



**CITY OF SAINT PAUL**  
*Christopher B. Coleman, Mayor*

*25 West Fourth Street  
Saint Paul, MN 55102*

*Telephone: 651-266-6565  
Facsimile: 651-266-6549*

**DATE:** May 1, 2015  
**TO:** Planning Commission  
**FROM:** Mike Richardson, City Planner  
**SUBJECT:** Residential Design Standards Zoning Study – Public Hearing

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This update is provided in anticipation of the public hearing on May 8, 2015. It contains a summary of contact that has taken place with the District Councils since the study was released for public review on March 27. Attached are the comments received at the time of this memo, as well as a copy of the study for reference.

#### **District Council Contact**

In addition to the Early Notification System notice that was distributed on April 6, 2015, an email was distributed to the District Councils through Diane Wanner reminding them of the hearing and offering assistance if needed. Contact with District Councils during the public review period can be summarized here:

D11 – Hamline-Midway: Spoke with Michael Jon Olson, the Executive Director about the study.

D13 – Union Park: Mike Richardson gave a presentation and took questions at the Land Use Committee Meeting on April 20.

D16 – Summit Hill: Donna Drummond summarized the study for the Board on April 9. Mike Richardson gave a presentation and took questions at the Zoning and Land Use Committee Meeting on April 28.

No additional contact from other District Councils at this time.

#### **Public Comment**

The comments attached consist of letters, emails, and input received on Open Saint Paul. Three of the seven comments received on Open Saint Paul were not recorded because they were categorized as “unclaimed” or “unverified.”

#### **Attachments**

1. Comments received
2. City-wide residential standards study dated March 26, 2015



UNION PARK DISTRICT COUNCIL  
1602 Selby Avenue, Suite 10, Saint Paul, MN 55104  
651.645.6887 | [Info@unionparkdc.org](mailto:Info@unionparkdc.org) | [www.unionparkdc.org](http://www.unionparkdc.org)  
*An Affirmative Action, Equal Opportunity Employer*

April 21, 2015

Mike Richardson  
Planning & Economic Development  
1400 City Hall Annex  
25 West 4th Street  
City of Saint Paul  
Saint Paul, MN 55101

Dear Mike,

Thank you for presenting at the Union Park District Council Land Use Committee, at its April 20, 2015 meeting, on the Residential Design Standards draft.

After a discussion with the Committee members and residents, the Committee voted unanimously to recommend that the city **delay the hearing and decision-making process** on the Residential Design Standards for three months to give each District Council and Ward time to review the issue, and to give the city more time to evaluate and communicate the implications of the standards to residents.

Please let me know if you need any additional information.

Sincerely,

Julie Reiter  
Executive Director  
Union Park District Council

## **Richardson, Mike (CI-StPaul)**

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**From:** Michael Jon Olson <michaeljon@hamlinemidway.org>  
**Sent:** Thursday, April 23, 2015 12:47 PM  
**To:** Richardson, Mike (CI-StPaul)  
**Subject:** Request for Extension of Comment Period on Residential Zoning Design Standards

Mike,

Thanks for your time on the phone this morning.

Hamline Midway Coalition/District Council 11 respectfully requests an extension of the comment period for the Residential Standards Zoning Study. Given HMC's meeting schedule and when we received notice of this issue, HMC requests that the comment period be extended at least 30 days.

Thank you for your consideration.

**Michael Jon Olson**  
Executive Director  
Hamline Midway Coalition/District Council 11  
[michaeljon@hamlinemidway.org](mailto:michaeljon@hamlinemidway.org)  
[www.hamlinemidway.org](http://www.hamlinemidway.org)  
651-494-7682

## Richardson, Mike (CI-StPaul)

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**From:** jackfei@aol.com  
**Sent:** Wednesday, April 29, 2015 10:38 AM  
**To:** Richardson, Mike (CI-StPaul)  
**Subject:** Feedback on Zoning Study

Mike,

A city-wide Zoning Code Modification can't resolve many Ward 3 resident concerns about 'abusive for profit teardowns and replacement with mc mansions'. Some additional initiatives are needed for a broader solution:

1. A city-wide zoning code can not incorporate architectural styles, building forms, and other design elements critical to character in one neighborhood but not another. The city needs to pass an ordinance enabling neighborhoods to setup 'conservation districts' where neighbors may want one. For example, a 'Tangletown Conservation District' standard would apply to new Tangletown construction but not other neighborhoods. In this scenario, the City Zoning Code & the Tangletown Standard together determine future development.
2. Any City-wide zoning code with conservation district is meaningless if deviations from a development site plan are not checked or, if found, are not enforced. The city must strengthen the existing site plan compliance enforcement by better tools and increased staff resource. Also the creation of partnerships with a "Citizen Construction Watchgroup", any site plan deviation could be caught, reported and corrected early. This will reduce rework, and mitigate neighborhood impact.
3. Currently, the city doesn't provide neighbor notification about a teardown until demolition permits are issued. It is not uncommon for a house in a Ward 3 neighborhood to be demolished and Mc Mansion built without neighbor notification and engagement! Surely, a change that can forever alter neighborhood character warrants \*some\* neighbor notification and engagement before the action occurs.
4. Currently, economic incentives encourage outside owners and builders to tear down small homes to build large homes for the 1% wealthy suburban residents. These incentives work against house preservation and the 99% Ward 3 middle class homeowners. The city can alter these economic incentives by enacting a 'teardown tax' ordinance. The tax would be based on the value of the house (not lot) with a rate that increases with the value of the structure being torn down. The idea is 'make it less profitable to tear down a more valuable structure' (making renovation more financially attractive without subsidy).

Coupled with a provision with 'teardown tax forgiveness' contingent upon neighbor approval, a 'teardown tax ordinance' creates incentive for owner/developer and neighborhood cooperation. The result is less City Council Member time spent working on neighbor housing issues and more time spent on city-wide initiatives.

Jack Fei  
1359 Sargent Ave  
St Paul, Mn 55105

## Richardson, Mike (CI-StPaul)

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**From:** Hoppe, Bruce <Bruce.Hoppe@PENTAIR.COM>  
**Sent:** Monday, April 06, 2015 2:06 PM  
**To:** Richardson, Mike (CI-StPaul)  
**Cc:** Tolbert, Chris (CI-StPaul)  
**Subject:** FW: Planning Commission Notice of a Public Hearing- New residential construction standards - relates to 555 Mount Curve  
**Attachments:** Res+Stds+ENS+Notice+PC\_With+RationaleRev01.pdf

Mike,

This notice indicted that you could be contacted with comments. For those of us living on Mount Curve Blvd in St. Paul, these new zoning code requirements come too late for our neighborhood, but they are a needed and welcomed response to a growing number of self-interested builders and home owners who are building massive unbecoming structures. In the case of 555 Mount Curve, the owner here came onto a very large inheritance and carelessly built a 3-story, flat-roof, contemporary looking skyscraper off the back of his 1950's colonial – more than doubling his previous modest structure. He consumed his entire back yard, blocking all line of sight from both sides. And of course the architect and builder in this case did not offer any voice of reason or appropriateness, nor did the owner convey his intentions to his neighbors. It is too bad that the City needs these common sense, proportional zoning laws to keep self-interested, self-consumed owners and builders from doing things that are not in the best interest of the overall neighborhood or City.

Thanks to the City for getting after these issues.

**Bruce Hoppe**  
Director of Business Development

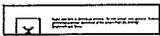
**Pentair Technical Solutions**  
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**From:** City of Saint Paul [mailto:cityofsaintpaul@public.govdelivery.com]  
**Sent:** Monday, April 06, 2015 8:19 AM  
**To:** Hoppe, Bruce  
**Subject:** Planning Commission Notice of a Public Hearing

The attached is a notice that the Saint Paul Planning Commission will hold a public hearing on Residential Standards Zoning Code Amendments, Friday, May 8, 2015. Thank you.

- [Res Stds ENS Notice PC\\_With RationaleRev01.pdf](#)



## Richardson, Mike (CI-StPaul)

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**From:** Tom Goldstein <tom\_goldstein@comcast.net>  
**Sent:** Wednesday, April 22, 2015 3:42 PM  
**To:** Richardson, Mike (CI-StPaul)  
**Cc:** 'Julie Reiter'; anne@unionparkdc.org  
**Subject:** Out of character homes in St. Paul  
**Attachments:** DSC02702.JPG; DSC02722.JPG

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mike:

You asked for comments about the proposed zoning changes that you presented to the Union Park District Council Land Use Committee on Monday night.

Pasted below is what I posted on Facebook last week, along with an earlier email response from Wendy Lane that was forwarded to the original complainant. This is precisely the kind of character-harming building that I don't think should be allowed in a neighborhood—at least not the one where this prefab was placed. As they say, a picture is worth a thousand words, so I'm adding some images of the place that shows the contrast with the surrounding properties.

I trust that my email will be added to the public comments regarding the proposed zoning changes, particularly since we don't know exactly what the new language means and whether a prefab home like this, which Wendy Lane says is permissible under the current code, would still be possible with the changes. Thanks.

Best,

Tom Goldstein

P.S. The contactor cut down a small boulevard tree so that they could unload the prefab house onto the lot. Is that permissible under the current code?

FB Post @ Historic Hamline Village

Think that the Hamline Midway neighborhood isn't being affected by teardowns of middle class homes with ugly substitutes in their place? Think again. Here are photos taken today of the mega-duplex built on a narrow but long lot at 742 Pascal Ave N. Notice how the prefab building towers over its neighbors, blocks out the sky, turns a backyard into a concrete pad, removes a tree from the boulevard, and has shoddy workmanship to boot (check out the dents in the vinyl siding along the roof line)?

Who owns 742 Pascal Ave N? An outfit called AAA North Properties LLC, located in New Brighton—yet another outside developer invading our community with a misfit building that is geared toward student housing at the expense of the neighborhood.

Here's an interesting reply from the city when a neighbor complained about the "ugly" building:

From: Lane, Wendy (CI-StPaul)  
Sent: Wednesday, November 05, 2014 3:59 PM  
To: Bauer, Kelly (CI-StPaul); #CI-StPaul\_Ward4  
Subject: RE: Ugly House

Kelly,

Yes, the structure is allowed. The address is 742 N. Pascal St. It is an up- and-down duplex with four bedrooms, two bathrooms and a study in each unit. Perhaps it is intended for student rental because it is so close to Hamline U.

The elevation plans are attached. The plans were found to be in compliance with all zoning regulations including the design standards in Sec. 63.110. Consequently, the permit for the building was approved. There is no standard regulating the attractiveness of the building.

Wendy Lane  
Zoning Administrator  
Department of Safety and Inspections  
375 Jackson St., Suite 220  
Saint Paul, MN 55101  
P: 651-266-9081  
[wendy.lane@ci.stpaul.mn.us](mailto:wendy.lane@ci.stpaul.mn.us)  
Making Saint Paul the Most Livable City in America

From: Bauer, Kelly (CI-StPaul)  
Sent: Friday, October 31, 2014 3:08 PM  
To: #CI-StPaul\_Ward4; Lane, Wendy (CI-StPaul)  
Subject: Ugly House

Wendy,

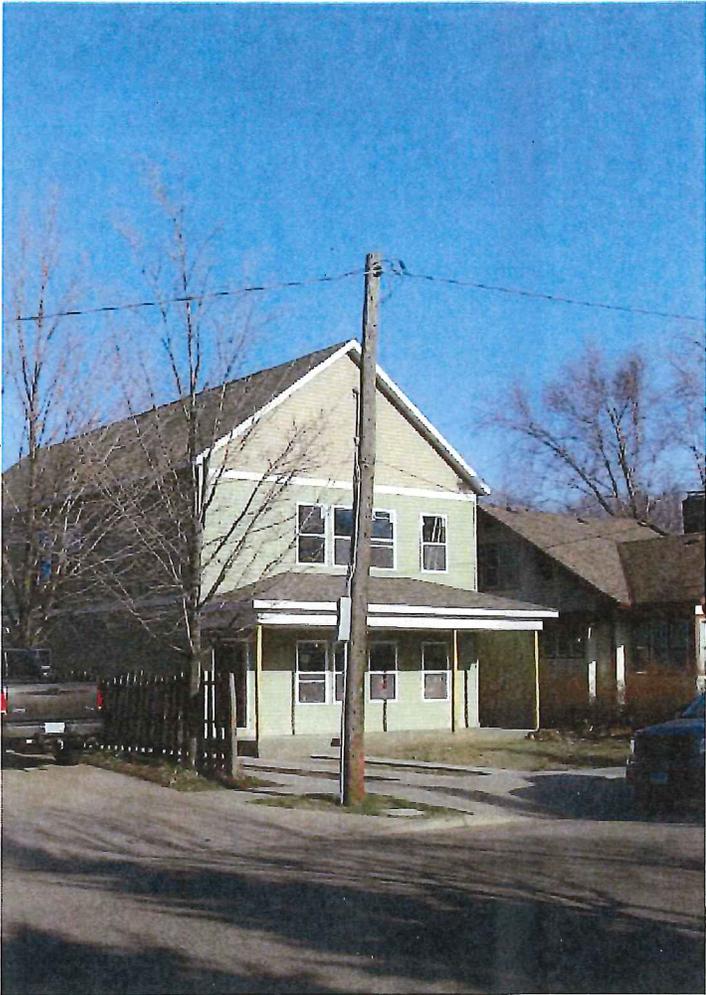
Can you give us any insight to this issue below? Thank you in advance. Kelly

"Someone called wondering about the zoning laws that allow for putting up ugly houses. There is a modular home by HU on Pascal between Englewood & Minnehaha that is ugly, ruining everyone's property value, and really changing the look of the neighborhood. It's a "Huge Monstrosity".

