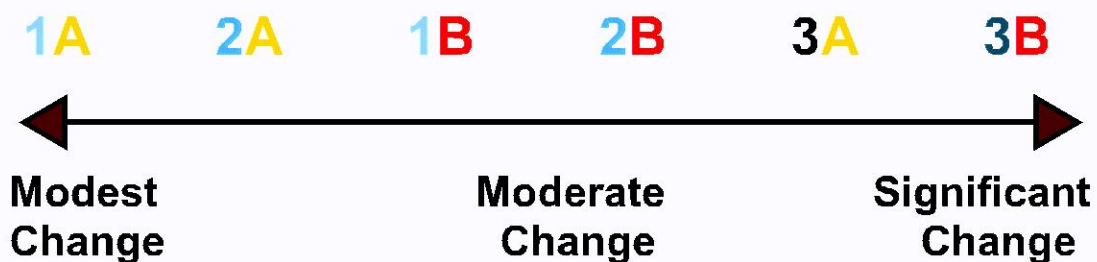


## EXHIBIT B – ORDINANCE OPTIONS

Ordinance Option ID #	Minimum Site Area	Enhanced Environmental Standards (Yes or No)?
1A	33,000 sq. ft. (0.75 acres)	No
2A	22,000 sq. ft. (0.51 acres)	No
3A	7,800 sq. ft. (0.18 acres) (interior lot) or 11,050 sq. ft. (0.25 acres) (corner lot)	No
1B	33,000 sq. ft. (0.75 acres)	Yes
2B	22,000 sq. ft. (0.51 acres)	Yes
3B	7,800 sq. ft. (0.18 acres) (interior lot) or 11,050 sq. ft. (0.25 acres) (corner lot)	Yes

## Ordinance Options Spectrum of Change



ORDINANCE NO. 2024 - \_\_\_\_

AN ORDINANCE UPDATING STANDARDS APPLICABLE TO THE LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT AND RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) ZONING DISTRICT, INCLUDING AMENDMENTS TO THE RS-1 DISTRICT INTENT, MINIMUM SITE WIDTH, MINIMUM FRONT STRUCTURE SETBACK REQUIREMENTS, AND PERMITTED AND PROHIBITED USES, THEREBY AMENDING CHAPTER 21, AND OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~strikethrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

\*\*\*

### ARTICLE II: DISTRICTS AND USES

\*\*\*

#### DIVISION B: RESIDENTIAL ZONING DISTRICTS

\*\*\*

##### § 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(a) *Intent.* The Large Lot Single-Family Residential (RS-1) District is intended to:

(1) Provide locations for large lot, low density residential~~[single-family]~~ development in areas ~~[of]~~that have a minimum of two of the following characteristics:

(A) ~~[s]~~Steep slopes as defined in § 21.303.04 of the city code;~~[r]~~

(B) ~~[s]~~Significant natural or native vegetation as determined by the City Forester;~~[r]~~

(C) ~~[w]~~Wetlands as defined in Minnesota Rules, Chapter 8420; or

(D) ~~[in areas-s]~~Substantially developed as large lots ~~[in order to preserve the character of the area]; and~~

(2) Protect natural resources and ensure compatible redevelopment through appropriate development standards.

\*\*\*

#### DIVISION H: USES

§ 21.209 USE TABLES.

\*\*\*

(c) Residential Zoning Districts.

Use Type	Zoning District									References; See Listed Section	
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100		
RESIDENTIAL											
Dwellings											
Single-family dwelling	P	P	P		P						
Two-family dwelling	P		P		P					21.302.04	

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Social and Cultural Facilities
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Private food service in institutional uses	A	[A]	[A]	A	A	A	A	A	A	
Funeral homes or mortuaries accessory to a cemetery or mausoleum	A									21.302.06
Columbaria accessory to place of assembly for worship, cemetery, or mausoleum	A	[A]	[A]	A	A	A	A	A	A	
Conservatory or green house, accessory to institutional use	A	[A]	[A]	A	A	A	A	A	A	

\*\*\*

ARTICLE III: DEVELOPMENT STANDARDS

DIVISON A: GENERAL STANDARDS

§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

\*\*\*

(c) Residential Zoning Districts.

Zoning District	Site Area	Site Width	Density	Impervious Surface Area
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# EXHIBIT B ORDINANCE OPTIONS

## OPTION 1A

CASE #PL2024-2

	<i>Minimum</i>	<i>Minimum</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Maximum</i>
R-1	7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A) below	NA	NA	35% and see (B[C]) below
RS-1	33,000 sq. ft.	see (A[ & B]) below	NA	NA	35% and see (B[C]) below
R-1A	65,000 sq. ft.	see (A[ & B]) below	NA	NA	35% and see (B[C]) below

\*\*\*

~~[(B) *Median site width.* Site width for all single and two-family residential lots in the RS-1 and R-1A zoning districts approved or modified by the city after August 31, 2006 must meet or exceed 80% of the median site width of existing lots wholly or partially located within 500 feet of the perimeter of the proposed subdivision measured along existing or proposed public streets. In no event is site width for single and two-family residential sites required to exceed 120 feet. In calculating the median site width, the following sites are excluded:~~

- ~~—— (i) Sites that are not single or two-family residential sites;~~
- ~~—— (ii) Sites within the proposed subdivision;~~
- ~~—— (iii) Corner sites;~~
- ~~—— (iv) Flag sites;~~
- ~~—— (v) Sites approved through the Neighborhood Unit Development (NUD) process;~~
- ~~—— (vi) Through lots that do not take access from the same street;~~
- ~~—— (vii) For the purposes of calculating single-family residential site width, two-family sites are excluded; and~~
- ~~—— (viii) For the purposes of calculating two-family residential site width, in cases where horizontally attached two-family residential structures occupy two adjoining lots, site width is determined by adding together the width of each lot. Notwithstanding the requirements of city code § 21.301.01(c)(1)(A), legally created two-family residential sites may be subdivided in accordance with § 21.302.04(c)(16).]~~

~~(B[C]) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, single-family dwellings must meet the following storm water standards:~~

\*\*\*

### § 21.301.02 STRUCTURE PLACEMENT.

\*\*\*

(d) *Residential District setbacks.*

(1) *Residential structure setbacks in residential districts.*



# EXHIBIT B ORDINANCE OPTIONS

## OPTION 1A

CASE #PL2024-2

Zoning District	Along Streets**	Rear	Side Not Along Streets
	Minimum	Minimum	Minimum
R-1	30 feet. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
RS-1	30 feet[ <del>or as required in subsection (3) below, whichever is greater*</del> ]. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
R-1A	75 feet[ <del>or as required in subsection (3) below, whichever is greater*</del> ]. Setbacks also subject to the exception in subsection (3[4]) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service

