City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
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MEMORANDUM

DATE: October 6, 2015
TO: Planning Commission
FROM: Steven Robertson
SUBJECT: Comments on Proposed Changes to Development Standards for Townhomes and Duplexes

At the September 8, 2015, Planning Commission meeting, the Planning Commission tabled action on the proposed text changes to development standards for townhomes and duplexes. The Commission asked that staff solicit input from several architects and designers. To date, of the 7 contacted, 2 have provided comments (they were aware that the comments would be shared with the Planning Commission).

Greg Strom
My general sense of the UDC is that it is already extremely restrictive. I oppose the rule changes because they further burden developers who are attempting to add more affordable housing to the city housing stock, which I believe is one of the City's objectives and a necessity if we truly believe in the "90 by 20" growth goal. I have no problem with the idea of separate entrances and with differentiating the town home units from one another through architectural design, but the very specific items like minimum width / frontage per unit and 3' facade steps put the UDC into a role as architect. I especially oppose the maximum from 8 down to 6 and the material specific standards for dumpster screening. These 2 items simply add costs making housing less affordable, or unavailable altogether.

Nick Ericson
I have three comments regarding the proposed townhome changes, but will not be attending the planning commission hearing. I hope that you will consider the comments and weigh them against the other factors that have initiated the proposed changes.

1. If you would like the change in zoning code to be green by incorporating material efficiency, then change the width to 19 feet. Nineteen feet is a round number that allows a variety of wall thicknesses.

   Here is why. We normally offset the façade of the building a few feet to provide street appeal. This also has the effect of offsetting the back of the building in the opposite direction which doubles the effect described as follows: We flush up the inside face of the exterior wall with the interior demising wall which is usually a double 2x4 wall with a 1" airgap. The exterior wall is thickened for insulation purposes. This has the effect of offsetting the exterior face of framing for a particular unit beyond the adjacent unit by a few inches depending upon the exterior wall thickness and type. The effect of this is to increase the effective exterior width of the roof and front and rear elevations beyond the width of the interior unit dimension. The problem arises when we apply plywood which is manufactured in 48" widths and to lumber which is provided in even 2' increments. It is in this manner that the even foot lot width that is proposed will cause material waste. Also because we usually use both 16" and 24" framing centers on the same building during

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construction, it is most efficient if the lot width is slightly under a four foot increment. 15′, 19′, 23′, 27′ etc.

Given a 23′ minimum townhome width, I would probably design toward a unit dimension of 23′ 4″ in Minnesota, 23′ 0″ in Alaska for additional insulation, and 23′ 9″ in Washington where we require less insulation. In all of these instances, the exterior façade and the roof dimension would actually be 24′ 0″.

2. I recommend that the change be to 19 feet for the center units, because these units are less desirable and it is important to keep the cost down on a few units for affordability. The center units are typically narrow because there are not enough windows to utilize the additional width in an efficient manner. The end units are typically wider with additional features that are justified by having windows on the side wall.

3. Please allow for smaller three and four unit townhomes that are not at the corner of a block. We find that these size townhomes fit nicely adjacent to single family dwellings in a manner which actually increases the property value of adjacent existing single family dwellings.

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MEMORANDUM

DATE: September 1, 2015
TO: Planning Commissioners
FROM: Keith Hamre, Director of Planning and Construction Services
SUBJECT: Summary of 4 Ordinance Text Amendments

Temporary and Sidewalk Use Permits, and Zoning Permits

1) Clarifies the approval process for temporary permits. Current language directs these type of permits, incorrectly, to the section for sidewalk use permits.
2) Increases the required distances for sidewalk use cafes. Planning staff believe that the current minimum requirement (5 feet from the curb and 5 feet from all street furniture) does not leave sufficient space for adequate pedestrian flow on the sidewalks, around the cafes. Proposing increasing the minimum required distance to 7 feet from the curb, and 6 feet from all street furniture, meters, trees, etc.

Townhomes and Duplexes

1) Reduces the maximum density for townhomes in the R-1 zoned (from 8 to 6), increases the minimum lot area (from 2,500 to 3,000 sq feet per unit), and increases the required street frontage for each townhome from 15 feet of street frontage to 25 feet.
2) Adds additional use specific development standards (residential), such as requiring townhomes to be on the corners of blocks in R-1 zones, and that all townhomes and duplexes must have separate entrances (façade facing the front property line) in R-1 and R-2 zones.

Drivethroughs and Parking Lots in MU-N

1) In the past, drive throughs were not allowed for any new commercial establishment in the MU-N zone; the concern being that the noise, light, and odor from the speaker and idling cars may cause a land use conflict with neighboring residential properties. Last year the city changed the code to allow them in some situations in the MU-N zone, but only if the operational times were limited and if there was a sufficient buffer (such as 50 feet from any property line containing a residential structure). This ordinance change further amends that, allowing drive-troughs to be open an hour earlier (6 am), but only if there is at least 150 feet from the nearest residential structure.
2) Allowing "primary use parking lots" in the MU-N district, but would have higher landscaping standards that primary use parking lots, and would require a special use permit.