The Developer bought the lot on City Auction about a year ago. Is this structure allowed?"

\*\*\*\*\*

1399 Sherburne Ave  
St. Paul, MN 55104  
651.644.8558



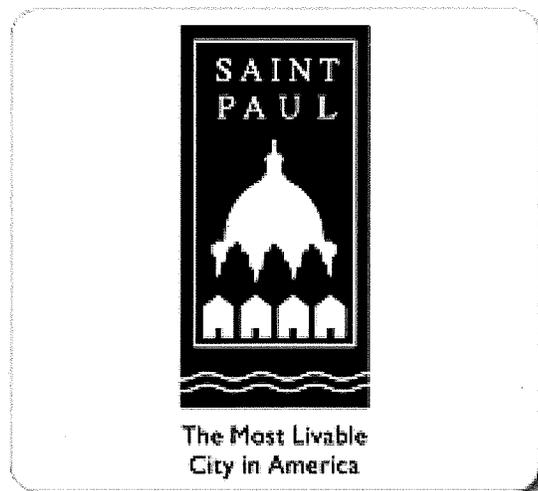


# Residential Zoning Standards

*What do you think of the proposed residential design and dimensional requirements for new construction?*

All On Forum Statements sorted chronologically

As of April 29, 2015, 3:02 PM



*As with any public comment process, participation in Open Saint Paul is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.*

# Residential Zoning Standards

*What do you think of the proposed residential design and dimensional requirements for new construction?*

As of April 29, 2015, 3:02 PM, this forum had:

Attendees:	78
On Forum Statements:	4
All Statements:	7
Minutes of Public Comment:	21

This topic started on April 7, 2015, 8:54 AM.

## Residential Zoning Standards

What do you think of the proposed residential design and dimensional requirements for new construction?

Geneviève Marault inside Ward 1

April 24, 2015, 1:55 PM

We are lucky in St. Paul, to have such a plethora (a treasure!) of wonderful, classic American residential architecture from all economic strata going back more than 160 years. That's rare in most of the US.

And what a joy to walk, bike, or drive down our streets, enjoying the look and feel of those various homes and blocks. Who doesn't love that? And then you come upon a house that someone's remodeled into a lot-crowding, 3-story monster. Although it may look fine elsewhere, it's aesthetically shocking where it is. That kind of "improvement" is unnecessary and throws off the balance of the whole block. Worse than that is when you know a lovely little house once stood there but was demolished to construct something much bigger, incongruous, and less sustainable. I can understand the need for more room and the desire to stay at the same address, but when you're part of a whole you have to consider how your changes will affect the whole. (If you want something bigger, maybe it's time to move to a bigger house that's in an area of bigger houses.) We're all in this together, and we're in it for the long haul. If folks aren't willing to have that consideration on their own, then we need zoning requirements.

Designated or not, I think all of our homes are historic---families and neighbors have most of their personal history there, sometimes for generations in the same home or area. There are emotional as well as environmental and aesthetic reasons for maintaining our neighborhoods in the sizes and styles they were built. And who's to say that 10, 20, 50 years from now some of those old homes won't be lauded as the childhood homes of famous doctors, inventors, jurists, artists, athletes, and others?

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Monica Iammatteo inside Ward 2

April 14, 2015, 3:51 PM

Hi! I have lived in different parts of St. Paul for over 20 years. The reason I love St. Paul is because of all the older homes with great charm. It breaks my heart to see the tearing down and rebuilding bigger. This has been prevalent in the Mac-Groveland area lately. This takes away the history we have here. There is a big difference between "remodeling" & "remuddling". There needs to be consistency in the architecture to unify the neighborhoods. I am all for setting a limitation on sizes of newer builds and also making them blend in with other homes in the vicinity. Thank you!

1 Supporter

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Sara Geneva Noreau Kerr inside Ward 3

April 13, 2015, 10:22 PM

I have no interest in living in the shade of a giant house 3 feet from my property line.

But I think dictating character is unfair. This is not a historic district. These homes -- mine included -- were built to serve a purpose: providing shelter for families. They were designed and built with the knowledge and abilities of their era.

I agree that height, setback, and the percentage of land occupied by a home (floor area ratio) should be managed. At the very least, the FAR could be minimally increased but not within 10 feet of property lines, nor

## Residential Zoning Standards

What do you think of the proposed residential design and dimensional requirements for new construction?

more than 25% taller. In other words, I don't mind houses of similar size regardless of their design.

1 Supporter

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Pat Lindgren inside Ward 1

April 9, 2015, 4:48 PM

How can I tell you what I think of the design standards when I have followed every link and have not found any actual design standards anywhere? Please post up the actual proposed design standards.

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**CITY OF SAINT PAUL**  
*Christopher B. Coleman, Mayor*

*25 West Fourth Street  
Saint Paul, MN 55102*

*Telephone: 651-266-6565  
Facsimile: 651-266-6549*

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**DATE:** March 26, 2015  
**TO:** Planning Commission  
**FROM:** Neighborhood and Comprehensive Planning Committees  
**SUBJECT:** Residential Design Standards Zoning Study – Committee Recommendation

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### **Background**

On August 6, 2014, City Council passed Resolution 14-1324 initiating a zoning study to review current design standards in Ward 3 as they relate to the construction and remodeling of single-family homes in the R1-R4 zoning districts. The study was initiated in response to a concern that the height and scale of recent single-family home construction is out of character with the surrounding established neighborhood.

On March 13, 2015, staff presented a report and recommendations to the Planning Commission intended to prevent future construction that is inconsistent with the existing character of the residential areas of Ward 3. Based on the discussion that followed, the Planning Commission determined that it was appropriate to consider residential standards that would apply city-wide. The Commission requested that staff assemble draft language and additional considerations for city-wide application of new standards.

Following a discussion of those recommendations at a March 24, 2015 joint meeting of the Neighborhood and Comprehensive Planning Committees, a motion was passed to recommend that the Planning Commission release only city-wide recommendations for public review. Since the proposed amendments aim to accomplish the same goals established in the Ward 3 recommendations and do so in a similar manner, the joint committee hopes that discussion and public input will guide the most pragmatic direction forward, whether it is through city-wide or localized changes. The committee is aware of the urgency felt among residents of Ward 3 to move any proposed amendments forward and does not intend to unduly delay any proposed changes.

The city-wide recommendations presented here rely heavily on the work that was done during the Ward 3 study and reflect the concerns and conclusions established during that process. While many of the recommendations put forward here were considered in terms of application across all single-family residential neighborhoods in the city, additional testing and outreach is necessary to fully vet these recommendations and their suitability beyond Ward 3.

## Issue

The physical character of some recent single-family home construction differs from the existing housing stock. Differences in the scale of homes can lead to a sense that these changes are altering the character of the surrounding neighborhoods. While these homes are built within the limits of the zoning code, the Saint Paul Comprehensive Plan and many district plans emphasize the importance of maintaining the character of established neighborhoods. A conflict emerges when some of the new construction is out of character, yet is in conformance with the zoning code. Striking a balance between neighborhood change and reinvestment in the city's housing stock is important and difficult.

A source of conflict is the degree of regulation appropriate to control the physical characteristics of new housing. Many existing residents want more restrictions, while architects and people building new houses and additions to homes often want less. Among all stakeholders, however, there are a number of points upon which all agree – supporting some degree of stylistic and dimensional variety on block faces, the need to address drainage concerns, and the benefits of living in a neighborhood with quality housing stock and access to amenities such as commercial areas, transit options, and cultural institutions.

There is also a demand for larger homes among new and existing residents, especially families. However, the built-up urban context limits the size of structures that it can support due to established lot sizes and existing patterns of development. An evolution of all residential areas of the city is inevitable; the trajectory of this evolution is shaped in part by the zoning ordinance.

## Definitions

The following is a short list of terms that will appear throughout this report, along with definitions specific to the context of the residential standards.

**Density:** Generally, density is the amount of development within a given area. In residential areas, it is usually expressed as dwelling units per acre (du/acre) or people per acre. In the context of this discussion, there is a distinction between the density of people and spatial density. While there may be a slight increase in “people” density due to changes in size of homes and accessory structures, the number of dwelling units per acre will remain relatively constant. However, with an increase in the size of houses combined with a constant area on which they are located, there is an increase in the spatial density of the neighborhood. In other words, there is more structural volume within the same space of the neighborhood.

**Building Height:** (*from Zoning Code § 60.203. B*) The vertical distance measured from the established grade to the highest point of the roof surface for flat and shed roofs; to the break line of mansard roofs; and to the average height between eaves and ridge for gable, gambrel, and hip roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall. The existing grade of the property shall not be raised around a new building or foundation in order to comply with the height requirements of this code. When there is a dormer built into the roof, the height is measured to the midpoint of the dormer roof if the dormer(s) roof width exceeds fifty (50) percent or more of the building roof width on the side where the dormer(s) is located.

Story: (from Zoning Code § 60.220. S) That part of a building, except a mezzanine, as defined herein, included between the surface of one (1) floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall not be counted as a story.

Floor Area Ratio (FAR): (from Zoning Code § 60.207. F) The total floor area of all buildings or structures on a zoning lot divided by the area of said lot.

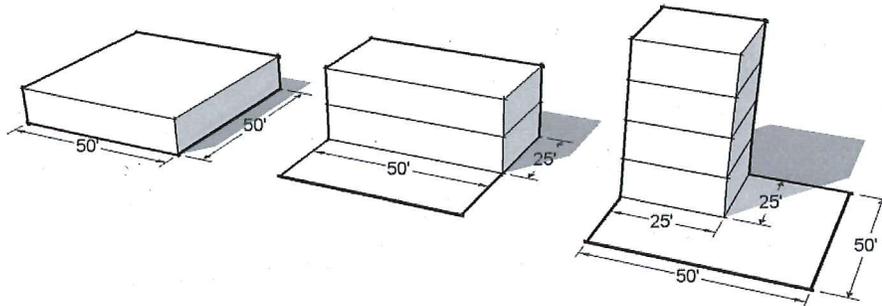


Figure 1 - Floor Area Ratio (FAR). All examples have a FAR of 1.0. (Source: City of Winnipeg)

Character: The definition of the term “character” presents challenges for this study. Many policy documents call for maintaining it, though none clearly define what it means. Though not explicitly defined in the zoning code, there are references to the term in our ordinance. From these references (74.87, 74.36), we can understand character as the assemblage of elements that make up the distinguishing features of the buildings and environment.

Teardown: In this report, teardown will refer either to the act of demolishing a building to the foundation (or including the foundation), or the building that is bought solely for the purpose of demolishing. In the course of discussion with various stakeholders, the term teardown has sometimes been used to describe the home that replaces the one that has been demolished. This is *not* the way the term will be used here.

Permit Activity

Total construction activity in the last five years has been relatively steady in both Ward 3 and in the city as a whole. Data for 2014 includes activity through November 14, 2014.

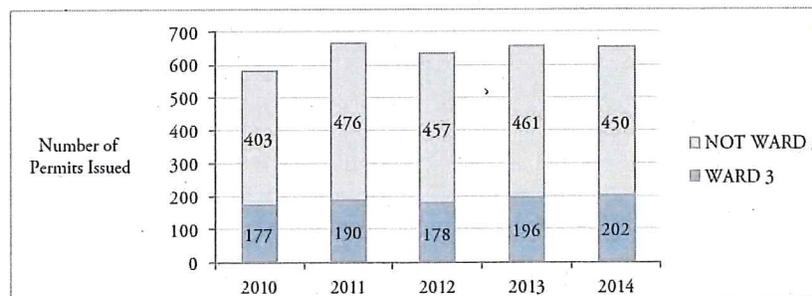


Figure 2 - Total SF Residential Permit Activity, 2010-2014. Includes new home construction, additions, new accessory structures, and additions to accessory structures. (Source: City of St. Paul)

New home construction has increased significantly city-wide, but remained fairly constant in Ward 3.

