



STAFF REPORT

DATE: 5/29/19

ITEM #: 5A

TO: Planning Commission

FROM: Ken Roberts, Planning Director

ITEM: **Zoning Ordinance Amendment – Minimum Lot Sizes – Multi-Family Housing**

REVIEWED BY: Ben Prchal, City Planner

BACKGROUND:

During the City's review of the proposed Bentley Village Townhouse development, staff became aware of a problem in the Zoning code. This involves the listed minimum lot size standards in the zoning code for single-family attached (townhouses) and multi-family housing in Lake Elmo. Staff is now proposing amendments to the text of the zoning code to correct this problem.

On March 25, 2019, the Planning Commission conducted a public hearing about the proposed code amendment. They recommended approval of the code change as prepared by City staff.

ISSUE BEFORE PLANNING COMMISSION:

The Planning Commission is being asked to review the additional information in this staff report, reconsider the proposed zoning ordinance amendment and make a recommendation to the City Council about the proposed ordinance amendment. This amendment would delete the sections of the Zoning Code that now list a minimum lot size for single-family attached and multi-family dwellings and replace those with a reference to the density standards in the Comprehensive Plan.

PROPOSAL DETAILS/ANALYSIS:

There are several sections of the Zoning Code that have standards for the minimum lot size (per unit) for single-family attached and multi-family housing. These include the MDR (medium density), HDR (high density), VMX (village mixed use), MU-C (mixed use commercial) and MU-BP (mixed use business park). The difficulty with having a minimum lot size per unit in these types of developments is that townhouses, when several are attached to form one building, typically are each on lots of 1,500 – 1,800 square feet. The City Code now requires between 1,800 -4,000 square feet per unit. The minimum lot sizes per unit do not account for overall project density as public streets, setbacks and required open space are all design factors that a project designer must account for when laying out a development with single-family attached or multi-family attached housing.

The City's Comprehensive Plan sets density standards for all residential land uses. These range from 2.5-4.0 units per acre for low-density residential development, 4.01 – 8 units per acre in the areas planned medium density residential (MDR) to 10-15 units per acre in the mixed use commercial (MU-C) land use area. It is important for the City to have future residential developments meet these density standards as these were the standards the City used when preparing the 2040 Comprehensive Plan for approval by the Metropolitan Council. In addition, the City has based the long-term design needs of the City's Sanitary Sewer and Water systems on the land use designations and housing densities set in the Comprehensive Plan.

The overall project density is the most important factor that the City should consider when reviewing a single-family attached or a multi-family housing development. The total number of units in any one site or development (and thus the total number of expected residents in an area), determines the need for public services such as emergency services, street maintenance and public utility services. Having a minimum lot size per unit in these areas limits and lowers the overall project density when a project needs to meet all the other City-required design standards.

ADDITIONAL INFORMATION:

Since, the Planning Commission meeting on March 25, staff has done further research of codes and ordinances of other area cities about minimum lot sizes for multiple family housing. Staff found that many cities do not have a minimum lot size for this type of housing. These cities rely on the density standards set by their Comprehensive Plans or they list a maximum density (in dwelling units per acre) in their zoning code to determine maximum project density. These cities include Maplewood, Cottage Grove, Roseville and Ramsey.

Other cities do list a minimum lot size per units similar to what Lake Elmo now has in the zoning code. These include Stillwater, Oakdale, Woodbury and Mounds View. They clarify, however, that their minimum lot size is the minimum lot area required per dwelling unit (averaged over the entire development site – not just the land area under each unit). For example, in Lake Elmo, in the HDR District with the listed minimum lot area for multi-family dwelling unit of 1,800 square feet per unit, a 10 acre site could have up to 242 units (10 acres times 43,560 square feet divided by 1,800 = 242 units) if the City calculated density using this method. This is a significantly larger number than the 150 units that would be allowed by the Comprehensive Plan standard at 15 units maximum per acre to calculate density. If the City set a minimum lot size in the HDR of 2,900 square feet, that would meet the maximum allowed density of 15 units per acre as set in the Comprehensive Plan. (10 acres times 43,560 square feet divided by 2,900 square feet equals 150.2 maximum total units or 15.1 units per acre.)

For another example, in Mounds View, they require at 6,500 square feet of lot area per dwelling unit for townhouses and at least 2,500 square feet of lot area for multiple-family dwelling unit. For a 10 acre site in Mounds View, the maximum number of multiple-family units would be 174 units (10 acres times 43,560 square feet divided by 2,500 = 174 units).

Woodbury requires an average of at least 4,500 square feet of lot area per townhouse unit, 2,925 square feet per 1 bedroom unit and at least 3,600 square feet of lot area per 2 bedroom unit. Stillwater requires at least 2,800 square feet of lot area per unit in their medium density zoning district and at least 1,500 square feet of lot per unit in their high density residential zoning district.

OPTIONS:

To remedy this problem, staff is proposing a Zoning Code text amendment that drops the minimum lot size per unit for single-family attached and multi-family dwelling developments from the Zoning Code. Instead, staff is proposing to have a note in the Zoning Code for these types of developments that states the density shall not exceed the maximum density allowed by the land use classification in the City's adopted Comprehensive Plan. This change will insure that minimum lot sizes do not overly restrict the number of units and it gives clear direction that the City intends to have new development meet the density standards in the Comprehensive Plan.

Another option would be to add language to the existing zoning code that clarifies that the listed minimum lot sizes are "the minimum lot area per dwelling unit (in square feet) averaged over the total project area." (An example of this is on page 3 of the draft ordinance).

RECOMMENDATION:

Staff recommends that the Planning Commission review the additional information in this report about minimum lot sizes for townhouses and multiple family residential housing. After this additional review, staff is requesting the Planning Commission direct staff as to what if any changes they want to make to the proposed ordinance amendment or to their recommendation from March 25 of this year about the proposed ordinance amendment. This amendment drops the minimum lot sizes for single-family attached and multi-family dwelling developments from the zoning ordinance and replaces those standards with references to the allowed densities in the Comprehensive Plan.

The following is the motion from the March 25 meeting:

"Move to recommend approval of an ordinance amendment to Table 10-2 of Section 154.452; Lot Dimensions and Setback Requirements, Residential Districts, to Table 11-2 of Section 154.502: Lot Dimensions and Building Bulk Requirements; and to Table 14-2, Lot Dimensions and Setback Requirements, Mixed Use-Commercial and Mixed Use-Business Park Districts by deleting the minimum lot size standards for single-family attached dwellings and for multifamily dwellings on each table and adding a reference to each table to the residential density standards in the Comprehensive Plan."

ATTACHMENTS:

1. Proposed Ord. No. 08-XXX – Amending the Zoning Code