

2001-Or-063
AN ORDINANCE
of the
CITY OF
MINNEAPOLIS

FIRST READING:	03/02/2001
REFERRED TO (NAME OF) COMMITTEE:	Z&P
PUBLIC HEARING:	-
SECOND READING AND FINAL PASSAGE:	05/18/2001

McDonald

presents the following ordinance:

Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 535.90 of the above-entitled ordinance be amended to read as follows:

535.90. Minimum size and width and principal entrance and windows requirements for residential uses. (a) *Size and width.* The minimum gross floor area of a dwelling unit, except efficiency units, shall be five hundred (500) square feet. The minimum gross floor area of efficiency units ~~and rooming units~~ shall be three hundred fifty (350) square feet. Not less than eighty (80) percent of the habitable floor area of single or two family dwellings and multiple family dwellings of three (3) and four (4) units shall have a minimum width of twenty-two (22) feet.

(b) *Principal entrance and windows.* Not less than fifteen (15) percent of the first floor facade of single and two family dwellings and multiple family dwellings of three (3) and four (4) units that faces a public street shall be windows, and shall include at least one (1) principal entrance. The principal entrance may face a side lot line when part of a front vestibule or extended portion of the front facade, provided the entrance is located no further than eight (8) feet from the facade closest to the street. In the case of a corner lot, only the ~~front~~ facade facing the front lot line shall be subject to the requirements of this section.

Section 2. That Section 535.280(d) of the above-entitled ordinance be amended to read as follows:

(d) *Interior side yards and rear yards for detached buildings accessory to dwellings.* The interior side yard requirement for a detached accessory building may be reduced to one (1) foot when the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, provided that the principal structure on the adjoining lot has its rear wall at least forty (40) feet from the rear lot line. Further, the required side yard for a detached accessory building may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet. The rear yard requirement for a detached accessory building may be reduced to one (1) foot, except where vehicle access doors face the rear lot line, in which case no reduction of the required rear yard is permitted.

Section 3. That the following portions of Table 535-1 of the above-entitled ordinance be amended to read as follows:

Table 535-1 Permitted Obstructions in Required Yards

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Handicap entrance landing not exceeding thirty-six (36) square feet in area and less not <u>more than the height of the level of the first floor or four (4) feet above the average level of the adjoining ground natural grade</u> whichever is less, and handrails not more than three (3) feet in height and not more than fifty (50) percent opaque, which is solely for access to a permitted building, or for access to a zoning lot from a street or alley, provided a setback of at least one (1) ft. from any property line is maintained, and not including permanently roofed porches	P	P	P
Handicap ramp <u>not exceeding four (4) feet in width leading to an entrance landing and handrails not more than three (3) feet in height and not more than fifty (50) percent opaque</u>	P	P	P
Stairs <u>not exceeding four (4) feet in width, and entrance landings not exceeding sixteen (16) square feet in area and not over more than the height of the level of the first floor or four (4) feet above the average level of the adjoining natural grade whichever is less, and handrails for such stairs not more than three (3) feet in height and not more than fifty (50) percent opaque, not including permanently roofed porches</u>	P	P	P

Section 4. That Section 535.420 of the above-entitled ordinance be amended to read as follows:

535.420. Fence height. Fence height shall be limited by its location as specified below. Except as otherwise provided in sections (1) and (2) below, the maximum fence height may be increased by two (2) feet if the entire fence is constructed of open, decorative, ornamental fencing materials that are less than sixty (60) percent opaque. For purposes of this provision, vinyl coated chain link shall qualify. In no case shall a fence exceed eight (8) feet in height, regardless of location.

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- (1) *Front yard.* Fences located in the required front yard shall not exceed three (3) feet in height. The maximum fence height may be increased by one (1) foot if constructed of open, decorative, ornamental fencing materials that are less than sixty (60) percent opaque.
 - (2) *Corner side yard.* Fences located in the required corner side yard shall not exceed three (3) feet in height. The maximum fence height may be increased by one (1) foot if constructed of open, decorative, ornamental fencing materials that are less than sixty (60) percent opaque. In addition, the maximum height may be increased to six (6) feet beginning at the point of intersection of the corner side wall and the rear wall of the principal structure to the rear lot line. For the purpose of this section, open decks and porches shall not be considered part of the principal structure.

IMAGE: Figure 535-1 Maximum Fence Height

- (3) *Interior side yard.* Fences located in the required interior side yard shall not exceed four (4) feet in height. The maximum height may be increased to six (6) feet if the adjoining property has maintained a minimum interior side yard of five (5) feet along the entire length of the side wall of the principal structure. In addition, the maximum height may be increased to six (6) feet between the rear wall of the principal structure on the adjoining property and the rear lot line.
- (4) *Rear yard.* Fences located in the required rear or side yard and extending along the rear lot line shall not exceed six (6) feet in height, except that a rear yard abutting a required side yard shall be considered an interior side yard and shall be subject to the regulations for interior side yards.
- (5) *Along public streets.* Fences not located in required yards, but located within five (5) feet of a public street or public sidewalk, shall not exceed six (6) feet in height.

Section 5. That Section 535.590 of the above-entitled ordinance be amended to read as follows:

535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

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- (1) Lighting fixtures shall be effectively shielded and arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source. shine directly on any residential property. Lighting fixtures not of a cutoff type shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb).
 - (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use. No exterior light source located on a nonresidential property shall be visible from any permitted or conditional residential use.
 - (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
 - ~~(4) — Lighting shall not directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.~~
 - ~~(5)~~(4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
 - ~~(6)~~(5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

(c) *Exceptions.* The uses listed below shall be exempt from the provisions of this section as follows:

- (1) Publicly controlled or maintained street lighting and warning, emergency or traffic signals shall be exempt from the requirements of this section.
- (2) Athletic fields and outdoor recreation facilities serving or operated by an institutional or public use that otherwise meet all of the requirements of this zoning ordinance shall be exempt from the requirements of sections (b)(1), (b)(2), and (b)(3) and (b)(4) between the hours of seven (7) a.m. and ten (10) p.m., because of their unique requirements for nighttime visibility and limited hours of operations.

(3) ~~Neon signs, theater marquee lights and decorative lighting that otherwise meets all of the requirements of this zoning ordinance shall be exempt from the requirements of section (b)(2).~~

RECORD OF COUNCIL VOTE (X INDICATES VOTE)

COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Ostrow	X						Thurber	X					
Campbell	X						McDonald	X					
Blernat				X			Mead	X					
Johnson	X						Colvin Roy	X					
Niland	X						Lane	X					
Goodman	X						President						
Herron	X						Cherryhomes	X					

PASSED **MAY 18 2001** **APPROVED - NOT APPROVED - VETOED** **MAY 24 2001**

 DATE DATE

 PRESIDENT OF COUNCIL MAYOR

ATTEST CITY CLERK