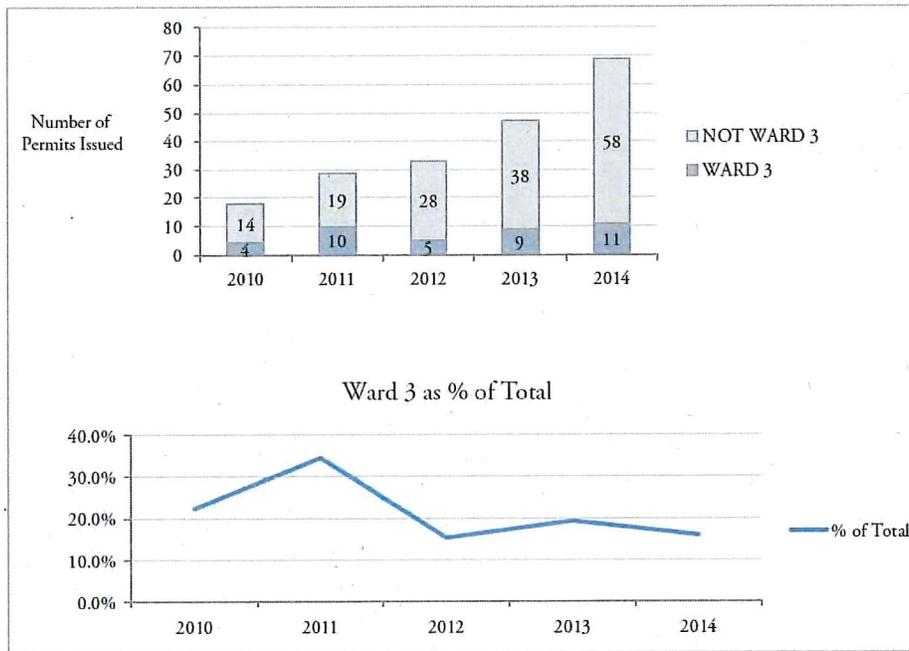


Figure 3 - New SF Residential Permit Activity, 2010-2014. (Source: City of St. Paul)

The total number of additions to single family homes has decreased somewhat in the last two years across the city as a whole, though activity in Ward 3 has remained relatively constant. It is significant to note the number of permits for additions (1285 over the five-year period) compared to the number of permits issued for new home construction (196 over the same period).

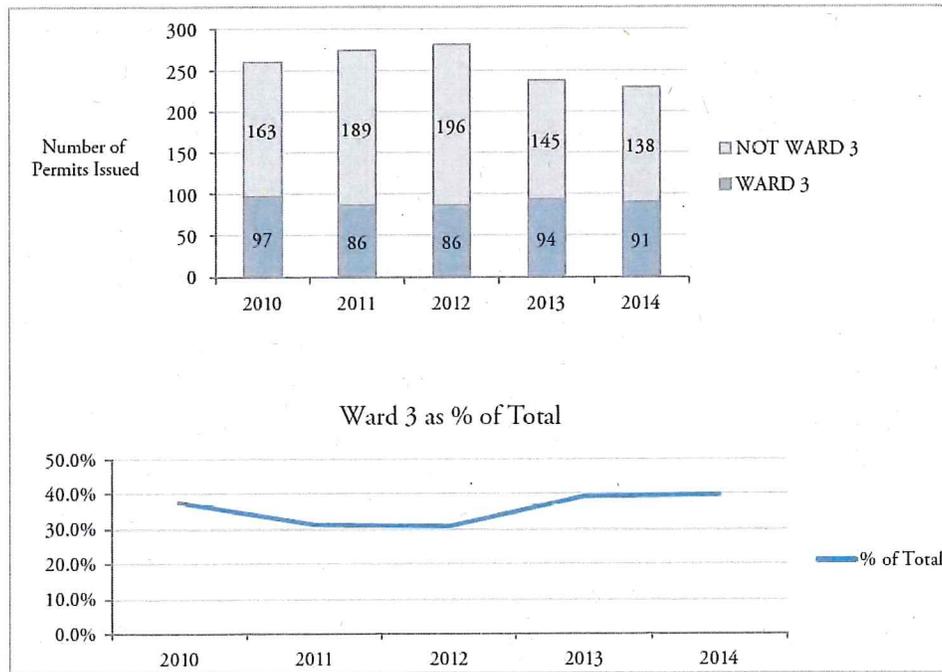


Figure 4 - SF Residential Addition Permit Activity, 2010-2014. (Source: City of St. Paul)

Accessory buildings are significant due to lot coverage requirements and the impact they have on the built environment, especially as they impact neighbors. There are a significant number of new accessory building permits issued (~330 per year). Annual permit numbers have remained relatively constant for the last five years.

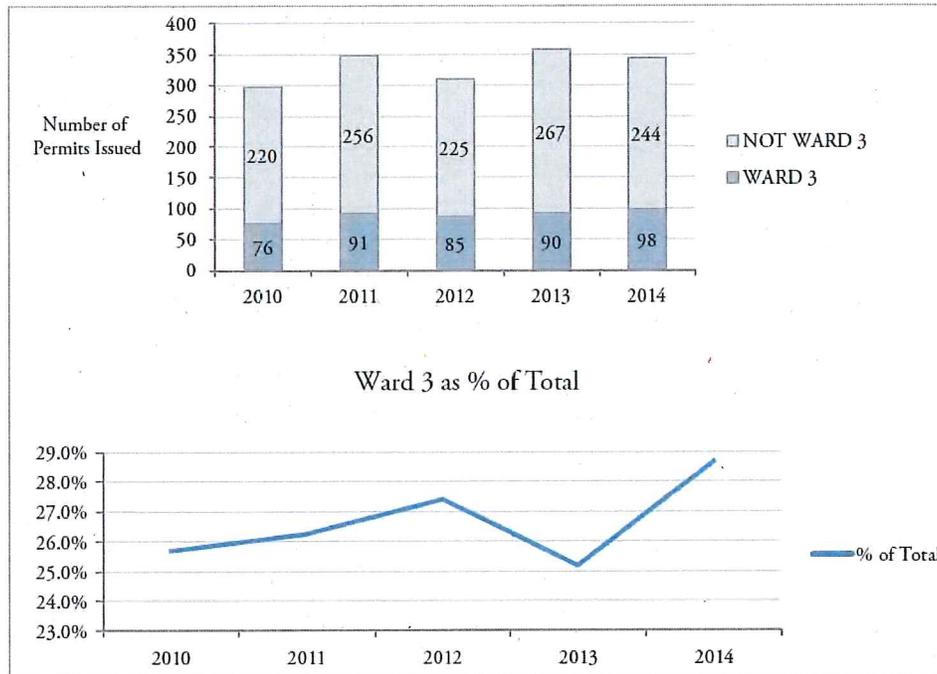


Figure 5 - New Accessory Building Permit Activity, 2010-2014. (Source: City of St. Paul)

There are two main takeaways from this information. First, the number of additions is far greater than the number of new homes (by a factor of eight). Since projects categorized as additions potentially have a significant impact on the appearance of the structure, any recommendations should have the same effect on additions as they do on new construction. Second, the general stability in the level of activity combined with the recent increase in the urgency and volume of complaints in southwest Saint Paul suggests that there is a problem with the type of construction, not necessarily level of activity.

#### Policy Support

As noted earlier, Comprehensive and District Plan policies support maintaining the character of residential districts. Relevant policies are included in the attachment "Policy Support Materials." Please note that this attachment does not include excerpts from District Plans other than Districts 14 and 15 due to time constraints. A few specific policies from the Comprehensive Plan are highlighted here:

*LU 1.5 Identify residential areas where single-family, duplex housing, and small multi-family housing predominate as Established Neighborhoods (see Figure LU-B). The City should **maintain the character** of Established Neighborhoods.*

*LU 3.4 Prepare citywide infill housing design standards so that infill housing **fits within the context of existing neighborhoods and is compatible** with the prevailing pattern of development.*

*H 2.17. Support creativity in the construction of neighborhood infill housing by proactively developing zoning and design guidelines. Develop, with broad public input, citywide infill housing design standards so that infill housing **fits well within the existing Saint Paul neighborhood context...***

The delicate nature of balancing interests can be seen in the language of H 2.17, which supports creativity in construction, while at the same time suggests the development of standards that encourage conformity with the existing context.

#### How We Got Here

In 2008-2009, action was taken to review city-wide residential zoning requirements in response to an increase in the number of homes that supposedly detracted from neighborhood character. The primary items addressed in an interim ordinance and permanent design standards that followed were:

- Ensure a clear relationship between front door and street
- Minimum door and window openings
- Garages and surface parking must be off an alley if possible
- Detailed position and dimension of the garage as it relates to the house
- Driveway width

An item in the interim standards that was not in the permanent standards was a stipulation that new development should relate to the design of adjacent traditional buildings in scale and character. This was criticized as being too subjective, potentially restricting creativity and investment that could be beneficial to the neighborhood. While the standards that were adopted in 2009 addressed significant residential design concerns, they were not intended to address building scale and dimensions.

#### Review of Existing Regulations

Current regulations that relate to residential standards are found throughout the zoning code. Chapter 60 contains definitions for terms such as building height and lot coverage. Chapter 63 contains building design standards (*Sec. 63.110*) that address entry location, window and door opening minimums, and building materials. It also addresses accessory building requirements (*Sec. 63.501*). The District Uses/Density and Dimensional Standards describe the intent and what uses are allowed in each zoning district. Section 66.231 contains dimensional standards in a table with lot size and setback minimums, height maximums, and relevant notes. These dimensional standards are applied city-wide, with the exception of note (k), which is specific to Grand Avenue.

#### Public Input

An extensive public engagement effort was undertaken for the Ward 3 residential standards study. Staff met with the Macalester-Groveland Housing and Land Use committee and the Highland Community Development Committee at two different times to discuss the study and gather feedback during the drafting process. A question and answer period regarding the proposed amendments for Ward 3-specific changes was held during a Highland committee meeting on March 18. Staff also met with focus groups of architects and realtors to discuss the study, gather feedback, and answer questions. Four different builders who do work in the area hosted staff in their offices and provided comments.

Much of the input received during the Ward 3 engagement process is relevant to any potential city-wide changes. For the most part, input from architects, builders, and realtors addresses issues of scale and massing in general terms, and not specifically as they relate to the southwestern part of the city. The most variability in input would likely be from residents in other areas of the city and neighborhood-specific concerns. Without an accurate sense of the degree and extent of issue in other wards, it is difficult to anticipate the amount and level of engagement that will be suitable to vet proposed recommendations with residents and District Councils. It is possible that other areas of the city do not share the concerns voiced thus far in Ward 3 and may be opposed to more restrictive standards.

### Precedents

#### *Minneapolis*

Minneapolis has worked in recent years to address similar issues regarding new construction that is out of character with surrounding context, particularly the southwest corner of the city. There have been three major zoning changes affecting residential development in the last ten years. In 2005, new site plan review standards were adopted. From 2006-2007, an infill housing text amendment was developed and adopted that reduced the maximum size of the structure, better controlled grade alterations, and reduced hard cover on the lot. In the summer of 2014, additional standards were adopted that further refined the recent changes. Methods to govern new residential construction include:

- Floor Area Ratio (FAR) limits
- Defining grade in context of new construction
- Maximum lot coverage for all buildings
- Allow larger homes if context is consistent in scale
- Height limit, with maximum for ridge
- Point-based site plan review in which certain attributes have certain point values; a minimum point total is required for approval

#### *Edina*

Edina has experienced a significant amount of construction activity, including teardowns and additions, in recent years. In reaction to the changes experienced in residential neighborhoods, amendments to the zoning code were considered and adopted in 2013. Amended residential standards include:

- Graduated interior side yard setbacks based on lot width
- Specified setback distances for various accessory structures
- Height limits for principal structures based on the number of stories and to highest point on roof
- Height limits for accessory structures
- Sidewall articulation for principal structures with side walls of a certain length; allows two permitted architectural elements to count towards this requirement

#### *Portland*

Portland experienced an increase in the construction of large homes during the mid-2000s, but the activity stalled during the recession. In the last few years, however, there has been increased pressure to build larger homes again. Similar to Saint Paul, many of the lots that were platted in the first half of

the 20<sup>th</sup> Century are quite narrow. The city of Portland has recognized the potential incompatibility of large homes on small lots and developed code with the stated purpose of “increas[ing] the compatibility of new houses on small and narrow lots.” The standards include:

- Height limits based on the width of the structure
- Maximum lot coverage for all buildings – simple percentage for very small lots, formula for others
- Limit height of entrance based on distance from grade
- Exterior material standards
- Trim width minimum
- Minimum eave projection

### *Salt Lake City*

During a period of intense new construction activity in the mid-2000s, Salt Lake City reacted to the construction of new homes that are out of character with the existing fabric of the neighborhood by modifying their residential zoning code. Similar to Saint Paul, their single-family residential zoning districts are based on the size of the zoning lot. While height limits are similar across the district types, side yard setbacks decrease with smaller lots. A summary of their residential standards are as follows:

- Height limit based on either maximum height of roof ridge or the average height of other principal buildings on the block face
- Height limit for buildings with a flat roof
- Maximum sidewall height limits with increases allowed with additional side yard space
- Additional building height allowed in historic districts with approval by review board
- Maximum total building coverage – higher percentage allowed on smaller lots

### **Analysis**

Based on input from stakeholders and information gathered from the data, there are a number of issues that emerge as particularly important.

