1. Call to order – Roll Call

2. Approval of Minutes – February 19, 2020 and March 4, 2020

3. Hearings

   3a. Accessory dwelling units zoning code text amendment
       
       | Applicant: | City of St. Louis Park |
       | Case No.:  | 19-15-ZA               |

4. Other Business

5. Communications

6. Adjournment

If you cannot attend the meeting, please call the Community Development office: 952.924.2575.

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UNOFFICIAL MINUTES
PLANNING COMMISSION
ST. LOUIS PARK, MINNESOTA
February 19, 2020 – 6:00 p.m.
COMMUNITY ROOM

MEMBERS PRESENT: Jim Beneke, Matt Eckholm, Courtney Erwin, Claudia Johnston-Madison, Jessica Kraft, Carl Robertson

MEMBERS ABSENT: Lynette Dumalag

STAFF PRESENT: Gary Morrison, Sean Walther

1. Call to Order – Roll Call

2. Approval of Minutes of Feb 5, 2020

Commissioner Johnston-Madison made a motion to approve the minutes. Commissioner Eckholm seconded the motion and the motion passed on a vote of 6-0.

3. Public Hearings

   A. Cedarwood Dachis Addition preliminary and final plat

   Applicant: Toni Dachis
   Case Nos: 19-39-Sm 19-40-VAR

Gary Morrison, assistant zoning administrator, presented the staff report. The applicant requested a subdivision and variance at 4000 25th Street West, in the Fern Hill neighborhood. He noted the lot sizes for Lots 1, 2, and 3. Access to lot 1 will be unchanged off 25th Street West, lot 2 will access France Avenue, and lot 3 access could be off France Avenue South or 25th Street West.

Mr. Morrison stated there are no proposals for tree removal, but this will be determined when building permits are submitted for lots 2 and 3. He noted sidewalks will be included along 25th Street West. The house and pool house are in the back yard, according to current code. With the subdivision, however, the lot lines are reoriented, so the front and rear yards will change, and the variance request becomes evident because the pool house will be in the side yard, after the changes.

Mr. Morrison stated the property use is single family residential, consistent with low density residential designation. He stated if the variance is not approved, the pool house would need to be relocated or removed. Two people spoke in favor of
the applications at the neighborhood meeting and a letter of support was received from a third resident.

Mr. Morrison stated that staff requests approval of the preliminary and final plat, subject to the conditions recommended by staff. Further, staff recommended approval of the variance to allow an accessory structure in the side yard, subject to the conditions recommended by staff.

Commissioner Robertson asked about the sidewalk at the subdivision and if it would connect with any other sidewalks.

Mr. Morrison stated it would connect to the sidewalk on the west side of France Avenue South and a sidewalk on the east side of Huntington Avenue South.

Commission Johnson-Madison asked if the sidewalk will dead-end on 25th street.

Mr. Morrison stated it will not continue and connect to any sidewalks west of the site along 25th Street West, adding the city engineering department recently lead a public process regarding potentially adding more sidewalks in this neighborhood and city council decided not to pursue that option.

Chair Kraft opened the public hearing.

Lynne Carper, 4010 Highwood Road, stated initially the sign posted about the work was not clear. He initially thought it was referring to the road and sidewalk improvements planned for this summer. It wasn’t until he spoke with Councilmember Rog that he learned there was a subdivision proposed here. Mr. Carper stated he has been aware of subdivisions in his area, and stated the preference was for not doing subdivisions in these neighborhoods. However, he added, he does understand property owners do have the right to do what they prefer on their properties, so he will support this. Additionally, he asked if the zoning will change now or in the future from single-family housing.

Mr. Morrison stated the property is guided in the comprehensive plan as low-density residential and zoned R-2 residential. Staff does not anticipate any changes.

Mr. Carper wondered if the lots would meet the minimum lot size, and indeed it does, according to Mr. Morrison’s presentation. He asked at what point does the sidewalk get constructed, and does the owner put the sidewalks in.
Mr. Morrison stated the sidewalk installation will be at the applicant’s expense and will be coordinated with street improvements in the area.

Mr. Carper asked about driveways and if there will be a driveway on the northernmost side of the property. There is no intention to have a second driveway on France Avenue, it will come off 25th Street.

Mr. Morrison stated there will be a final decision made by the engineering department when right-of-way permits are requested and when the house plans are submitted for building permits.

Mr. Carper asked if a house is inserted will the new address be on France Avenue.

Mr. Morrison stated staff will look at this and can make a change administratively with the owner’s consent.