\*\*\*

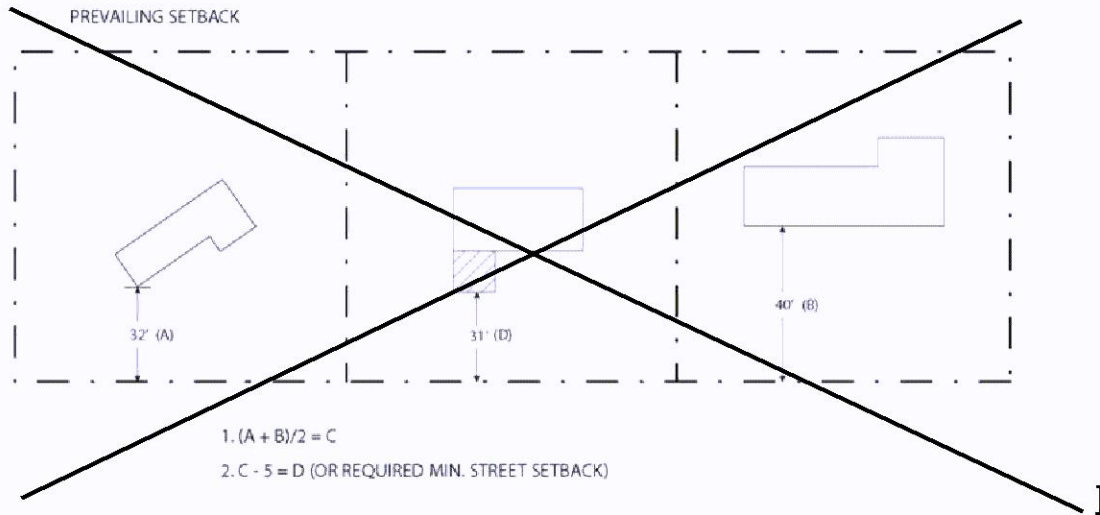
~~[(3) Prevailing setback.~~

~~—— (A) Intent. Prevailing setback standards are intended to promote the compatibility of infill redevelopment with existing development in older neighborhoods.~~

~~—— (B) Applicability. New single family and two family dwellings or additions in the R-1A and RS-1 Zoning Districts must meet increased setback standards along a street if the new dwelling directly abuts to one or more single family dwellings that were in existence on October 7, 1974.~~

~~—— (C) Measurement. The prevailing setback is the average minimum setback of each single family dwelling on directly abutting sites along the same street segment and within the same block face.~~

~~—— (D) Standard. When applicable and not otherwise set through a condition of approval, the required setback from a front or side property line adjacent to a street is five feet less than the prevailing setback, except that the structure may not have a setback from the front or side property line adjacent to a street that is less than the zoning district minimum and in no case may the additional required setback be more than 65 feet from the property line.~~



(3[4]) *Exception for setbacks from side property lines abutting streets.* Where single-family dwellings were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the dwelling may be expanded without a setback variance provided the existing setback is maintained or increased. Where garages were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the garage may be expanded without a setback variance provided the existing setback is maintained or increased and provided additional or expanded garage doors are not proposed to face the side property line abutting a street.

\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney

ORDINANCE NO. 2024 - \_\_\_\_

AN ORDINANCE UPDATING STANDARDS APPLICABLE TO THE LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT AND RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) ZONING DISTRICT, INCLUDING AMENDMENTS TO THE RS-1 DISTRICT INTENT, RS-1 MINIMUM SITE AREA, MINIMUM SITE WIDTH, MINIMUM FRONT STRUCTURE SETBACK REQUIREMENTS, AND PERMITTED AND PROHIBITED USES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~strikethrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

\*\*\*

### ARTICLE II: DISTRICTS AND USES

\*\*\*

#### DIVISION B: RESIDENTIAL ZONING DISTRICTS

\*\*\*

#### § 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(a) *Intent.* The Large Lot Single-Family Residential (RS-1) District is intended to:

(1) Provide locations for large lot, low density residential~~[single-family]~~ development in areas ~~[of]~~that have a minimum of two of the following characteristics:

(A) ~~[s]~~Steep slopes as defined in § 21.303.04 of the city code;~~[r]~~

(B) ~~[s]~~Significant natural or native vegetation as determined by the City Forester;~~[r]~~

(C) ~~[w]~~Wetlands as defined in Minnesota Rules, Chapter 8420; or

(D) ~~[in areas s]~~Substantially developed as large lots~~[in order to preserve the character of the area]; and~~

(2) Protect natural resources and ensure compatible redevelopment through appropriate development standards.

\*\*\*

DIVISON H: USES

§ 21.209 USE TABLES.

\*\*\*

(c) Residential Zoning Districts.

Use Type	Zoning District									References; See Listed Section	
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100		
RESIDENTIAL											
Dwellings											
Single-family dwelling	P	P	P		P						
Two-family dwelling	P		<u>P</u>		P					21.302.04	

\*\*\*

Social and Cultural Facilities
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Private food service in institutional uses	A	[A]	[A]	A	A	A	A	A	A	
Funeral homes or mortuaries accessory to a cemetery or mausoleum	A									21.302.06
Columbaria accessory to place of assembly for worship, cemetery, or mausoleum	A	[A]	[A]	A	A	A	A	A	A	
Conservatory or green house, accessory to institutional use	A	[A]	[A]	A	A	A	A	A	A	

\*\*\*

ARTICLE III: DEVELOPMENT STANDARDS

DIVISON A: GENERAL STANDARDS

§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

\*\*\*

(c) Residential Zoning Districts.



Zoning District	Site Area	Site Width	Density		Impervious Surface Area
	Minimum	Minimum	Minimum	Maximum	Maximum
R-1	7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A) below	NA	NA	35% and see (B[C]) below
RS-1	[33]22,000 sq. ft.	see (A[ & B]) below	NA	NA	35% and see (B[C]) below
R-1A	65,000 sq. ft.	see (A[ & B]) below	NA	NA	35% and see (B[C]) below

\*\*\*

~~[(B) *Median site width.* Site width for all single and two-family residential lots in the RS-1 and R-1A zoning districts approved or modified by the city after August 31, 2006 must meet or exceed 80% of the median site width of existing lots wholly or partially located within 500 feet of the perimeter of the proposed subdivision measured along existing or proposed public streets. In no event is site width for single and two-family residential sites required to exceed 120 feet. In calculating the median site width, the following sites are excluded:~~

- ~~—— (i) Sites that are not single or two-family residential sites;~~
- ~~—— (ii) Sites within the proposed subdivision;~~
- ~~—— (iii) Corner sites;~~
- ~~—— (iv) Flag sites;~~
- ~~—— (v) Sites approved through the Neighborhood Unit Development (NUD) process;~~
- ~~—— (vi) Through lots that do not take access from the same street;~~
- ~~—— (vii) For the purposes of calculating single-family residential site width, two-family sites are excluded; and~~
- ~~—— (viii) For the purposes of calculating two-family residential site width, in cases where horizontally attached two-family residential structures occupy two adjoining lots, site width is determined by adding together the width of each lot. Notwithstanding the requirements of city code § 21.301.01(c)(1)(A), legally created two-family residential sites may be subdivided in accordance with § 21.302.04(c)(16).]~~

~~(B[G]) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, single-family dwellings must meet the following storm water standards:~~