#### Increasing Home Size

There is increasing pressure to build larger homes on lots that have remained the same size. As of the end of 2013, the average area for single family residential homes in Macalester-Groveland and Highland Park was 1,590 SF. The average area of homes in the same area built between 2005 and 2013 is 2,673 SF. This is an increase of 68% and results in homes that take up a much larger percentage of the available building area as compared to what occurred during the initial build out of the neighborhood. Many of the blocks in Ward 3 contain structures that were built within 15 years of each other (See Map 1 – *Age of Structures*). The example shown below shows a block in Ward 3 with all homes built prior to 1925. There are a couple of things to note about this example. First, while there are a number of homes that approach the side setback minimum, space between homes is generally greater than what is required. The importance of the space between structures was emphasized by residents, with many saying that the negative space between structures is key to defining the built environment. Second, note the variety in footprint shape and the small spaces that are created between buildings when there is

articulation in the exterior walls. Many new homes lack this degree of complexity of their footprint. Additional analysis would be required to determine applicable trends in home size and structural characteristics in other parts of the city.

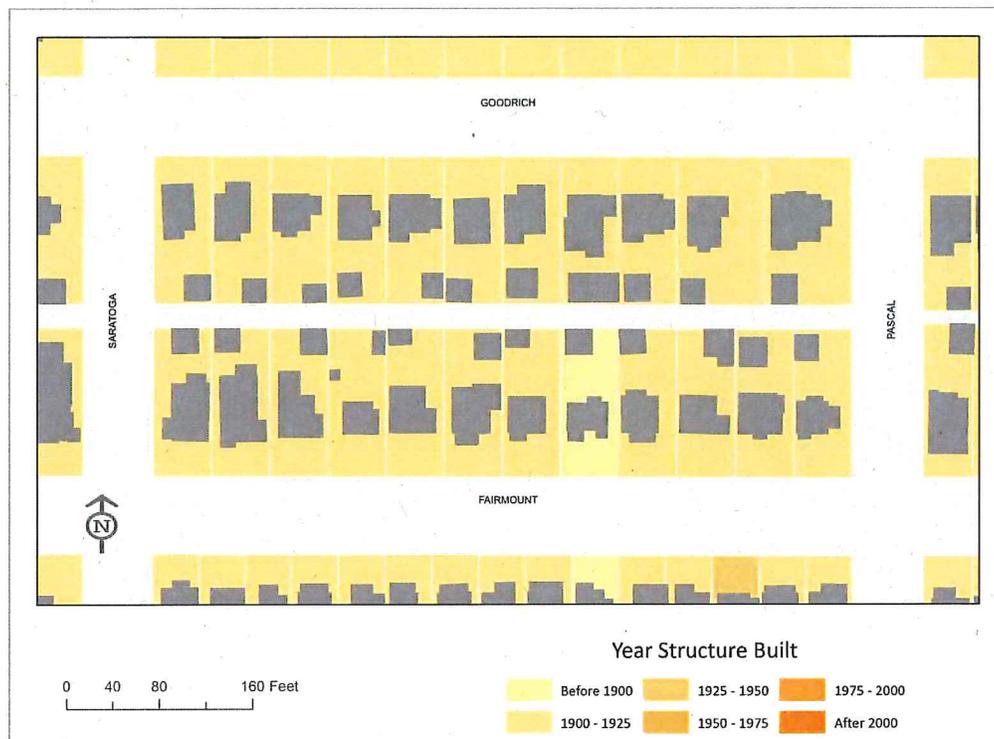


Figure 6 - A block in Ward 3. (Sources: Ramsey County and City of St. Paul)

### Character

As discussed earlier, the character of an area can be difficult to define. Residents of Ward 3 describe it in a variety of ways, including by architectural style, presence of vegetation, space between houses, walkability, the human scale of the built environment, and others. Residents were almost universal in their opinion that character occurs at a scale much smaller than that of an entire Ward and is defined rather at the block level. In response to this, and in consideration of potential zoning changes that would be based on character, a series of maps has been prepared to better understand the nature and grain of residential character. Although this discussion is based on input and analysis done for Ward 3, there are a number of takeaways that can be considered in a city-wide discussion.

For the most part, the maps demonstrate that although there are general trends based on certain physical characteristics, the variety is such that it is difficult to assign character “identities” to specific areas. For example, in Map 2 – *Exterior Materials*, there is a predominance of stucco finish in the northern half of Ward 3 and a significant amount of siding and brick in the south. However, there are multiple other exterior materials peppered throughout both of these areas. The same phenomenon can be seen in Map 3 – *Home Styles*.

The other three maps address home size through *Square Footage* (Map 4), *Floor Area Ratio* (Map 5), and *Lot Coverage* (Map 6). These maps show similar swaths of homes with certain dimensional characteristics. While it was important and relevant to explore ways of defining areas of the Ward 3 study area in terms of character, a similar analysis would likely not be helpful or necessary if city-wide residential zoning changes were pursued. Mapping certain physical characteristics supported the sense from residents that this area of the city is one defined by variety in styles and materials, yet did not provide clear guidance for policy decisions. If the City had dimensional data, mapping might be more revealing and helpful. However, limitations in data availability prevent large-scale analysis of height, setbacks, etc. Character can be described by attributes that occur at a range of scales, from dimensional attributes to architectural detailing. It is more appropriate for zoning studies such as this to address the former. Other policy tools, such as Historic Preservation Commission review in historic districts or conservation districts are potentially better suited to address the finer-grained elements of character.

### Mass, Height, and Style

When discussing issues of scale and character, it is helpful to consider some of the contributing elements individually. For this report, these elements are separated into mass, height, and style. Each will be discussed in terms of current policy that applies and alternative methods of regulation.

#### *Mass*

Building mass is more difficult to define than height and can be understood as the visual weight of the structure, and is a significant contributor to its character. Massing that is too great has been one of the primary concerns of residents, who have said that there has been an overall increase with recent construction. Massing is influenced by overall size, the complexity of the form, and permeability. Increasing the overall size of the structure not only increases the visual impact of structures, but also reduces the space between them. As form increases in complexity, the number of physical and visual breaks increases, generally reducing the physical and perceived massing. The permeability of the building refers to the number of openings present or perceived in the structure; as the permeability increases, the visual mass tends to decrease.

Current Saint Paul standards address massing through dimensional and building standards. The dimensional standards (*Sec. 66.231*) control the overall size, or building envelope, possible for various zoning districts. Building design standards (*Sec. 63.110*) currently require delineation of the entry using architectural means. For single-family residential buildings, there are also minimum percentages of window and door openings, which increase the permeability of the structure. Strategies to reduce the massing of a building include reducing the building envelope, increasing the openings, and requiring breaks in form.

Footprint is closely related to mass and refers to the area on a site covered by the structure(s). Complexity in the footprint translates to variety in the massing, since the complexity is extended vertically. When people say that homes are getting larger, they are referring to height, footprint, or both. Saint Paul zoning code currently addresses footprint through its lot coverage limits on principal residential (*Sec. 66.232*) and accessory structures (*Sec. 63.501*). Alternative methods to regulate the

footprint include setting maximum Floor Area Ratio (FAR) limits, as Minneapolis has recently done and as Saint Paul currently does for some commercial and traditional neighborhood districts. Additionally, lot coverage maximums that use the total footprint and the total lot size could be used, as is done in Portland, Salt Lake City, and Minneapolis. The impact of a larger footprint not only influences massing, but also has implications on stormwater runoff since a larger footprint results in less impervious surface into which water can infiltrate.

### *Height*

Although height contributes to the mass of the building, it is significant enough that it warrants separate discussion. Current Saint Paul zoning code limits height in single-family residential districts based on feet and number of stories. In R1-R4 zoning districts, the height limit is thirty feet and structures are limited to three stories. Building height is measured from grade to the highest point of the roof surface for flat and shed roofs, and to the average height between eaves and ridge for gable, gambrel, and hip roofs.

Alternate methods to regulate height include limiting the highest point of the roof, limiting the height based on nearby structures, limiting the height of exterior walls, and creating a maximum building envelope. Controlling the highest point of the roof establishes a maximum horizontal plane above which no new construction can surpass. As Saint Paul's code is currently written, the highest point will change depending on the roof pitch. Maximum ridge height limits can have the effect of encouraging shallow roof pitches. Limiting the height based on nearby structures, as is done in Salt Lake City, is a way to prevent drastic changes in height from one structure to the next. This method can temper the speed at which a neighborhood's physical character evolves. However, it is resource intensive for staff to process and results in homeowners having different building potential based on the size of the homes that happen to be nearby. Limiting the height of exterior walls has a direct impact on the adjacent property owners by regulating the size of the surface that faces their lot. Current construction methods and story heights affect the height of the sidewall. Prefabricated joists range between 18"-24" and typical story heights range between eight and ten feet in the homes observed in this zoning study. This differs from the homes built during most of the 20<sup>th</sup> Century, which had shorter story heights and 8"-10" joists. Creating a maximum building envelope establishes a volumetric limit for buildings, beyond which any part of the building could not extend.

Basement height has been addressed recently in Minneapolis, where a limit was placed on the height of the basement in the most recent series of code amendments. There may be site conditions for which a higher basement is appropriate, however, including a sloping site and a high water table. Although the foundation wall can affect the visual impact of the structure, the overall height limit of the structure or sidewalls has a greater influence on the scale of the building.

### *Style*

In the context of this report, style refers to architectural typologies of residential buildings, including details such as materials and other design attributes. While style contributes to the character of a building and a neighborhood, it is not addressed in Saint Paul's dimensional or building design standards. A number of residents have suggested using traditional architectural styles or eras of construction as the basis for residential standards. Standards based on style can be difficult to administer since a design review process must be put into place. This is currently done for projects that

fall within the areas governed by the Heritage Preservation Commission and the resources that go into those reviews are considerable. Generally, architects and City staff opposed style-based standards because they have a tendency to be overly restrictive and prevent the natural evolution of a neighborhood's physical identity.

There are a number of other ways that aesthetics can be addressed through zoning. The first is through materials requirements, which allow or prohibit certain exterior finishes. Requirements of this type are used in Saint Paul's current traditional neighborhood design standards. In residential areas, material requirements can be cost-prohibitive for a homeowner who wants to make alterations to a home and can limit design choices for an architect or builder. However, there are potential benefits related to sustainability and longevity of exterior materials. Another method of regulating style and aesthetics is through a point-based system, as is used in Minneapolis. Various architectural features are given certain point values, and an applicant must include enough features to hit a minimum point threshold. Based on comments from architects and builders, this method of regulation is only moderately successful. They assert that similar combinations of elements are required to achieve the minimum points required, and homes begin to look similar after enough have gone through the process. Finally, there is the possibility of allowing conservation districts. Conservation districts are typically areas within a neighborhood that have been identified as possessing certain characteristics unique to that area and have additional review requirements and procedures in place for new development. The appropriateness of conservation districts is beyond the scope of this report and would require considerable further study.

## **Related Issues Not Within Scope of Zoning Study**

### Sustainability

While beyond the scope of this zoning study, sustainability was brought up by many stakeholders as a topic that is very important to ensure efficiency and longevity of new and remodeled structures. Further investigation is recommended to examine policy options that will incentivize homeowners and developers to pursue efficient and durable structures. It should be noted MN Statute § 16B.62, Subd. 1 prevents a municipality from adopting provisions with the intent of "regulating components or systems of any residential structure that are different from any provision of the State Building Code."

### Demolitions/Teardowns

An issue that is closely related to residential construction, yet is also beyond the scope of this study is the issue of teardowns. Based on numerous interactions with residents over the past months, there is significant concern that demolition permits are given without enough consideration for the interests of the neighborhood. The main concerns are a loss of small housing stock for an aging population, the unnecessary waste of energy due to the loss of embodied energy in a functioning house and the energy required to replace it, and the divisions that are created among neighbors when unanticipated and sudden construction activity occurs. Currently, residents can enroll in the City's Early Notification System (ENS) to be notified when demo permits are issued. However, some also want a delay between when a permit is issued and when work can take place in order to give them an opportunity to share comments with the homeowner. Residents have suggested that teardowns be treated in a similar way as variances due to the impact that they have on the neighborhood.

## Recommendations

### General Approach

Based on a review of existing code and precedents from other cities, there are three basic approaches that could be taken to address the issue of residential standards: change limits, context-sensitive, design/style controls. Recommendations have to be impactful and substantive, while not being overly restrictive or costly to either a homeowner or the City in terms of resources required to administer new code. The diagrams below show the differences between the approaches. The orange bars represent the number of homes that possess some specific characteristic. There are many that fall in the middle, and there are fewer that are at the low or high extremes.

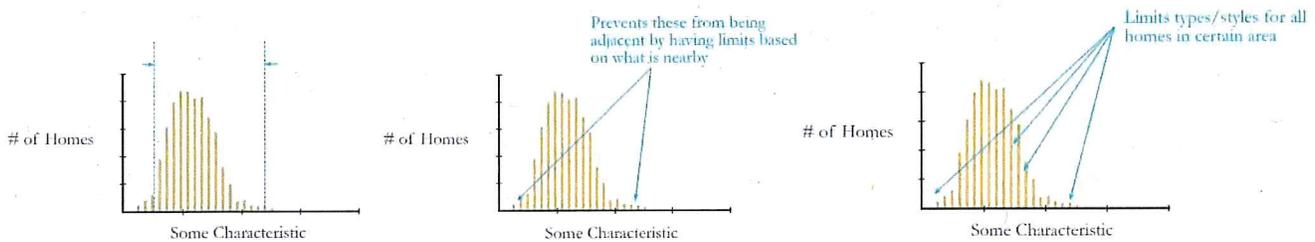


Figure 7 - Possible Approaches

The first approach is to adjust dimensional limits using a language similar to what already exists in our code. Changes would have the effect of adding additional constraints to the extremes of the characteristic. This method would be the most straightforward as it uses zoning controls that are familiar to the public and those who administer the code. It can, however, be a blunt tool that operates on a large scale.

