

## **Accessory Dwelling Units: Zoning Code Amendment**

Summary of Proposed Provisions\*

Draft date: October 15, 2014

<http://www.ci.minneapolis.mn.us/cped/projects/ADU>

### **Chapter 520, Introductory Provisions**

- Adds a definition of “accessory dwelling unit” to the code. An ADU is a dwelling unit with its own bedroom, kitchen, and bathroom.
- An ADU shall always be smaller (e.g., height and area) than the principal residential structure to which it is accessory.
- The creation of an ADU shall not result in a subdivision of the property.

### **Chapter 521, Zoning Districts and Maps Generally**

- Removes the NP North Phillips Overlay District from the zoning maps.

### **Chapter 525, Administration and Enforcement**

- Applicants are subject to a charge of \$260 for administrative reviews of proposed ADUs. This does not include building permit or other fees.

### **Chapter 535, Regulations of General Applicability**

- The minimum size (gross floor area) of an ADU is 300 square feet.
- As with principal residential structures, there must be at least 15 feet between an interior side lot line and the ADU structure if the ADU’s principal entrance faces that interior side lot line. The setback increases to 22 feet if there is also a driveway between side of the ADU and the side lot line.

### **Chapter 537, Accessory Uses and Structures**

- An accessory dwelling unit (ADU) would be permitted citywide on the same zoning lot as any allowed single or two-family home, provided that the ADU would meet all other City codes.
- Three types of ADUs would be allowed: attached, internal, and detached.
- No more than one ADU shall be allowed on a zoning lot.
- Balconies shall not face an interior side yard.
- Exterior stairways and rooftop decks are prohibited.
- Either the main unit or the ADU must be owner-occupied, or the property owner shall be required to remove/cap the kitchen and bathroom fixtures. Property owners wishing to establish an ADU must record the restrictions related to the ADU with Hennepin County via a restrictive covenant, which runs with the land.

*Note: All ADUs are subject to the maximum lot coverage and maximum impervious surface requirements of their zoning district.*

#### **Attached and Internal ADUs Only:**

- Cannot exceed 800 square feet (gross floor area).

- The addition of an ADU shall not result in additional entrance on the elevation facing the public street.

*Note: Attached and internal ADUs are subject to the setback, height, and maximum floor area ratio requirements for the principal structure in the applicable zoning district.*

**Detached ADUs Only:**

- The exterior materials must match those of the principal structure.
- The height cannot exceed 16 feet, with a maximum wall height of 11 feet (*Note: refer to section 520.160 – Definitions for a detailed explanation of how height is measured, depending on the style of the roof or structure*).
- The minimum side yard requirement is 3 feet (*Note: the building code limits the percentage of windows allowed on a building wall that is less than 5 feet from the property line*).
- The minimum rear yard requirement is 3 feet, but it is 5 feet if the garage door faces the rear lot line.
- Not less than 10 percent of the façade facing an alley or public street shall be windows.
- Must be located entirely to the rear and at least 20 feet away from the habitable portion of the principal residential structure.
- May be located within 6 feet of an open parking space (all other detached accessory buildings and open parking spaces must be at least 6 feet away from the habitable space of a dwelling).
- As with detached garages and other detached accessory structures, on a reverse corner lot, the minimum allowed distance between the ADU and the public street is for a detached ADU shall be 2/3 the depth of the front yard requirement for the adjacent property to the rear. The minimum required yard shall be 5 feet if the rear lot line coincides with the side lot line of a residence or office residence district.
- The maximum area floor area would be regulated similarly to the way that the City measures detached garages today: the greater 676 square feet or 10 percent of the lot, whichever is greater, but not to exceed 1,000 feet.
  - a. Enclosed parking areas are included in the floor area measurement.
  - b. Floor area does not include any floor area under the second level as long as it meets the “half story” definition in section 520.160.

**Chapter 541, Off-Street Parking and Loading**

- While properties must contain a minimum of one off-street parking space per dwelling unit, they are not required to provide an additional off-street parking space for an ADU.
- The total number of vehicles located on a zoning lot shall not exceed two (2) vehicles per dwelling unit, not including accessory dwelling units, excluding those parked within an enclosed structure.

**Chapter 546, Residence Districts; Chapter 547, Office Residence Districts; Chapter 548, Commercial Districts; Chapter 549, Downtown Districts**

- The maximum occupancy requirements for a dwelling unit shall apply to a dwelling unit and any associated accessory dwelling units.

