

Proposed RM Zoning Study Code Amendments (Annotated)

Existing language to be deleted shown by ~~strikeout~~. New language to be added shown by underlining.

Chapter 60. Zoning Code - General Provisions and Definitions; Zoning Districts and Maps Generally

ARTICLE III. 60.300. ZONING DISTRICTS AND MAPS GENERALLY

Sec. 60.301. Zoning districts established.

For the purposes of this code, the city is hereby divided into the following zoning districts:

- (a) Residential districts.
 - RL one-family large lot residential district
 - R1 one-family residential district
 - R2 one-family residential district
 - R3 one-family residential district
 - R4 one-family residential district
 - RT1 two-family residential district
 - RT2 townhouse residential district
 - RM1 low-density, ~~low-rise~~ multiple-family residential district
 - RM2 medium-density, ~~low-rise~~ multiple-family residential district
 - RM3 high-density, ~~high-rise~~ multiple-family residential district

Chapter 63. Zoning Code – Regulations of General Applicability

ARTICLE II. 63.200. PARKING REQUIREMENTS

Sec. 63.207. Parking requirements by use.

- (b) Off-street parking reductions. The minimum number of off-street parking spaces as determined in Section 63.207(a) shall be reduced by one hundred (100) percent in traditional neighborhood and RM1-RM3 multiple-family residential districts when more than fifty (50) percent of both the building and the parcel are within one-quarter (¼) mile of University Avenue, and may also be reduced for:
 1. Shared parking, as described in section 63.206(d);
 2. Bicycle parking, as described in section 63.210(b);
 3. Shared vehicle parking, as described in section 63.211.

Chapter 66. Zoning Code – Zoning District Uses, Density and Dimensional Standards

ARTICLE II. 66.200. RESIDENTIAL DISTRICTS

Division 1. 66.210. Intent

Sec. 66.215. Intent, RM1 low-density multiple-family residential district.

The RM1 low-density multiple-family residential district is intended to provide for an environment of predominantly one- and two-family, townhouse and lower-density multiple-dwelling structures, along with civic and institutional uses, public services and utilities that serve residents in the district, to provide for a variety of housing needs, and to serve as zones of transition between less restricted districts and more restricted districts.

Sec. 66.216. Intent, RM2 medium-density multiple-family residential district.

The RM2 medium-density multiple-family residential district ~~is designed for multiple-family residential and supportive, complementary uses. Its intent is to foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs, intended to provide for more extensive areas of multiple-family residential development and a variety of congregate living arrangements, as well as uses that serve the needs of the multiple-family residential districts. It is intended to provide for comprehensive development of multiple-family uses and a balance of population concentration near major thoroughfares, transit, and related facilities.~~

Sec. 66.217. Intent, RM3 high-density rise multiple-family residential district.

The RM3 high-density rise multiple-family residential district is intended to provide sites for high density multiple-dwelling structures adjacent to high-frequency transit service and high traffic generators commonly found in the proximity of major shopping centers and areas abutting major thoroughfares and expressways. It is also designed to serve the residential needs of persons desiring apartment-type accommodations with central services as opposed to the residential patterns found in the RM1 and RM2 multiple-family residential districts. ~~The high-rise nature of the district is provided to allow for greater density with lower coverage, which will in turn result in more open space.~~

Division 3. 66.230. Residential District Density and Dimensional Standards

Sec. 66.231. Density and dimensional standards table.

Table 66.231, residential district dimensional standards, sets forth density and dimensional standards that are specific to residential districts. These standards are in addition to the provisions of chapter 63, regulations of general applicability.

Table 66.231. Residential District Dimensional Standards

Zoning District	Lot Size Minimum (per unit)		Building Height Maximum		Yard Setbacks Minimum (feet)		
	Area (sq. feet)(b)	Width (feet)	Stories	Feet	Front	Side	Rear
RL one-family large lot	21,780 (db)	80	3	30	30 (ef)	10	25
R1 one-family	9,600 (ec)	80	3	30 (l)	30 (ef)	10	25
R2 one-family	7,200	60	3	30 (l)	25 (ef)	8 (hg)	25
R3 one-family	6,000	50	3	30 (l)	25 (ef)	6 (hg)	25
R4 one-family	5,000	40	3	30 (l)	25 (ef)	4 (hg)	25
RT1 two-family (a)	3,000 (fd)	25	3	40	25 (ef)	9	25
RT2 townhouse (a)	2,000, 500 (e); (fd)	20	3	40	25 (ef)	9 (ih)	25
RM1 multiple-family (a)	2,000 (c); (f)	n/a	3	40	25 (g)	9 (i)	25
RM2 multiple-family (a)	1,500 (c); (f); (k)	n/a	5 (k)	50 (k)	25 (g)	9 (i)	25
RM3 multiple-family	800 (e)	n/a	no max.	no max.	25 (g)	9 (i); (j)	25

Commented [DB(1)]: RL-RT1 revisions here are just updates of footnotes—no substantive changes. RT2 changes are of minor substance to allow footnote “c” to be deleted, since it wouldn’t be needed for any other district under the proposed changes. Decreasing the standard min lot size per unit for RT2 from 2,500 to about 2,000 essentially gets RT2 the same density it had under the old footnote (c). RM1-3 are where the major substantive changes are.