Michael Meyer, 2512 Huntington Avenue South, stated the property is well maintained and very open. He is concerned that once the property is changed, it’s gone. He is also concerned about hardscape and the addition of sidewalks, patios, foundations, as well. He stated about 20 trees might have to be removed and he has concerns about this as well, and is concerned the replacements might not be made in the same area. He asked if the home will fit into the neighborhood, adding he is concerned about this, and about the impact on his home as it relates to the view. Right now, there is no parking on France Avenue at this area, and he is concerned about where folks will park when visiting and overflow parking.

Mr. Meyer added there is a city bus turnout, asked if that will stay or go, and if the bus company be brought into this discussion. He is also concerned about proximity the to the holding ponds and Cedar Lake area.

Mr. Meyer stated if approved will this be two separate lots. He asked if other builders come in, will they build in order to benefit the other properties in the area. This summer the roads in this area will be reconstructed. He is concerned about the mess that will occur with both projects going on simultaneously. He is also concerned about a two-story home and how it will affect their view. Also, if the driveways are on France Avenue, he has concerns about traffic there, and on 25th Street, especially with safety for bikers and pedestrians.

Toni Dachis, 4000 West 25th Street, is the applicant. She stated the concerns are legitimate; she has thought about them and will do what she can to accommodate what was mentioned, if she has control. She stated she needs to be able to move and downsize and she hopes a new owner will keep the existing house as is.
The Chair closed the public hearing.

Commissioner Johnston-Madison stated she is very familiar with this beautiful area. She stated she has learned nothing stays the same, times change and she feels the value of the neighborhood will determine the value of the homes built on lot 2 and 3. The houses built on the lots will likely fit in with the neighborhood and she will vote to approve this.

Commissioner Elkholm agreed and added the applicant has gone out of their way to make this right by the neighborhood. He hates to see the loss of mature trees and the best that can be done is to require that they are replaced. He will support this.

Commissioner Beneke asked if there is any consideration to bike trails on France Avenue.

Sean Walther, planning and zoning supervisor, stated there is already a bike lane on France Avenue and a sidewalk on the west side of the road as well, and there are no other plans at this time.

Commissioner Robertson stated this is a good plan and the concerns are valid, however, folks have the right to do what they want with their own property. He asked about the location of the bus turnout, and if the south lot wants to have access off France Avenue, will the turnout be moveable. He stated he will support this project.

Mr. Morrison stated the first priority would be to not change a turnout. If it does need to be changed, there is a process with Metro Transit and a cost associated with it.

Chair Kraft likes the plan as well and is excited about the single-family home development. She stated the loss of trees is sad, but she is glad for the replacement program.

Commissioner Robertson made a motion, Commissioner Elkholm seconded, recommending approval of the addition of the preliminary and final plat, and the variance on the side yard, subject to the recommendations by staff.

The motion passed on a vote of 6-0.

B. High school artificial turf field conditional use permit, application 19-33-CUP was withdrawn by the applicant, Thomas Bravo
4. Other Business - none

5. Communications

Mr. Walther stated Feb. 24, 2020, is the Boards and Commissions annual meeting at Treehouse, 5757 Wayzata Boulevard, from 6-8 p.m. There will be a light dinner and a dance performance from Wat Prom Buddhist Temple. This is meant to be a celebration of accomplishments from 2019. Commissioner Elkholm will present on behalf of the planning commission the commission’s accomplishments last year and some of the issues on the work plan for 2020.

Mr. Walther added a joint meeting with the city council to discuss the 2020 work plan will be held on May 26.

The next planning commission meeting on March 4 will be a study session only in the Westwood Conference Room from 6-7 p.m. and the Historic Walker Lake draft ordinance will be discussed. Following the study session, a joint meeting with several boards and commissions from 7-8 p.m. in the council chambers to hear a presentation from Alicia Sojourner, racial equity manager, about racial equity and inclusion in St. Louis Park.

6. Adjournment

The meeting was adjourned at 6:38 p.m.
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UNOFFICIAL MINUTES
PLANNING COMMISSION
ST. LOUIS PARK, MINNESOTA
March 4, 2020 – 6:00 p.m.
COUNCIL CHAMBERS

MEMBERS PRESENT: Jim Beneke, Lynette Dumalag, Matt Eckholm, Courtney Erwin, Claudia Johnston-Madison, Jessica Kraft, Carl Robertson

MEMBERS ABSENT: None

STAFF PRESENT: Jennifer Monson, planner; Laura Chamberlain, planning consultant with HKGi

STUDY SESSION

The study session commenced at 6:00 p.m.