The second approach takes into account conditions specific to the property and prevents characteristics that are too different from being next to each other. It is a finer-grained approach than the first, and is responsive to conditions, but can be costly to administer. Another consideration is that restrictions could be considered unreasonable or unfair. For example, if homes adjacent to a project are small enough, it could prevent a homeowner from expanding a half or full story. There is also a concern that a homeowner in one parcel would be able to build less or more than a homeowner two blocks away, simply because the neighbors have larger or smaller homes.

Finally, there are design or style controls. These would most likely be in the form of guidelines and would have to be evaluated through a design review process. The primary concerns with this approach are that it can be very costly to administer and a degree of subjectivity is introduced to the review process.

In considering these options, these recommendations largely fall into the first category, using language and processes similar to what exists in the code.

## Summary of Zoning Recommendations

These recommendations attempt to establish a balance between accommodating reinvestment that reflects a change in the living habits of single families and minimizing the negative effects of structures that are built to push the potential building envelope. They aim to modify the dimensional and proportional standards that directly impact the elements of character associated with privacy, light access, the rhythm of structures, and impact on adjacent property owners. This approach guided the recommendations for the Ward 3 standards and has not changed for the city-wide amendments proposed here.

The draft language for city-wide application presented in Attachment 1 addresses many of the same issues of scale and proportionality found in the Ward 3 zoning study recommendations. The majority of the proposed amendments are located in *Sec. 66.231, Density and dimensional standards table*. The logic behind many of the proposed changes is that impacts increase as larger structures approach the lot lines of adjacent properties. The proportionality of structure height to setback has been generalized in comparison to the Ward 3 proposal, and expanded to include all one-family residential districts. A summary of proposed changes is as follows:<sup>1</sup>

Recommendation	Not Present in City-wide	Same as Ward 3	Modified from Ward 3	New
Create overlay district	X			
Sidewall definitions	X			
Height reduction, increase with larger setback <sup>2</sup>			X	
Sidewall height limit <sup>3</sup>			X	
Sidewall articulation		X		
Total maximum lot coverage		X		
Greater height allowed if context supports it		X		
Height of new construction can match previous	X			
Require addition to adhere to opening minimums		X		
Exceptions for expansion in nonconforming areas		X		
Change in side setback requirement for RM1-RM3 multiple-family zoning districts				X
Reorganization of minimum lot size requirement for multiple-family dwellings				X
Simplification of <i>Sec. 66.231(a)</i>				X
Eliminate <i>Sec. 66.231(h)</i> regarding setbacks for permitted uses other than residential				X
Revise <i>Sec. 66.231(j)</i> regarding side yard setbacks for buildings over 50 feet in height				X

## Discussion

A general discussion of proposed city-wide amendments is provided here; discussion specific to individual recommendations can be found in Attachment 1.

<sup>1</sup> In this matrix, "same" refers to the language and not the location within the code. See Attachment 1 for specific location of proposed changes.

<sup>2</sup> This is accomplished in new, generalized language for height limits related to setback dimensions.

<sup>3</sup> Same as note 2.

Recommendations not included in the city-wide application are the creation of an overlay district, sidewall definitions, and an allowance for new construction to match the height of the previous structure. An overlay district is not necessary for zoning changes that would apply city-wide. Definitions regarding sidewall and sidewall height are not necessary because the proposed language allowing increased height dependent on setback distance addresses the issue without the need to specifically define that element of the building. The allowance for additional height if the previous structure was taller is eliminated. This is generally covered by the provision in *Sec. 62.105(a)* that “a legal nonconforming structure may continue, including through...replacement,” within one year. A question for consideration is whether the City should allow a nonconforming height to continue *and* allow the expansion of the footprint. This would require further discussion for the Ward 3 recommendations as well, and should include input from DSI as there are matters of interpretation to clarify. Currently, DSI allows for the replacement of a nonconforming structure if the setbacks and cubic content remain the same.

During Committee discussion regarding the allowance of higher buildings contingent upon contextual support, the appropriate distance for acquiring a sample size was debated. The Committee requested a map showing the proposed radius and how it would look overlaid on a typical block. The map is provided as Map 7 – *Sample Radius for Height Exception*. The proposed radius of 100 feet allows a sample of four to six homes across the street, four to six across the alley, and two to three homes on either side of the property.

There are a number of proposed amendments that aim to clarify the language of the code, but do not alter the intent. The rationale behind those changes is included in Attachment 1.

#### Alternative/Supplemental Solutions to Augment Code Changes

There are a number of additional possible efforts that could serve to augment the code and have a positive effect on maintaining the character of established neighborhoods. The first is advocating for an awards program that recognizes homeowners and designers for building projects that fit well in the neighborhood. A precedent for this is the BLEND Awards in Minneapolis, which has been in place since 2007. Second is the creation of a design advisory service, which consists of a short consultation period for homeowners interested in remodeling or building new. Saint Louis Park partners with the American Institute of Architects (AIA) to provide a two-hour session for property owners to provide guidance on new projects. Finally, the City could develop a guidebook that lays out renovation or addition possibilities for homes types that are frequently altered. A document like this would serve as a resource for homeowners and give the City an opportunity to show options for alterations that maintain character.

#### **Committee Recommendation**

The Neighborhood and Comprehensive Planning Committees recommend that the Planning Commission release this study and proposed amendments for public review and schedule a public hearing for May 8, 2015. During the interim, the Committees recommend that staff evaluate the level and nature of construction activity in other parts of the city to identify areas to focus testing of recommendations against existing development. This information, along with input from residents and District Councils, will also help to determine outreach needs.

**Attachments**

1. Draft Language
2. Resolution 14-1324 v.2
3. Policy Support Materials
4. Maps

## Attachment 1 – Draft Language

[Rationale in brackets where applicable]

### Sec. 63.110. - Building design standards.

- (a) A primary entrance of principal structures shall be located...
- (b) For principal buildings, except industrial, production, processing, storage, public service and utility buildings, above grade window and door openings shall comprise at least fifteen (15) percent of the total area of exterior walls facing a public street or sidewalk. In addition, for new principal residential buildings, above grade window and door openings shall comprise at least ten (10) percent of the total area of all exterior walls. For buildings with a living area increase of at least one hundred and twenty (120) square feet, above grade window and door openings shall comprise at least ten (10) percent of the wall area added, or above grade window and door openings shall comprise at least ten (10) percent of the total area of all exterior walls. Windows in garage doors shall count as openings; the area of garage doors themselves shall not count as openings. For residential buildings, windows shall be clear or translucent. For nonresidential buildings, windows may be clear, translucent, or opaque.

[This recommendation would cause all elevations altered by additions conform to same rules for openings as new construction. Sec. 63.110 currently only applies to new principal residential buildings and to new elevations facing public streets. This would expand the minimum opening requirement to side and rear elevations for significant additions. While the draft language is written in a way to minimize additional review time by city staff, it will result in a slight increase in the number and complexity of reviews.]

- (c) In pedestrian-oriented commercial districts...

### 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)		Height Maximum		Yard Setbacks Minimum (feet)		
	Area (sq. ft.) (b)	Width (feet)	Stories	Feet	Front	Side	Rear
<b>RL</b> one-family large lot	21,780 (d)	80	3	30 (g),(l)	30 (g),(h)	10 (h)	25 (h)
<b>R1</b> one-family	9,600 (e)	80	3	30 (g),(l)	30 (g),(h)	10 (h)	25 (h)
<b>R2</b> one-family	7,200	60	3	<del>30</del> 28 (g),(l)	25 (g),(h)	8 (h)	25 (h)
<b>R3</b> one-family	6,000	50	3	<del>30</del> 26 (g),(l)	25 (g),(h)	6 (h)	25 (h)
<b>R4</b> one-family	5,000	40	3	<del>30</del> 24 (g),(l)	25 (g),(h)	4 (h)	25 (h)
<b>RT1</b> two-family (a)	3,000 (f)	25	3	40	25 (g),(h)	9 (h)	25 (h)
<b>RT2</b> townhouse (a)	2,500 (c),(f)	20	3	40	25 (g),(h)	9 (h),(i)	25 (h)
<b>RM1</b> multiple-family (a)	2,000 (c),(f)	n/a	3	40	25 (g),(h)	½ height 9 (h),(i)	25 (h),(i)
<b>RM2</b> multiple-family (a)	1,500 (c),(f),(k)	n/a	5 (k)	50 (k)	25 (g),(h)	½ height 9 (h),(i),(k)	25 (h),(i)
<b>RM3</b> multiple-family	800 (c)	n/a	no max.	no max.	25 (g),(h),(j)	9 (h),(i),(j)	25 (h); (i),(j)

n/a - not applicable

[The maximum height of buildings is reduced close to property lines in response to concerns that this is where building height has the most potential impact on adjacent property, and additional height is allowed with increased setback. RM side yard setback requirements are changed to 9 feet, consistent with the west Grand Avenue standard in (k). The reason for this articulated in the west Grand Avenue zoning study was that a 9 foot side yard setback is more consistent with existing building patterns in St. Paul, consistent with the 9 foot side yard setback requirement for buildings up to 40 feet high in the RT districts, and also consistent with the 18 foot separation requirement for apartment buildings on the same parcel. It was noted that without this change a townhouse in an RM2 district would have a greater side setback requirement than a townhouse in the lower density RT2 district.]

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 residential districts. RT1 two-family district dimensional standards shall apply when two-family dwellings are erected in less restrictive residential districts. ~~RM2 multiple family district dimensional standards shall apply when multiple family residential dwellings five (5) stories or less in height are constructed in an RM3 multiple family district.~~

[Table and footnote (j) language changed to make this sentence unnecessary.]

- (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 any existing structure be converted to a multiple-family dwelling, 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. ~~No multiple family dwelling shall be built, nor shall any existing structure be converted to a multiple family dwelling, on a lot that is less than nine thousand (9,000) square feet in area.~~

[There are two separate topics in (c). The last sentence is moved to be a separate first paragraph so it doesn't get missed.]

- (d) 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.
- (e) 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.
- (f) 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.
- (g) One (1) foot shall be added to the maximum building height per each one (1) foot a building or portion of a building is set back from the nearest side setback line.

[This directly addresses the issue that the impact of building height on adjacent property is inversely proportionate to the setback from adjacent property. Height limits would be lower closer to the property line, and would go up with greater setback from adjacent property. It would treat all one-family houses the same in all residential zoning districts.]

This is similar the building height standard that was in effect for much of St. Paul's development, from 1922 to 1975, when the most restrictive height limit was 40 feet plus 1 additional foot for each foot the building or a portion of it was set back from all lot lines. The difference is that for one-family houses in residential zoning districts the new standard would start at a much lower base height limit, and they would also have a three-story height limit.]

- (hg) 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 normal setback requirement in the district plus half the amount the average setback is greater than the normal setback requirement, whichever is less. Existing structures set back twenty (20) percent more or less than the average shall be discounted from the formula.

[Proposed amendments added for clarification.]

- ~~(h) For permitted and conditional principal uses allowed in residential districts other than residential uses, the front yard shall be equal to the front yard required for residential use and the side and rear yards shall be equal to one half the height of the building but in no instance less than the minimum requirements of the district in which said use is located.~~

[With permitted building height based on building setback, these standards can be simplified to treat buildings for permitted non-residential uses (day care, school, church, bed & breakfast residence) the same as residential buildings.]

- (i) 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.
- (j) For portions of a building over fifty (50) feet in height, the minimum front, side yard and rear setbacks shall be twenty five (25) ~~thirty (30)~~ feet or nine (9) feet plus one-half the building height over fifty (50) feet, whichever is less.

[This would treat portions of buildings in RM3 that are less than 50 feet high the same as in RM2, and require greater setbacks as height increases. This is more consistent with the urban form called for in the Comprehensive Plan for places RM3 might be used.]

- (k) 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:
- (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) Minimum side setbacks for multiple family residential dwellings shall be nine (9) feet; and~~
  - ~~(3)(4) The T2 design standards in section 66.343 shall apply.~~

- (l) Maximum building height can be exceeded if it can be demonstrated that more than fifty (50) percent of residential buildings within one hundred (100) feet of the property exceed the current maximum building height. The maximum building height may be the average of the single family residential building heights that exceed the maximum in the sample.

[This recommendation would generally apply to areas that have large, older homes where a tall home would not contrast with others in area. Although this recommendation is context-sensitive and would require additional resources to administer, the frequency of this situation would be minimal based on the properties that have been reviewed during the course of this study. Without a standard such as this, the others could prevent homes from achieving consistency of character by being overly restrictive in areas with uncharacteristically large homes. The Planning Commission could consider eliminating this proposed

amendment if it is determined that the proposed changes to height and proportionality standards are sufficient (height maximums in Table 66.231 and proposed note (g).]