\*\*\*

## § 21.301.02 STRUCTURE PLACEMENT.

\*\*\*

- ~~(d) *Residential District setbacks.*~~

(1) *Residential structure setbacks in residential districts.*

Zoning District	Along Streets**	Rear	Side Not Along Streets
	Minimum	Minimum	Minimum
R-1	30 feet. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
RS-1	30 feet[or as required in subsection (3) below, whichever is greater <sup>†</sup> ]. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
R-1A	75 feet[or as required in subsection (3) below, whichever is greater <sup>†</sup> ]. Setbacks also subject to the exception in subsection (3[4]) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service

\*\*\*

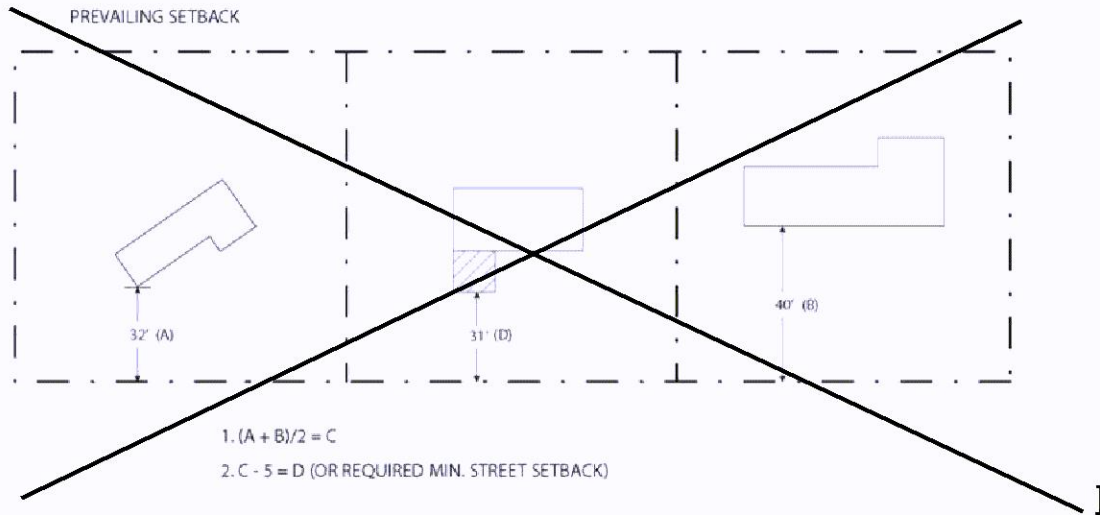
~~[(3) *Prevailing setback.*~~

~~—— (A) *Intent.* Prevailing setback standards are intended to promote the compatibility of infill redevelopment with existing development in older neighborhoods.~~

~~—— (B) *Applicability.* New single-family and two-family dwellings or additions in the R-1A and RS-1 Zoning Districts must meet increased setback standards along a street if the new dwelling directly abuts to one or more single-family dwellings that were in existence on October 7, 1974.~~

~~—— (C) *Measurement.* The prevailing setback is the average minimum setback of each single-family dwelling on directly abutting sites along the same street segment and within the same block face.~~

~~—— (D) *Standard.* When applicable and not otherwise set through a condition of approval, the required setback from a front or side property line adjacent to a street is five feet less than the prevailing setback, except that the structure may not have a setback from the front or side property line adjacent to a street that is less than the zoning district minimum and in no case may the additional required setback be more than 65 feet from the property line.~~



(3[4]) *Exception for setbacks from side property lines abutting streets.* Where single-family dwellings were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the dwelling may be expanded without a setback variance provided the existing setback is maintained or increased. Where garages were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the garage may be expanded without a setback variance provided the existing setback is maintained or increased and provided additional or expanded garage doors are not proposed to face the side property line abutting a street.

\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney



ORDINANCE NO. 2024 - \_\_\_\_

AN ORDINANCE UPDATING STANDARDS APPLICABLE TO THE LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT AND RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) ZONING DISTRICT, INCLUDING AMENDMENTS TO THE RS-1 DISTRICT INTENT, RS-1 MINIMUM SITE AREA, MINIMUM SITE WIDTH, MINIMUM FRONT STRUCTURE SETBACK REQUIREMENTS, AND PERMITTED AND PROHIBITED USES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~strikethrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

\*\*\*

### ARTICLE II: DISTRICTS AND USES

\*\*\*

#### DIVISION B: RESIDENTIAL ZONING DISTRICTS

\*\*\*

#### § 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(a) *Intent.* The Large Lot Single-Family Residential (RS-1) District is intended to:

(1) Provide locations for large lot, low density residential~~[single-family]~~ development in areas ~~[of]~~that have a minimum of two of the following characteristics:

(A) ~~[s]~~Steep slopes as defined in § 21.303.04 of the city code;~~[r]~~

(B) ~~[s]~~Significant natural or native vegetation as determined by the City Forester;~~[r]~~

(C) ~~[w]~~Wetlands as defined in Minnesota Rules, Chapter 8420; or

(D) ~~[in areas s]~~Substantially developed as large lots~~[in order to preserve the character of the area]; and~~

(2) Protect natural resources and ensure compatible redevelopment through appropriate development standards.

\*\*\*



DIVISON H: USES

§ 21.209 USE TABLES.

\*\*\*

(c) Residential Zoning Districts.

Use Type	Zoning District									References; See Listed Section	
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100		
RESIDENTIAL											
Dwellings											
Single-family dwelling	P	P	P		P						
Two-family dwelling	P		<u>P</u>		P					21.302.04	

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Social and Cultural Facilities
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\*\*\*

Private food service in institutional uses	A	[A]	[A]	A	A	A	A	A	A	
Funeral homes or mortuaries accessory to a cemetery or mausoleum	A									21.302.06
Columbaria accessory to place of assembly for worship, cemetery, or mausoleum	A	[A]	[A]	A	A	A	A	A	A	
Conservatory or green house, accessory to institutional use	A	[A]	[A]	A	A	A	A	A	A	

\*\*\*

ARTICLE III: DEVELOPMENT STANDARDS

DIVISON A: GENERAL STANDARDS

§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

\*\*\*

(c) Residential Zoning Districts.

Zoning District	Site Area	Site Width	Density		Impervious Surface Area
	Minimum	Minimum	Minimum	Maximum	Maximum
R-1	7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A) below	NA	NA	35% and see (B)(C) below
RS-1	<del>[33,000]</del> 7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A[ & B]) below	NA	NA	35% and see (B)(C) below
R-1A	65,000 sq. ft.	see (A[ & B]) below	NA	NA	35% and see (B)(C) below

\*\*\*

~~[(B) *Median site width.* Site width for all single and two-family residential lots in the RS-1 and R-1A zoning districts approved or modified by the city after August 31, 2006 must meet or exceed 80% of the median site width of existing lots wholly or partially located within 500 feet of the perimeter of the proposed subdivision measured along existing or proposed public streets. In no event is site width for single and two-family residential sites required to exceed 120 feet. In calculating the median site width, the following sites are excluded:~~

