



Shingle Creek Capital

August 24, 2020

SENT VIA EMAIL

St. Paul City Council
15 Kellogg Blvd. W., 310 City Hall
St. Paul, MN 55102

Re: Written Testimony for the St. Paul City Council, RM Zoning Study

Dear Councilmembers,

The City needs to make bold advances to provide housing that supports transit and grows vibrant, walkable, mixed-use nodes throughout St. Paul. Through this comprehensive update to the RM Zoning Code, I ask the City Council to amend the current proposal to include the following suggestions:

1. Incorporate zoning devices specific to properties located within designated Neighborhood Nodes that will foster 20-minute cities consistent with the Neighborhood Nodes Policy Approach of the 2040 Comprehensive Plan,
2. Relax parking requirements (especially in proximity to transit) ahead of the Parking Study, so new developments can achieve the density targets outlined in the 2040 Comprehensive Plan, and
3. Remove the height condition of *footnote h* within Sec. 66.231 Density and Dimensional Standards Table, which down-zones many RM2 parcels to the RM1 height equivalent

1) NEIGHBORHOOD NODES

“The most frequent comments received from the community for the Land Use Chapter [of the 2040 Comprehensive Plan] expressed a desire to have amenities within walking distance of home.” (2040 Comprehensive Plan, Neighborhood Nodes Policy Approach, Land Use, p.39). To enact the community’s desires, the City Council approved the 2040 Comprehensive Plan which designates locations for higher density and mixed-use developments (“Neighborhood Nodes”), so every St. Paul resident will eventually live within a 20-minute (or less) walk from daily services and amenities.

The recommended updates to the RM Zoning Code contain no considerations, planning devices, or policy mechanisms for properties located within designated Neighborhood Nodes. The RM Zoning Study itself does not explicitly mention the Neighborhood Nodes Policy or discuss how proposed zoning changes could foster 20-minute cities, which appears to unintentionally omit (at best) or ignore (at worst) the boldest vision of the 2040 Comprehensive Plan’s Land Use Chapter. The existing built environment lacks density and fosters vehicle-oriented living citywide. Therefore, ***I encourage the City Council to focus on creating density near urban, walkable, mixed-use nodes, which “is consistent with the way St. Paul was planned and developed generations ago.”*** (2040 Comprehensive Plan, Neighborhood Nodes Policy Approach, Land Use, p.39).

Recently, the City has relied on conditional use permits and one-off rezonings to achieve the Neighborhood Nodes Policy, which—overtime—could lead to inconsistent implementation. It is also administratively burdensome for the BZA, Planning Commission, and/or City Council to individually consider every project located in a designated Neighborhood Node. Incorporating zoning devices in the RM Comprehensive Update will provide a base level of assurance for developers and City Staff alike.

I encourage the City Council to offer an amendment to the recommended RM Zoning Study that addresses the relationship between parking, density and height, and awards developments within Neighborhood Nodes flexible allowances that will provide the framework necessary to create 20-minute cities across St. Paul. This policy will promote equitable development, ease the strain on public infrastructure, reduce vehicle miles traveled, and generally improve the quality of life for all residents. Changes to the RM Zoning Code should recognize the value—and align with the objectives—of the Neighborhood Nodes Policy by incorporating planning devices that will create the housing density needed to support the vitality of mixed-use centers.

2) PARKING REQUIREMENTS

Over the past 45 years, St. Paul’s *parking requirements have constrained new multi-family housing more than any other limiting factor*. The RM Zoning Study is intended to be the first comprehensive re-write of the RM Zoning Code since it was introduced in 1975. Yet, under this proposal, *parking requirements remain largely unchanged* and continue to promote a car-centric built form.

The City’s housing needs are urgent. The Council must significantly reduce parking minimums if St. Paul aspires to adequately address the current affordable housing crisis via the RM Zoning Code. The goal of the 2040 Plan is to proactively plan for the future, but *the density goals outlined in the 2040 Comprehensive Plan will be practically impossible to achieve* while simultaneously providing the off-street parking minimums established in 1975.

Example:

- Policy LU-1 of the 2040 Comprehensive Plan (i.e. the number one land use goal) is to, “encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity”
- The vast majority of land in St. Paul is categorized as Urban Neighborhood under the 2040 Comprehensive Plan (see Attachment for Map LU-2: 2040 Land Use)
 - Almost all RM Zoning lies within the Urban Neighborhood land use category
- Figure LU-4 of the 2040 Comprehensive Plan defines the base range for Urban Neighborhood land use density as 7-30 units per acre (see Attachment for Figure LU-4: 2040 Residential Land Use Density Ranges)
- Figure LU-5 of the 2040 Comprehensive Plan targets residential density of 40-75 units per acre for new development within ½ mile of a Bus Rapid Transitway (“BRT”) and density of 75-150 units per acre for new residential development within ½ mile of fixed rail transitway (see Attachment for Figure LU-5: Transit Density Goals)

- The proposed zoning code reduces the off-street parking requirement by 25% for buildings with more than six units in RM1–RM3 districts when within ½ mile of University Avenue or any transit station serving light rail transit, bus rapid transit, streetcar, or arterial bus rapid transit
- ***The Targeted Transit Density Goals of Figure LU-5 are ~500% denser on average than the Base Range provided in Figure LU-4, yet the parking requirements for these buildings are reduced by only 25% under the proposed changes to the RM Zoning Code***

Parking and housing compete directly for buildable land in new residential developments. The ***zoning code prioritizes vehicle storage over housing*** when the off-street parking requirement is reduced less than the housing density is increased. ***A more suitable parking reduction of 75%+ for transit-oriented sites or COMPLETELY ELIMINATING PARKING MINIMUMS would:***

- Allow developers to ***reallocate costs from structured parking to affordable and market rate residential units***
- ***Stop subsidizing the cost of parking*** with the rent from non-car owning residents
- ***Make more valuable-urban land available for the creation of housing*** rather than the storage of vehicles adjacent to existing/planned transit infrastructure
- ***Disincentive car ownership*** at transit-oriented sites
- ***Provide equitable access to transit*** for more non-car owning residents
- Allow developers to ***balance the supply/demand dynamics of parking on a project-by-project basis***

I ask the City Council to amend the residential parking requirements (Sec. 63.207. parking requirements by use) to align the density goals provided in the 2040 Comprehensive Plan with the target density for transit-oriented development (see Attachment for Figure LU-5: Transit Density Goals). ***At a minimum, on-street parking located along the frontage of a property should be used to meet parking requirements*** for that property, which is consistent with Traditional Neighborhood Zoning Districts. Absent the anticipated Parking Study, it is nonetheless clear that parking requirements are overreaching and outdated. Waiting for the completion of the Parking Study will stymie new development in the near term.

3) **CONSIDERATIONS FOR LOTS <60 FEET IN WIDTH**

Recommendations housed within the RM Zoning Study provide special consideration for RM1 and RM2 zoned lots less than 60 feet in width (see *footnote h* within Sec. 66.231 Density and Dimensional Standards Table of the Proposed RM Zoning Code). The proposal reduces side yard setback to six feet (from nine feet) to address the practical difficulties associated with constructing functional multi-family buildings on narrow-infill lots. However, in exchange for reducing the side yard setbacks, ***the proposed zoning code would require a HEIGHT CONCESSION that limits maximum building height to 35 feet (from 50 feet) for RM2 zoned parcels.***

A building height of 50 feet has been established as necessary to achieve the general intent of the RM2 medium-density multiple-family residential district. Likewise, 35 feet is considered a suitable height for new buildings constructed under the RM1 low-density multiple-family residential district, where the intent is “to provide for an environment of predominantly one- and two-family, townhouse and lower-density multiple-dwelling structures.” (Sec. 66.215)

It is counterproductive to combine the RM1 and RM2 built-form dimensional standards when addressing the practical difficulty of side yard setbacks on narrow lots because it creates a situation where new RM2 zoned buildings on lots less than 60 feet in width cannot physically meet the general intent of the RM2 zoning code when constrained to 35 feet of maximum building height (the RM1 height standard). Therefore, ***it is imperative that the City Council address this direct conflict of policy*** and remove the height condition attached to the side yard setback requirement for narrow city lots.

The process for updating the City's zoning codes should be fluid and frequent. The City should plan to offer text amendments as additional studies are completed (i.e. Parking Study, Inclusionary Zoning Study, etc.) and as recommendations are provided by the Zoning Administrator and Planning Commission. Unfortunately, this is the first comprehensive update to the RM Zoning Code in nearly five decades. ***The City Council now has the opportunity to build a cohesive road map that all stakeholders can agree to trust and uphold.*** It is critical that the Council incorporate the suggestions enclosed in this letter because they address areas within the proposal that lack clarity or seemingly contradict the goals and strategies outlined in the 2040 Comprehensive Plan.