(Code 1956, § 61.101; Ord. No. 16956, 9-9-82; Ord. No. 17039, 7-7-83; Ord. No. 17204, 1-15-85; Ord. No. 17524, § 19, 1-6-88; Ord. No. 17889, § 17, 11-21-91; C.F. No. 98-216, § 5, 4-8-98; Ord. 13-36, § 2, 6-26-13)

#### **Sec. 66.232. Maximum lot coverage.**

In residential districts, principal structures shall not cover more than thirty-five (35) percent of any zoning lot. The total lot coverage of all buildings, including accessory buildings, shall not exceed fifty (50) percent.

[Lot coverage limits for principal and accessory buildings are currently treated individually in the code (*Sec. 66.232* and *Sec. 63.501(f)*, respectively). This recommendation considers the total lot coverage of all structures on the parcel. Accessory structures are an important element of residential environment and contribute significantly to the bulk and spatial qualities of a property. With this recommendation, homeowners would not be able to maximize lot coverage for both primary and accessory structures on smaller lots, and would have to prioritize where they want to dedicate their space. Under current zoning limits that separate calculations for principal and accessory buildings (which would remain in effect), as the lot area decreases, the maximum lot coverage increases. This recommendation would have the most significant effect on lots in R4 zoning districts.]

#### **Sec. 66.234. Sidewall Articulation.**

Sidewall articulation is required for building faces that exceed thirty-five (35) feet in length. Articulation shall be in the form of a structural projection of at least one (1) foot in depth and six (6) feet in length, and must extend from grade to the eave.

[Long, unbroken building facades occur much more frequently in recent construction than they do in the majority of existing housing stock. This recommendation is intended to avoid the monotonous appearance of long unbroken building facades from streets or adjacent properties. There is a secondary effect of increased side yard space for structures longer than 35' since the setback would apply to the furthest extent of the wall. Closely related to this recommendation is *Sec. 63.106*, which allows for projections into yards. Chimneys and fireplaces may project one foot into a required yard. Overhangs, decorative details, and bay windows may project 16 inches into a required yard, with additional allowed depending on the dimension of the required side yard. An important consideration regarding this recommendation is that the outermost vertical plane of the architectural projection would have to adhere to the setback minimums and increase space in the side yard, where this is not the case for projections as defined in the existing code.

Compliance with this recommendation could be more costly for some additions or projects that make use of an existing foundation due to the constraints that the existing structure presents.

It is not the intent of this recommendation to be overly prescriptive when it comes to design; adherence to this recommendation could come in the form of an L- or T-shaped footprint, in which the "projection" is flush with the front or rear face of the building.]

**Sec. 62.105. Nonconforming structures with conforming uses.**

Nonconforming structures with conforming uses are subject to the following provisions:

- (b) A nonconforming structure may be physically expanded or altered so long as such expansion or alteration does not increase its nonconformity and the use in the expanded or altered area of the structure meets any zoning separation requirement. A structure with a nonconforming setback shall not be expanded horizontally or vertically within the setback area, with the exception that an addition to a single family dwelling or a conforming duplex may be built along an existing nonconforming side setback line providing:
- (1) The addition is on the back of the building or fills in a jog on the side of the building and does not alter the front façade unless a vertical addition does not create a building that exceeds the height of the nearest building on the adjoining property, and
  - (2) The footprint of the addition does not exceed 500 square feet, and
  - (3) The roof pitch on the front third of the building is not altered.

[The number of variance requests is anticipated to increase with additional zoning standards. The Department of Safety and Inspections (DSI) has received a significant number of variance requests related to the recently adopted *Sec. 62.105(b)*, which states that “*a structure with a nonconforming setback shall not be expanded horizontally or vertically within the setback area.*” The vast majority of those requests have been granted, primarily due to hardship arguments based on increased complication and cost to modify the structure to accommodate the ordinance. By allowing exceptions that allow for changes that do not have a significant impact on the surroundings, the number of variance requests would likely be decreased considerably. This recommendation may be more important if new city-wide setback and height requirements create additional nonconformities. The extent of this issue is uncertain.]



# City of Saint Paul

City Hall and Court House  
15 West Kellogg Boulevard  
Phone: 651-266-8560

## Legislation Text

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File #: RES 14-1324, Version: 2

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Initiating a zoning code study of the current dimensional and building design standards applicable to the new construction or remodeling of single-family homes located in R1- R4 zoning districts within the defined boundaries of Ward 3 set forth in the most recent ward boundary resolution adopted pursuant to City Charter § 4.01.2.

### AMENDED 8/6/14

WHEREAS, the Council of the City of Saint Paul finds that the zoning code's present dimensional and building design standards for single family homes have been adopted at various times and for various purposes in order to create uniform, city-wide standards; and

WHEREAS, within Ward 3, the City Council detects an increasing trend for newly built or remodeled homes to be constructed at heights and scales that comply with the dimensional and design standards of the zoning code yet may lack compatibility with the existing density, height and scale of adjacent homes; and

WHEREAS, it appears to the City Council that the zoning code's present dimensional and building design standards, which are applicable on a city-wide basis, may not be in keeping with the expressed goal of the land use and housing chapters of the City's Comprehensive Plan to maintain the character of the established neighborhoods, when those standards are applied within the established neighborhoods of Ward 3; and

WHEREAS, the City Council desires to maintain the character of Ward 3's established neighborhoods and wishes to undertake a limited zoning study to consider text amendments to the zoning code's city-wide dimensional and building design standards for single-family homes and recommend new density, height, scale, and aesthetic elements that would be applied only to Ward 3's established neighborhoods in order to encourage reinvestment in Ward 3's existing residential housing stock by providing opportunities for new or remodeled construction projects that are in harmony with the present character of Ward 3's established neighborhoods; now, be it

RESOLVED, pursuant to Minn. Stat. § 462.357, Subd. 4, the Council of the City of Saint Paul hereby refers to the planning commission for study, the possibility of amending Leg. Code § 66.231 ("density and dimensional standards"), Leg. Code § 63.110 ("building design standards"), and any other section of the zoning code deemed necessary by the commission as a result of its study, and to receive from the commission a report and recommendation regarding amendments to the zoning code sections stated herein or any other zoning code sections which, in the opinion of the commission, will facilitate the Council's intention to maintain the existing character of Ward 3's established neighborhoods; and be it

RESOLVED, that the City Council requests Planning Commission staff to complete their staff recommendation to the Commission by January 1, 2015 and provide this recommendation to the Planning Commission and the City Council (for informational purposes) at that time.

## POLICY SUPPORT MATERIALS

### Comprehensive Plan

#### **LU Strategy 1: Target Growth in Unique Neighborhoods**

*This strategy focuses on sustaining the character of Saint Paul's existing single-family neighborhoods while providing for the growth of mixed-use communities. New development in Neighborhood Centers, Corridors, the Central Corridor, and Downtown is intended to create communities where housing, employment, shopping, and community amenities, supported by transit, work together to provide for the needs of the people who live and work in them.*

##### **LU 1.5 Identify residential areas where single-family, duplex housing, and small multi-family housing predominate as Established Neighborhoods (see Figure LU-B).**

*The City should maintain the character of Established Neighborhoods.*

#### **LU Strategy 3: Promote Aesthetics and Development Standards**

*As Saint Paul continues to revitalize itself and to grow, it must be an attractive place to live, work, and visit. This strategy provides a framework for design and aesthetics that will engage people and help integrate the built environment into the community.*

##### **LU 3.4 Prepare citywide infill housing design standards so that infill housing fits within the context of existing neighborhoods and is compatible with the prevailing pattern of development.**

*The City Council has directed PED to study how new housing can be constructed and existing single-family houses can be renovated and remodeled to be compatible with the character of the surrounding neighborhood. The standards will establish a baseline for development on vacant infill lots.*

#### **Housing Strategy 2: Preserve and Promote Established Neighborhoods**

*Saint Paul has a unique mix of neighborhoods that consist of a diversity of people. The city is known as a high-quality place to live with an abundance of assets. The city boasts amenities such as...*

##### **H 2.17. Support creativity in the construction of neighborhood infill housing by proactively developing zoning and design guidelines.**

- a. *Develop, with broad public input, citywide infill housing design standards so that infill housing fits well within the existing Saint Paul neighborhood context. Neighborhood groups should be directly involved;*

### *Historic Preservation*

#### **Strategy 6: Preserve Areas with Unique Architectural, Urban, and Spatial Characteristics that Enhance the Character of the Built Environment**

*Historic preservation plays a critical role in defining the physical and visual character of Saint Paul. It is inextricably linked to community character, quality of life, and the sense of place in neighborhoods and commercial districts throughout the city. Policies under this strategy focus on maintaining and enhancing the traditional urban character and fabric of the city to create distinctive, vibrant places to live, work, and recreate.*

## ***Traditional Urban Fabric and Features***

### ***6.3. Explore the creation of neighborhood conservation districts.***

*In its broadest interpretation, conservation district planning speaks to the idea that the total environment—built and natural—is worthy of understanding and protection. In urban settings, conservation districts usually refer to the delineation of an area with a distinctive appearance, amenity, landscape, architecture, and/or history that does not easily fit into standard historic district frameworks. Neighborhood conservation districts are a tool to recognize and preserve the unique features of an area that, while they define the area's overall character, may not rise to the level of significance required for formal designation. Features and characteristics may include the size, scale, architectural character, and material found on buildings; the rhythm and spacing of structures; general visual character; and infrastructure. In conservation districts, development standards are typically less stringent than the design guidelines for historic districts, and they are customized to protect the unique characteristics of a particular neighborhood.*

## **Visual Character**

### **6.6. Assist neighborhoods in addressing design issues related to the retention and preservation of neighborhood character.**

- a. Partner with appropriate organizations to focus on educating the public on the significance of specific features and characteristics of a neighborhood and how to protect these features through appropriate maintenance and sympathetic alterations;

## District Plans

### *District 14 Macalester-Groveland*

#### **Land Use**

1. *Retain and improve upon the residential quality of the community*

#### **Housing**

7. *Maintain and preserve the district's current housing stock.*
8. *Maintain the single family character of the district.*
9. *Diversify housing to meet the needs of all income levels and lifestyles, such as empty nesters.*

#### **Urban Design**

34. *Develop design guidelines for residential and commercial development.*
35. *Encourage preservation and restoration of housing stock and commercial properties that are compatible with the character of the neighborhood.*
40. *Encourage new and replacement construction which would be compatible with neighborhood structures and setbacks.*

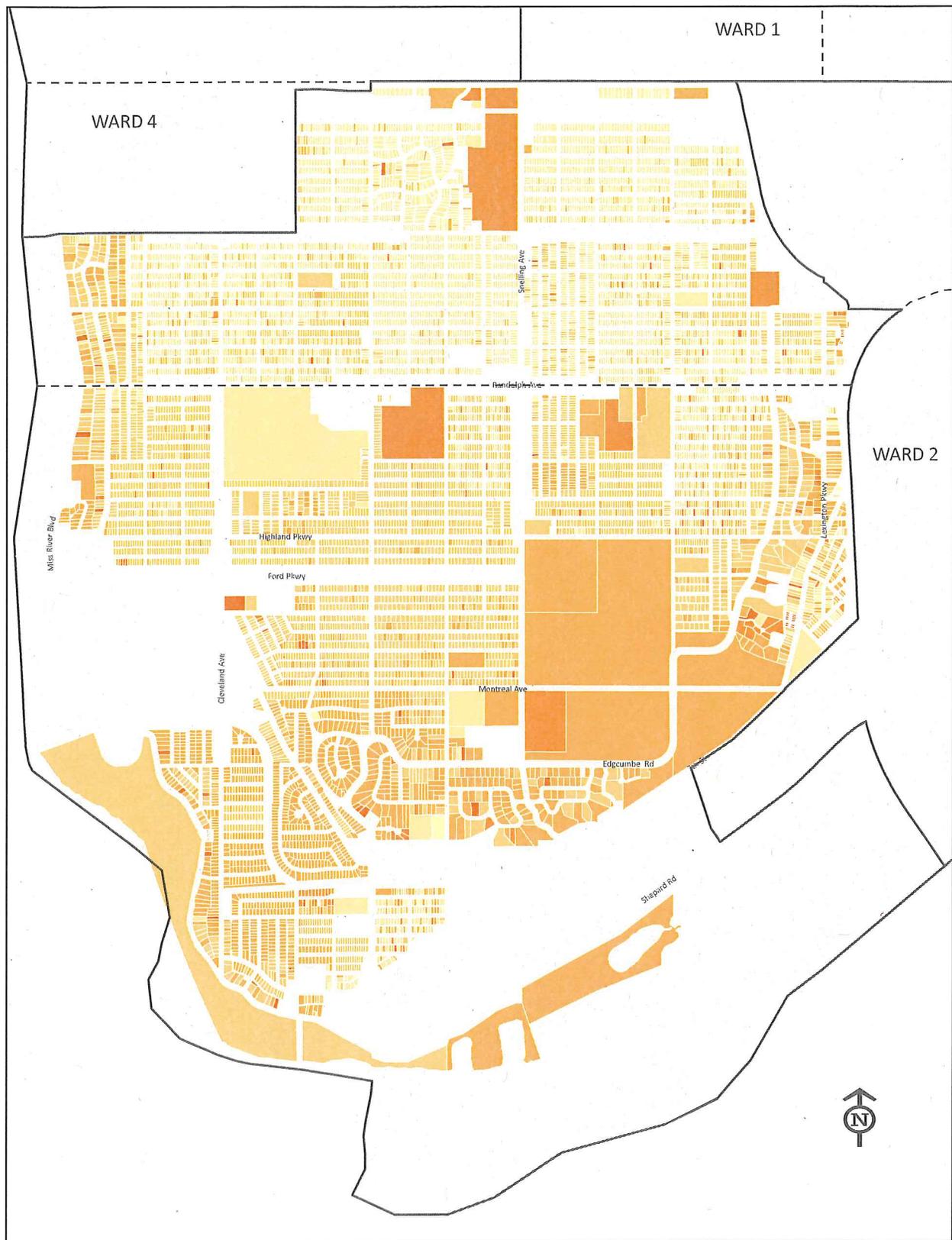
#### **Actions Requiring City Leadership**