Craft Manufacturing and Urban Agriculture

1) Clarifies use specific development standards for urban agriculture and general agriculture, and in which zone districts they are allowed. Creates new land use definitions for "farmers market" and "community gardens" and use specific development standards (commercial).
2) Creates new land use definitions for "craft, artisan production shop", "craft, artisan studio", and "craft, brewery or distillery", and use specific development standards (industrial). Allowed as a permitted use only in the F-5 and F-7 zone districts.

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TITLE

AN ORDINANCE AMENDING SECTION 50-14.5 RESIDENTIAL-TRADITIONAL (R-1), AND 50-20.1 RESIDENTIAL USES, REALTED TO DESIGN STANDARDS FOR TOWNHOMES AND DUPLEXES

BODY

The city of Duluth does ordain:

Section 1. That Section 50-14.5 of the Duluth City Code, 1959, as amended, be amended as follows:

A. Purpose.

The R-1 district is established to accommodate traditional neighborhoods of single-family detached residences, duplexes and townhouses on moderately sized lots. This district is intended to be used primarily in established neighborhoods. Many of the dimensional standards in this district require development and redevelopment to be consistent with development patterns, building scale, and building location of nearby areas. Uses are allowed as shown in Table 50-19.8;

See Attachment A, Table 50-14.5-1, R-1 District Dimensional Standards

B. Example.

See Attachment B, Illustrations 50-14.5.B and 50-14.5.C

C Illustration

See Attachment B, Illustrations 50-14.5.B and 50-14.5.C

Section 2. That Section 50-20.1 of the Duluth City Code, 1959, as amended, be amended as follows:

50-20.1 Residential uses.

A. Dwelling, two-family.

In the R-1, R-2 and R-P districts, two-family dwellings shall be designed to protect and reflect the character of one-family residences as set forth below:

1. Minimum size. A two-family dwelling shall contain at least 1,800 square feet of floor area (not including garages or utility rooms or basement or attic space not used for living quarters);
2. Exterior stairways. No exterior stairways with a total vertical rise greater than five feet shall be permitted;
3. <u>In the R-1 and R-2 districts, each unit in a two family dwelling must have a separate exterior entrance on the facade facing the front property line.</u>

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In the F-2, F-4, F-5, and F-8 districts, this use is permitted on the ground floor of the corridor building type only. In other building types it is only permitted above the ground floor;

E. Rooming house.

In the F-2, F-4, F-5 and F-8 districts, this use is permitted on the ground floor of the corridor building type only. In other building types it is only permitted above the ground floor;

F. Manufactured home park.

1. New manufactured home parks, expansions to existing manufactured home parks, and new or replacement of manufactured home units on lots of record are prohibited in the floodway district. If allowed in the flood fringe district, these uses shall be subject to the requirements of Section 50-18.1 of this Chapter and the following standards;

2. Existing, new and replacement manufactured homes in the flood fringe district must comply with the following standards:

(a) All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state anchoring requirements for resisting wind forces;

(b) New or replacement manufactured homes in existing manufactured home parks must have vehicular access at or above an elevation not more than two feet below the regulatory flood protection elevation, unless the property owner has a flood warning and emergency evacuation plan acceptable to the city council as specified in Section 50-18.1.

MEMO

This amendment provides a zoning text amendment change.

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B. Dwelling, townhouse.

In the R-1 district each dwelling shall exhibit the characteristics of a series of one-family dwellings that are arranged in an attached side by side fashion and shall be designed to protect the character of one-family residences as set forth below:

1. Dwelling fronting street. Townhouse dwellings shall be located on lots in such a way that each individual dwelling unit has a minimum of ~~15~~ 25 feet of street frontage;
2. Variation of exterior walls. No more than two adjacent townhouse units may have front facades in the same vertical plane. Where a variation in front façade plane is required, the variation shall be a minimum of three feet;
3. Landscaping. Prior to the occupancy and use of a townhouse dwelling, coniferous or evergreen trees meeting the minimum size requirements of Section 50-25.2 shall be planted in required front and back yard areas on an average spacing of 20 feet;
4. Screening of refuse areas. Where refuse storage areas are directly viewable from any exterior lot line at a height of six feet above grade, they shall be screened by wood, brick, or stone fences, or by vegetative materials, with a minimum height of six feet, designed so that at least 75 percent of the refuse area is obscured by opaque materials when viewed at an angle perpendicular to the screening materials;
5. Maximum number of units. Townhomes shall contain no more than 6 units per townhome structure;
6. Location on a block. Townhomes shall be constructed on corners of blocks or adjacent to the intersections of two or more public or private roads, not in the middle of a block;
7. Separate entrances. Each unit in a townhome must have a separate exterior entrance on the facade facing the front yard property line, or front side yard property line.