**Chapter 55I, Overlay Districts**

- Removes the NP North Phillips Overlay Districts, which currently allows ADUs as a conditional use in a small portion of the city.

*\*This supplemental sheet is not an official interpretation of the zoning code and shall be used for educational purposes only.*

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Introductory Provisions.**

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

Section 1. That Section 520.160 of the above-entitled ordinance be amended to read as follows:

**520.160. Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

*Dwelling.* A building, or portion thereof, containing one (1) or more dwelling units, designed or used exclusively for human habitation.

*Accessory dwelling unit.* A dwelling unit created on a lot with a principal residential structure which:

- (1) Is created auxiliary to, and is always smaller than and subordinate to the house or attached house;
- (2) Includes its own independent living facilities, including provision for sleeping, cooking, and sanitation;
- (3) Is located within an owner-occupied dwelling unit, or within an accessory structure on the same lot as an owner-occupied dwelling unit;
- (4) Meets the standards of Chapter 537, Accessory Uses and Structures, as applicable; and
- (5) Does not create a separate tax parcel.

*Efficiency unit.* A dwelling unit consisting of one (1) principal room exclusive of bathroom, kitchen, hallways and closets.

*Multiple-family dwelling.* A building, or portion thereof, containing three (3) or more dwelling units, not including an accessory dwelling unit.

*Single-family dwelling.* A building containing one (1) dwelling unit only, except that the structure may also contain an accessory dwelling unit where expressly authorized pursuant to this ordinance. A detached accessory dwelling unit shall not be considered a single-family dwelling unit.

*Two-family dwelling.* A building containing two (2) dwelling units only, neither of which is an accessory dwelling unit authorized under Chapter 537,

Accessory Uses and Structures, and each of which is separated from the other by an unpierced wall extending from ground to roof for at least eighty (80) percent of the length of the structure or an unpierced ceiling and floor extending from exterior wall to exterior wall.

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**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Zoning Districts and Maps Generally.**

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

Section 1. That Section 521.10 of the above-entitled ordinance be amended to read as follows:

**521.10. Establishment of zoning districts.** In order to carry out the purposes and provisions of this zoning ordinance, the city shall be divided into the following zoning districts:

- (6) *Overlay Districts.*
  - PO Pedestrian Oriented Overlay District
  - LH Linden Hills Overlay District
  - IL Industrial Living Overlay District
  - TP Transitional Parking Overlay? District
  - SH Shoreland Overlay District
  - FP Floodplain Overlay District
  - MR Mississippi River Critical Area Overlay District
  - DP Downtown Parking Overlay District
  - B4H Downtown Housing Overlay District
  - DH Downtown Height Overlay District
  - NM Nicollet Mall Overlay District
  - HA Harmon Area Overlay District
  - ~~NP North Phillips Overlay District~~
  - AP Airport Overlay District
  - WB West Broadway Overlay District
  - UA University Area Overlay District
  - DS Downtown Shelter Overlay District

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Administration and Enforcement.**

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

Section 1. That Table 525-1 of the above-entitled ordinance be amended to read as follows:

**Table 525-1 Fees**

<b>Application Type</b>	<b>Fee (dollars)</b>
<u>Administrative reviews of accessory dwelling units</u>	<u>260</u>
Administrative reviews of communication towers, antennas, and base units	210

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**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. General standards for residential uses.** (a) *Size and width.* The minimum gross floor area of a dwelling unit, except accessory dwelling units and efficiency units, shall be five hundred (500) square feet. The minimum gross floor area of accessory dwelling units shall be three hundred (300) square feet. The minimum gross floor area of efficiency 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 (20) feet.

Section 2. That Section 535.190 of the above-entitled ordinance be amended to read as follows:

**535.190. Limit of one (1) principal residential structure per zoning lot.** Except in the case of cluster developments, and planned unit developments, not more than one (1) principal residential structure shall be located on a zoning lot, nor shall a principal residential structure be located on the same zoning lot with any other principal structure. A detached accessory dwelling unit shall not be considered a separate principal residential structure.