1. Establishing a New Base Zoning District for Historic Walker Lake

Laura Chamberlain, HKGi consultant, provided background on the plan and how implementation will lead to work on establishing a zoning district for Historic Walker Lake.

Ms. Chamberlain noted the plan was approved by city council in January 2020. The plan considers three topic areas: establishment of an overlay zoning district to preserve character, wayfinding and placemaking, and a merchant’s association and affordability.

Ms. Chamberlain stated recommended changes to uses in the area include light industrial, food vendors, and breweries. She added the overlay recommendations also refer to signage, street furniture, unique features, parking requirements, and designating shared parking opportunities.

Ms. Chamberlain stated the ordinance will allow for a combination of smaller scaled industrial and commercial uses in this area but will not allow stand-alone apartment buildings. She noted the city recently updated the mixed-use zoning district and staff and consultants are recommending a similar approach be used here, as well. She added establishing parking standards was a top priority and the city already adopted a new parking ordinance for the district.

Commissioner Johnston-Madison stated that there is no comparable historic district within the city today but suggested the district be able to be applied to other areas of the city if needed in the future.
Ms. Chamberlain stated the district is mixed-use in nature with commercial and retail uses. She stated the city has residential, commercial and mixed-use divisions within the zoning ordinance, and Historic Walker Lake could be a new mixed-use district that lives within the mixed-use division currently in existence within the code.

Ms. Chamberlain stated that staff is looking at the revitalization plan to see what elements are necessary to establish zoning standards and which should be design guidelines.

Commissioner Kraft asked if the code will refer to the guidelines. Ms. Chamberlain stated yes.

Commissioner Beneke asked if there would still be a primary entrance area. Ms. Monson stated yes, this could still be included in the guidelines.

Ms. Chamberlain stated that the revitalization plan gives recommendations on building materials, colors, and design that can be used as guidance. She added that these items refer more to the scale of the building rather than the actual design, and that the city already has some standards on building design.

Commissioner Johnston-Madison stated the scale of the new apartment building in Linden Hills took into consideration the scale of the surrounding buildings and looks fine in the area.

Commissioner Robertson noted a bill that is currently being reviewed at the state legislature where cities would only be allowed to have buildings that meet the basic building codes only.

Ms. Monson stated staff is aware of this and lobbyists are working on this issue.

Commissioner Robertson stated this type of bill is filled with unintended consequences for city building and zoning codes.

Commissioner Dumalag asked if any of the buildings are historic. Ms. Monson stated no but through a public process the area was branded Historic Walker Lake.

Ms. Chamberlain noted that the guidelines will include landscaping recommendations.

Ms. Monson stated the purpose of the guidelines for the landscaping will be to enhance the unique and eclectic features of the area and buildings. She explained that one landscape design for the entire area would be more difficult to establish since the property owners are not interested in a special service district at this time.
Ms. Chamberlain asked the commission if they support this approach for the district through a new zoning district and separate design guidelines. Also, she asked if there are items that should be added.

Commissioner Robertson stated the standards and guidelines all seem appropriate. He stated he would like to see flexibility within the code so it can apply for future districts if the city is going toward a form-based type zoning district.

Ms. Monson stated that we can make the code flexible and that we should discuss TOD district requirements further and at a different time.

Commissioner Johnston-Madison stated each historical district must be established and a vision created.

Commissioner Robertson asked how many other historic districts the city will have. He added if there will be others within the city, will this type of planning be done in those areas, and should the historic district be more of a generic description of the concept.

Ms. Monson stated she agrees there is potential for other similar areas within the city where the standards might be similar but then there might be a difference design guideline for each area.

Commissioner Johnston-Madison and Commissioner Robertson agreed.

Commissioner Beneke asked if there is any plan to do anything along Highway 7 in the open area in front of the Central Community Center building.

Ms. Monson stated that the area is city-owned right of way with a small portion owned by the school district. She stated that the city and school district have talked about using that space for additional parking if necessary, but that the revitalization plan identifies that area for a shared active space that can be flexible as needed.

Ms. Chamberlain stated there are additional topics to come back and discuss further with the commission, including the ordinance and design guidelines.

Commissioner Robertson asked a question about landscaping and whether the city allows perennial gardens and pollinator landscaping.

Ms. Monson stated the city does encourage native plantings.

The meeting was adjourned at 7:00 p.m.
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3A Accessory dwelling units zoning code text amendment

Location: Applicable to all single-family lots in the R-1, R-2 and R-3 zoning districts
Case Number: 19-15-ZA
Applicant: City of St. Louis Park
Owner: N/A
Review Deadline: 60 days: N/A 120 days: N/A
Recommended motions: Motion to recommend the city council adopt the proposed ordinance allowing accessory dwelling units.