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- ~~—— (ii) Sites within the proposed subdivision;~~
- ~~—— (iii) Corner sites;~~
- ~~—— (iv) Flag sites;~~
- ~~—— (v) Sites approved through the Neighborhood Unit Development (NUD) process;~~
- ~~—— (vi) Through lots that do not take access from the same street;~~
- ~~—— (vii) For the purposes of calculating single-family residential site width, two-family sites are excluded; and~~
- ~~—— (viii) For the purposes of calculating two-family residential site width, in cases where horizontally attached two-family residential structures occupy two adjoining lots, site width is determined by adding together the width of each lot. Notwithstanding the requirements of city code § 21.301.01(c)(1)(A), legally created two-family residential sites may be subdivided in accordance with § 21.302.04(c)(16).]~~

~~(B)(C) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, single-family dwellings must meet the following storm water standards:~~

\*\*\*

## **§ 21.301.02 STRUCTURE PLACEMENT.**

\*\*\*

~~(d) *Residential District setbacks.*~~

~~(1) *Residential structure setbacks in residential districts.*~~

# EXHIBIT B ORDINANCE OPTIONS

## OPTION 3A

CASE #PL2024-2

Zoning District	Along Streets**	Rear	Side Not Along Streets
	Minimum	Minimum	Minimum
R-1	30 feet. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
RS-1	30 feet[ <del>or as required in subsection (3) below, whichever is greater*</del> ]. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
R-1A	75 feet[ <del>or as required in subsection (3) below, whichever is greater*</del> ]. Setbacks also subject to the exception in subsection (3[4]) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service

\*\*\*

~~[(3) Prevailing setback.~~

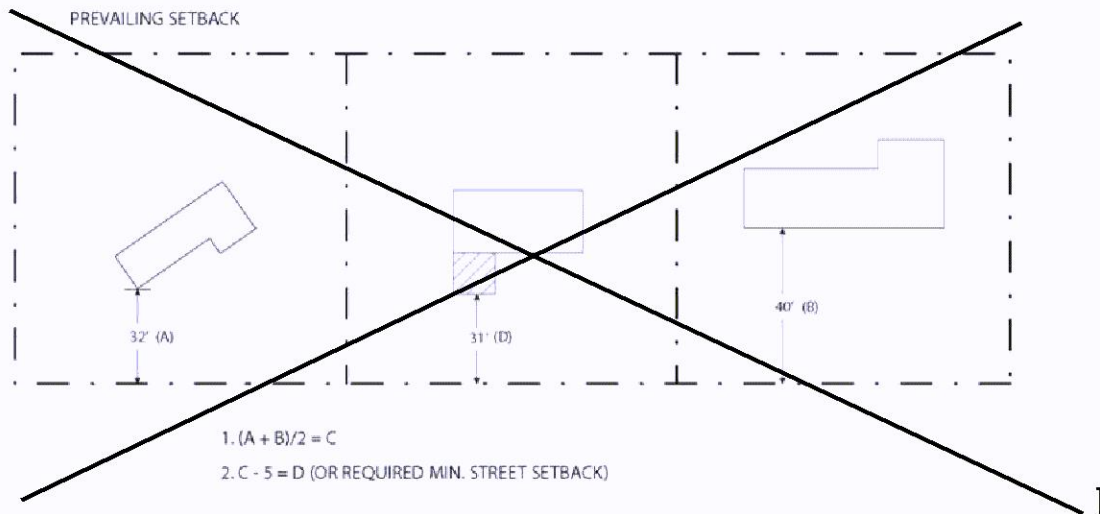
~~—— (A) Intent. Prevailing setback standards are intended to promote the compatibility of infill redevelopment with existing development in older neighborhoods.~~

~~—— (B) Applicability. New single family and two family dwellings or additions in the R-1A and RS-1 Zoning Districts must meet increased setback standards along a street if the new dwelling directly abuts to one or more single family dwellings that were in existence on October 7, 1974.~~

~~—— (C) Measurement. The prevailing setback is the average minimum setback of each single family dwelling on directly abutting sites along the same street segment and within the same block face.~~

~~—— (D) Standard. When applicable and not otherwise set through a condition of approval, the required setback from a front or side property line adjacent to a street is five feet less than the prevailing setback, except that the structure may not have a setback from the front or side property line adjacent to a street that is less than the zoning district minimum and in no case may the additional required setback be more than 65 feet from the property line.~~





(3[4]) *Exception for setbacks from side property lines abutting streets.* Where single-family dwellings were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the dwelling may be expanded without a setback variance provided the existing setback is maintained or increased. Where garages were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the garage may be expanded without a setback variance provided the existing setback is maintained or increased and provided additional or expanded garage doors are not proposed to face the side property line abutting a street.

\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney



ORDINANCE NO. 2024 - \_\_\_\_

AN ORDINANCE UPDATING STANDARDS APPLICABLE TO THE LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT AND RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) ZONING DISTRICT, INCLUDING AMENDMENTS TO THE RS-1 DISTRICT INTENT, MINIMUM SITE WIDTH, MAXIMUM IMPERVIOUS SURFACE LIMITS, MINIMUM FRONT STRUCTURE SETBACK REQUIREMENTS, PERMITTED AND PROHIBITED USES, AND TREE PRESERVATION REQUIREMENTS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~striketrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

\*\*\*

### ARTICLE II: DISTRICTS AND USES

\*\*\*

#### DIVISON B: RESIDENTIAL ZONING DISTRICTS

\*\*\*

#### § 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(a) *Intent.* The Large Lot Single-Family Residential (RS-1) District is intended to:

(1) Provide locations for large lot, low density residential~~[single-family]~~ development in areas ~~[of]~~that have a minimum of two of the following characteristics:

(A) ~~[s]~~Steep slopes as defined in § 21.303.04 of the city code;~~;~~

(B) ~~[s]~~Significant natural or native vegetation as determined by the City Forester;~~;~~

(C) ~~[w]~~Wetlands as defined in Minnesota Rules, Chapter 8420; or

(D) ~~[in areas s]~~Substantially developed as large lots~~[in order to preserve the character of the area];~~ and

(2) Protect natural resources and ensure compatible redevelopment through ~~[appropriate]~~enhanced development standards.

\*\*\*

DIVISON H: USES

§ 21.209 USE TABLES.

\*\*\*

(c) Residential Zoning Districts.

Use Type	Zoning District									References; See Listed Section	
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100		
RESIDENTIAL											
Dwellings											
Single-family dwelling	P	P	P		P						
Two-family dwelling	P		<u>P</u>		P					21.302.04	

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Social and Cultural Facilities
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Private food service in institutional uses	A	[A]	[A]	A	A	A	A	A	A	
Funeral homes or mortuaries accessory to a cemetery or mausoleum	A									21.302.06
Columbaria accessory to place of assembly for worship, cemetery, or mausoleum	A	[A]	[A]	A	A	A	A	A	A	
Conservatory or green house, accessory to institutional use	A	[A]	[A]	A	A	A	A	A	A	

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ARTICLE III: DEVELOPMENT STANDARDS

DIVISON A: GENERAL STANDARDS

§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

\*\*\*

(c) Residential Zoning Districts.