Section 3. That Section 535.250 of the above-entitled ordinance be amended to read as follows:

**535.250. - Interior side yards for dwellings with side entrances.** The minimum width of interior side yards for all multiple-family dwellings, single- and two-family dwellings, accessory dwelling units, or cluster developments with a principal entrance facing the interior lot line, shall be not less than fifteen (15) feet, and the minimum width of said interior side yard plus any driveway shall not be less than twenty-two (22) feet, unless a greater width is required by the regulations governing interior side yards in the district in which the structure is located.



Section 4. That Section 535.280 of the above-entitled ordinance be amended to read as follows:

**535.280. Obstructions in required yards.** (a) *In general.* All required yards shall remain open and unobstructed from ground level to the sky, except as otherwise provided below.

- (b) *Permitted obstructions.* Accessory uses and structures and projections of the principal structure may be located in a required yard only as indicated by a "P" for permitted in Table 535-1 Permitted Obstructions in Required Yards.
- (c) *Additional limitations.* In no case shall any permitted obstruction be located closer than one (1) foot from the property line, except for driveways, walkways, fences, detached accessory buildings, the storage of firewood and containers for the removal of household refuse, subject to the provisions of this section. In addition, notwithstanding Table 535-1 Permitted Obstructions in Required Yards, required interior side yards for nonresidential uses shall remain unobstructed from the ground level to the sky, except that fencing and retaining walls shall be allowed.
- (d) *Interior side 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. Where the interior side yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed. Detached accessory dwelling units shall not be governed by this provision.
- (e) *Rear yards for detached buildings accessory to dwellings.* 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 yard is permitted. Further, where a rear yard abuts a required side yard no reduction of the required yard is permitted unless the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located behind the rear wall of the principal structure on the adjacent property to the rear. The required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet of both properties. Where the rear yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed. Detached accessory dwelling units shall not be governed by this provision.
- (f) *Accessory buildings on reverse corner lots.* An accessory building shall be no closer to the side lot line adjacent to the street than a distance equal to two-thirds of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the rear. Further, an accessory building shall not

be located within five (5) feet of a rear lot line that coincides with the side lot line of a property in a residence or office residence district. However, where the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located behind the rear wall of the principal dwelling on the adjacent property, only one (1) foot shall be required along such adjacent property line, except as otherwise prohibited by this zoning ordinance. Further, the required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet. Detached accessory dwelling units shall not be governed by this provision.

- (g) *Interior side yards for driveways accessory to dwellings.* The yard requirement for a driveway may be eliminated where adjoining property owners share a common driveway.
- (h) *Rear yards.* For purposes of Table 535-1 Permitted Obstructions in Required Yards, a rear yard abutting a required side yard shall be considered an interior side yard and shall be subject to the permitted obstructions regulations for such interior side yard.

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**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Accessory Uses and Structures.**

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

Section 1. That Section 537.50 of the above-entitled ordinance be amended to read as follows:

**537.50. Maximum height.** (a) *In general.* The maximum height for all accessory structures shall be limited to the maximum height requirements for principal structures in the district in which the accessory structure is located, except as otherwise provided in this zoning ordinance.

(b) *Accessory structures located in the residence and OR1 Districts.* A detached accessory structure, accessory to a principal use located in a residence or OR1 district shall not exceed the height of the principal structure or twelve (12) feet, whichever is less. The maximum height may be increased to sixteen (16) feet or the height of the principal structure, whichever is less, where the primary exterior materials of the accessory structure match the primary exterior materials of the principal structure and the roof pitch matches the primary roof pitch of the principal structure, and provided the wall height shall not exceed ten (10) feet from the floor to the top plate. Detached accessory dwelling units shall not be governed by this provision. The zoning administrator shall conduct all applications for an administrative review to increase the maximum height of accessory structures. All findings and decisions of the zoning administrator shall be final, subject to appeal to the board of adjustment, as specified in Chapter 525, Administration and Enforcement.

(c) *Accessory structures located in all other districts.* Structures accessory to a structure originally designed or intended as a single or two-family dwelling or a multiple-family dwelling of three (3) or four (4) units, shall not exceed the height of the principal structure or twelve (12) feet, whichever is less. The maximum height may be increased to sixteen (16) feet or the height of the principal structure, whichever is less, where the primary exterior materials of the accessory structure match the primary exterior materials of the principal structure, and provided the wall height shall not exceed ten (10) feet from the floor to the top plate. Detached accessory dwelling units shall not be governed by this provision.

Section 2. That Section 537.60 of the above-entitled ordinance be amended to read as follows:

**537.60. Maximum floor area.** (a) *In general.* The floor area of any accessory structure shall be included in the total allowable floor area permitted on the zoning lot.