Summary of request: In January 2019, the city council decided to discuss accessory dwelling units (ADUs). The 2040 comprehensive plan indicates ADUs will be allowed in the city. Developing ADU regulations was a high priority in the planning commission’s approved 2019 work plan and the planning commission worked throughout 2019 to identify potential regulations. A draft ordinance has been prepared for community and planning commission consideration. The ordinance will allow ADUs on single-family properties which meet minimum standards. An ADU is a permanent, self-contained residential unit with its own living space, kitchen and bathroom. This housing is designed to be flexible for evolving family circumstances and could generate rental income for the property owners. ADUs may be located inside the principal building or may be in a detached accessory building on the same parcel.

Background:
An accessory dwelling unit (ADU) is a self-contained residential unit that meets the requirements of the Minnesota State Building Code. ADUs are permanent installations that are legally part of a larger property that includes a standard single-family house. ADUs can sometimes be referred to as: carriage or coach houses, accessory apartments, backyard cottages, secondary dwelling units, granny flats, mother-in-law suites, second suites or garden apartments. These units may be located inside the principal building on a lot, or may be located in a detached accessory building on the same parcel.

Policy Direction:
ADUs have the potential to meet some of St. Louis Park’s housing and land use goals in the 2040 Comprehensive Plan update. Permitting ADUs in the city also helps fulfill the following city council strategic priority: 

St. Louis Park is committed to providing a broad range of housing and neighborhood-oriented development. 

Below is an excerpt from the 2040 Comprehensive Plan Housing Chapter. Several strategies that relate to the ADU discussion are emphasized in bold text.

Goal 1. The City of St. Louis Park will promote and facilitate a balanced and enduring housing stock that offers a continuum of diverse lifecycle housing choices suitable for households of all income levels including, but not limited to affordable, senior, multi-generational, supportive and mixed income housing, disbursed throughout the city.

Strategies
A. Create a broad range of housing types to provide more diverse and creative housing choices to meet the needs of current and future residents.

B. Review existing policies, programs and regulations to remove barriers to innovative and creative housing options.

C. Ensure new housing policies promote fair and equitable housing choices.

D. Use data and research to guide and evaluate housing priorities, policies, and programs.

E. Use infill and redevelopment opportunities to assist in meeting housing goals.

F. Create policies, tools and strategies to promote the goals of the city’s Climate Action Plan, encouraging energy efficiency and reducing energy consumption in residential properties.

G. Create senior housing opportunities: both market rate and affordable, homeownership and rental, and active and supportive.

Goal 2. Single-family homes: The city is committed to creating, preserving, and improving the city’s single-family housing stock.

Strategies

A. Promote the creation of family-sized, owner occupied, single-family homes that meet the needs and desires of current and future residents through the expansion of existing homes and through construction of new homes.

B. Proactively address substandard housing properties through code enforcement and public or private redevelopment activities such as acquisition, demolition and housing replacement.

C. Promote high-quality architectural design standards of homes through the use of good design practices which are complementary and compatible with the neighborhood, utilizing quality materials and superior construction.

D. Allow for Accessory Housing Units (AHUs) in all low-density residential areas.

E. Allow for two-family dwelling units (twin homes and duplexes) on appropriately-sized lots in low density residential areas.
Types of ADUs:

*Internal ADUs could take up an entire level of a principal building or just part of any level. Also, they may be built as additions.

*Detached ADUs could be stand-alone buildings, built as additions to detached garages or replace existing garage storage with housing.
Benefits of ADUs:
1. Expands housing options for neighborhoods already built out in ways that don’t alter the character of the existing neighborhoods.
2. Homeowners can earn income to pay other household expenses.
3. Serves lifecycle housing needs (i.e. can assist people aging in place and downsizing).
4. Provides independent housing for friends, family, and caregivers that is less expensive than assisted living or skilled nursing facilities.
5. Reduces environmental impacts by less energy consumption and reduce transportation-related environmental impacts.
6. Provides more affordable housing option to address housing market challenges.
7. Supports the local economy through the construction and maintenance of ADUs.

ADU benefits based on type:
- Interior: little perceived change from the exterior
- Attached: easily made ADA accessible, more ideal for supportive living arrangements (caregivers, elderly relatives)
- Detached: provides the most independent living arrangements, does not affect design of primary home

Ordinance Direction:
In 2019 and early 2020 the planning commission and city council considered potential regulations for ADUs. The following summarizes what is included in the included draft ordinance:

- Allow internal, attached and detached ADUs as described in the background above. This provides flexibility to meet different property owner needs and unique property situations.