Zoning District	Floor Area Ratio (FAR)	Building Height Maximum	Yard Setbacks Minimum (feet)		
	Maximum (e)	Feet	Front	Side	Rear
RM1 multiple-family (a)	0.6 FAR with surface parking 1.0 FAR with structured parking	40 (i)	25 (f)	9 (h)	25
RM2 multiple-family (a)	1.5 FAR with surface parking 2.25 FAR with structured parking	50 (j), (m)	25 (f)	9 (h), (k)	9 (k)
RM3 multiple-family	1.5 FAR with surface parking 3.5 FAR with structured parking	no maximum	25 (f)	9 (h), (k)	9 (k)

n/a— not applicable

Notes to table 66.231, residential district dimensional standards:

(a) R4 one-family district dimensional standards shall apply when one-family dwellings are erected in ~~less restrictive RT1-RT2~~ residential districts. RT1 two-family district dimensional standards shall apply when two-family dwellings are erected in ~~less restrictive the RT2~~ residential districts.

~~(b) In calculating the area of a lot that adjoins a dedicated public alley, for the purpose of applying lot area and density requirements, one-half the width of such alley adjoining the lot shall be considered as part of the lot.~~

~~(c) No multiple family dwelling shall be built, nor shall additional dwelling units be added to an existing building to create three (3) or more dwelling units, on a lot that is less than nine thousand (9,000) square feet in area.~~

~~In calculating the area of a lot for the purpose of applying the minimum lot area per unit requirement, the lot area figure may be increased by three hundred (300) square feet for each parking space (up to two (2) parking spaces per unit) within a multiple family structure or otherwise completely underground. Parking spaces within an above-ground parking structure, except for the top level, may also be used for this lot area bonus. The maximum number of units possible on a lot using this lot area bonus can be calculated using the formula $X = L \div (A - 600)$, where X = maximum units allowed, L = lot area in square feet, and A = required lot area per unit in square feet. A site plan showing parking layout and dimensions shall be required when applying for this lot area bonus.~~

~~(eb)~~ A larger lot may be required depending on how much square footage is actually needed to properly site and install an individual sewage treatment system.

~~(ec)~~ Where over half of the lot has slopes of twelve (12) percent or greater, the minimum lot size shall be fifteen thousand (15,000) square feet. When determining lot size, the slope shall be that in existence prior to any grading or filling. Alterations shall not be allowed that will lower the slope from twelve (12) percent or greater to less than twelve (12) percent prior to the creation of new lots.

~~(fd)~~ If townhouses are developed on parcels where only the land immediately beneath each dwelling unit constitutes an individually described lot and all other land required for yards, other open space, parking, and other necessary land as required by this code constitutes "common" properties, jointly owned by the owners of the described lots beneath each dwelling unit, the minimum size lot per unit shall be applied to the entire parcel.

~~(e) Floor area ratio (FAR) shall be prorated upon the percentage of parking that is provided as structured parking. The FAR maximum with structured parking may be increased by 0.5 if at least 10% of new dwelling units are affordable at 60% of the Area Median Income for at least 15 years. The FAR maximum with structured parking may be increased by an additional 0.5 (total of 1.0 increase) if at least 20% of new dwelling units are affordable at 60% of the Area Median Income for at least 15 years. Units required to be affordable shall be occupied by qualifying low-income residents. Prior to receiving a certificate of occupancy for the new building (or building expansion), demonstration of the commitment to affordable housing in accordance with this footnote must be provided as: a deed restriction or other contractual agreement with the city, or a city housing and redevelopment authority financing agreement or other similar financing agreement, and documentation of low-income residents' qualifications.~~

~~(ef)~~ Where at least fifty (50) percent of the front footage of any block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the existing structures, or if the block average is more than the minimum required front setback listed in the dimensional standard table, it shall be the setback requirement in the district plus

Commented [DB(2): This provision is already in Ch 63 and applies in all zoning districts city-wide. It is not duplicated in other district dimensional standards tables, and repetition here can be deleted.

Commented [DB(3): This structured parking bonus concept has been simplified and put right in Table 66.231 for RM1-3, along with new footnote (e).

Commented [D(4): It's "parking" instead of "required parking" to align with the current RM density bonus for structured parking, which is not limited to required parking, and to avoid impact on this provision from changes to parking requirements.

half the amount the average setback is greater than the setback requirement in the table. Existing structures set back twenty (20) percent more or less than the average shall be discounted from the formula.

- (hg) For permitted and conditional principal uses allowed in these residential districts other than residential uses, the side yard setback shall be a minimum of nine (9) feet.
- (ih) Side yards are required only for dwelling units on the ends of townhouse structures. When two (2) or more one-family, two-family, or townhouse structures are constructed on a single parcel, there shall be a distance of at least twelve (12) feet between principal buildings. ~~When two (2) or more multifamily buildings are constructed on a single parcel, there shall be a distance of at least eighteen (18) feet between principal buildings. For two-family and multifamily dwellings in RM1 and RM2 districts on lots of sixty (60) feet width or narrower, the minimum side yard setback is reduced to six (6) feet for buildings of thirty-five (35) feet height or less. The side yard setback requirement from interior lot lines may be reduced or waived when an easement or common wall agreement, certified by the City building official for conformance with the state building code, is recorded on the deeds of the adjoining parcels.~~

Commented [BD5]: This can be covered by the Building Code.