(b) *Accessory uses and structures located in the residence and OR1 Districts.*

(1) *Single and two-family dwellings.* The maximum floor area of all detached accessory structures, and any attached accessory use designed or intended to be used for the parking of vehicles, shall not exceed six hundred seventy-six (676) square feet or ten (10) percent of the lot area, whichever is greater, not to exceed one thousand (1,000) square feet. Detached accessory structures greater than six hundred seventy-six (676) square feet in area shall utilize primary exterior materials that match the primary exterior materials of the principal structure and the roof pitch shall match the roof pitch of the principal structure. The zoning administrator shall conduct all applications for an administrative review to increase the maximum floor area of accessory structures. All findings and decisions of the zoning administrator shall be final, subject to appeal to the board of adjustment, as specified in Chapter 525, Administration and Enforcement.

(2) *All other uses.* The maximum floor area of all detached accessory structures, and any attached accessory use designed or intended to be used for the parking of vehicles, except for a parking garage within the building, entirely below grade or of at least two (2) levels, shall not exceed six hundred seventy-six (676) square feet or ten (10) percent of the lot area, whichever is greater.

(c) *Accessory uses and structures located in all other zoning districts.* The maximum floor area of all detached accessory structures and any attached accessory use designed or intended to be used for the parking of vehicles, accessory to a structure originally designed or intended as a single or two-family dwelling or a multiple-family dwelling of three (3) or four (4) units, shall not exceed six hundred seventy-six (676) square feet or ten (10) percent of the lot area, whichever is greater.

Section 3. That Section 537.70 of the above-entitled ordinance be amended to read as follows:

**537.70. Yard requirements.** The minimum yard requirements for accessory uses and structures shall not be less than those specified for the principal uses to which they are accessory, except as provided in Chapter 535, Regulations of General Applicability or as otherwise provided in this zoning ordinance.

Section 4. That Section 537.80 of the above-entitled ordinance be amended to read as follows:

**537.80. Distance from dwelling.** No detached accessory building or open parking space shall be located closer than six (6) feet from the habitable space of a dwelling of any type, except that detached accessory dwelling units may be located closer than six (6) feet from an open parking space. Detached parking garages serving residential uses and detached accessory dwelling units shall be located entirely to the rear of the principal residential structure.

Section 5. That Section 537.110 of the above-entitled ordinance be amended to read as follows:

**537.110. Allowed accessory uses and structures.** The following accessory uses and structures shall be allowed, subject to the following development standards:

Accessory dwelling units. Internal, attached, and detached accessory dwelling units shall be allowed accessory to a principal residential structure, subject to the following:

- (1) The principal residential structure shall be a single-family or two-family dwelling and shall be an allowed use in the primary zoning district.
- (2) No more than one (1) accessory dwelling unit shall be allowed on a zoning lot.
- (3) Balconies shall not face an interior side yard.
- (4) Exterior stairways and rooftop decks shall be prohibited.
- (5) An owner of the property must occupy at least one (1) dwelling unit on the zoning lot for each calendar year as their permanent residence.
  - a. If an owner is unable or unwilling to fulfill the requirements of this section, the owner shall remove those features of the accessory dwelling unit that make it a dwelling unit. Failure to do so will constitute a violation of this section.
  - b. Prior to issuance of a permit establishing an accessory dwelling unit, the owner(s) shall sign under oath and record in the Hennepin County Recorder or Registrar of Titles a covenant by the owner(s) to the City of Minneapolis stating that the owner(s) agree to restrict use of the principal and accessory dwelling units in compliance with the requirements of this section and notify all prospective purchasers of those requirements.
  - c. The covenant shall run with the land and be binding upon the property owner, their heirs and assigns, and upon any parties subsequently acquiring any right, title, or interest in the property. The covenant shall be in a form prescribed by the zoning administrator that includes the legal description of the principal use lot. The property owner(s) shall return the original covenant with recording stamp to City staff before the building permit for the accessory dwelling unit is issued.
  - d. At the request of a property owner and after an inspection finding that an accessory dwelling unit has been removed from the owner's property, City

staff shall record a release of any previously recorded covenant for that accessory dwelling unit.