- Allow ADUs in the R-1, R-2 and R-3 zoning districts on single-family lots. Limiting ADUs to single-family lots has been recommended as an appropriate first step in allowing a new use in the community. In addition, the Minnesota State Building Code considers any building with three units or more units to be a commercial building not a residential building. This commercial designation results in additional regulations such a sprinkling the entire building. As the addition of an accessory dwelling unit to a duplex would result in a commercially designated structure, staff recommends that the initial ordinance amendments be focused on single-family homes.

- Allow ADUs on all buildable single-family lots without restrictions relating to a minimum lot size. Thus, if a lot is able to have a single-family home, then it would also be allowed to have an ADU. This allows a greater number of lots to qualify to have an ADU and more equitable opportunities throughout the low-density residential areas of the city.

- Limit ADUs to one (1) per lot.

- Require all ADUs to be at least 300 square feet in area. Clarification was sought by the city council regarding this minimum size and whether a smaller size should be considered. Staff noted in response to the city council that this minimum size was
proposed based on Family Housing Fund's research of Twin Cities metropolitan area ADUs and ADU regulations. That research reviewed several cities’ requirements and included a research sample of 20 existing ADUs in the Twin Cities. The units in their sample ranged in size from 400 to 1,200 square feet with the average being 657 square feet and the median being 645 square feet. Staff also reviewed the 2018 Maxfield Housing Study Update to understand the sizes of apartment units in our community for comparison. The Maxfield research found that the average size of a studio unit was 519 square feet (with the smallest being 300 square feet) and the average size of a one-bedroom unit was 750 square feet (with the smallest being 500 square feet).

In the follow up materials sent to the city council at their last meeting, staff still recommended a minimum of 300 square feet, but noted that if through the process the city chooses to allow ADUs that are less than 300 square feet, staff suggests the minimum size should be more than 200 square feet. Staff note that many “tiny houses” that are 150-200 square feet in area are classified as recreational vehicles and built on chassis with wheels and are considered seasonal, rather than year-round dwellings. The intent of the ADU ordinance has been to allow permanent year-round, not seasonal, ADUs.

- Limit the size of internal ADUs, which are within or attached to the principal dwelling, to 40% of the gross floor area of the principal single-family dwelling in order to ensure that ADUs are accessory to the principal dwellings.

- Limit detached ADUs to no more than 800 square feet or 25% of the back yard. Allow detached ADUs that are up to 576 square feet in area even if they exceed 25% of the back yard. These regulations are consistent with the current size restrictions for detached accessory buildings today, except ADUs would now be allowed.

- Prohibit sale of the ADU independent of the principal building and lot. It must remain an accessory use to the principal building and all on one lot.

- Allow ADUs on properties that are not owner occupied. The planning commission recommended excluding a requirement that the owner of the lot needs to reside in either the ADU or the principal building. This recommendation allowing renting of the ADU and the principal structure is being made because the city’s rental licensing requirements and enforcement mechanisms would be effective tools to manage most public health, safety, nuisance and compliance issues associated with ADUs.

- Prohibit short-term vacation rental of the ADU or the principal residence, as currently enforced by the city. Define short-term vacation rentals as leasing properties for a term of less than one month.

- Allow ADUs without requiring more off-street parking. It is not recommended that additional parking be required for an ADU. However, it is recommended that the city maintain the limit of vehicles that can be parked outside on a lot. City code currently limits single-family properties to three vehicles, or a up to five vehicles if there are more licensed drivers residing on the property. It should be noted that this requirement does
not preclude property owners from adding additional, enclosed parking to their property. In addition, on-street parking also may be used where public street parking is allowed.

- Regulate the location of ADUs similar to other structures on a site. Limit principal building heights, setbacks, and footprints the same as they are regulated today, whether the principal building includes an internal ADU or not. Also, generally apply the same detached accessory structure standards to ADUs. This approach will best integrate ADUs more seamlessly to the character of the existing neighborhoods, because the buildings will be similar in size and location as other structures that could be built under the city’s rules today. Two exceptions are recommended by the planning commission and described below.

Require larger side and rear yards for a detached ADU than required for a detached garage. Currently, detached garages may be 2 feet from a side or rear property line. In order to have openings, such as doors and windows, ADUs will need to be 5 feet from a side or rear property line under the building code.

Also, the planning commission felt more space should be provided from a rear property line when it abuts another residential property, so a rear yard of 15 feet was recommended.