# EXHIBIT B ORDINANCE OPTIONS

## OPTION 1B

CASE #PL2024-2

Zoning District	Site Area	Site Width	Density		Impervious Surface Area
	Minimum	Minimum	Minimum	Maximum	Maximum
R-1	7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A) below	NA	NA	35% and see (B[C]) below
RS-1	33,000 sq. ft.	see (A[ & B]) below	NA	NA	[3]25% and see (B[C]) below
R-1A	65,000 sq. ft.	see (A[ & B]) below	NA	NA	25% and see (B[C]) below

\*\*\*

~~[(B) *Median site width.* Site width for all single and two-family residential lots in the RS-1 and R-1A zoning districts approved or modified by the city after August 31, 2006 must meet or exceed 80% of the median site width of existing lots wholly or partially located within 500 feet of the perimeter of the proposed subdivision measured along existing or proposed public streets. In no event is site width for single and two-family residential sites required to exceed 120 feet. In calculating the median site width, the following sites are excluded:~~

- ~~—— (i) Sites that are not single or two-family residential sites;~~
- ~~—— (ii) Sites within the proposed subdivision;~~
- ~~—— (iii) Corner sites;~~
- ~~—— (iv) Flag sites;~~
- ~~—— (v) Sites approved through the Neighborhood Unit Development (NUD) process;~~
- ~~—— (vi) Through lots that do not take access from the same street;~~
- ~~—— (vii) For the purposes of calculating single-family residential site width, two-family sites are excluded; and~~
- ~~—— (viii) For the purposes of calculating two-family residential site width, in cases where horizontally attached two-family residential structures occupy two adjoining lots, site width is determined by adding together the width of each lot. Notwithstanding the requirements of city code § 21.301.01(c)(1)(A), legally created two-family residential sites may be subdivided in accordance with § 21.302.04(c)(16).]~~

~~(B[G]) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, single-family dwellings must meet the following storm water standards:~~

- ~~(i) Erosion and sediment control must meet the requirements of Chapter 16 of the city code;~~
- ~~(ii) The area of impervious surface on a single-family residential site may not exceed 12,000 sq. ft. plus 1,000 sq. ft. for each full acre of lot size over one acre.~~



(iii) Single-family residential sites in the R-1 District less than 11,000 square feet in area may exceed 35% of impervious surface up to a maximum of 45% with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(aa) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.

(bb) Additional impervious surface above 35% must be mitigated by installing on-site trees at a rate of one tree per three percent of impervious surface area above 35%, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the single-family residential site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

(iv) Single-family residential sites zoned RS-1 or R1-A may exceed 25 percent of impervious surface up to a maximum of 35 percent with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(aa) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.

(bb) Additional impervious surface above 25 percent must be mitigated by installing on-site trees at a rate of one tree per two percent of impervious surface area above 25 percent, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

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§ 21.301.02 STRUCTURE PLACEMENT.

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- (d) Residential District setbacks.
- (1) Residential structure setbacks in residential districts.

Zoning District	Along Streets**	Rear	Side Not Along Streets
	Minimum	Minimum	Minimum
R-1	30 feet. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
RS-1	30 feet[or as required in subsection (3) below;	30 feet	10 feet



	whichever is greater <sup>4</sup> ]. Setbacks also subject to the exception in subsection (3[4]) below.	5 feet for garages and accessory buildings not connected to water or sanitary sewer service	5 feet for garages and accessory buildings not connected to water or sanitary sewer service
R-1A	75 feet[or as required in subsection (3) below, whichever is greater <sup>4</sup> ]. Setbacks also subject to the exception in subsection (3[4]) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service

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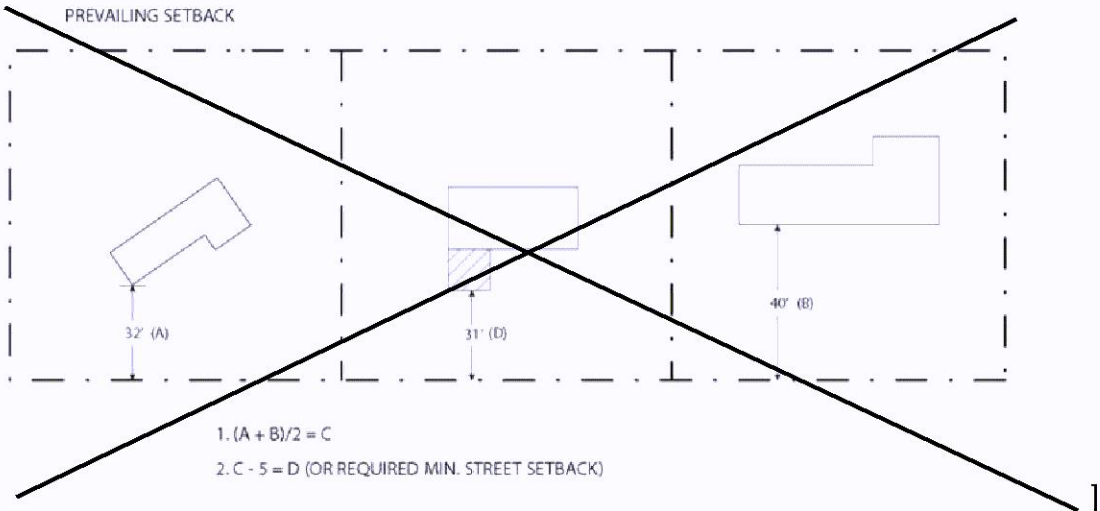
~~[(3) Prevailing setback.~~

~~— (A) Intent. Prevailing setback standards are intended to promote the compatibility of infill redevelopment with existing development in older neighborhoods.~~

~~— (B) Applicability. New single-family and two-family dwellings or additions in the R-1A and RS-1 Zoning Districts must meet increased setback standards along a street if the new dwelling directly abuts to one or more single-family dwellings that were in existence on October 7, 1974.~~

~~— (C) Measurement. The prevailing setback is the average minimum setback of each single-family dwelling on directly abutting sites along the same street segment and within the same block face.~~

~~— (D) Standard. When applicable and not otherwise set through a condition of approval, the required setback from a front or side property line adjacent to a street is five feet less than the prevailing setback, except that the structure may not have a setback from the front or side property line adjacent to a street that is less than the zoning district minimum and in no case may the additional required setback be more than 65 feet from the property line.~~



~~(3[4]) Exception for setbacks from side property lines abutting streets. Where single-family dwellings were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the dwelling may be expanded without a setback~~

variance provided the existing setback is maintained or increased. Where garages were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the garage may be expanded without a setback variance provided the existing setback is maintained or increased and provided additional or expanded garage doors are not proposed to face the side property line abutting a street.

\*\*\*

§ 21.301.14 TREE PRESERVATION.