(6) Accessory dwelling units that are attached or internal to the principal residential structure shall comply with the following requirements:

- a. Notwithstanding the floor area requirements of this ordinance, the maximum gross floor area for any accessory dwelling unit shall be eight hundred (800) square feet.
- b. The accessory dwelling unit shall not result in additional entrances facing the public street on the primary structure.

(7) Detached accessory dwelling units shall comply with the following requirements:

- a. The primary exterior materials of the detached accessory structure shall match the primary exterior materials of the principal structure.
- b. A detached accessory dwelling unit shall not exceed the height of the principal residential structure or sixteen (16) feet, whichever is less, and the wall height shall not exceed eleven (11) feet from the floor to the top plate.
- c. The minimum interior side yard requirement for a detached accessory dwelling unit shall not be less than three (3) feet.
- d. The minimum rear yard requirement for a detached accessory dwelling unit may be reduced to three (3) feet, except where vehicle access doors face the rear lot line, in which case the rear yard requirement shall be five (5) feet.
- e. A detached accessory dwelling unit on a reverse corner lot shall be no closer to the side lot line adjacent to the street than a distance equal to two-thirds of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the rear. Further, a detached accessory dwelling unit shall not be located within five (5) feet of a rear lot line that coincides with the side lot line of a property in a residence or office residence district.
- f. The distance between the detached accessory dwelling unit and the habitable portion of the principal residential structure shall be a minimum of twenty (20) feet.
- g. The maximum floor area of the detached accessory dwelling unit, including any areas designed or intended to be used for the parking of vehicles, shall not exceed six hundred seventy-six (676) square feet or ten (10) percent of the lot area, whichever is greater, not to exceed one thousand (1,000) square feet. The floor area for accessory uses shall not include half story floor area.
- h. Not less than ten (10) percent of the façade of the detached accessory dwelling unit facing an alley or public street shall be windows. Blank,

uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty (20) feet in length.

- (8) The zoning administrator shall conduct the administrative review of all applications for an accessory dwelling unit. All findings and decisions of the zoning administrator shall be final, subject to appeal to the board of adjustment, as specified in Chapter 525, Administration and Enforcement.

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**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Off-street Parking and Loading.**

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

Section 1. That Table 541-1 of the above-entitled ordinance be amended to read as follows:

**Table 541-1 Specific Off-Street Parking Requirements**

<b>Use</b>	<b>Minimum Parking Requirement</b>	<b>Maximum Parking Allowed</b>	<b>Notes (see 541.170)</b>
<b>RESIDENTIAL USES</b>			
Dwellings	1 space per dwelling unit, <u>except an accessory dwelling unit shall not be required to provide off-street parking</u>	No maximum except as regulated by Article VIII, Special Parking Provisions for Specific Zoning Districts	1 Existing dwellings nonconforming as to parking may provide off-site parking within 300 feet

Section 2. That Section 541.450 of the above-entitled ordinance be amended to read as follows:

**541.450. Maximum number of vehicles for dwellings.** The total number of vehicles located on a zoning lot shall not exceed two (2) vehicles per dwelling unit, excluding those parked within an enclosed structure. For the purposes of this section, accessory dwelling units shall not be considered a dwelling.



**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Residence Districts.**

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

Section 1. That Section 546.50 of the above-entitled ordinance be amended to read as follows:

**546.50. Maximum occupancy.** (a) *Dwelling units.* The combined maximum occupancy of a dwelling unit, plus any associated accessory dwelling units, located in the R1 through R3 Districts shall not exceed one (1) family plus up to two (2) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons. The maximum occupancy of a dwelling unit located in the R4 through R6 Districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.

(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Office Residence Districts.**

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

Section 1. That Section 547.50 of the above-entitled ordinance be amended to read as follows:

**547.50. Maximum occupancy.** (a) *Dwelling units.* The combined maximum occupancy of a dwelling unit, plus any associated accessory dwelling units, located in the office residence districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.

(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Commercial Districts.**

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

Section 1. That Section 548.50 of the above-entitled ordinance be amended to read as follows:

**548.50. Maximum occupancy.** (a) *Dwelling units.* The combined maximum occupancy of a dwelling unit, plus any associated accessory dwelling units, located in the commercial districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.

(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Downtown Districts.**

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

Section 1. That Section 549.50 of the above-entitled ordinance be amended to read as follows:

**549.50. - Maximum occupancy.** (a) *Dwelling units.* The combined maximum occupancy of a dwelling unit, plus any associated accessory dwelling units, located in the downtown districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.