Most detached garages are built slab on grade, and do not have frost footings required by the building code for occupied dwellings; therefore, it is not likely existing garages would be repurposed with an ADU. Instead, it would in nearly all cases require demolishing the existing detached garage to build an ADU in its place.

- The planning commission recommendation was to limit the occupancy of ADUs differently than principal dwellings. Given size limitations of ADUs, it was recommended that occupancy in an ADU be limited to two people over 18 and their children. The city council sought clarification as to why ADUs would use a different standard that principal dwellings. In response, staff first considered the current definition of family, which is as follows:

  Family means one of the following: (1) Any group of people living together as a single housekeeping unit, all of whom are related by blood, marriage, or adoption plus children who are under foster care. (2) Up to four people not so related, living together as a single housekeeping unit. (3) Any group of people living together as a single housekeeping unit, if no more than two adult members function as the heads of the household group and the remaining members are dependent upon them for care and direction due to age, physical disability, a mental incompetency or for other reasons. (4) Any individual, who is the owner, living and maintaining a common household and using a common cooking and kitchen facility.

After reviewing the definition of family, staff identified the following two options for consideration:
1. ADUs are proposed to be allowed on single-family properties. Single-family properties can have one family and up to two boarders under today's regulations.

2. A second option would be to explore limiting the occupancy of smaller ADUs based on the size of the ADU, and then at some size threshold to be determined, then allow the city's family definition to take over. For example, the City of White Bear Lake requires 200 square feet for the first occupant and 100 square feet for each additional occupant. One concern staff has with this approach is that at some point you could have 4 people living in a 500 square foot unit, which is the equivalent of the smallest one-bedroom apartment in St. Louis Park.

Staff favors the first option. It maintains consistency with our current rules in regard for use of the single-family lot. If there is no more than one family and no more than two boarders living on the lot, the ADU rules we are proposing simply accommodate this arrangement differently and with more independent living facilities available. This also reinforces and further distinguishes an ADU as clearly being accessory to a principal dwelling and helps to limit any new externalities that may result from the introduction of ADUs.

Staff suggests considering the second option only after ADUs have been introduced in St. Louis Park, and to address these issues as part of the city's planned discussion to allow two-family dwellings in low density residential areas. Also, with the second option at some point the size of an ADU may reach parity with the sizes of existing single-family houses in the community and it is less clear that they are accessory uses and essentially have the equivalent of two families living on the lot, before the city has conducted the analysis of what the appropriate size of lot is required to allow two-family dwellings in all low density residential areas.

**Next steps:** The city council will likely consider the ordinance on April 6, 2020, if planning commission makes a recommendation at this meeting.

**Recommendations:** After conducting the public hearing, staff recommends the planning commission consider the draft ordinance and recommend to the city council its adoption with any needed changes.

**Supporting documents:**
- Draft ordinance
- Zoning map showing highlighting the areas of the city zoned R-1, R-3 and R-3. The map does not exclude properties that are not in single-family residential use.

*Any documents hyperlinked in the report are available for viewing in the community development department at city hall.

**Prepared by:** Rita Trapp, HKGi
**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
Ordinance No. ___-19

Ordinance regarding accessory dwelling units

The City of St. Louis Park does ordain:

Whereas, the City Council has the strategic priority “St. Louis Park is committed to providing a broad range of housing and neighborhood-oriented development,” and

Whereas, the Housing Plan in Chapter 5 of the 2040 Comprehensive Plan identifies the following strategies related to increasing the diversity of housing types:

- Create a broad range of housing types to provide more diverse and creative housing choices to meet the needs of current and future residents.
- Review existing policies, programs and regulations to remove barriers to innovative and creative housing options.
- Ensure new housing policies promote fair and equitable housing choices.
- Allow for Accessory Housing Units (AHUs) in all low-density residential areas.

Now, therefore be it resolved that the following amendments shall be made to the City Code:

Section 1. Chapter 36, Section 36-4 of the St. Louis Park City Code is hereby amended to add the following text.

Short-term rental means leasing a residential dwelling unit or accessory dwelling unit for a term of less than one month.

Section 2. Chapter 36, Article III General Provisions of the St. Louis Park City Code is hereby amended to add the following text.

Section 36-70. Short-term rentals. No person shall offer for occupancy or enter into an agreement to allow a dwelling unit, or any other portion of their property, to be used as a short-term rental in a manor not otherwise permitted in the zoning district.

Section 3. Chapter 36, Section 36-142 (a) of the St. Louis Park City Code is hereby amended to add the following text to the list of descriptions of residential uses.