\*\*\*

(d) *Removal threshold.*

(1) Removal or disturbance of significant trees on lots or proposed lots beyond 50 percent in the R-1 Zoning District or beyond 25 percent in the[;] R1-A and RS-1 Zoning Districts[~~beyond 50%~~] of the total inches DBH of significant trees on the lot or proposed lot requires reforestation as specified in this section. The following trees are not counted toward the calculation of significant trees:

\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney

ORDINANCE NO. 2024 - \_\_\_\_

AN ORDINANCE UPDATING STANDARDS APPLICABLE TO THE LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT AND RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) ZONING DISTRICT, INCLUDING AMENDMENTS TO THE RS-1 DISTRICT INTENT, RS-1 MINIMUM SITE AREA, MINIMUM SITE WIDTH, MAXIMUM IMPERVIOUS SURFACE LIMITS, MINIMUM FRONT STRUCTURE SETBACK REQUIREMENTS, PERMITTED AND PROHIBITED USES, AND TREE PRESERVATION REQUIREMENTS, THEREBY AMENDING CHAPTER 21, AND OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~striketrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

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### ARTICLE II: DISTRICTS AND USES

\*\*\*

#### DIVISION B: RESIDENTIAL ZONING DISTRICTS

\*\*\*

#### § 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(a) *Intent.* The Large Lot Single-Family Residential (RS-1) District is intended to:

(1) Provide locations for large lot, low density residential~~[single-family]~~ development in areas ~~[of]~~that have a minimum of two of the following characteristics:

(A) ~~[s]~~Steep slopes as defined in § 21.303.04 of the city code;~~;~~

(B) ~~[s]~~Significant natural or native vegetation as determined by the City Forester;~~;~~

(C) ~~[w]~~Wetlands as defined in Minnesota Rules, Chapter 8420; or

(D) ~~[in areas s]~~Substantially developed as large lots~~[in order to preserve the character of the area];~~ and

(2) Protect natural resources and ensure compatible redevelopment through ~~[appropriate]~~enhanced development standards.

\*\*\*



DIVISON H: USES

§ 21.209 USE TABLES.

\*\*\*

(c) Residential Zoning Districts.

Use Type	Zoning District									References; See Listed Section	
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100		
RESIDENTIAL											
Dwellings											
Single-family dwelling	P	P	P		P						
Two-family dwelling	P		<u>P</u>		P					21.302.04	

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Social and Cultural Facilities
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Private food service in institutional uses	A	[A]	[A]	A	A	A	A	A	A	
Funeral homes or mortuaries accessory to a cemetery or mausoleum	A									21.302.06
Columbaria accessory to place of assembly for worship, cemetery, or mausoleum	A	[A]	[A]	A	A	A	A	A	A	
Conservatory or green house, accessory to institutional use	A	[A]	[A]	A	A	A	A	A	A	

\*\*\*

ARTICLE III: DEVELOPMENT STANDARDS

DIVISON A: GENERAL STANDARDS

§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

\*\*\*

(c) Residential Zoning Districts.

Zoning District	Site Area	Site Width	Density		Impervious Surface Area
	Minimum	Minimum	Minimum	Maximum	Maximum
R-1	7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A) below	NA	NA	35% and see (B[C]) below
RS-1	[33]22,000 sq. ft.	see (A[ & B]) below	NA	NA	30[5]% and see (B[C]) below
R-1A	65,000 sq. ft.	see (A[ & B]) below	NA	NA	30% and see (B[C]) below

\*\*\*

~~[(B) *Median site width.* Site width for all single and two-family residential lots in the RS-1 and R-1A zoning districts approved or modified by the city after August 31, 2006 must meet or exceed 80% of the median site width of existing lots wholly or partially located within 500 feet of the perimeter of the proposed subdivision measured along existing or proposed public streets. In no event is site width for single and two-family residential sites required to exceed 120 feet. In calculating the median site width, the following sites are excluded:~~

- ~~—— (i) Sites that are not single or two-family residential sites;~~
- ~~—— (ii) Sites within the proposed subdivision;~~
- ~~—— (iii) Corner sites;~~
- ~~—— (iv) Flag sites;~~
- ~~—— (v) Sites approved through the Neighborhood Unit Development (NUD) process;~~
- ~~—— (vi) Through lots that do not take access from the same street;~~
- ~~—— (vii) For the purposes of calculating single-family residential site width, two-family sites are excluded; and~~
- ~~—— (viii) For the purposes of calculating two-family residential site width, in cases where horizontally attached two-family residential structures occupy two adjoining lots, site width is determined by adding together the width of each lot. Notwithstanding the requirements of city code § 21.301.01(c)(1)(A), legally created two-family residential sites may be subdivided in accordance with § 21.302.04(c)(16).]~~

~~(B[G]) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, single-family dwellings must meet the following storm water standards:~~

- ~~(i) Erosion and sediment control must meet the requirements of Chapter 16 of the city code;~~
- ~~(ii) The area of impervious surface on a single-family residential site may not exceed 12,000 sq. ft. plus 1,000 sq. ft. for each full acre of lot size over one acre.~~

(iii) Single-family residential sites less than 11,000 square feet in area in the R-1 District may exceed 35% of impervious surface up to a maximum of 45% with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(aa) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.

(bb) Additional impervious surface above 35% must be mitigated by installing on-site trees at a rate of one tree per three percent of impervious surface area above 35%, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the single-family residential site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

(iv) Single-family residential sites zoned RS-1 or R-1A may exceed 30 percent of impervious surface up to a maximum of 35 percent with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(aa) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.

(bb) Additional impervious surface above 30 percent must be mitigated by installing on-site trees at a rate of one tree per two percent of impervious surface area above 30 percent, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

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## § 21.301.02 STRUCTURE PLACEMENT.

\*\*\*

(d) *Residential District setbacks.*

(1) *Residential structure setbacks in residential districts.*

Zoning District	Along Streets**	Rear	Side Not Along Streets
	Minimum	Minimum	Minimum
R-1	30 feet. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
RS-1	30 feet <del>[or as required in subsection (3) below]</del>	30 feet	10 feet



	whichever is greater <sup>4</sup> ]. Setbacks also subject to the exception in subsection (3[4]) below.	5 feet for garages and accessory buildings not connected to water or sanitary sewer service	5 feet for garages and accessory buildings not connected to water or sanitary sewer service
R-1A	75 feet[or as required in subsection (3) below, whichever is greater <sup>4</sup> ]. Setbacks also subject to the exception in subsection (3[4]) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service

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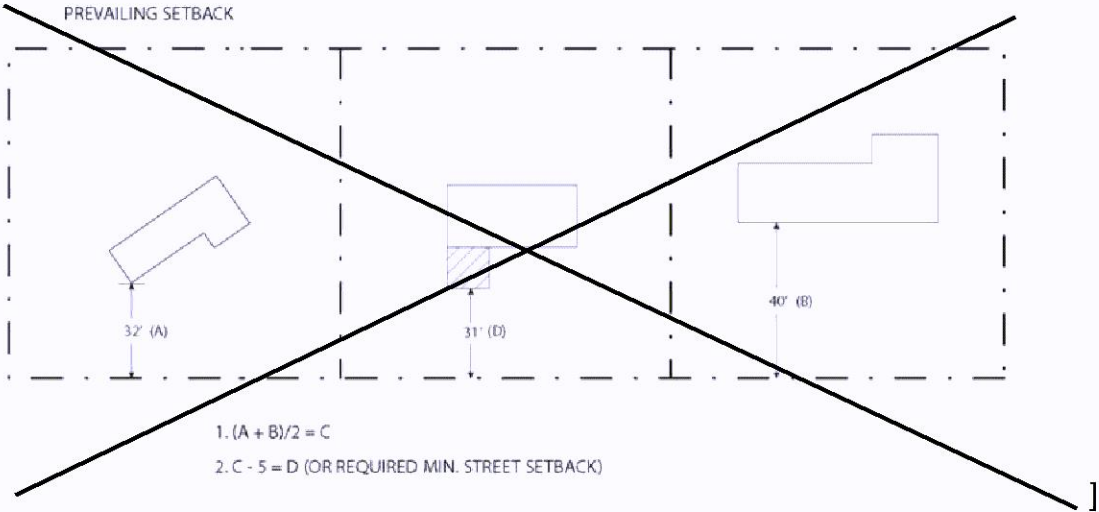
~~[(3) Prevailing setback.~~