In the R-2 district each dwelling shall exhibit the characteristics of a series of one-family dwellings that are arranged in an attached side by side fashion and shall be designed as set forth below:

1. Dwelling fronting street. Townhouse dwellings shall be located on lots in such a way that each individual dwelling unit has a minimum of 20 feet of street frontage;
2. Variation of exterior walls. No more than two adjacent townhouse units may have front facades in the same vertical plane. Where a variation in front façade plane is required, the variation shall be a minimum of three feet;
3. Screening of refuse areas. Where refuse storage areas are directly viewable from any exterior lot line at a height of six feet above grade, they shall be screened by wood, brick, or stone fences, or by vegetative materials, with a minimum height of six feet, designed so that at least 75 percent of the refuse area is obscured by opaque materials when viewed at an angle perpendicular to the screening materials;
4. Separate entrances. Each unit in a townhome must have a separate exterior entrance on the facade facing the front yard property line.

C. Dwelling, multi-family.

In the F-2, F-4, F-5 and F-8 districts, this use is permitted on the ground floor of the corridor building type only. In other building types it is only permitted above the ground floor;

D. Residential care facility/assisted living.

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Attachment A, Table 50-14.5-1, R-1 District Dimensional Standards

TABLE 50-14.5-1 R-1 DISTRICT DIMENSIONAL STANDARDS		
		LOT STANDARDS
Minimum lot area per family (One-family) [1] [2]		The smaller of 4,000 sq. ft. or average of developed 1-family lots on the block face
Minimum lot area per family (Two-family) [1] [2] [3]		The smaller of 3,000 sq. ft. or average of developed 2-family lots on the block face
Minimum lot area per family (Townhouse) [1]		~~2,500~~ 3,000 sq. ft.
Minimum lot frontage (one-family~~, two-family and townhouses~~) [1]		The smaller of 40 ft. or average of developed lots with similar uses on the block face
Minimum lot frontage (two-family and townhouses) [1]		The average of developed lots with similar uses on the block face, but not less than 40 feet.
		STRUCTURE SETBACKS
Minimum depth of front yard		The smaller of 25 ft. or average of adjacent developed lots facing the same street
Minimum width of side yard (one- and two-family)	General	6 ft.
	Lots with less than 50 ft. frontage and garage	Combined width of side yards must be at least 12 ft.
Minimum width of side yard (Townhouse)		10 ft. if adjacent to another lot
		25 ft. if adjacent to platted street
Corner Lot: width of front side yard	Dwelling	15 ft.
	Detached accessory building	20 ft.
	Permitted non-residential building	25 ft.
Minimum depth of rear yard		25 ft.
		STRUCTURE HEIGHT
Maximum height of building		30 ft.

[1] Determined using "Lots on the block face" definition. When doing this calculation, exclude the subject lot from the calculation.

[2] Lots without municipal sewer must also meet requirements of 50-21.2.

[3] Existing structures that have a change of use from one-family to two-family must meet minimum lot area and frontage, but not setbacks.

Section 50.21 *Dimensional standards* contains additional regulations applicable to this district.

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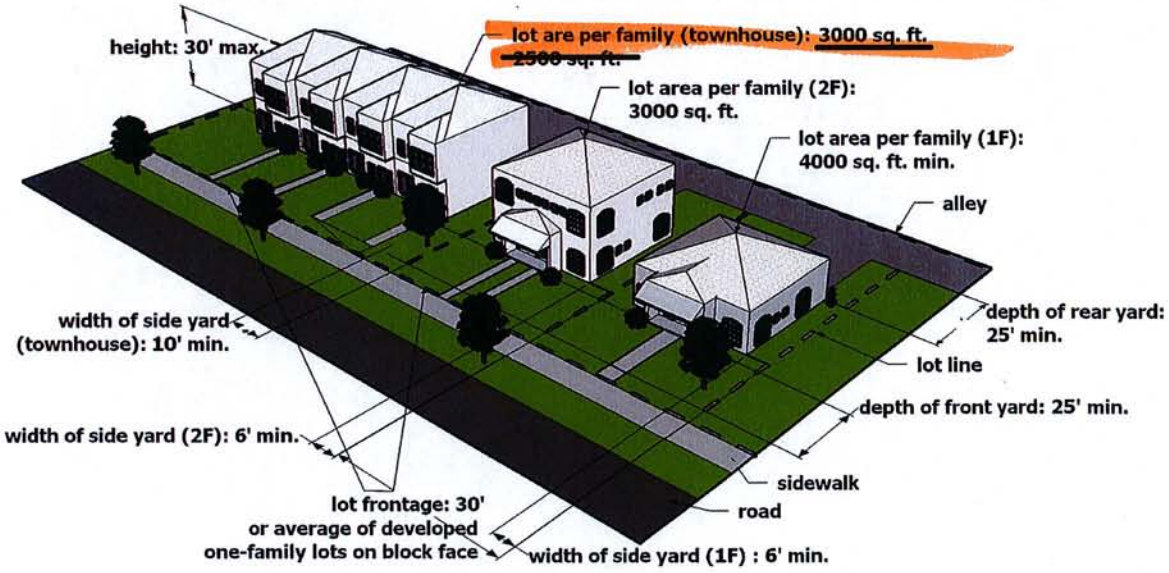
Attachment B, Illustrations 50-14.5.B and 50-14.5.C

B Example.

R-1 Example Building Forms

C Illustration.

R-1 Example Lot Layout



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