(9) Accessory dwelling unit means a dwelling unit complying with the Minnesota State Building Code; which is located within a principal single-family residential dwelling or in an accessory structure to a single-family residential dwelling. The types of accessory dwelling unit include the following:
a. An attached accessory dwelling unit is located within a principal residential dwelling.

b. A detached accessory dwelling unit is located as a freestanding structure on the same lot as the principal residential dwelling.

Section 4. Chapter 36, Section 36-162 (d) (4) of the St. Louis Park City Code is hereby amended to delete the following strikethrough text and add the following underlined text.

e. Accessory buildings shall not be used for dwelling purposes shall also comply with the regulations set forth in Section 36-162 (e) regarding accessory dwelling units.

Section 5. Chapter 36, Section 36-162 (d) (1) of the St. Louis Park City Code is hereby amended to delete the following strikethrough text and add the following underlined text.

(a) Accessory buildings shall be erected or located within the back yard or side yard as defined in subsection (b) above, except that an accessory building designed and used as a garage may be located within a side yard unless it abuts a street. No accessory buildings shall not be located in the front yard as defined in subsection (b) above.

Section 6. Chapter 36, Section 36-162 (d) (2) a. of the St. Louis Park City Code is hereby amended to delete the following strikethrough text and add the following underlined text.

a. The total cumulative ground floor area of all accessory buildings on single-family lots and on non-conforming two-family lots in the R-1, R-2 and R-3 Districts shall not exceed the smaller of 800 square feet or 25 percent of the back yard. This provision shall not prohibit the construction of either a detached garage or a detached accessory dwelling unit, or a combination thereof, that is no greater than 576 square feet in area provided there are no other accessory buildings.

Section 7. Chapter 36, Section 36-162 (d) (5) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(5) Accessory buildings as part of the principal building – Accessory buildings located less than six feet from a principal building on the same lot, measured from the nearest projection of each building, shall be considered part of the principal building for the purpose of applying provisions of this chapter.

Section 8. Chapter 36, Section 36-162. Restrictions and performance standards. of the St. Louis Park City Code is hereby amended to delete the strikethrough text and add the following underlined text and section breaks are indicated with “***”.

(e) Accessory dwelling units. Accessory dwelling units complying with all the following conditions:

(1) Accessory dwelling units shall only be permitted on single-family lots.
(2) There shall be no more than one (1) accessory dwelling unit permitted per lot.

(3) Occupancy of the single-family lot, including both the principal dwelling unit and the accessory dwelling unit, shall be limited to no more than one family and up to two boarders.

(4) The accessory dwelling unit shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.

(5) Accessory dwelling units that are attached to the principal dwelling unit shall be no more than 40% of the gross floor area of the single-family dwelling.

(6) Accessory dwelling units that are detached from the principal residential structure shall comply with the regulations for accessory structures in Division 4 Residential District Regulations, with the following exemptions:

   a. Detached accessory dwelling units shall be located a minimum of 15 feet from any rear lot line unless the rear lot line is adjacent to an alley, in which case it may be located five (5) feet from the rear lot line.

   b. Detached accessory dwelling units shall have a minimum of 300 square feet of floor area.

   c. Balconies and decks above the ground floor shall not face an interior side yard or a rear yard not abutting an alley. Rooftop decks for an accessory dwelling unit shall not be allowed.

(e)(f) Parking and storing of vehicles

(1) Except as provided in subsections (e)(f)(2) and (e)(f)(8) of this section, no motor vehicle, recreational vehicle, commercial vehicle, or trailer shall be permitted to stand or park in any R district which exceeds any of the following:

***

(2) One recreational vehicle which exceeds any of the limits set forth in subsection (e)(f)(1) of this section and is owned by the occupant of the premises can be parked in the back yard area if:

***

(3) The following provisions shall apply to the parking and storage of vehicles on residential parcels in the R-1, R-2 and R-3 districts:
a. No more than three vehicles can be parked or stored outside an enclosed building at a single-family residence on a lot that contains a single-family residence. For a duplex, six vehicles can be parked or stored outside. If there are more than three persons residing at a single-family dwelling, inclusive of an accessory dwelling unit or a boarder, who have valid state driver's licenses showing the residence addresses on the lot, then the total number of vehicles allowed to be parked outside is increased to a number equal to the number of licensed drivers residing at the property not to exceed five vehicles. The provisions of this subsection shall not apply during snow emergencies.