10. *Develop design guidelines for residential and commercial development (District Council, PED, Design Center)*

### *District 15 Highland Park*

#### **Housing**

- 10) *Ensure that any redevelopment of the St. Gregory's site—or any future redevelopment in residential areas—is compatible with the character of the surrounding neighborhood*
- 13) *District 15 requests that the City implement architectural design standards to ensure that new residential construction is compatible with adjacent houses in scale, form and architectural design*



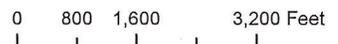
Map 1  
Age of Structures in Ward 3 Zoned R1-R4

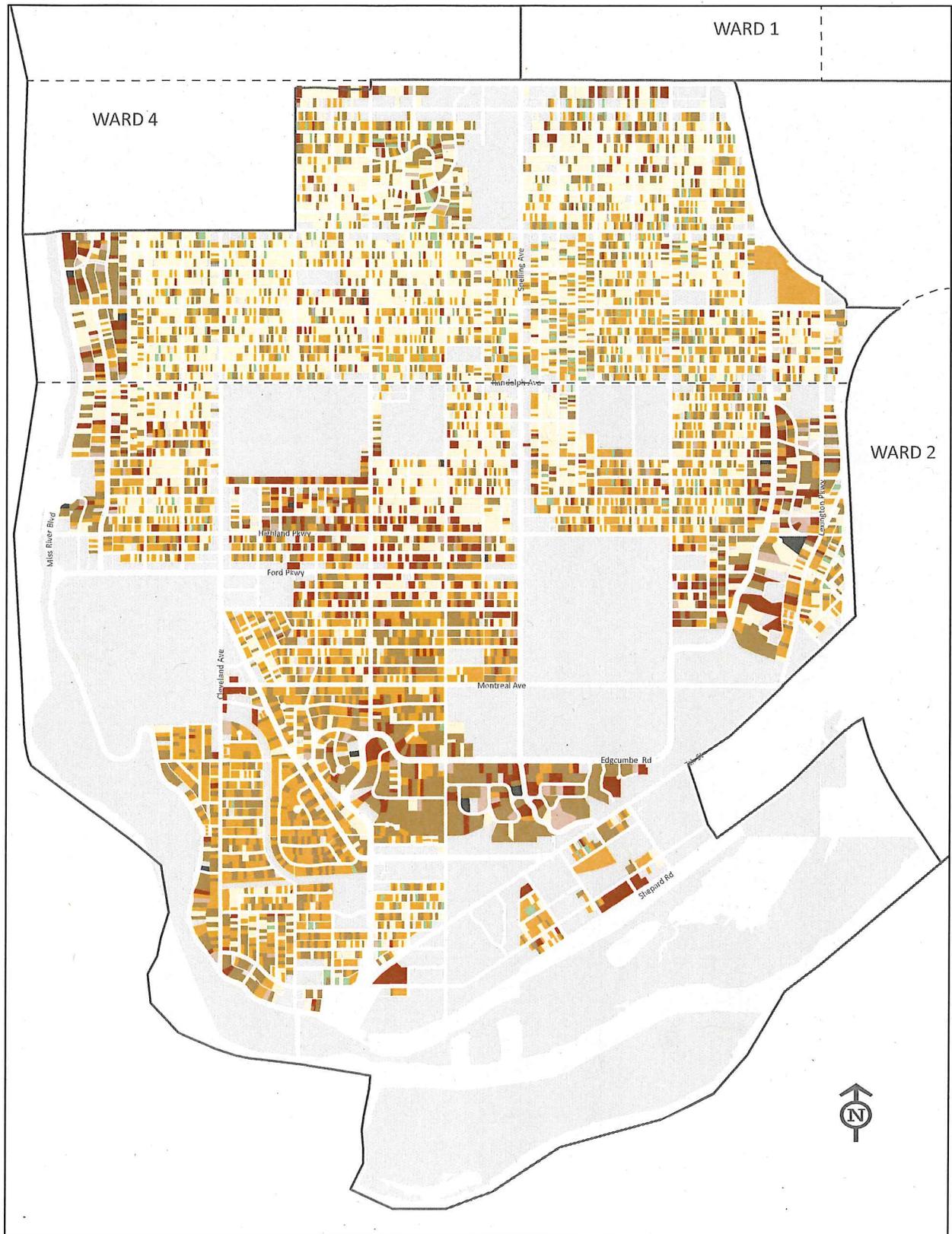
Source: Ramsey County and  
City of Saint Paul  
Date: 9/2014

Year Structure Built



- - - District Council Boundary





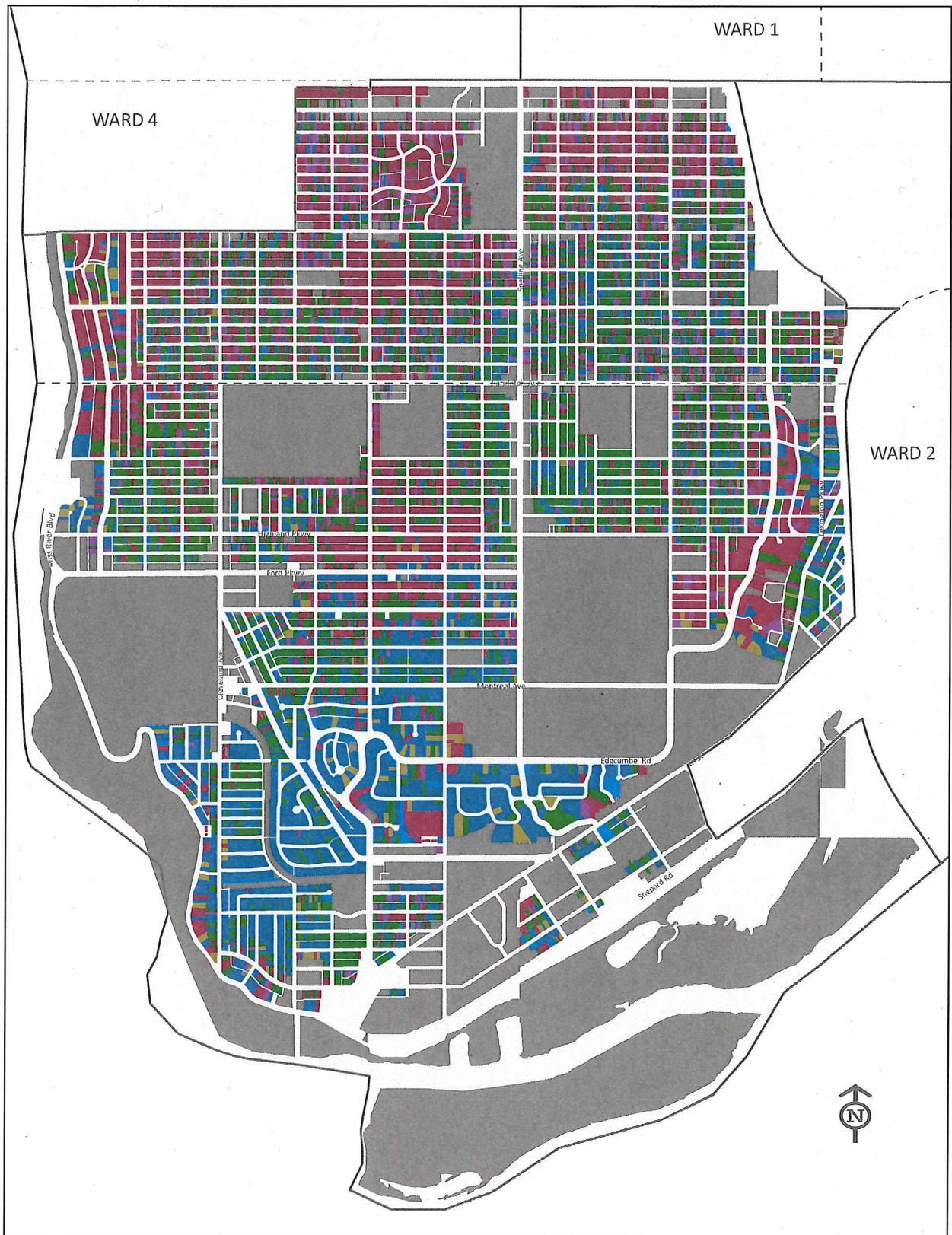
Map 2  
Exterior Materials In Ward 3

Exterior Materials



Source: Ramsey County and  
City of Saint Paul  
Date: 9/2014



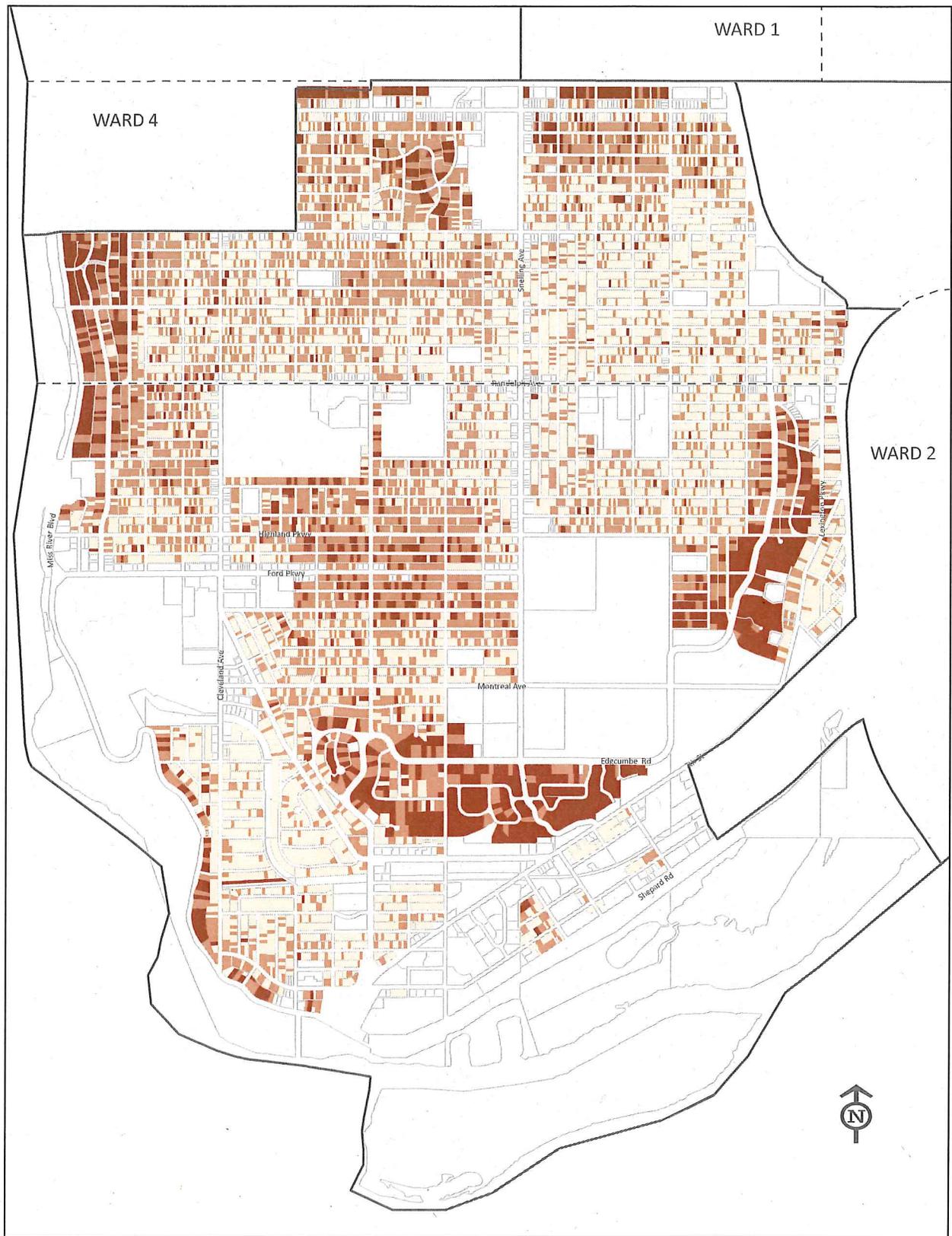


Home Styles

- |   |                   |   |                             |
|---|-------------------|---|-----------------------------|
|  | No Data           |  | Split/entry                 |
|  | Bungalow          |  | Split/level                 |
|  | One And 3/4 Story |  | Two Story                   |
|  | One Story         |  | District Council Boundaries |

Source: Ramsey County and  
City of Saint Paul  
Date: 9/2014

0 800 1,600 3,200 Feet



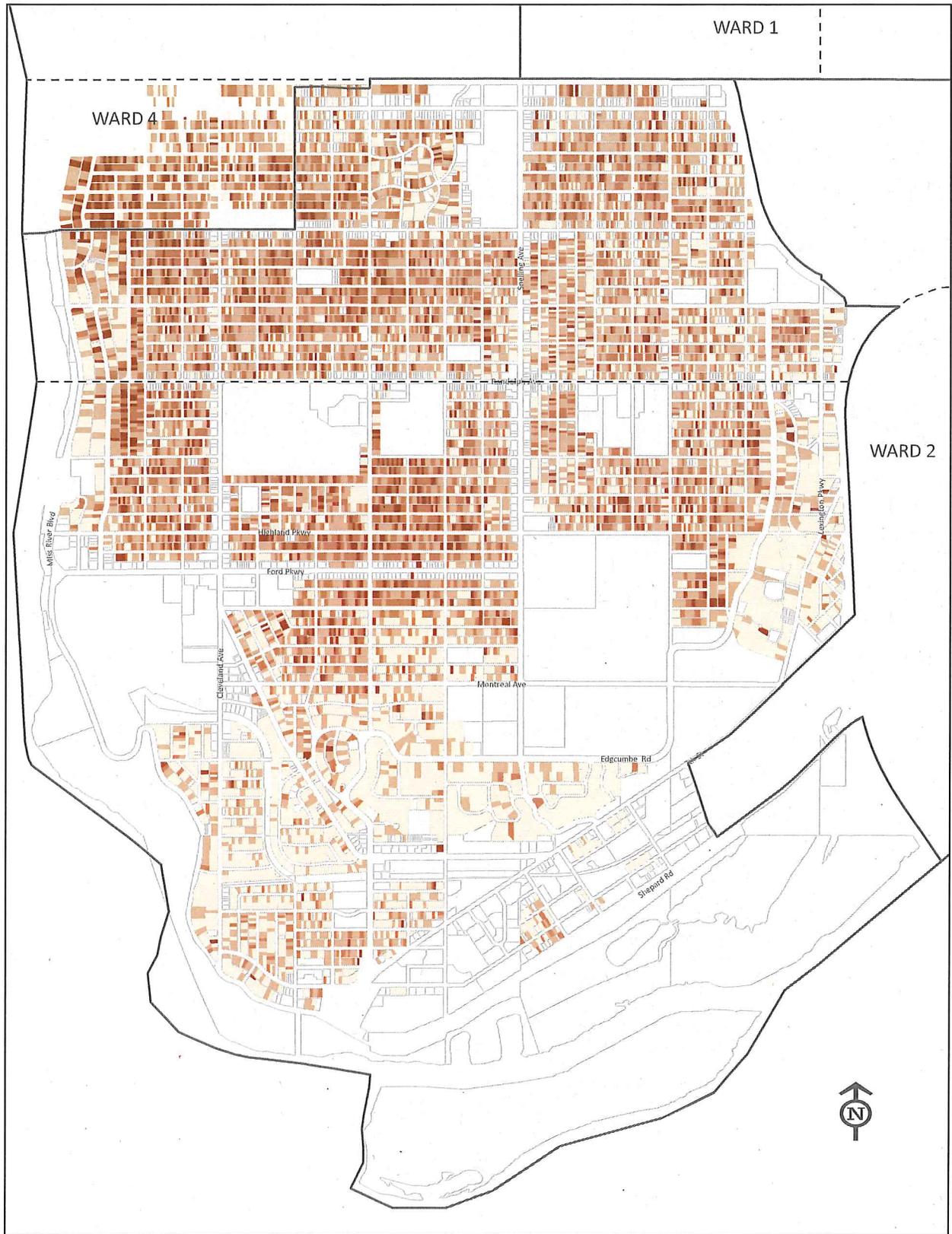
Map 4  
 Living Area In Ward 3  
 Square Feet of Living Area

- 436 - 1500
- 1501 - 2500
- > 2500

- - - - District Council Boundaries

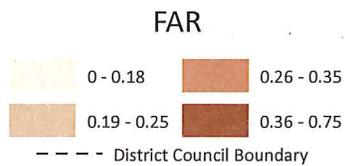
Source: Ramsey County and  
 City of Saint Paul  
 Date: 9/2014

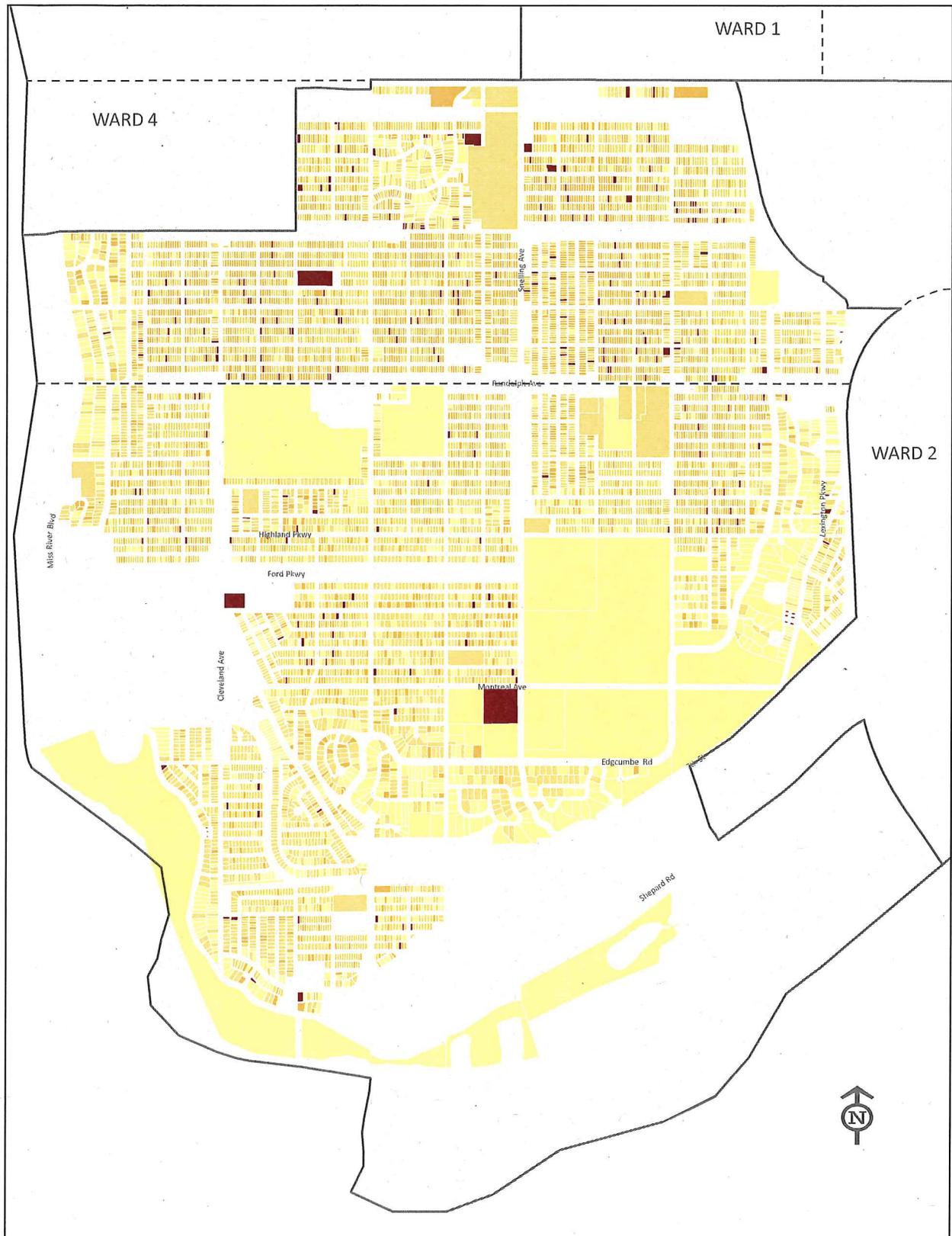




Map 5  
 FAR, Principal Structures In Ward 3

Source: Ramsey County and  
 City of Saint Paul  
 Date: 9/2014





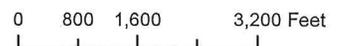
Map 6  
 Percent Lot Coverage of Primary Structures Zoned R1-R4 in Ward 3

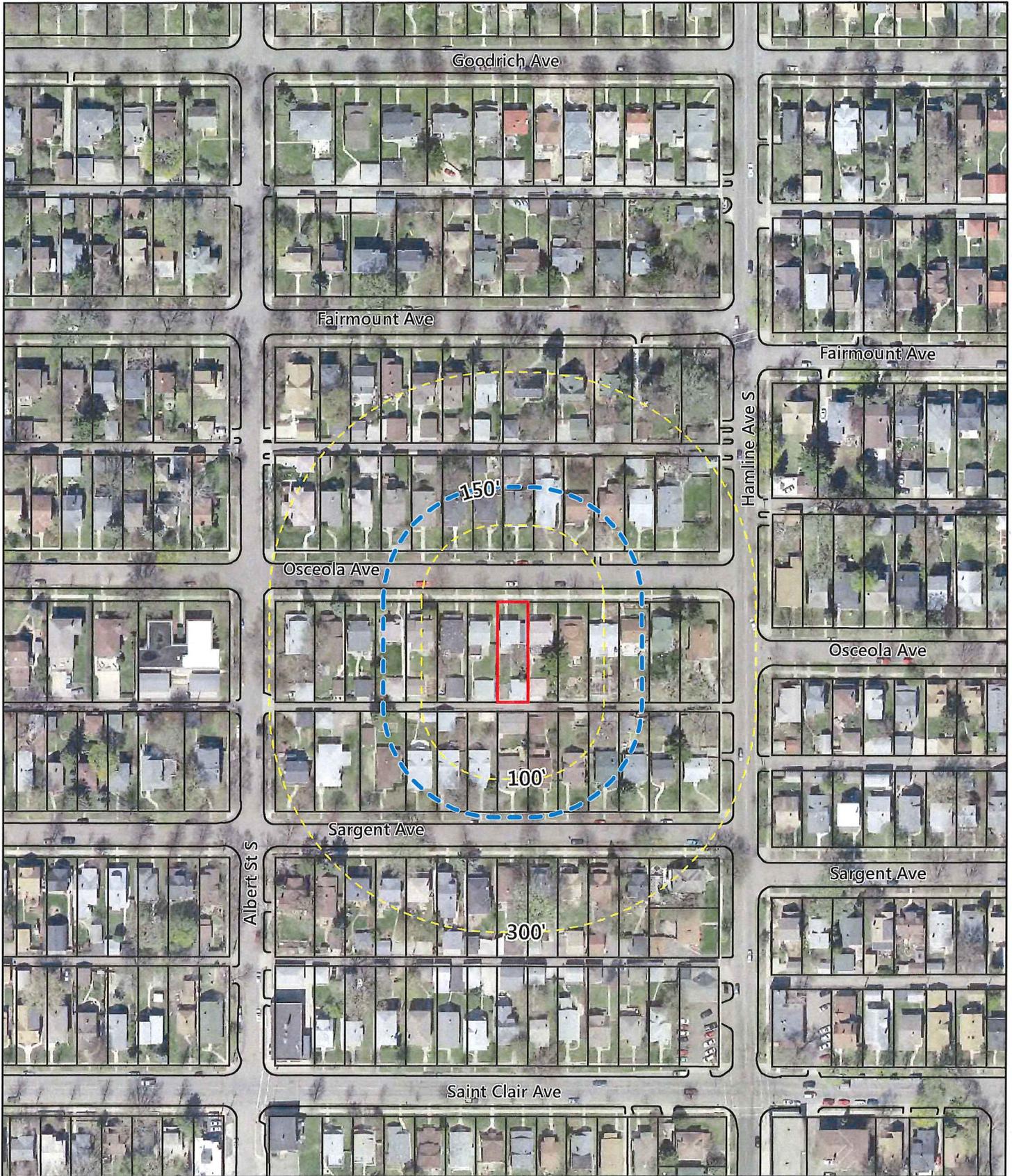
Source: Ramsey County and  
 City of Saint Paul  
 Date: 9/2014

Percent Lot Coverage



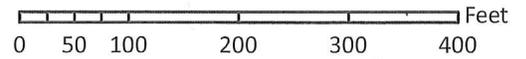
--- District Council Boundary





## Proposed Radius For Recommendation 7

- 1366 Osceola Ave
- Parcels
- Curbs
- 100 ft (20 parcels touched)
- 150 ft (27 parcels touched)
- 300 ft (63 parcels touched)



Data Sources:  
 - Saint Paul Department of Planning and Economic Development  
 - Ramsey County