~~—— (A) Intent. Prevailing setback standards are intended to promote the compatibility of infill redevelopment with existing development in older neighborhoods.~~

~~—— (B) Applicability. New single-family and two-family dwellings or additions in the R-1A and RS-1 Zoning Districts must meet increased setback standards along a street if the new dwelling directly abuts to one or more single-family dwellings that were in existence on October 7, 1974.~~

~~—— (C) Measurement. The prevailing setback is the average minimum setback of each single-family dwelling on directly abutting sites along the same street segment and within the same block face.~~

~~—— (D) Standard. When applicable and not otherwise set through a condition of approval, the required setback from a front or side property line adjacent to a street is five feet less than the prevailing setback, except that the structure may not have a setback from the front or side property line adjacent to a street that is less than the zoning district minimum and in no case may the additional required setback be more than 65 feet from the property line.~~



~~(3[4]) Exception for setbacks from side property lines abutting streets. Where single-family dwellings were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the dwelling may be expanded without a setback~~

variance provided the existing setback is maintained or increased. Where garages were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the garage may be expanded without a setback variance provided the existing setback is maintained or increased and provided additional or expanded garage doors are not proposed to face the side property line abutting a street.

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**§ 21.301.14 TREE PRESERVATION.**

\*\*\*

(d) *Removal threshold.*

(1) Removal or disturbance of significant trees on lots or proposed lots beyond 50 percent in the R-1 Zoning District or beyond 25 percent in the[;] R1-A and RS-1 Zoning Districts[~~beyond 50%~~] of the total inches DBH of significant trees on the lot or proposed lot requires reforestation as specified in this section. The following trees are not counted toward the calculation of significant trees:

\*\*\*

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney

ORDINANCE NO. 2024 - \_\_\_\_

AN ORDINANCE UPDATING STANDARDS APPLICABLE TO THE LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT AND RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) ZONING DISTRICT, INCLUDING AMENDMENTS TO THE RS-1 DISTRICT INTENT, RS-1 MINIMUM SITE AREA, MINIMUM SITE WIDTH, MAXIMUM IMPERVIOUS SURFACE LIMITS, FRONT STRUCTURE SETBACK REQUIREMENTS, PERMITTED AND PROHIBITED USES, AND TREE PRESERVATION REQUIREMENTS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~striketrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

\*\*\*

### ARTICLE II: DISTRICTS AND USES

\*\*\*

#### DIVISON B: RESIDENTIAL ZONING DISTRICTS

\*\*\*

#### § 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(a) *Intent.* The Large Lot Single-Family Residential (RS-1) District is intended to:

(1) Provide locations for large lot, low density residential~~[single-family]~~ development in areas ~~[of]~~that have a minimum of two of the following characteristics:

(A) ~~[s]~~Steep slopes as defined in § 21.303.04 of the city code;~~;~~

(B) ~~[s]~~Significant natural or native vegetation as determined by the City Forester;~~;~~

(C) ~~[w]~~Wetlands as defined in Minnesota Rules, Chapter 8420; or

(D) ~~[in areas s]~~Substantially developed as large lots~~[in order to preserve the character of the area];~~ and

(2) Protect natural resources and ensure compatible redevelopment through ~~[appropriate]~~enhanced development standards.

\*\*\*



DIVISON H: USES

§ 21.209 USE TABLES.

\*\*\*

(c) Residential Zoning Districts.

Use Type	Zoning District									References; See Listed Section	
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100		
RESIDENTIAL											
Dwellings											
Single-family dwelling	P	P	P		P						
Two-family dwelling	P		<u>P</u>		P					21.302.04	

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Social and Cultural Facilities
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Private food service in institutional uses	A	[A]	[A]	A	A	A	A	A	A	
Funeral homes or mortuaries accessory to a cemetery or mausoleum	A									21.302.06
Columbaria accessory to place of assembly for worship, cemetery, or mausoleum	A	[A]	[A]	A	A	A	A	A	A	
Conservatory or green house, accessory to institutional use	A	[A]	[A]	A	A	A	A	A	A	

\*\*\*

ARTICLE III: DEVELOPMENT STANDARDS

DIVISON A: GENERAL STANDARDS

§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

\*\*\*

(c) Residential Zoning Districts.

Zoning District	Site Area	Site Width	Density		Impervious Surface Area
	Minimum	Minimum	Minimum	Maximum	Maximum
R-1	7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A) below	NA	NA	35% and see (B[C]) below
RS-1	<del>[33,000]</del> 7,800 sq. ft. (corner lot 11,050 sq. ft.)	see (A[ & B]) below	NA	NA	<del>[3]</del> 25% and see (B[C]) below
R-1A	65,000 sq. ft.	see (A[ & B]) below	NA	NA	25% and see (B[C]) below

\*\*\*

~~[(B) — Median site width. Site width for all single and two-family residential lots in the RS-1 and R-1A zoning districts approved or modified by the city after August 31, 2006 must meet or exceed 80% of the median site width of existing lots wholly or partially located within 500 feet of the perimeter of the proposed subdivision measured along existing or proposed public streets. In no event is site width for single and two-family residential sites required to exceed 120 feet. In calculating the median site width, the following sites are excluded:~~

- ~~—— (i) Sites that are not single or two-family residential sites;~~
- ~~—— (ii) Sites within the proposed subdivision;~~
- ~~—— (iii) Corner sites;~~
- ~~—— (iv) Flag sites;~~
- ~~—— (v) Sites approved through the Neighborhood Unit Development (NUD) process;~~
- ~~—— (vi) Through lots that do not take access from the same street;~~
- ~~—— (vii) For the purposes of calculating single-family residential site width, two-family sites are excluded; and~~
- ~~—— (viii) For the purposes of calculating two-family residential site width, in cases where horizontally attached two-family residential structures occupy two adjoining lots, site width is determined by adding together the width of each lot. Notwithstanding the requirements of city code § 21.301.01(c)(1)(A), legally created two-family residential sites may be subdivided in accordance with § 21.302.04(c)(16).]~~

(B[G]) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, single-family dwellings must meet the following storm water standards:

- (i) Erosion and sediment control must meet the requirements of Chapter 16 of the city code;

(ii) The area of impervious surface on a single-family residential site may not exceed 12,000 sq. ft. plus 1,000 sq. ft. for each full acre of lot size over one acre.