b. No more than two non-passenger vehicles can be parked on a residential lot outside of an enclosed building. Except as permitted in subsection (e)(f)(2) of this section, vehicles shall be stored on a designated parking space. Non-passenger vehicles cannot be parked or stored in a front yard or a side yard abutting a street except as allowed under subsection (e)(f)(3)g of this section.

c. Only commercial vehicles which do not exceed any of the size requirements under subsection (e)(f)(1) of this section and are designed exclusively for on-street use can be parked on residential lots outside an enclosed building. Commercial vehicles shall be parked only within a garage or on a designated parking space and cannot be parked or stored in a front yard or a side yard abutting a street except as permitted under subsection (e)(f)(3)g of this section.

d. Except as permitted in subsection (e)(f)(2) of this section, all vehicles must be stored on a surface improved for driveway purposes with an approved paving surface.

e. No more than one recreational vehicle which exceeds the size requirements in subsection (e)(f)(2) of this section can be parked on a residential lot outside an enclosed building.

f. No non-passenger vehicle can be parked within five feet of an interior side lot line or rear lot line.

g. No non-passenger vehicle can be parked within the front yard or within a side yard abutting a street except where designated parking space is permitted under subsection 36-361(k)(11). Under no circumstances can a non-passenger vehicle which exceeds the size limitations in subsection (e)(f)(1) of this section be parked in a front yard.

Section 9. Chapter 36, Section 36-162 (e) (3) a. of the St. Louis Park City Code is hereby amended to delete the strikethrough text and add the underlined text as follows.
Regular meeting meeting of March 18, 2020 (Item No. 3A)
Title: Accessory dwelling units zoning code text amendment

a. No more than three vehicles can be parked or stored outside an enclosed building at a single-family residence on a lot that contains a single-family residence. For a duplex, six vehicles can be parked or stored outside. If there are more than three persons residing at a single-family dwelling, inclusive of an accessory dwelling unit or a boarder, who have valid state driver’s licenses showing the residence addresses on the lot, then the total number of vehicles allowed to be parked outside is increased to a number equal to the number of licensed drivers residing at the property not to exceed five vehicles. The provisions of this subsection shall not apply during snow emergencies.

Section 10. Chapter 36, Section 36-163. R-1 single-family residence district (e) Accessory Uses of the St. Louis Park City Code is hereby amended to add the following text:

(16) Accessory dwelling units which comply with the provisions of Section 36-162 (e) and which are not used for short-term rental purposes.

Section 11. Chapter 36, Section 36-164. R-2 single-family residence district (e) Accessory Uses of the St. Louis Park City Code is hereby amended to add the following text:

(15) Accessory dwelling unit which comply with the provisions of Section 36-162 (e) and which are not used for short-term rental purposes.

Section 12. Chapter 36, Section 36-165. R-3 two-family residence district (e) Accessory Uses of the St. Louis Park City Code is hereby amended to add the following text:

(16) Accessory dwelling units which comply with the provisions of Section 36-162 (e) and which are not used for short-term rental purposes.

Section 13. Chapter 36, Table 36-361 (a) Off-Street Parking Areas of the St. Louis Park City Code is hereby amended to delete the following strikethrough text and add the following underlined text and section breaks are indicated with “***”:

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single family dwelling</td>
<td>Two spaces per dwelling unit. Additional spaces are not required for a boarder or an accessory dwelling unit. One additional space is required if boarders are accommodated.</td>
</tr>
<tr>
<td></td>
<td>***</td>
</tr>
<tr>
<td>Two family</td>
<td>Two spaces per dwelling unit. Additional spaces are not required for a boarder or an accessory dwelling unit. One additional space is required if boarders are accommodated.</td>
</tr>
</tbody>
</table>

Section 13. This ordinance shall take effect (insert text)
**Title:** Accessory dwelling units zoning code text amendment

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Reading</td>
<td>(date)</td>
</tr>
<tr>
<td>Second Reading</td>
<td>(date)</td>
</tr>
<tr>
<td>Date of Publication</td>
<td>(date)</td>
</tr>
<tr>
<td>Date Ordinance takes effect</td>
<td>(date)</td>
</tr>
</tbody>
</table>

Reviewed for administration: Adopted by the City Council (insert date)

Thomas K. Harmening, City Manager

Jake Spano, Mayor

Attest:

Approved as to form and execution:

Melissa Kennedy, City Clerk

Soren Mattick, City Attorney
Accessory Dwelling Units
Zoning districts permitted: R-1, R-2, and R-3

Legend
- R-1 Single-Family Residence
- R-2 Single-Family Residence
- R-3 Two-Family Residence

Source: City of St. Louis Park