcels of at least 6,000 square feet.

The public purpose of the amendment is to allow property owners to establish two-family dwellings on smaller lots Minneapolis lots in the R2B District, providing additional housing and increasing the population of the City. One of the City's goals is to, "Increase the city's population and tax base by developing and supporting housing choices citywide through preservation of existing housing and new construction."

Staff does not anticipate that the amendment would cause substantial problems. Staff is recommending that the reduced lot area requirement apply only to newly constructed two-family dwellings. Converting single-family dwellings to two-family dwellings often results in substantial damage to the long-term integrity and livability of the interior of the structures being converted. Further, such conversions often include additions that are not compatible with the character of the structure or the surrounding neighborhood and do not offer the ability to integrate placement and supply of off-street parking as effectively as newly constructed two-family dwellings. Planning staff is satisfied that the recently adopted design standards for new structures having between one and four dwelling units effectively address the compatibility of newly constructed two-family dwellings in the R2B District.

Note that under the proposed amendment property owners could request variances to reduce the minimum lot area for new two-family dwellings for lots as small as 4,200 square feet. Such variance requests, however, must comply with all required findings in section 525.500 of the zoning code, including demonstrating that the regulations of the zoning code cause undue hardship and that granting the variance would not alter the essential character of the locality.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

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The amendment is timely in that there is substantial demand for a variety of housing types in the city.

The City of St. Paul requires 6,000 square feet of lot area for two-family dwellings in its RT1 two-family residence district. Among other regional or peer cities, examples of minimum lot area in two-family districts include the following:

- Portland, Oregon - 6,000 square feet.
- Madison, Wisconsin - 8,000 square feet
- Seattle - 4,000 square feet
- Denver - 6,000 square feet.

The R2B District is intended to be a low density residence district. While a “standard” residential lot in Minneapolis is approximately 5,000 square feet in area, requiring a larger lot than is required for a single-family dwelling in order to construct a two-family dwelling would be a rational policy decision. Requiring 6,000 square feet of lot area, for example, would still significantly increase the number of lots in the R2B District that would be eligible for new two-family dwellings while ensuring that, with the maximum 30 percent lot area reduction variance, one could not build a two-family dwelling on a lot having less than 4,200 square feet.

The consequences related to denying the amendment would be that City staff would continue to apply the current regulations requiring 10,000 square feet of lot area to establish a two-family dwelling in the R2B District. Two-family dwellings would not be allowed on most properties in the R2B zoning district.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The proposed ordinance change would implement the following policies of the Minneapolis Plan.

Policy 4.11. Minneapolis will improve the availability of housing options for its residents.

Relevant Implementation Steps:

- Increase the variety of housing styles and affordability levels available to prospective buyers and renters.
- Provide and maintain areas that are predominantly developed with single and two family structures
- Promote the development of housing suitable for people and households in all life stages, and that can be adapted to accommodate changing housing needs over time.

Staff comment: The amendment would increase the amount of land supply available for two-family dwellings, which is a housing type that provides significant opportunities for home ownership while offering a potentially affordable rental housing option in a relatively low density environment.

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Policy 4.14. Minneapolis will maintain the quality and unique character of the city's housing stock, thus maintaining the character of the vast majority of residential blocks in the city.

Staff comment: Staff proposes to reduce the minimum lot area requirement for *newly constructed* two-family dwellings only, which will help to ensure that the character of the existing housing stock will be maintained. Recently adopted design standards will also help to ensure that newly constructed dwellings will be compatible with existing community character.

Policy 9.8. Minneapolis will maintain and strengthen the character of the city's various residential areas.

Staff comment: The R2B District would remain a relatively low density district consistent with the character of established single- and two-family residential areas.

Recommendation Of The CPED Planning Division:

The CPED Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment.