



CITY OF SAINT PAUL
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DATE: July 15, 2020
TO: Planning Commission
FROM: Comprehensive & Neighborhood Planning Committee
RE: RM Zoning Study

ISSUES

The current housing affordability crisis has generated interest in amending zoning regulations so new housing units can be produced in Saint Paul in a way that aligns with our plans for growth. The Saint Paul 2030 Comprehensive Plan, in Strategy LU-1.3, specifically calls for studying the RM multi-family zoning districts to determine how they can accommodate more intense residential development. Likewise, the Saint Paul 2040 Comprehensive Plan, to be adopted soon, calls for encouraging transit-supportive density (Policy LU-1), using zoning to respond to social conditions (Policy LU-7) such as the housing affordability crisis, ensuring that zoning supports environmentally and economically efficient land use (Policy LU-8), reducing the amount of land devoted to off-street parking (Policy LU-14), and supporting the development of housing options. Most regulations applying to the RM zoning districts were enacted decades ago and may not reflect these modern policies.

Additionally, over recent years there has been neighborhood interest in rezoning corridors to Traditional Neighborhood (T) districts to enjoy the benefits of transit- and pedestrian-oriented form. However, given that some areas that could benefit from transit- and pedestrian-oriented form are not necessarily desired to have the mix of uses provided in T districts, it makes sense to consider whether the RM districts, which are primarily residential, can provide similar form via their dimensional standards. A more transit- and pedestrian-oriented residential district could be desirable in many places as we plan for increased density along new and improved transit lines.

BACKGROUND

Due to its length and complexity, the background section is broken down into several subsections:

- Existing RM Zoning;
- Differences in Uses: RM vs. T;
- Differences in Dimensional Standards: RM vs. T;
- Examples of Potential Change to Existing RM-Zoned Areas;
- Potential New RM Zoning; and

- Recent Traditional Neighborhood Residential Example

Existing RM Zoning

The RM zoning districts, including RM1 Low-Density Multiple-Family Residential District, RM2 Medium-Density Multiple-Family Residential District, and RM3 High-Rise Multiple-Family Residential District, are defined and regulated in Zoning Code Article 66.200 Residential Districts, including intent statements for each district.

The RM1 District is intended to provide an environment of predominantly one- and two-family, townhouse and lower-density multiple-family 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.

The RM2 District is 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.

The RM3 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.

The RM1, RM2, and RM3 intent statements may need revising in conjunction with any code amendments that impact how and where they would be used.

There is much more RM2 zoning than RM1 or RM3 zoning in Saint Paul. There are 4,077 parcels zoned RM2, totaling 1,967 acres, compared with 1,182 RM1 parcels totaling 612 acres and 88 RM3 parcels totaling 148 acres. Many of the RM3 parcels contain apartment towers constructed in the 1960s and 1970s that are placed in a park-like setting and owned by the St. Paul Public Housing Agency. RM1 and RM2 exist in a wider variety of situations.

Figure 1: RM1-zoned properties. The top three photos below illustrate the most common settings in the RM1 district, while the fourth shows clustered single-family near I-94 in Summit-University and the fifth shows small-scale, multi-family among single-family residences (all zoned RM1) in West Seventh.



Figure 2: RM2-zoned properties. RM2 areas include many mid-sized multi-family buildings, larger suburban-style complexes, and single-family land uses, such as the variety shown below.



Figure 3: Typical RM3 setting (1743 Iowa Ave E.)



Differences in Uses: RM vs. T

The RM districts primarily permit residences, parks, libraries, schools, and churches. Other permitted uses include day care, bed and breakfasts, and certain agriculture, farmers markets, and cellular antennas. The T districts permit the same uses as the RM districts, plus a wide variety of additional commercial and institutional uses, such as offices, medical clinics, banks, coffee shops, service businesses, and colleges. The T2-T4 districts additionally permit restaurants, bars, health clubs, and general retail, among other uses. Certain other uses are permitted in some of the T districts with a conditional use permit, such as drive-throughs in T2, auto service stations (gas stations) in T2 or T3, and auto body shops in T4.

Differences in Dimensional Standards: RM vs. T

The T districts were created in 2004 to foster the development and growth of compact, pedestrian-oriented urban villages with a compatible mix of commercial and residential uses, new development in proximity to major transit streets, and additional choices in housing. The T districts are regulated differently from other districts, including RM districts, in order to promote pedestrian-oriented form and to encourage, rather than deter, a mix of uses. The following subsections address how RM district dimensional standards differ from T districts with regard to multi-family residential buildings.

Density

For sites without structured parking, RM1 has a minimum lot size of 2,000 sq. ft. per unit (which equates to about 22 units/acre), RM2's minimum lot size is 1,500 sq. ft. per unit (~29 units/acre), and RM3's minimum lot size is 800 sq. ft. per unit (~54 units/acre).

For sites without structured parking, T1 allows a multi-family residential density of 10-25 units/acre. The density calculations for T2-T4 are more complicated because they are regulated by floor area ratio (FAR) rather than lot area per dwelling unit. FAR is the ratio of gross building floor area to the total site area. For example, a one-story building that takes up half of a site has an FAR of 0.5, a two-story building on half a site has an FAR of 1.0, and a three-story building on half a site has an FAR of 1.5. FAR is not directly tied to the number of units for a multi-family building, so some assumptions must be made to estimate density. For sites without structured parking, T2 permits 0.3-2.0 FAR, T3 permits 0.5-3.0 FAR, and T4 permits 0.5+ FAR (no maximum). Assuming 1,000 sq. ft. units and 15% dedicated to common space, that equates to ~11 to 76 units/acre in T2, ~19 to 114 units/acre in T3, and ~19+ units/acre in T4. Assuming smaller units of 700 sq. ft. with 15% dedicated to common space, that would equate to ~16 to 108 units/acre in T2, ~27 to 162 units/acre in T3, and ~27+ units/acre in T4.

In RM1-RM3 and T1-T2 zoning districts, provision of structured parking allows for density bonuses. In RM1-RM3, the structured parking density bonus is provided by footnote (c) to table 66.231. T1’s structured parking density bonus is similar to that in RM1-RM3. T2’s maximum FAR can increase from 2.0 to up to 3.0 based on structured parking provision.

Permitted residential densities in RM1-RM3 and T1-T4 zoning districts, using above assumptions, are summarized in the table below.

Figure 4: Existing Permitted Densities (approximate, calculated with assumptions)

Zoning District	Maximum Density* (units/acre)			
	Assuming 1,000 s.f. units		Assuming 700 s.f. units	
	With Surface Parking	With Structured Parking	With Surface Parking	With Structured Parking
RM1	22	31	22	31
RM2	29	48	29	48
RM3	54	218	54	218
T1	25	40	25	40
T2	76	114	108	162
T3	114	114	162	162
T4	no maximum	no maximum	no maximum	no maximum

*Density is often realistically limited by other factors like parking, setbacks, lot coverage, etc., as discussed below.

Height

Buildings have a maximum height of 40 feet or 3 stories in RM1, 50 feet or 5 stories in RM2 (except along certain portions of Grand Avenue), and no maximum in RM3. Buildings generally have a maximum height of 35 feet at the setback line in T1 and T2, 45 feet at the setback line in T3, and 75 feet at the setback line in T4. Among the notable height exceptions for the T districts, building heights are limited to 25 feet at the setback line adjacent to properties zoned RL-RT2, and building heights may exceed the maximums at a 1:1 ratio as stepped back from the setback

lines. Overall, RM3 has the least restricted height among the RM and T districts. Otherwise, the T districts generally permit greater heights, especially on larger sites that allow for more of the building to be stepped back from the setback lines.

Additionally, the T3 and T4 districts have a *minimum* building height of 25 feet. The other T districts and the RM districts do not have minimum heights, although all one-story buildings in T districts are required to “convey an impression of greater height” in order to improve the streetscape environment.

Setbacks

RM districts require larger building setbacks from the property lines than the T districts. Minimum setbacks in all RM districts are generally 25 feet from the front, 9 feet from each of the sides, and 25 feet from the rear. T districts have minimum front setbacks for residential uses of generally 10 feet, along with *maximum* front setbacks of generally 25 feet. T districts generally have minimum side and rear setbacks of 6 feet for building walls containing windows or doors, and no minimum side and rear setbacks when building walls contain no openings.

Lot coverage

The maximum lot coverage for principal buildings in RM districts is 35 percent. There is no maximum lot coverage in T districts.

Parking

In T1-T2 districts, buildings with more than 6 dwelling units may have their residential parking requirement reduced by 25 percent. In T3-T4 districts, all residential uses may have their residential parking requirement reduced by 25 percent. Additionally, in T3-T4 districts, adjacent on-street parking may be used to meet parking requirements. For all T districts, the minimum parking provision is waived within ¼ mile of University Avenue. The RM districts do not have any of these parking reductions.

Design standards

The citywide design standards in Zoning Code Sec. 63.110 (building design standards) and Article 63.300 (off-street parking facility standards and design) apply to both the RM and T districts. Additionally, the T districts have their own design standards in Sec. 66.343 addressing the following topics:

1. land use diversity
2. transitions to lower-density neighborhoods
3. block length
4. compatible rehabilitation and reuse
5. use of established building façade lines
6. buildings anchoring the corner
7. front yard landscaping
8. building façade continuity
9. building façade articulation
10. building height/treatment of 1-story buildings

11. definition of residential entries
12. entrance location
13. door and window openings – minimum and character
14. materials and detailing
15. screening of equipment and service areas
16. interconnected street and alley network
17. on-street parking
18. parking location and design
19. residential garage location
20. parking lot lighting
21. entrance location for transit access
22. street trees
23. sidewalks

Examples of Potential Change to Existing RM-Zoned Areas

The following examples are intended to show plausible, real-world scenarios of how development could play out on sites zoned RM1, RM2, or RM3. They examine the potential for development under current RM zoning regulations and under the equivalent Traditional Neighborhood (T1, T2, T3, or T4) zoning in order to illustrate the limiting factors and inform the impact of potential zoning amendments. They account for some non-zoning constraints, such as minimum drive aisle widths and typical building/unit dimensions, in order to provide realism. However, the numbers are approximate and illustrative only – none of these scenarios has been through a formal site plan review.

478 & 480 Hazel Street North

This 5.07-acre site is zoned RM2 and located two blocks north of a planned Gold Line bus rapid transit station. The existing 3-story residential buildings have 118 units with an unspecified mix of sizes up to 3-bedroom units. For this exercise we will assume there are currently 28 3-bedroom units, 40 2-bedroom units, and 50 1-bedroom units, which equates to a parking requirement of 152 off-street spaces. There are ~191 off-street parking spaces provided, including 43 garages. Lot coverage is 19% by buildings. The maximum density would allow up to 145 units with surface parking and 243 units with structured parking.

Under RM2 standards you could build approximately one new 3-story building with a 5,166-sq. ft. footprint and 19 1-bedroom units that displaces 19 parking spaces (assumes 700 sq. ft. units and 15% common area), continuing to rely only on surface parking. Under T2 standards you could build approximately one new 3-story building with a 10,520-sq. ft. footprint and 39 1-bedroom units that displaces 46 spaces, continuing to rely only on surface parking. The minimum parking requirement, which is reduced by 25% in the T2 district, is the major factor that would allow for the additional 20 units under T2 compared to RM2. Either scenario would likely result in a 25-foot building setback from Hazel Street, which is the existing setback of the parking lot. These scenarios both assume 100% surface parking. See Figures 5, 6, and 7 below.

Provision of structured parking could allow for substantially more residential units, under either RM2 or T2 zoning, due to the structured parking density bonuses. Under T2 standards, a 2-story, 100-space, freestanding parking structure (that displaces 54 spaces at a footprint of 14,620 sq. ft.) would allow for a new 15,975-sq. ft. footprint, 4-story residential building with ~79 1-bedroom (700-sq. ft.) units to be constructed, with parking requirements being the main limitation. So, compared to the surface parking scenario, an additional ~40 units could be provided under T2 with structured parking. Under RM2, the parking requirements prevent such a scenario, leaving it with 41.5 parking spaces less than the minimum. Under RM2, a 3-story building with a smaller footprint (~14,545 sq. ft.) and about 54 units could be plausible, leaving the gap from T2 at about 25 units. See Figures 5, 8, & 9 below.

Figure 5: New Units Plausible by Zoning District at 478 Hazel Street North

<u>Scenario</u>	<u># of New Units Plausible</u>
RM2, surface parking only	19
T2, surface parking only	39
RM2, structured parking added	54
T2, structured parking added	79

Figure 6: Potential New 3-Story Residential Building at 478 Hazel Street North Under RM2 Standards



Figure 7: Potential New 3-Story Residential Building at 478 Hazel Street North Under T2 Standards, 100% Surface Parking

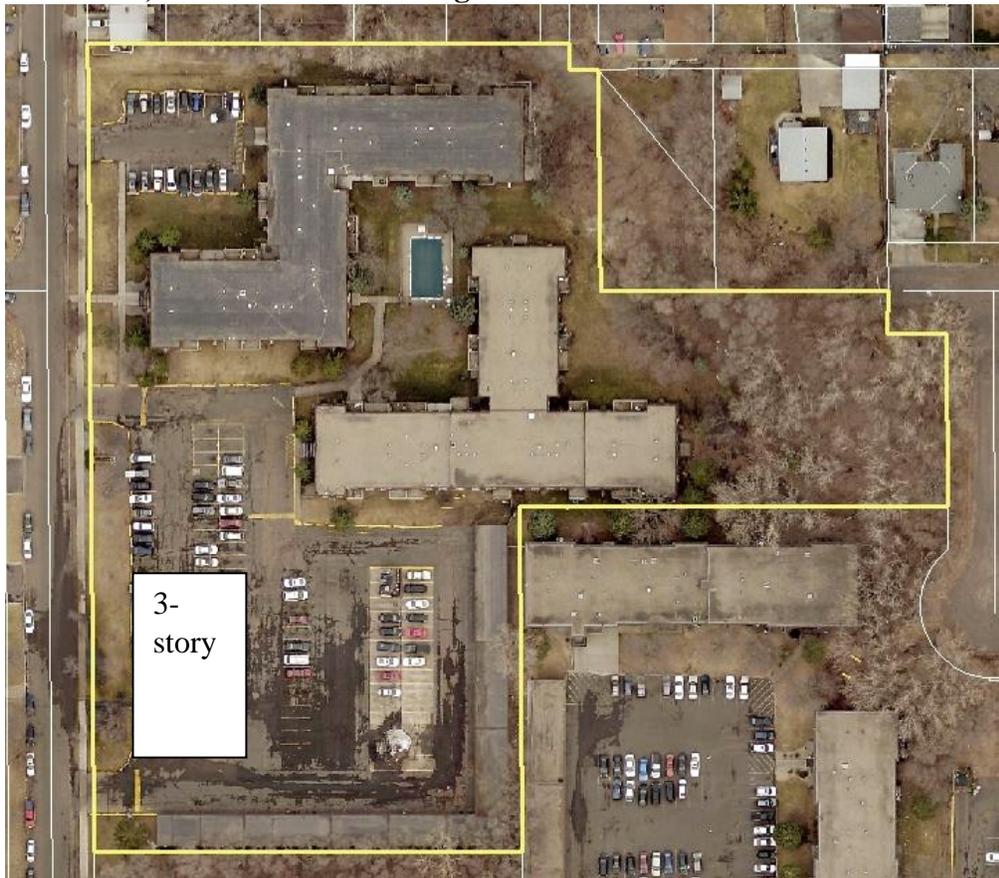


Figure 8: Potential New 3-Story Residential Building at 478 Hazel Street North Under RM2 Standards, With New 100-Space Structured Parking Behind

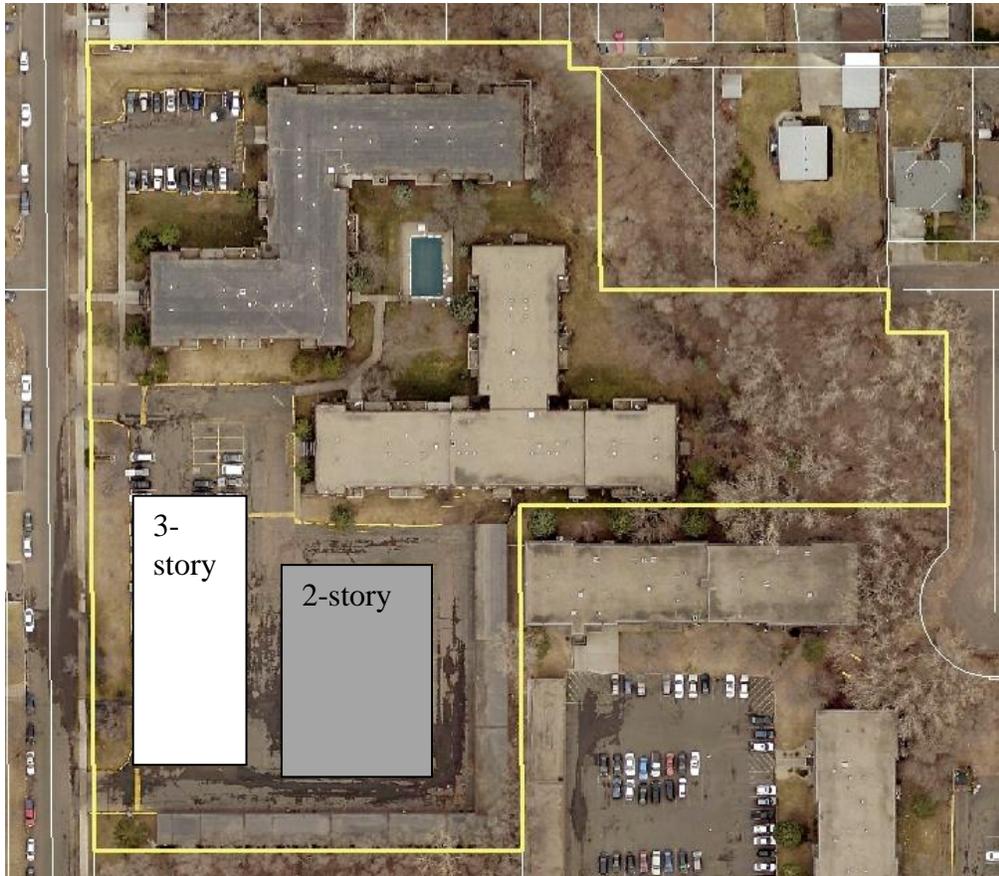
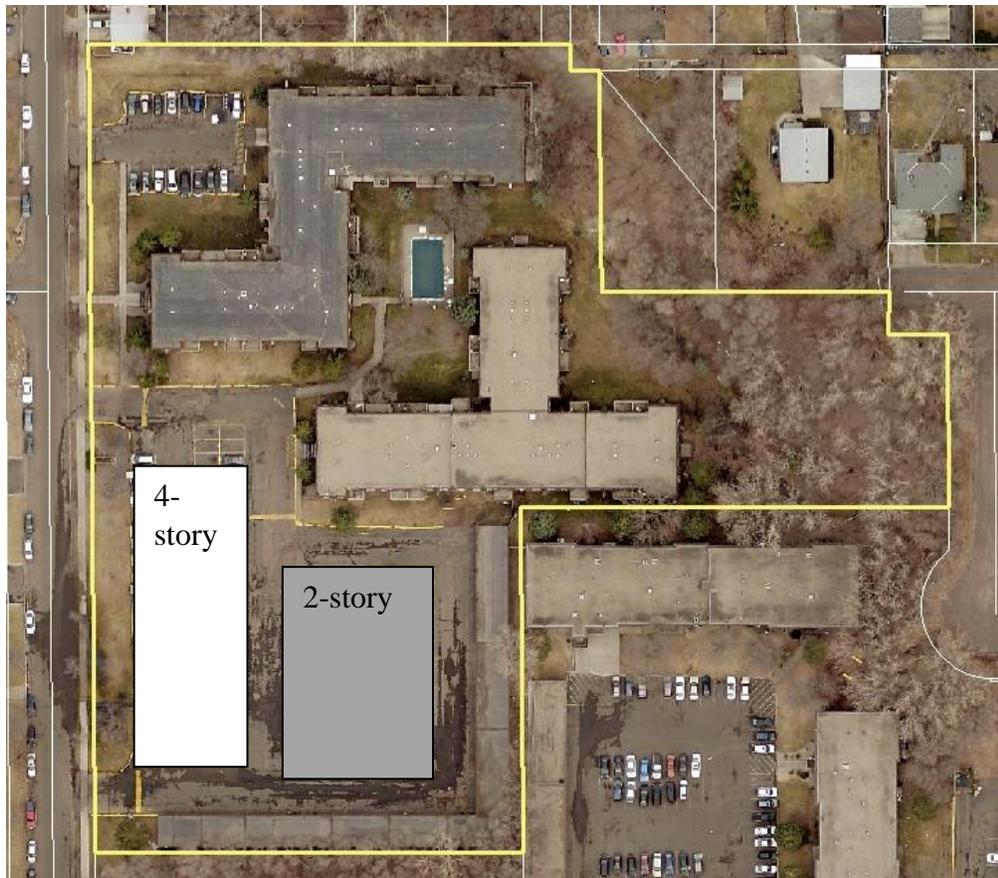


Figure 9: Potential New 4-Story Residential Building at 478 Hazel Street North Under T2 Standards, With New 100-Space Structured Parking Behind



1115 York Avenue/1116 Sims Avenue

This 0.68-acre site is zoned RM2 and located two blocks northwest of a planned Rush Line bus rapid transit station. The existing 2 ½-story residential buildings have 22 units. For this exercise we will assume that all units are 1-bedroom units, which equates to a parking requirement of 22 off-street spaces. There are 18 surface parking spaces provided and the maximum density would allow up to 19 units (with only surface parking) – both indications of a legally nonconforming situation. Aerial photographs show regular parking on the grass and double-parking. Lot coverage is 22%.

Under RM2 standards you could not build any more units on this site. Under T2 standards the parking requirement is only 16.5 spaces, which could allow for a minor building expansion (setbacks not being a limiting factor) to accommodate conversion of two 1-bedroom units to 2-bedroom units. Such an expansion is unlikely to be justified by the construction costs. Therefore, a change from RM2 standards to T2 standards is unlikely to have any impact on this type of situation. See Figures 10 & 11 below.

Figure 10: New Units Plausible by Zoning District at 1115 York Avenue/1116 Sims Avenue

<u>Scenario</u>	<u># of New Units Plausible</u>
RM2	0
T2	0 (convert two 1-bed units to 2-bedroom)

Figure 11: Potential Building Addition at 1115 York Avenue Under T2 Standards



400 Dewey Street

This 0.83-acre site is zoned RM2 and located three blocks south of the Fairview Green Line light rail transit station. The existing 2 ½-story residential building has 35 units, with an unspecified allocation among studios, 1-bedroom and 2-bedroom units. For this exercise we will assume that there are currently 5 2-bedroom units, 24 1-bedroom units, and 6 studios, which equates to a parking requirement of 37 off-street spaces. There are ~40 off-street parking spaces provided. Lot coverage is 22%. The maximum density would allow up to 24 units, which indicates a legally nonconforming situation.

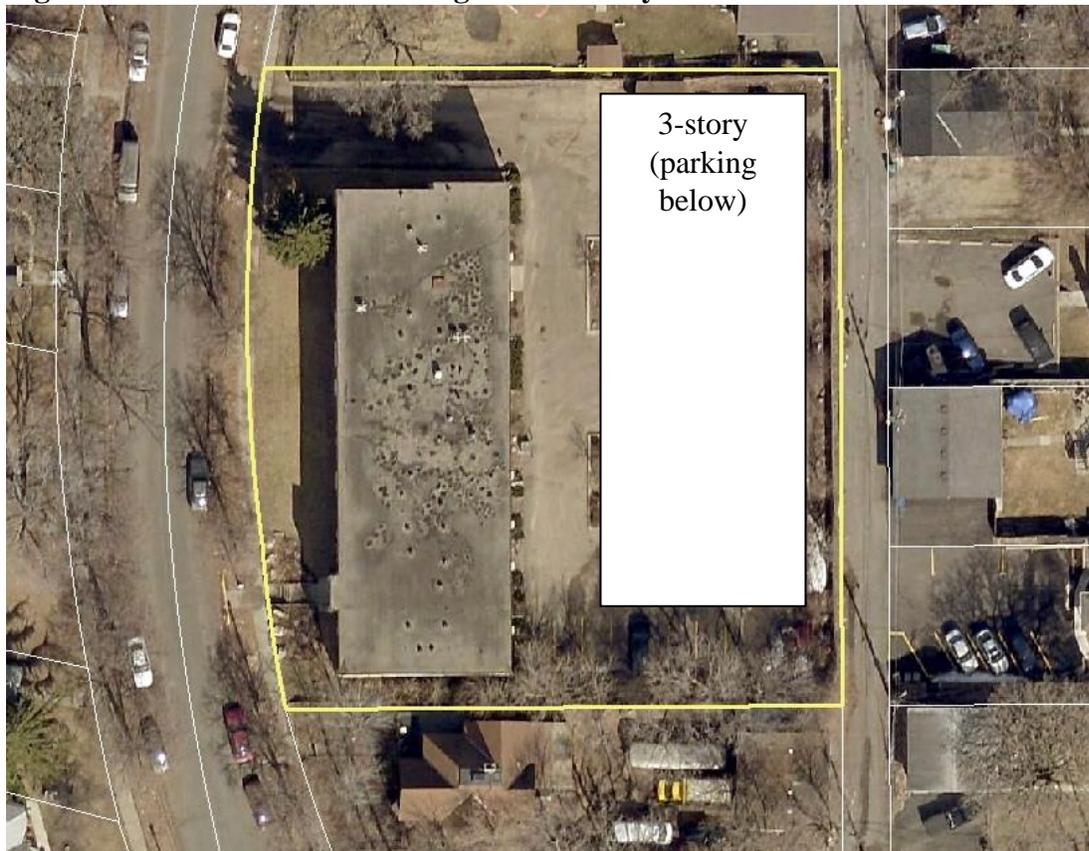
Under RM2 standards you could not build any more units on this site due to the maximum density, and parking minimums are also a limitation. Under T2 standards there is no parking

requirement because it is within ¼ mile of University Avenue, which, along with more relaxed density maximums, would potentially allow for substantially more units. Parking would likely still be provided to meet resident demand, perhaps underground with 3 stories of residential units above that could provide approximately 29 units on an 8,000-sq. ft. footprint. In this example, the FAR is 1.5 which is well under the maximum FAR of 3.0 (when structured parking is provided). T2 has a maximum height of 35 feet at the setback line, but in this case an additional setback of 8 feet allows for heights of 43 feet – plenty for a 3-story building, even if the parking structure is partially above-ground. A limiting factor for any second building here would be provision of adequate Fire Department access to all sides of the structure, which would be determined through site plan review but could conceivably be met by this example. Overall, T2 standards could provide 29 more units here than RM2 standards. See Figures 12 & 13 below.

Figure 12: New Units Plausible by Zoning District at 400 Dewey Street

<u>Scenario</u>	<u># of New Units Plausible</u>
RM2, surface parking only	0
T2, surface parking only	0
RM2, structured parking added	0
T2, structured parking added	29

Figure 13: Potential New Building at 400 Dewey Street Under T2 Standards



432 & 442 Beacon Avenue

This 0.31-acre site is zoned RM2 and located three blocks southwest of the Fairview Green Line light rail transit station. It is comprised of two vacant lots formerly occupied by single-family homes that were demolished by the City in 2014 and 2015. Under RM2 standards the maximum density would allow for up to 9 units with surface parking, or 15 units with structured parking. However, you could only fit a portion of the parking required to max out the density bonus underneath the building, whose footprint is limited to 4,726 sq. ft. by the maximum lot coverage of 35%. Therefore, realistically you could only fit about 11 units on this site under RM2 standards. The maximum lot coverage of 35% is the primary limiting factor, and maximum density is a secondary limiting factor. The minimum rear yard setback could also become limiting compared to T standards. See Figures 14 & 15 below.

Under T2 standards, which have no minimum parking provision due to the proximity to University Avenue, you could build approximately 31 units assuming a 3-story building with 8,550 square foot footprint, with any parking (only to meet market demand) placed in a structure below, that maximizes the site, and 700-sq. ft. units with 15% common space. See Figures 14 & 16. In order to provide surface parking (only to meet market demand) under T2, the building would need to be a similar size to the RM2 scenario (4,726-sq. ft. footprint – see Figure 15), which would allow for about 17 units in a 3-story building. The overall difference between RM2 and T2 in this example is 20 residential units.

Figure 14: New Units Plausible by Zoning District at 432 & 442 Beacon Avenue

<u>Scenario</u>	<u># of New Units Plausible</u>
RM2, surface parking only	9
T2, surface parking only	17
RM2, structured parking added	11
T2, structured parking added	31

**Figure 15: Potential New Building at 432 & 442 Beacon Avenue Under RM2 Standards
(same building footprint whether surface parking or structured parking below)**



Figure 16: Potential New Building at 432 & 442 Beacon Avenue Under T2 Standards



1729 Randolph Avenue

This 0.12-acre site is zoned RM2 and located across the street from the St. Paul Academy and Summit School, and 2 ½ blocks west of an A-Line arterial bus rapid transit station. It is not near a planned or existing transitway. It contains a single-family home – one of the smaller ones on the block that might someday be a target for a teardown and reconstruction for an apartment building. The site is 40 feet wide by 133 feet deep. Including half the adjacent alley, it has an area of 5,720 sq. ft.

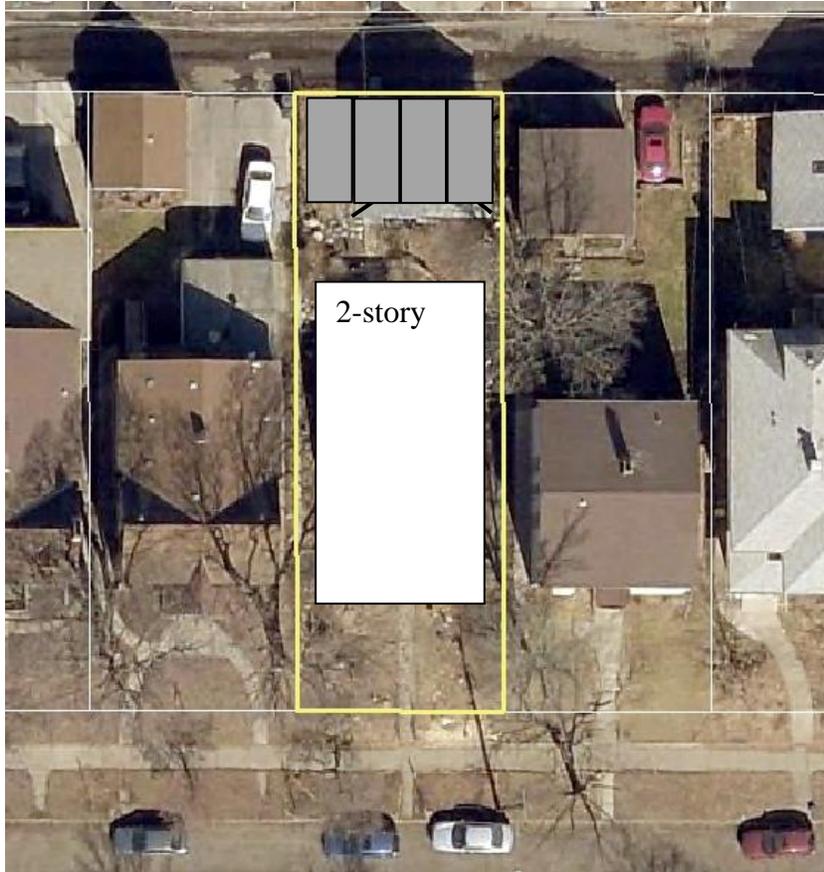
Under RM2 standards, a footnote disallows more than 2 dwelling units on lots less than 9,000 square feet, such as this lot, and RT1 two-family district dimensional standards (which apply to two-family dwellings) require a minimum 6,000-sq. ft., 50-ft. wide lot. Therefore, this building would remain single-family. Even without the footnotes, there are three other standards that would be limiting to a teardown/ reconstruction scenario: (1) maximum density would permit only 3 units to be constructed (or 5 with structured parking), (2) minimum side yard setbacks of 9 feet would limit the building width to 22 feet, and (3) parking, with 2 off-street spaces currently provided and room for a 3rd (or a 4th if garage were demolished). RM2 standards essentially prevent significant change on this site. Due to the lack of potential additional units to pay for construction, structured parking under RM2 is infeasible.

Density and setbacks are not limitations under T2 standards. However, required parking remains a limitation – even tearing down the garage and maximizing alley-loaded parking would yield only 4 spaces, which is enough for 4 1-bedroom units. A 2-story, 4-unit apartment building with surface parking could be built under the standards. The new building could be larger and constructed closer to the property lines than the existing home is. With structured parking, up to 19 residential units could be constructed according to the maximum FAR (and assuming 700 square foot units with 15% common space), but the maximum height, minimum setbacks, and practicalities of maneuvering into underground parking mean an effective limit of 5 residential units (700 square feet each in two stories on a ~2,100-square foot footprint), which is implausible when considering the cost of structured parking. See Figures 17 and 18 below.

Figure 17: New Units Plausible by Zoning District at 1729 Randolph Avenue

<u>Scenario</u>	<u># of New Units Plausible</u>
RM2, surface parking only	1 (ADU to existing, or conversion to duplex)
T2, surface parking only	4
RM2, structured parking added	0
T2, structured parking added	0

Figure 18: Potential New 2-Story Building and Surface Parking at 1729 Randolph Avenue Under T2 Standards



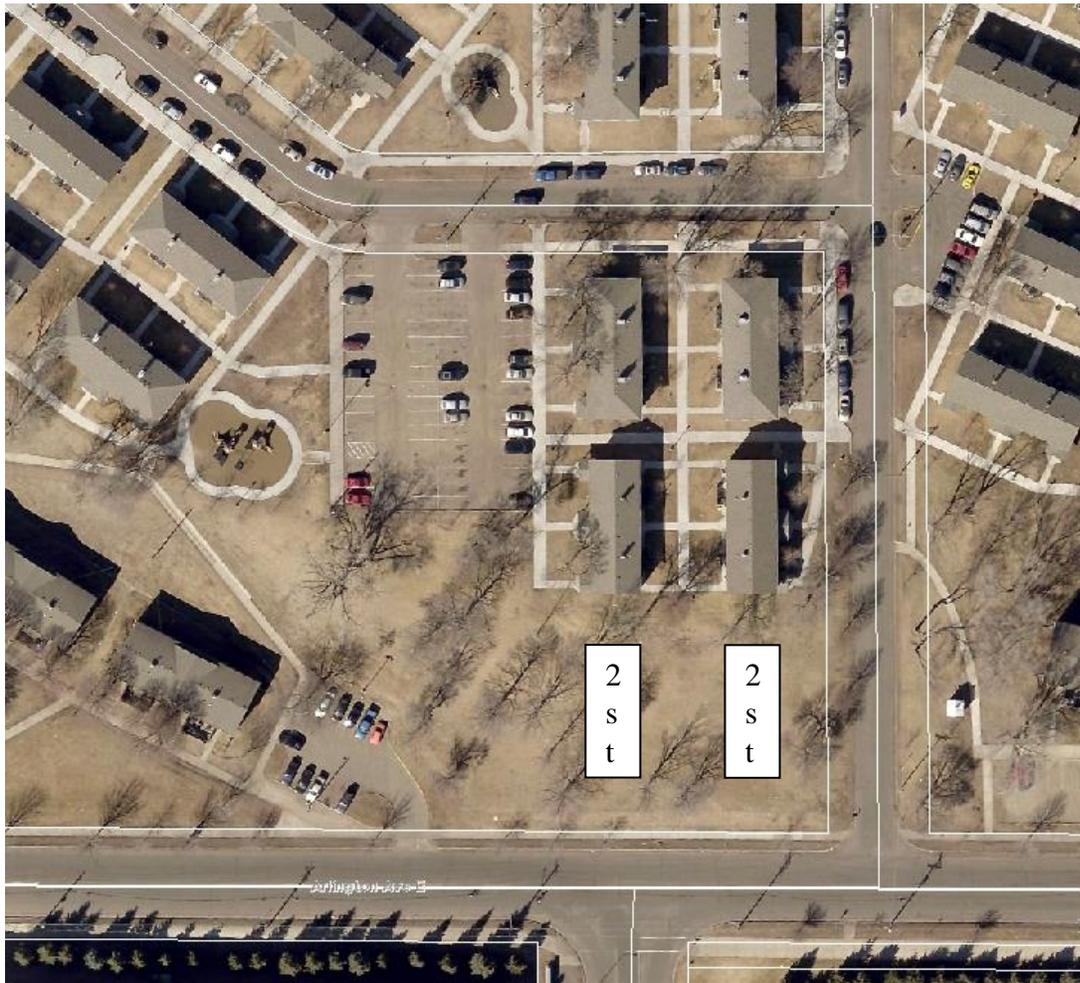
McDonough Homes

This 65-acre site is zoned RM1 and is not near a planned or existing transitway. It includes a multitude of 4-unit and 6-unit, 2-story buildings in a campus-like setting. It is owned by the St. Paul Public Housing Agency. Due to the building configurations, with separate external entrances, it would be difficult to add on to these buildings; the more likely change, dependent on parking availability, would be new buildings constructed in current open areas not located between existing buildings – perhaps up to seven new buildings on the campus. Since the buildings all have 6 or fewer units, T1 zoning would confer no parking standards advantages over RM1 zoning. None of the other RM1 standards (setbacks, lot coverage, etc.) are limiting at this site. Overall, infill construction is equally likely under RM1 or T1 zoning. Maximum density is not a limitation that would incentivize structured parking to get a density bonus. Also, there is space for surface parking that makes even market-driven parking unlikely to be placed in a structure, due to the cost. See Figures 19 & 20.

Figure 19: New Units Plausible by Zoning District at McDonough Homes

<u>Scenario</u>	<u># of New Units Plausible</u>
RM1, surface parking only	6 per new building; ~several dozen overall
T1, surface parking only	6 per new building; ~several dozen overall
RM1, structured parking added	0
T1, structured parking added	0

Figure 20: Potential New Buildings at McDonough Homes Under RM1 or T1 Zoning



401/405 Robie Street East

This 0.45-acre, 69-foot-wide site is zoned RM1 and is not near a planned or existing transitway. It currently contains a single-family home and garage.

Under RM1 zoning, you could construct up to 9 residential units on the property in a building of up to 6,860 sq. ft. footprint, likely two stories, with surface parking. Maximum density is the limiting factor. Parking and setbacks would not be limiting factors. Under T1 zoning, you could

construct up to 11 multi-family residential units with surface parking due to the higher permitted density. Structured parking would allow another 5 to 6 units under either zoning, due to the density bonuses – there is room in the rear yard for such a structure under T1 zoning, but the 35% maximum lot coverage in RM1 would require structured parking to be under the residential building. See Figures 21-25.

Figure 21: New Units Plausible by Zoning District at 401/405 Robie Street East

<u>Scenario</u>	<u># of New Units Plausible</u>
RM1, surface parking only	9
T1, surface parking only	11
RM1, structured parking added	14
T1, structured parking added	17

Figure 22: Potential New Apartment Building and Surface Parking at 401/405 Robie Street East Under RM1 Zoning



Figure 23: Potential New Apartment Building and Surface Parking at 401/405 Robie Street East Under T1 Zoning



Figure 24: Potential New Apartment Building with Structured Parking Below at 401/405 Robie Street East Under RM1 Zoning



Figure 25: Potential New Apartment Building with Structured Parking Behind at 401/405 Robie Street East Under T1 Zoning



325-349 Laurel Avenue

This 1.63-acre site is zoned RM3 and is not near a planned or existing transitway. It is one block southeast of a concentration of restaurants on Selby Avenue. It is owned by the St. Paul Public Housing Agency (SPPHA). It contains 104 1-bedroom apartments (in two connected towers – one 6 stories and one 7 stories) and provides approximately 39 parking spaces. The parking provision of 0.33 spaces per unit meets the requirement for SPPHA-operated and/or elderly housing, but not for other multi-family residences. RM3 maximum density would permit only 88 units, which indicates a legal nonconforming situation. No residential units can be added to the site under RM3 regulations.

Under T3 regulations, you could potentially construct a new SPPHA-operated apartment building in the site's southwestern portion, with underground parking accessed via a new curb cut on the south. The number of units would realistically be limited by the practicalities of good site planning, and not by parking, FAR, height, or any other T3 zoning regulations. For instance, it is unlikely that a significantly taller building would be built immediately south of the 6/7-story existing building, or that all outdoor community space would be eliminated. A plausible scenario is a 37-unit, 6-story building on a footprint of 5,000 square feet. A conditional use permit (CUP) would be required for this amount of height under T3 regulations. It is worth noting that SPPHA buildings do not typically have underground parking. See Figures 26 & 27.

Figure 26: New Units Plausible by Zoning District at 325-349 Laurel Avenue

<u>Scenario</u>	<u># of New Units Plausible</u>
RM3, surface parking only	0
T3, surface parking only	0
RM3, structured parking added	0
T3, structured parking added	37

Figure 27: Potential New 6-Story Building (With Parking Below) at 325-349 Laurel Avenue



1016 & 1020 Grand Avenue

This 0.28-acre site contains two lots, each with a single-family home, and is zoned RM2. It is not located near a planned or existing transitway. The maximum density would allow 8 units with just surface parking or 13 with structured parking. The maximum lot coverage allows for a 4,268-sq. ft. footprint. It is within the East Grand Avenue Overlay District, which provides a maximum building footprint of 25,000 sq. ft. (though the more limiting RM2 standard would

apply), maximum total building floor area of 75,000 sq. ft., and maximum height of 3 stories or 40 feet, plus applies the T2 design standards. Two lots are needed here to get above the 9,000-sq. ft. threshold required in RM2 to allow more than 2 multi-family units. (As you can see on the aerial photo in Figure 26, other multi-family buildings on the north side of this block have been constructed by combining 1 ½ lots to exceed the 9,000-sq. ft. threshold.)

Under RM2 standards, assuming surface parking, you could construct a 3-story building with a 4,268-sq. ft. footprint with 8 1-bedroom units. Most likely the building would be only 2 stories, which would allow for nearly 1,000-sq.ft. units. The 80’-wide combined lot would allow for the required 8 parking spaces off the alley. With structured parking, you could construct a 3-story building on the same footprint (which is the largest possible under the 35% maximum lot coverage) with parking below. However, due to limited room for underground parking on this footprint (as limited by maximum lot coverage), the structured parking bonus here would allow for about 11 units of 850 sq. ft. in size. Under RM2 with solely surface parking, maximum density is the limiting factor for adding residential units. With structured parking under RM2, maximum lot coverage is the primary limiting factor, and maximum density is a secondary factor. See Figures 28, 29, & 30.

Under T2 standards the minimum parking requirement is the main limiting factor, with the maximum height of 35 feet being a design factor for 3-story buildings. With a 12-space parking lot off the alley, you could construct 16 1-bedroom dwelling units. Assuming 6’ side yard setbacks and a 25’ front yard setback (aligns with most of the block), along with 15% dedicated to interior common space, a maximized apartment building would result in 16 units of 719 sq. ft. each, on a 4,410-sq. ft. footprint. See Figures 28 and 31.

Provision of structured parking in this scenario could increase the number of units under T2 standards, though the competition for space between apartment and parking, plus the maximum building height constraints would compel the parking to be fully underground. Assuming a 15’ rear yard setback to allow for ramping space into an underground parking structure, 15% dedicated to interior common space, and 700 sq. ft. 1-bedroom units, a maximized apartment building would be 3 stories with a 7,840-sq. ft. footprint and 30 units (and 22 underground parking spaces). The overall difference between what you could build under T2 standards and RM2 standards is 19 residential units. See Figures 28 and 32.

Figure 28: New Units Plausible by Zoning District at 1016 & 1020 Grand Avenue

<u>Scenario</u>	<u># of New Units Plausible</u>
RM2, surface parking only	8
T2, surface parking only	16
RM2, structured parking added	11
T2, structured parking added	30

Figure 29: Potential New 2-Story Apartment Building and Surface Parking at 1016 & 1020 Grand Avenue Under RM2 Zoning



Figure 30: Potential New 2-Story Apartment Building (With Parking Below) at 1016 & 1020 Grand Avenue Under RM2 Zoning



Figure 31: Potential New 3-Story Apartment Building and Surface Parking at 1016 & 1020 Grand Avenue Under T2 Zoning



Figure 32: Potential New 3-Story Apartment Building (With Parking Below) at 1016 & 1020 Grand Avenue Under T2 Zoning



Summary of Examples of Potential Change to Existing RM-Zoned Areas

The table below summarizes the limiting factors to development under RM regulations compared to T regulations in the examples above.

Figure 33: Limiting Factors to Development Under RM Regulations Compared to T Regulations

	Maximum Density	Minimum Parking	Max. Lot Coverage	Maximum Height	Minimum Setbacks	9,000 s.f. minimum
478 Hazel		★				
1115 York*						
400 Dewey	★	★				
432 Beacon	☆		★		☆	
1729 Randolph	☆	☆			☆	★
McDonough Homes*						
401 Robie	★		^		^	
325 Laurel	★					
1016 Grand	★		★	^		

Key: ★ = major limiting factor to new units, ☆ = contributing factor, ^ = minor design factor

* No significant difference in limitations under RM vs. T.

Potential New RM Zoning

869 & 875 Clark Street

This 0.3-acre site contains two vacant lots, each zoned RT1, and is located three blocks north of a planned Rush Line bus rapid transit station. Its proximity to a planned transitway makes it a potential target for adding multi-family housing, but its location among strictly residential properties makes it a poor fit for T1 or T2 uses. Therefore, RM1 or RM2 zoning might be a logical fit at this location.

Figure 34: Potential Site to Rezone to RM1 or RM2 (869 & 875 Clark Street)



Recent Traditional Neighborhood Residential Example

The following example, although mixed-use, could inform new RM zoning regulations as applied to hot market areas with excellent public transit service.

455 Snelling Avenue

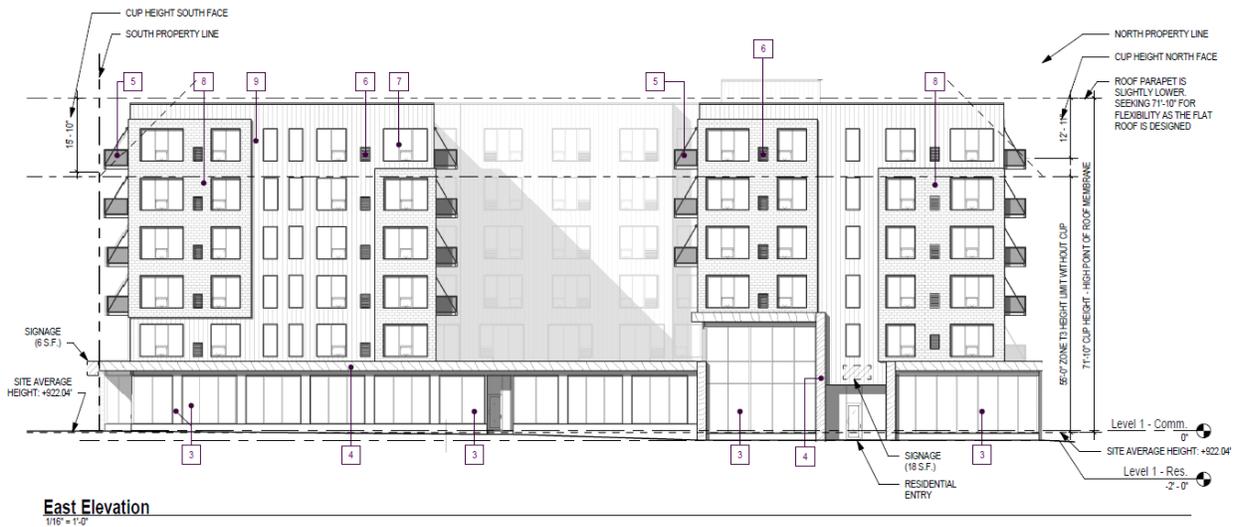
This 0.59-acre site (zoned T3) is directly across Snelling Avenue west of Allianz Field, and adjacent to both Green Line LRT and A Line Arterial Bus Rapid Transit. A 6-story, 72'-high, mixed use building has been approved for the site with 137 multi-family residential units and ground floor commercial space. Though no vehicle parking is required due to the proximity to University Avenue, 88 spaces of structured parking will be integrated into the building at ground level and below ground. Seven on-street parking spaces were removed to allow for wider sidewalks abutting the project on Snelling. See Figures 35 & 36.

The proposal required a conditional use permit (CUP) to exceed 55' in height in non-interior portions of the site. It also required a variance to exceed the maximum FAR of 3.0, to permit an FAR of 4.71.

Figure 35: Existing Site at 455 Snelling Avenue (building recently demolished)



Figure 36: Planned Mixed-Use Building at 455 Snelling Avenue



ANALYSIS

This section is broken down into several subsections:

- Comprehensive Plan Guidance;
- Zoning Regulations;
- Grand Avenue; and
- Other Potential Approaches

Comprehensive Plan Guidance

The 2030 Comprehensive Plan contains many strategies that encourage higher residential densities and provision of additional housing options, particularly in proximity to public transit. Potentially applicable Comprehensive Plan strategies include:

- **LU-1.2 Permit high density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor, and Downtown.** (Much existing and potential RM zoning is in Mixed-Use Corridors and the Central Corridor.)
- **LU-1.3 Study the RM multi-family districts and the TN districts to determine how they can accommodate more intense residential development.**
- **LU-1.5 Identify residential areas where single-family, duplex housing, and small multi-family housing predominate as Established Neighborhoods, and maintain their character.** (Much existing and potential RM zoning is in Established Neighborhoods.)
- **LU-1.9 Encourage the development of medium density multi-family housing along Residential Corridors.** (Much existing RM zoning is along Residential Corridors.)
- **LU-1.21 Balance the following objectives for Mixed-Use Corridors through the density and scale of development: accommodating growth, supporting transit use and walking, providing a range of housing types, and providing housing at densities that support transit.**
- **LU-1.28 Promote conditions that support those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices.**
- **LU-1.40 Promote the development of housing that provides choices for people of all ages, including singles and young couples, families, empty-nesters, and seniors.**
- **LU-1.41 Promote the development of a range of housing types and housing values in each of the 17 planning districts.**
- **LU-1.42 Promote the development of housing in mixed-use neighborhoods that supports walking and the use of public transportation.**
- **LU-1.43 Explore the use of planning and development tools to increase the production of housing, including, but not limited to, accessory units in existing neighborhoods, density bonuses for affordable units, and parking reductions.**
- **LU-3.1 Continue to utilize and improve the provisions and design standards for the Traditional Neighborhood (TN) districts and the citywide general design standards in Section 63.110 of the *Saint Paul Zoning Code* to achieve a high quality pedestrian-scaled urban environment.**
- **H-1.1 Increase housing choices across the city to support economically diverse neighborhoods.**
- **H-1.2 Meet market demand for transit-oriented housing.**
- **H-1.3 Revitalize the city by developing land-efficient housing.**
- **H-1.5 Prioritize non-financial City/HRA assistance to multi-family and mixed-use housing in new construction projects** (including zoning for transit-supportive density levels and reduced parking requirements for housing located in areas with frequent transit service).

Additionally, the draft 2040 Comprehensive Plan is likely to be formally adopted soon after this zoning study is complete. The 2040 Comprehensive Plan policies support this zoning study and provide guidance. Potentially applicable policies from the draft 2040 Comprehensive Plan include:

- **LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.**
- **LU-8. Ensure that zoning and infrastructure support environmentally and economically efficient, resilient land use development.**
- **LU-9. Promote high-quality urban design that supports pedestrian friendliness and a healthy environment, and enhances the public realm.**
- **LU-14. Reduce the amount of land devoted to off-street parking in order to use land more efficiently, accommodate increases in density on valuable urban land, and promote the use of transit and other non-car mobility modes.**
- **LU-29. Ensure that building massing, height, scale and design transition to those permitted in adjoining districts. (applicable only to Mixed Use-designated areas)**
- **LU-34. Provide for medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods. (applicable only to Urban Neighborhoods)**
- **LU-35. Provide for multi-family housing along arterial and collector streets, and in employment centers to facilitate walking and leverage the use of public transportation. (applicable only to Urban Neighborhoods, which is the designation applied to many – but not all – arterial and collector streets through predominantly residential areas)**
- **H-7. Reduce overcrowding within housing units, caused by doubling up of households and inadequate space for large families, through the production of small and family-sized affordable housing options.**
- **H-16. Increase housing choice across the city to support economically diverse neighborhoods by pursuing policies and practices that maximize housing and locational choices for residents of all income levels.**
- **H-36. Encourage the development of family-sized affordable housing in strong market areas.**

Zoning Regulations

The RM standards most obstructing to increased density compared to T standards, based on examples noted above, are maximum density, minimum parking requirements, and maximum lot coverage. Additionally, the 9,000-square foot minimum for 3+ units is a major obstacle to “missing middle” scale development in RM in large portions of the city where 5,000-6,500 square foot lots predominate, such as in the 1729 Randolph example. Setbacks and height standards are lesser obstacles. If RM were to become an alternative to T districts where additional density is desired to reinforce a transit- and pedestrian-oriented environment, then T

district design standards (or similar) should also be applied. The following subsections analyze potential amendments to RM standards by topic.

Intent Statements

RM districts' intent statements should be revised to reflect the extent that they become intended for additional transit- and pedestrian-oriented form like the T districts.

Density

Minimum density in RM districts could be increased in two main ways: decrease the minimum lot size per unit, or adopt FAR regulations similar to T2-T4 districts. A main advantage of using FAR is that it eases future conversions between uses, focusing instead on the form of the building and its overall size. Another related advantage is that it is easier for City staff to administer. A third impact with both advantages and disadvantages is that FAR tends to encourage smaller residential units than minimum lot size per unit regulations. On the one hand, smaller units mean more potential density. However, smaller units are not conducive to families in need of 2+ bedroom units. Another consideration is that the current RM lot area per unit standard has led to 4-bedroom units designed for unrelated adults such as students sharing a larger apartment. Paired with T districts regulated by FAR, RM districts regulated by minimum lot size per unit could provide a greater variety of housing options.

Under the current RM lot area per unit standard, common space amenities are not counted against the maximum number of units. Under a maximum FAR standard, common space amenities would be part of the maximum floor area allowed, which may put some downward pressure on the provision of common space amenities.

Regulating RM districts by FAR is the recommended approach, upon consideration of the above tradeoffs.

In the table below, existing and proposed permitted densities are presented, as calculated based on the attached proposed Zoning Code amendments and assuming 15% common space, and not including any affordable housing bonuses. The proposed amendments would set a maximum FAR of 0.6 for the RM1 district (or 1.0 with structured parking), 1.5 for RM2 (or 2.25 with structured parking), and 2.0 for RM3 (or 3.5 with structured parking).

Figure 37: Existing and Proposed Permitted Densities (approximate, calculated with assumptions)

Zoning District	Maximum Density* (units/acre)							
	Assuming 1,000 s.f. units				Assuming 700 s.f. units			
	With Surface Parking		With Structured Parking		With Surface Parking		With Structured Parking	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
RM1	22	23	31	38	22	32	31	54
RM2	29	57	48	85	29	81	48	122
RM3	54	57	218	133	54	81	218	189
T1	25		40		25		40	
T2	76		114		108		162	
T3	114		114		162		162	
T4	no maximum		no maximum		no maximum		no maximum	

*Density is often realistically limited by other factors like parking, setbacks, lot coverage, etc., as discussed elsewhere in this document.

The proposed maximum FARs would represent an increase in permitted density in RM1 and RM2, as well as RM3 sites with surface parking, but a reduction in density allowed in RM3 with structured parking, as shown in the table above.

The proposed maximum FARs for RM2 are somewhat less than for T2 to recognize the greater variety of locations that RM2 exists, yet they allow for substantial increases in density in RM2 compared to existing regulations.

RM1 is proposed to be treated in a substantially different manner than T1 by using FAR to regulate density. In T1, purely residential uses are limited to 25 units per acre (or 40 units per acre with structured parking), while mixed uses are limited to 1.0 FAR. The effective density of RM1 compared to T1, then, depends on assumptions about unit sizes, with ~1,000 square foot units having a similar density in both districts and smaller units gaining density in RM1 compared to T1.

As a specialized subset of density regulations, multi-family residential buildings with 3+ units require a minimum lot size of 9,000 sq. ft. in the RM districts. Elimination of this requirement would open up many more lots, such as the typical 40'- or 50'-wide lots zoned RM2 along Grand Avenue or Selby Avenue, to potential partitioning of buildings or redevelopment for multi-family residences.

Density bonuses for structured parking encourage parking to be provided within a structure, rather than on a paved surface, to result in a more efficient use of land (less “sea of parking”) and more pedestrian-friendly design. The density bonus allows more residential units which can help pay for the incremental cost of placing parking within a structure. Theoretically, density bonuses

for structured parking might incentivize the creation of *too much* structured parking. In reality, however, structured parking is expensive enough that developers are not likely to overbuild structured parking just for the density bonus.

Minimum FARs are not proposed for the RM districts, in contrast to the equivalent T districts, because they are not anticipated to have any regulatory impact. The City’s experience in administering minimum FAR in the T districts is that it is only an issue with single-story commercial buildings, not residential buildings. With no commercial uses in the RM districts, a minimum FAR is unlikely to have any regulatory impact – so it could easily be eliminated in the name of simplicity. Minimum FARs are established in the T districts in order to encourage pedestrian-oriented form with new construction. Since nobody is likely to propose single-story residences, such regulation is unnecessary in the RM districts.

Parking

Parking is a frequent barrier to density in RM districts compared to T districts. T districts hold two advantages: (1) parking requirements are eliminated within ¼ mile of University Avenue, and, more universally, (2) parking requirements are reduced by 25% for multi-family residential buildings with more than six dwelling units in T1 or T2 districts, and for all residential buildings in T3 or T4 districts.

The 2014 zoning study on Transit Streets is informative. That study eliminated being within ¼ mile of a “transit street” (generally high-frequency transit lines) as a qualifier to get a 25% parking reduction for residential uses in T1 and T2 districts. However, based on neighborhood input, the study added a qualifier that residential uses must have more than six units to get the reduction, because it was found that the small buildings were the most likely to cause a parking problem with such a reduction. A similar amendment to RM districts would make sense for the same reasons.

As far as elimination of parking requirements within ¼ mile of University Avenue, such a clause should logically apply to residential uses without regard to zoning. That is, a multi-family residential building’s tenants are as likely to use the Green Line if the building is in a T district or an RM district.

Density bonuses for structured parking can have several impacts, as discussed above in the Density section.

Lot Coverage

The RM maximum lot coverage of 35% appears to be an occasional barrier to density. One of the main benefits of a maximum lot coverage is to provide green space for both enjoyment and stormwater benefits. Elimination of the maximum lot coverage would be partially mitigated by the T standard requiring street trees and by retaining RM’s larger minimum building setbacks. Notably, many of the RM buildings on Grand Avenue already exceed the maximum lot coverage. The recommended code amendments also eliminate the maximum lot coverage for the RT1 and RT2 districts.

Height

There does not appear to be a need to change height standards in RM districts to increase density. Height is not a limiting factor in any of the example scenarios examined above. Indeed, on smaller sites without room to provide larger building setbacks, RM1 and RM2 districts provide greater maximum heights than T1 and T2 districts, and RM3 districts have no height maximums at all (although, to some extent in the RM3 zoning district, any new maximum FAR regulation would in effect limit heights). *Reduced* maximum heights might be worth consideration in RM districts to ensure neighborhood compatibility if minimum side or rear yard setbacks are reduced.

However, increased height maximums might be appropriate with a conditional use permit in the RM2 district to ensure the additional density proposed herein can actually be realized – where situationally appropriate.

Setbacks

Minimum setbacks appear to be an occasional barrier to density in RM districts. In one example scenario above, it is an ancillary factor after maximum density and maximum lot coverage for a new multi-family building with underground parking on 0.31 acres. However, in that case the maximum lot coverage would need to be increased to at least 51% in that situation for the minimum rear yard setback to be a factor. In the other example where it appears as a barrier, a single-family teardown situation, smaller side yard setbacks might be desirable to make construction more realistic on narrow lots – and reflective of existing development patterns established along former streetcar routes, where side yard setbacks are often 4' to 6'. Reduced rear yard setbacks are another way to add density, especially if maximum heights are reduced.

Design Standards

Part of the impetus for this study is that neighborhoods desire Traditional Neighborhood design standards even where only residential uses are desired. If RM districts are intended to become more pedestrian-oriented (see Intent Statements section above), then it makes sense to apply many of the pedestrian-oriented T district design standards to the RM districts. This section evaluates the impact (pro and con) of imposing T design standards in the RM districts.

RM1

RM1 might logically refer to the 15 T1 design standards. Many of the standards would be clear in their application, for example requiring building façade articulation (doors, windows, texture, etc.) and definition of residential entries. A potentially problematic standard is that buildings anchor the corner, which would be difficult to administer in situations like the McDonough Homes and Roosevelt Homes campuses. In the same settings, the requirement for 1-story buildings to appear like 2-story buildings would deviate from the well-established architectural form, and could serve to deter infill. Additionally, the standard that off-street parking be provided within a principal structure, underground, or to the rear of buildings to greatest extent possible would not be very straightforward in a setting like the McDonough Homes campus where parking is not exactly in a yard, but rather scattered around the campus. An adjusted approach might refer to all of the T1 design standards that are not problematic in RM1.

RM2

RM2 might logically refer to the 22 T2 design standards, which includes the 15 T1 design standards plus 7 additional standards. Standards that would be clear in their application include façade articulation, definition of residential entries, and maximum block lengths. Compared to RM1, most RM2 settings would allow for clear administration of standards calling for anchoring corners (besides perhaps the Mount Airy campus) and for 1-story buildings to appear like 2-story buildings. Overall, administering T2 design standards in RM2 would be as clear as it is in T2.

RM3

Applying T dimensional standards to building additions on most existing RM3 buildings would be awkward. For example, their tower-in-a-park settings are antithetical to anchoring the corner or providing a human-scale articulation along the streets. Also, it is not clear how one would “use established building façade lines” on the block when it is a super-block with a single tower building in the center. However, new construction on RM3 lots – or newly zoned RM3 properties without a tower-in-a-park existing setting – is more likely to occur than building additions. New construction on RM3 could benefit from many of the T dimensional standards. The “tower in a park” settings would change, and a human-scale form would be created where the new buildings are placed.

Grand Avenue

There are two stretches of Grand Avenue that merit special consideration: the properties zoned RM2 between Fairview Avenue and Cretin Avenue, and the properties zoned BC Community Business (converted) farther east.

A footnote to the RM2 dimensional standards provides additional regulation for a 0.7-mile stretch of Grand Avenue from Fairview to Cretin that contains much RM2 zoning and is near the University of St. Thomas. This includes a lower height maximum (40’ instead of 50’), a requirement to comply with the T2 design standards, and a special minimum lot size for units with three or more bedrooms. The minimum lot size provision no longer makes sense with the shift to FAR-based density regulation – it was imposed to close a loophole that had been used in student-oriented residential buildings to just create larger units to accommodate more students, but there is no incentive for developers to continue doing that under the FAR model. It is also proposed that the reference to T district design standards be made to apply to all the RM districts, and relocated to a more universal location within the code. The maximum height provision is recommended to be left in-force.

Due to the history of the BC district as a formerly B2 district where businesses are allowed in existing residential structures while retaining the visual character of the residential building form, two footnotes to the Business District dimensional standards refer to RM2 dimensional standards for residential buildings in that district: one regarding front yard setbacks, and the other regarding density. Front yard setbacks are not proposed to change in RM2, so the letter of the footnote will simply need to be updated without any change in impact. For the density footnote, it is proposed that residential buildings in BC follow the proposed FAR-based density

in RM2 – that their regulations change with RM2’s rather than being a remnant island of status quo.

Other Potential Approaches

The following alternative approaches could be considered to implement the aims of this zoning study, but are not currently being recommended.

Rezoning More Places to T

Another potential approach to applying T standards in more places is to simply rezone more places to T districts, particularly T1. The T1 district has a rather limited set of permitted commercial uses, such as offices, dental or medical clinics, banks, service businesses, and coffee shops, that are unlikely to become widespread outside of arterial and collector streets due to lending requirements and real estate needs (i.e. larger lots with good access). Notably, restaurants, bars, and general retail are not permitted in T1 – all uses that can present heightened parking concerns.

Bonuses for Larger Units

A potential complementary approach to counteract the tendency of FAR-based regulation to create smaller apartments, and to instead encourage larger (e.g. 3-bedroom) units is to create an FAR bonus for creating larger units. For example, the maximum FAR could be increased by 0.1 for every 3-bedroom unit created by a project, up to some higher limit. Larger units could also be encouraged via financial tools, like conditions placed upon affordable housing financing.

Bonuses for Common Space Amenities

Similar to the larger unit FAR bonus suggested above, a bonus for provision of common space amenities could be created to counteract the tendency of FAR-based regulation to reduce floor area dedicated to common space.

PUBLIC HEARING TESTIMONY

Thirteen sets of public comments were received via the Planning Commission public hearing, including two from district councils and others from small-scale developers and individual residents. Testimony included general support for the study, opposition to certain elements, support for certain elements, and urging to go farther on certain elements. More specifically:

- The North End Neighborhood Organization (District 6 Council) supports the study, citing housing needs.
- The Summit Hill Association (District 16 Council) wants:
 - o to generally move toward T districts’ height and side yard setbacks, to encourage smaller-scale multifamily that is more compatible with their neighborhood’s existing character and still provides density;
 - o a CUP for height up to 45’, as an option only for lots of 60’+ width;
 - o a reduction in RT1 and RT2 maximum height from 40’ to 30’;
 - o maximum lot coverage set at 50%, rather than eliminated, to reduce incentives to combine lots and construct buildings that are too massive for their context;

- a corresponding increase in RT2’s maximum lot coverage to 50% (RT1 would stay at 35%);
 - the East Grand Overlay to be recognized as an additional footnote to Table 66.231;
 - to support elimination of the 9,000 square foot minimum for 3+ units, to facilitate small-scale multi-family development;
 - reduction of minimum side yard setbacks from 9’ to 6’ for lots of 60’ width or narrower, to address the greater impact of side yard setbacks on smaller lots;
 - an additional tier in the FAR maximum for buildings with structured parking that are not near Arterial Bus Rapid Transit, Light Rail, etc., with that tier having a maximum of 2.0 FAR in the RM2 district;
 - parking requirements for RM2 to remain in place – all of the recommendations above are based on that assumption;
 - to keep Footnote B to Table 66.231, which counts half of the adjacent alley in minimum lot size calculations.
- A resident opposes removal of the phrase “low-rise” from the RM1 and RM2 district titles in Sec. 60.301, and also opposes density increases in RM1 or RM2 because of health effects related to fires and airborne infectious diseases. They suggest that density should instead be concentrated in larger RM3 buildings that are constructed better to deal with these health effects (e.g. air exchange or fire suppression systems).
- A resident opposes keeping Footnote K to Table 66.231, which limits height and creates a special minimum lot size for RM2-zoned property along Grand Avenue between Fairview and Cretin Avenues, because it is exclusionary.
- A resident opposes eliminating the 9,000 square foot minimum for 3+ units to allow for additional green space and easier fire department access around buildings.
- A resident questioned whether the study is too complex for people to understand, and if it can be properly evaluated by neighborhoods without 3D representations in addition to aerial photographs of examples.
- A resident wants the Parking Zoning Study considered together with the RM Zoning Study to allow analysis of the RM amendments’ practicality and feasibility, and of the cumulative impact. If that timing does not occur, then urges a units/acre limit to be retained (with an incremental increase in those maximums) and associated parking requirements to be unchanged in the RM districts. Also, supports the Summit Hill Association’s proposed amendments.
- A resident supports the change to FAR-based density regulation, removing the 9,000 square foot minimum for 3+ units, and eliminating the maximum lot coverage. They also want front and rear setbacks reduced to 10 feet, a taller RM2 height maximum to accommodate 4-6 stories, and a bonus for 3+ bedroom units and apartment common areas to avoid penalizing them in the shift to FAR.
- A developer wants smaller setbacks, especially for side yards. They question keeping Footnote K to Table 66.231 (limiting height and creating a special minimum lot size along Grand Avenue between Fairview and Cretin), and suggest selectively rezoning properties on Grand Avenue to T2.

- A developer wants smaller setbacks, or at least an exception for stairways, porches, and decks.
- A developer supports the increased maximum heights, in recognition of modern construction standards with more height per story. They want a 75 foot height maximum with a CUP in RM2 to align with Fire Code and allow for an extra (6th) story in some cases. They also want a higher maximum lot coverage (in RL-R4 districts where it is not proposed to be removed) to encourage accessory dwelling units (ADUs) and gentle density increases. Finally, they want to keep Footnote B to Table 66.231, which counts half of the adjacent alley in minimum lot size calculations.
- A developer wants to reduce side yard setbacks to 6 feet for RM1 and RM2 properties under ¼ acre. They also want to reduce required parking by 25% for such properties.

ANALYSIS OF TESTIMONY

The section below analyzes the main issues raised by public testimony.

1. Issue: Lower maximum heights.

Response: Proposed new 5-story buildings have generated some opposition in recent years due to concerns over how they fit into neighborhood context. This includes the 5-story apartment at 1975 Marshall Avenue that helped precipitate the Marshall Avenue Zoning Study in 2019, and the 5-story apartment at 1769 Grand Avenue that was denied variances by the Board of Zoning Appeals in April 2020. Opposition to such heights has also been registered in this zoning study’s public hearing, by the Summit Hill Association.

Most infill buildings in RM-zoned areas along arterial streets through residential areas in recent history have been shorter: 2 to 4 stories.

Compatibility with the scale of adjacent neighborhoods does not mean having new structures that are no taller than existing buildings. But new structures that are multiple stories taller than the existing context can push the bounds of compatibility, especially on narrow lots and mid-block.

However, lower maximum heights are not recommended. Maximum FARs and parking needs will realistically discourage taller buildings on narrow lots – only the most efficient layouts in areas with less parking need are likely to approach the existing maximum heights on such lots. To further limit height on larger RM-zoned parcels on the East Side and elsewhere, such as the parking lots of 1970s era apartment buildings surrounded by lawns and far from other residential structures, would serve no policy purpose and would limit reasonable density.

2. Issue: Smaller side yard setbacks.

Response: There are many 40’-wide lots zoned RM along arterial streets (e.g. Grand,

Randolph) that would become easier to develop for medium-density infill multi-family that diversifies housing options if the minimum setbacks were less than 9', and thus buildings were allowed to be wider than 22'. A 22'-wide building envelope is very narrow for residential development. Most existing apartment buildings along such arterial streets are already built with smaller side yard setbacks, such as 4' or 6'. Residential buildings in T1-T4 districts require 6' side yard setbacks in most cases. A side yard setback requirement similar to that in the T districts would be reasonable and would fit in well with established building patterns. Smaller side yard setbacks are less necessary on wider lots, and they provide more benefit to adjacent neighbors if the new buildings are taller (see previous issue).

3. Issue: Smaller rear yard setbacks and maximum lot coverage limits.

Response: Decreased rear yard setbacks and maximum lot coverage could make it easier to add housing units by allowing greater use of the lot.

There is no clear policy reason to limit maximum lot coverage in the RM districts, and deleting the maximum lot coverage would further several policies related to efficient land use. The suggestion that "preservation of significant publicly-accessible views" requires a maximum lot coverage is misplaced – the "significant views" are identified by the Comprehensive Plan, and do not include views around all multi-family residential buildings.

A rear yard setback reduced from 25' to 9' would allow significantly more space for a larger building footprint, while still allowing for perimeter landscaping in the rear. Lot coverage and rear yard setbacks are less impactful to neighborhood character than what is visible from the streets: height, front yard setbacks, and side yard setbacks.

4. Issue: Eliminate Footnote K to Table 66.231 (limiting height and creating a special minimum lot size along Grand Avenue between Fairview and Cretin).

Response: This footnote was created in 2013 in response to student-oriented apartments being built in RM2-zoned areas on Grand Avenue near the University of St. Thomas. This zoning study has not focused on those issues, which can be complex and involve several stakeholders not actively engaged for this study. However, the portion of the footnote addressing density (minimum lot area per unit) would seem to no longer be necessary with the shift to FAR-based regulation, and therefore no concern that 4-bedroom student-oriented housing is somehow skirting the intent of minimum lot area per unit by creating more massive units. No change is recommended to the height portion of this footnote. (Note: due to reorganization, Footnote K is now proposed to be Footnote M.)

5. Issue: An additional maximum FAR tier in RM2, set at 2.0, for multi-family residential with structured parking that is not near high-quality transit.

Response: Proximity to high-quality transit impacts parking need. Parking need is most effectively addressed through parking regulations, not by suppressing FAR in order to suppress parking demand.

6. Issue: Complete the Parking Zoning Study prior to this study, or ensure that parking requirements for RM districts will remain unchanged.

Response: The Parking Zoning Study will analyze impacts to all parts of the city, including those zoned RM. The most effective way to address parking issues is through parking regulations, rather than suppressing density in order to suppress parking demand.

7. Issue: Reduce parking requirements for smaller properties.

Response: The proposed amendments to parking regulations bring RM regulations in-line with T regulations. Further reductions in parking requirements should address all zoning districts, as is being done through the forthcoming Parking Zoning Study.

8. Issue: Do not increase density in RM1 and RM2 because large multi-family buildings, such as in RM3, are safer with regard to fire and airborne diseases.

Response: According to a City staff expert in the Department of Safety & Inspections, larger multi-family buildings (over 4 stories) do not require better ventilation than smaller multi-family buildings, although they do fall under different codes. If anything, the requirements for smaller buildings are more precise, although larger buildings' ventilation must also be effective. More important to ventilation are how the HVAC system is designed and how much the owner is willing to spend. No change is recommended.

9. Issue: Increase the maximum height to 75' in RM2 to align with Fire Code.

Response: The difference between the initially proposed 70' maximum height with a CUP and 75' is not significant, especially if both heights require a CUP. There is no policy reason not to consider a greater maximum height, and it makes sense to align to other codes when plausible.

10. Issue: Keep Footnote B to Table 66.231, which counts half of the adjacent alley in minimum lot size calculations.

Response: This footnote is already applied citywide – for all zoning districts – in Chapter 63. It does not need to be repeated here.

11. Issue: Amend RT district regulations and/or R district regulations

Response: This study has been advertised as reviewing potential amendments to the RM zoning districts, and therefore should primarily be limited to regulations focused on the RM districts. Far more land is zoned R or RT, with impacts that have not been analyzed in this study. No change recommended.

12. Issue: Bonuses for larger residential units (more bedrooms) or larger common spaces to avoid penalizing them in the shift to FAR-based density regulation.

Response: It is still not clear how necessary this is, and it would require adding complexity to the regulations that would ideally be avoided.

OTHER REVISIONS

The following proposed revisions have been addressed after the Planning Commission public hearing, but are not tied directly to the public testimony received.

RM3 FAR Maximums

An additional proposed set of revisions is to adjust the maximum FARs in the RM3 zoning district so that the maximum FAR with surface parking is reduced to 1.5, and the maximum FAR with structured parking is increased to 3.5. There are a few reasons to consider this: (1) although RM3 is mostly currently limited to a handful of PHA towers and senior living towers, it could be used more widely in the future along new transit corridors where the mix of uses in T districts is not desired; (2) the T4 district has no maximum FAR, and recently approved zoning cases in the T3 district have requested variances to exceed the maximum 3.0 FAR, indicating a strong market demand in certain locations and a comfort by policymakers with the higher FARs; (3) with a greater split between the RM3 FAR maximums for developments with surface parking versus structured parking, it would send a strong signal to developers (especially in newly rezoned RM3 properties along transit lines) that structured parking is part of the desired form in this most intense residential zoning district, rather than a form that includes an environmentally and aesthetically detrimental sea of surface parking.

Affordable Housing Bonus

The Comprehensive and Neighborhood Planning Committee wanted to ensure that the proposed code amendments do not miss opportunities to address affordable housing in the course of loosening zoning regulations to allow adding more residential units. Thus, an affordable housing FAR bonus is recommended to incentivize affordable housing in the RM zoning districts. The bonus would allow up to an extra 0.5 FAR if at least 10% of new units are affordable (at 60% Annual Median Income for 15 years), and up to an extra 1.0 FAR if at least 20% of new units are affordable. The concept of an affordable housing bonus is specifically supported by 2030 Comprehensive Plan Policy LU-1.43.

In the bonus approach, the lower rent revenues that come from the affordable housing units are essentially made up by revenue received from market rate units. Conveniently, the affordable housing units should be easier to fund in the areas they're needed most – where the market rents are highest. Where financial subsidy is involved, the maximum proposed bonus (1.0 FAR for

20% units as affordable) may support the feasibility of mixed-income affordable projects within RM zones, such as those taking advantage of the “4(d) Affordable Housing Incentive Program.” (See <https://www.stpaul.gov/departments/planning-economic-development/housing/housing-trust-fund/4d-affordable-housing-incentive> for details.)

For the bonus to be effective, it must be large enough to be valuable to developers. Upon initial consultations with the City’s Housing Director, staff indicates that the proposed bonuses might be set just about right, as well as the focus on 60% AMI. See the attached document “Affordable Housing Units Impact of FAR Bonus” to see examples of the numbers of units (overall and affordable) that could be produced by the proposed bonuses.

Also important to the bonus’s effectiveness is setting the “base” maximum FAR (without affordable housing) at a level that it improves the chances that the affordable housing bonus would be used, especially in hotter housing markets where it is most helpful to affordability. However, it is also important to not reduce the base FAR maximums to the extent they would unduly suppress multifamily development and further exacerbate the affordability crisis. Upon analysis of case studies, it appears that the proper “base” maximum FAR is approximately 2.25 for RM2 and 3.5 for RM3. The maximum FARs could be adjusted in the future if necessary, based on how well these aims are met.

COVID-19

Since the RM Zoning Study was released for public comment in February, the COVID-19 pandemic has grown into a major public health emergency locally and worldwide. The pandemic’s heavy impact on dense urban areas like New York City has given reason to question the public health benefits of increased density, such as that potentially facilitated by this zoning study. At the same time, it is important to recognize limitations to drawing comparative conclusions of density’s impact on airborne disease transmission, including:

- By several measures, New York City is not a very comparable urban area to Saint Paul. New York City’s core is far denser, has much more human activity, and has far greater transit mode share (~56%).
- Other dense cities such as San Francisco and Seoul, Korea have been much less hard hit (as of early June) than New York City.
- Many urban areas that are more comparable to Minneapolis/Saint Paul in terms of density, like Portland, Oregon or Kansas City, Missouri, have been much less hard hit (as of early June) than New York City or even Minneapolis/Saint Paul.
- Suburban areas have also been heavily impacted in certain regions. For instance, the suburban counties surrounding Philadelphia are experiencing nearly the same confirmed case and death rates as the central city (as of early June).
- Outbreaks have also occurred in rural areas, such as in Nobles County, Minnesota and Dougherty County, Georgia.

In short, it is not yet clear the extent to which residential density contributes to transmission of airborne diseases such as COVID-19. Given the countervailing, and more proven, public health and welfare benefits of increased density, it would be premature and damaging to reject increased density, per se, due to the COVID-19 pandemic. Also, restricting the construction of

new residential units could lead to additional overcrowding in existing units, with negative health benefits, particularly as viewed through an equity lens. This is a situation that merits continued monitoring and exploration of targeted interventions with regard to building design, human behavior, public health, or other factors that could allow for the benefits of density to continue to be enjoyed, safely.

It should also be noted that Comprehensive Plan policy has not changed in response to COVID-19.

COMMITTEE RECOMMENDATION

The Comprehensive Planning Committee recommends approval of the attached draft Planning Commission resolution recommending the RM Zoning Study for City Council approval.

Attachments

1. Draft Planning Commission resolution (including recommended RM Zoning Code Amendments)
2. Proposed RM Zoning Code Amendments (annotated)
3. Traditional Neighborhood District Design Standards (Sec. 66.343)
4. Traditional Neighborhood District Dimensional Standards (Sec. 66.331)
5. Affordable Housing Units Impact of FAR Bonus
6. Maps
 - a. RM Zoning (all)
 - b. RM1 Zoning
 - c. RM2 Zoning
 - d. RM3 Zoning
7. Public testimony