Respectfully submitted,



Lucas Wiborg

Founder and Owner

Shingle Creek Capital, LLC

Attachments:

- i. Map LU-2: 2040 Land Use
- ii. Figure LU-4: 2040 Residential Land Use Density Ranges
- iii. Figure LU-5: Transit Density Goals

Attachments

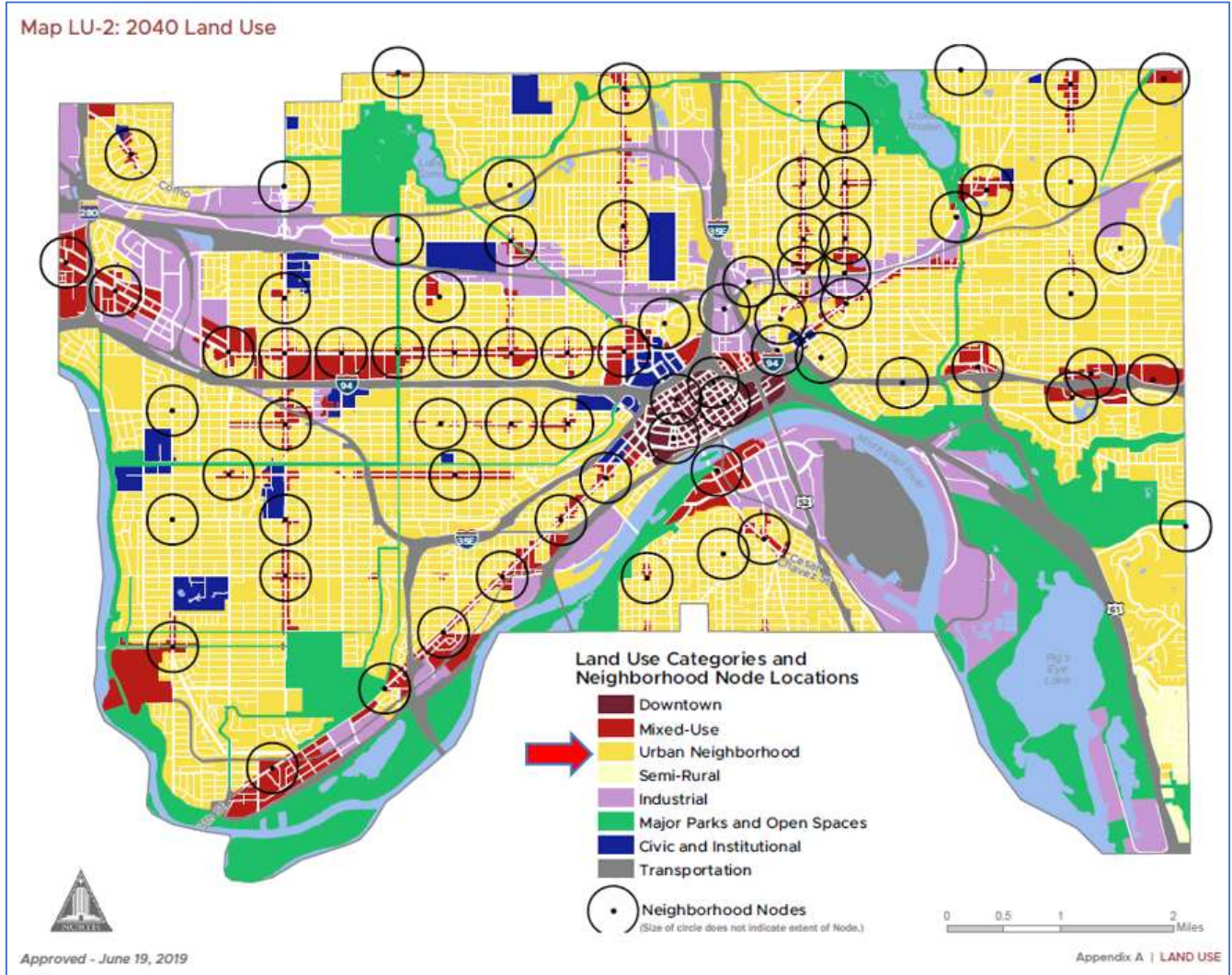


Figure LU-4: 2040 Residential Land Use Density Ranges*

Land Use Type	Base Range	At Neighborhood Node
Downtown	30-300 units/acre	
Mixed-Use	15-75 units/acre	20-200 units/acre
Urban Neighborhood	7-30 units/acre	15-55 units/acre
Semi-Rural	2-15 units/acre	n/a
Citywide**	20 units/acre	

*Density ranges represent a goal for new development averaged across the generalized future land use type. Individual projects may exceed targeted goals.

**Metropolitan Council's requirement for communities with the urban core designation. All of Saint Paul falls within this category.

Figure LU-5: Transit Density Goals*

Distance from transit	Transit type	Min (units/acre)**	Target (units/acre)***
1/2 Mile	Fixed rail transitway	50	75-150
	Bus rapid transitway	25	40-75
1/4 Mile	Arterial bus rapid transit	15	20-60
	High-frequency transit	10	15-60

*Average for new development in areas identified in a station area plan as appropriate for redevelopment.

**Minimum represents an average goal for new development.

***Individual projects may exceed target goals.