(iii) R-1 sites. Single-family residential sites zoned R-1 and less than 11,000 square feet in area may exceed 35% of impervious surface up to a maximum of 45% with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(aa) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.

(bb) Additional impervious surface above 35% must be mitigated by installing on-site trees at a rate of one tree per three percent of impervious surface area above 35%, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the single-family residential site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

(iv) RS-1 and R1-A sites.

(aa) Maximum impervious surface area. Sites zoned RS-1 or R1-A must meet the following limitations on impervious surface according to the existing or proposed site area:

<u>Site Area</u>	<u>Maximum Impervious Surface Area</u>
<u>7,800 – 11,000 sq. ft.</u>	<u>35%</u>
<u>11,001 – 15,000 sq. ft.</u>	<u>32%</u>
<u>15,001 – 22,000 sq. ft.</u>	<u>30%</u>
<u>22,000 – 33,000 sq. ft.</u>	<u>27%</u>
<u>Over 33,000 sq. ft.</u>	<u>25%</u>

(bb) Mitigation. Single-family and two-family residential sites zoned RS-1 or R1-A may exceed the limits of maximum impervious surface listed in subsection (aa) above up to a maximum of 35 percent with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(AA) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.



(BB) Additional impervious surface above the limits established in subsection (aa) above must be mitigated by installing on-site trees at a rate of one tree per one percent of impervious surface area above the maximum limit, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

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§ 21.301.02 STRUCTURE PLACEMENT.

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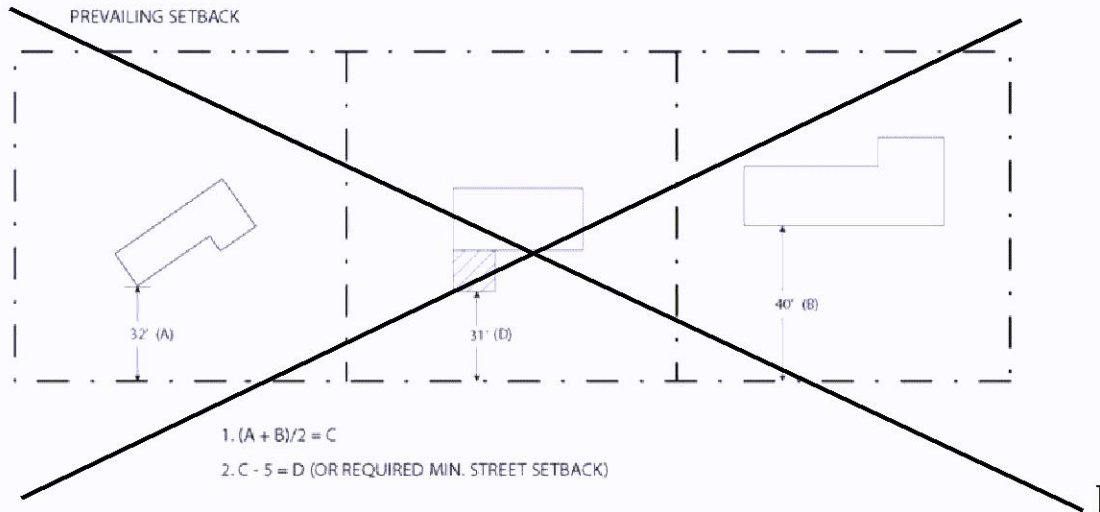
- (d) Residential District setbacks.
- (1) Residential structure setbacks in residential districts.

Zoning District	Along Streets**	Rear	Side Not Along Streets
	Minimum	Minimum	Minimum
R-1	30 feet. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
RS-1	30 feet[or as required in subsection (3) below, whichever is greater*]. Setbacks also subject to the exception in subsection (3[4]) below.	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	10 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
R-1A	75 feet[or as required in subsection (3) below, whichever is greater*]. Setbacks also subject to the exception in subsection (3[4]) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service

\*\*\*

- ~~[(3) Prevailing setback.~~
- ~~—— (A) Intent. Prevailing setback standards are intended to promote the compatibility of infill redevelopment with existing development in older neighborhoods.~~
- ~~—— (B) Applicability. New single family and two family dwellings or additions in the R-1A and RS-1 Zoning Districts must meet increased setback standards along a street if the new dwelling directly abuts to one or more single family dwellings that were in existence on October 7, 1974.~~
- ~~—— (C) Measurement. The prevailing setback is the average minimum setback of each single family dwelling on directly abutting sites along the same street segment and within the same block face.~~
- ~~—— (D) Standard. When applicable and not otherwise set through a condition of approval, the required setback from a front or side property line adjacent to a street is~~

~~five feet less than the prevailing setback, except that the structure may not have a setback from the front or side property line adjacent to a street that is less than the zoning district minimum and in no case may the additional required setback be more than 65 feet from the property line.~~



~~(3[4]) Exception for setbacks from side property lines abutting streets. Where single-family dwellings were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the dwelling may be expanded without a setback variance provided the existing setback is maintained or increased. Where garages were legally constructed with a setback of 20 feet or more from a side property line abutting a street, the garage may be expanded without a setback variance provided the existing setback is maintained or increased and provided additional or expanded garage doors are not proposed to face the side property line abutting a street.~~

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#### § 21.301.14 TREE PRESERVATION.

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~~(d) Removal threshold.~~

~~(1) Removal or disturbance of significant trees on lots or proposed lots beyond 50 percent in the R-1 Zoning District or beyond 25 percent in the R1-A and RS-1 Zoning Districts~~[beyond 50%]~~ of the total inches DBH of significant trees on the lot or proposed lot requires reforestation as specified in this section. The following trees are not counted toward the calculation of significant trees:~~

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#### DIVISION B: USE STANDARDS

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#### § 21.302.04 TWO-FAMILY DWELLINGS.

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(c) *Standards.*

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(18) *Storm water.* To mitigate the impacts of increased storm water runoff rates and volume, two-family dwellings must meet the following storm water standards when located in the R-1 Zoning District:

(A) Erosion and sediment control must meet the requirements of Chapter 16 of the city code;

(B) The area of impervious surface on a two-family residential site may not exceed 12,000 sq. ft. plus 1,000 sq. ft. for each full acre of lot size over one acre.

(C) Two-family residential sites may exceed 35% of impervious surface, up to a maximum of 45%, with approval from the City Engineer or designee prior to issuance of a grading, foundation, or building permit, subject to the following requirements:

(i) Approval of stormwater management plans consistent with the requirements of Chapter 16 of the city code and the city's Comprehensive Surface Water Management Plan.

(ii) Additional impervious surface above 35% must be mitigated by installing on-site trees at a rate of one tree per three percent of impervious surface area above 35%, with a minimum requirement of one tree, unless a waiver is granted by the Issuing Authority based upon existing tree canopy cover of the two-family residential site. Trees must be overstory trees, except sites that require more than one tree may use one ornamental tree in lieu of one overstory tree. A maximum of one ornamental tree may be installed to satisfy the mitigation requirement.

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Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Secretary to the Council

APPROVED:

\_\_\_\_\_  
City Attorney