(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**  
By Bender

**Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances  
relating to Zoning Code: Overlay Districts.**

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

Section 1. That Section 551.1020 of the above-entitled ordinance be and is hereby repealed.

**551.1020. Reserved. Purpose.**

~~The NP North Phillips Overlay District is established to create additional housing, to promote home ownership and to allow a variety of housing types, costs and arrangements that may not meet the regulations of the primary zoning district, including the limit of one (1) principal residential structure per zoning lot, where the primary zoning district allows two family or multiple family dwellings.~~

Section 2. That Section 551.1030 of the above-entitled ordinance be and is hereby repealed.

**551.1030. Reserved. Established boundaries.**

~~The boundaries of the NP Overlay District shall be the areas shown on the official zoning map.~~

Section 3. That Section 551.1040 of the above-entitled ordinance be and is hereby repealed.

**551.1040. Reserved. Definition.**

~~*Accessory dwelling.* A single family dwelling that is detached from and subordinate to a principal residential structure on the same zoning lot, and that is located entirely above a parking garage with not less than two (2) accessory parking spaces.~~

Section 4. That Section 551.1050 of the above-entitled ordinance be and is hereby repealed.

**551.1050. Reserved. Eligible areas outside of established boundaries.**

~~The NP Overlay District shall be limited to locations within the area bounded by Interstate 35W, Interstate 94, East 24th Street, and Hiawatha Avenue where the primary zoning district allows two-family dwellings. Any person having a legal or equitable interest in property located within the eligible area outside of the established boundaries may file a petition to request the addition of the NP Overlay District classification in the manner provided for zoning amendments in Chapter 525, Administration and Enforcement.~~

Section 5. That Section 551.1060 of the above-entitled ordinance be and is hereby repealed.

**551.1060. Reserved. Conditional uses.**

~~In addition to the conditional uses allowed in the primary zoning district, the establishment of one (1) accessory dwelling on a single zoning lot, other than a cluster development or planned unit development, may be allowed in the NP Overlay District, subject to the provisions of Chapter 525, Administration and Enforcement, and the following:~~

- ~~(1) The principal residential structure shall be a permitted or conditional use in the primary zoning district. No accessory dwelling shall be constructed or established prior to the time of construction of the principal residential structure to which it is accessory. This section shall not prohibit a construction project in which both the principal residential structure and accessory dwelling are to be built simultaneously.~~
- ~~(2) At least one (1) dwelling unit on the zoning lot shall be homesteaded.~~
- ~~(3) There shall be no more than one (1) principal residential structure on a zoning lot in addition to the accessory dwelling.~~
- ~~(4) The minimum lot area shall be one thousand five hundred (1,500) square feet per unit, including the accessory dwelling unit, except in the R2 Two-family District where the minimum lot area shall be six thousand (6,000) square feet.~~
- ~~(5) There shall be no other accessory structures designed or intended to be used for the parking of vehicles allowed on the zoning lot.~~
- ~~(6) The parking spaces located below the accessory dwelling shall be accessible through the alley where there is an alley, except as otherwise authorized by the city planning commission.~~
- ~~(7) There shall be an unobstructed walkway leading from the public street to the accessory dwelling.~~
- ~~(8) The minimum rear and interior side yard requirements for the accessory dwelling shall be not less than those specified by the primary zoning district for principal uses, except as otherwise authorized by the city planning commission.~~

- ~~(9) The principal residential structure and the accessory dwelling shall be separated by not less than ten (10) feet and shall not be connected to each other by any structure.~~
- ~~(10) The accessory dwelling shall be compatible in character with the principal residential structure on the zoning lot and with the surroundings, and shall comply with the following specific requirements:~~
- ~~a. The height of the accessory dwelling shall not exceed the height of the principal residential structure, or two and one-half (2.5) stories or thirty (30) feet, whichever is less.~~
  - ~~b. The roof of the accessory dwelling shall be similar in form and pitch to that of the principal residential structure.~~
  - ~~c. The exterior building materials and appearance of the accessory dwelling shall be similar to that of the principal residential structure.~~
  - ~~d. Not less than twenty (20) percent of the façade of the accessory dwelling unit facing the principal residential structure or alley shall be windows.~~
- ~~(11) The minimum floor area of the accessory dwelling unit shall be three hundred (300) square feet.~~