Commented [TA(6)]: This is similar to the provision in § 66.331(k) that applies to all building types in T districts, and also to the provision in § 63.501(d) that applies to accessory buildings. It is reasonable to provide this flexibility for all building types in most residential districts as well when the owners of adjoining properties agree to it.

- (i) On lots more than sixty (60) feet wide and on corner lots, a maximum height of forty-five (45) feet may be permitted with a conditional use permit.
- (j) If at least half of provided parking is structured parking, a maximum building height of seventy-five (75) feet may be permitted with a conditional use permit. A shadow study may be required for a conditional use permit application to help determine the impact of the additional height.

Commented [BD7]: Recognizes that in RM2 and RM3, rear yard setbacks are now less than 25', and heights could be over 50'. Applies existing side yard footnote concept to the rear yard.

- (jk) For portions of a building over fifty (50) feet in height, the minimum side and rear yard setbacks shall be twenty-five (25) feet or nine (9) feet plus one-half the building height over fifty (50) feet, whichever is less.

- (km) For property along Grand Avenue between Fairview Avenue and Cretin Avenue, between lines defined by the parallel alleys immediately north and south of Grand Avenue, building height shall be limited to four (4) stories and forty (40) feet.

- ~~(1) Building height shall be limited to four (4) stories and forty (40) feet;~~
- ~~(2) The minimum lot size for units with three (3) bedrooms shall be one thousand seven hundred (1,700) square feet per unit, and the minimum lot size for units with four (4) or more bedrooms shall be one thousand nine hundred (1,900) square feet per unit; and,~~
- ~~(3) The T2 design standards in section 66.343 shall apply.~~

Commented [BD8]: #1 moves to the paragraph above. #2 is no longer necessary for its original purpose (to discourage apartments near the University of Saint Thomas that used multi-bedroom student-oriented housing to create buildings that were too large for their lots, as allowed by lot-size-per-unit regulation) because of the shift to FAR-based regulation. K becomes M so that L (under separate study) remains unchanged.

- (l) For R1—R4 residential districts in planning districts 14 and 15, excluding property with local heritage preservation site or district designation, the following maximum building heights shall apply at side setback lines: 28 feet in R1, 26 feet in R2, 24 feet in R3, and 22 feet in R4. One (1) foot shall be added to the maximum building height per each one (1) foot the portion of the building is set back from the nearest side setback line, to a maximum height of thirty-five (35) feet. Building height for flat roofs shall be measured to the highest point of the parapet, if present.

Commented [DB(9)]: This concept is kept, but moved to 66.242 below.

Sec. 66.232. Maximum lot coverage.

In R1—R4 residential districts, principal buildings shall not cover more than thirty-five (35) percent of any zoning lot. For R1—R4 residential districts in planning districts 14 and 15, excluding property with local heritage preservation site or district designation, the total lot coverage of all buildings, including accessory buildings, shall not exceed forty (40) percent.

Commented [DB(10)]: This addition has the impact of eliminating max lot coverage for RT1-2 and RM1-3. The need for yard space is covered by the setback requirements in the dimensional standards table.

Division 4. 66.240. Required Conditions

Sec. 66.242. Multiple-family design standards.

The design standards in section 66.343(b)(2), (3), (7), (9), (11), (14), (15), (16), (19), (20), (21), (22), and (23) shall apply to multiple-family dwellings, along with the provisions in section 66.343(a).

Sec. 66.243. Parking requirements in RM1–RM3 multiple-family residential districts.

The minimum amount of required off-street parking may be reduced by twenty-five (25) percent for buildings with more than six (6) dwelling units in RM1–RM3 districts when more than fifty (50) percent of both the building and the parcel are within one-half (½) mile of University Avenue or any transit station serving light rail transit, bus rapid transit, streetcar or arterial bus rapid transit.

Commented [DB(11)]: Intended to list the helpful T design standards for RM use, while avoiding problematic ones.

ARTICLE IV. 66.400. BUSINESS DISTRICTS

Sec. 66.431. Density and dimensional standards table.

- (c) Since BC zoned property has a residential character, buildings shall maintain a twenty-five-foot front setback or meet the requirements of section 66.231 ~~(g)~~(f).
- (g) In the BC community business (converted) district, principal structures shall not cover more than thirty-five (35) percent of any zoning lot, and residential buildings shall meet the ~~minimum lot size per unit~~ **maximum floor area ratio (FAR)** requirements of section 66.231 for the RM2 multiple-family residential district.

Commented [DB(12)]: This continues the concept of treating residential in the BC district like it were in RM2 district. Another potential approach that would essentially exempt BC from the RM2 changes is replicating the existing RM2 minimum lot size requirements right here in 66.431 rather than via cross-reference.