



**Planning Commission Work Session
Monday, October 21, 2024 at 6:00 PM
3rd Floor Conference Room**

AGENDA

- 1. Call to Order**
- 2. Items for Discussion**
 - A. 2024/2025 Work Plan Discussion
- 3. Routine Business**
- 4. Future Discussion**
- 5. Adjournment**

Please contact the Departments of Community & Economic Development at 507-334-0100 if you need special accommodations to participate in this meeting.

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a accessibility@faribault.org.

Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga accessibility@faribault.org.



Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, Community & Economic Development Director
FROM: Harry Davis, City Planner
MEETING DATE: October 21, 2024
SUBJECT: 2024 Work Plan Discussion

Request:

Review the following information and come to a consensus on next steps.

Background:

In late 2023 and early 2024, the Planning Commission provided input on a work plan for 2040. This input included a list of potential projects for Planning Commission to research, write, and recommend approval of new policies or ordinances.

Staff presented a work plan in early 2024 for discussion and as a guide for future activity (see attached). However, due to changes in CED, city staff could not provide support to the work plan. Toward the end of 2024, Planning Commissioners requested to bring back and adjust the work plan due to new members and shifting priorities.

Discussion:

Planning Commissions adopt a work plan to help guide long-term efforts for addressing zoning and development for both city-wide and neighborhood-specific concerns and aspirations. In February 2024 during the Planning Commission's annual meeting, staff presented the current work plan. As we near the end of the year, the Planning Commission can take a proactive step towards next year's work plan by starting the discussion now.

Work Plan Topics

See the attached list of Long-Range Work Plan Topics. One commissioner did add the following topics (which may already be partially included in the existing list):

- Residential Zone Issues #1
- Transitional Buffering
- Affordable Housing Changes

Apartments in CBD

In April and March of 2024, the City Planner put together a memo addressing one facet of residential in Faribault's zoning: apartments in downtown areas zoned CBD, Central Business District. The March memo is attached.

Supporting More Residential Through Zoning

A common theme across many of the topics in the current list surrounds residential development (for example):

- CBD Apartments and Mixed Use
- Increasing Zoning Allowances to Encourage or Provide a Path to Home Ownership
- Transitional Zoning Districts for Existing Neighborhoods
- Transition Areas Between Low-Density and High-Density Residential
- Residential Densities and Chapter 10 Overhaul
- Transition Plans for Neighborhoods Surrounding Industrial Uses
- Hwy 60 & Lyndale Neighborhood Zoning District and Small Area Plan

Based on the topics above, we should consider how to combine some of the residential-related issues and seek to address them together.

1. CBD Apartments and Mixed Use

In April and March of 2024, the City Planner put together a memo addressing one facet of residential in Faribault's zoning: apartments in downtown areas zoned CBD, Central Business District. The March memo is attached.

2. Increasing Zoning Allowances to Encourage or Provide a Path to Home Ownership

The clear goal for this topic is changing zoning regulations to get people to home ownership. However, there are limits to what zoning can and cannot do to encourage the production of new homes. Ways that zoning may impact the production of new homes (and potentially create pathways to ownership) are through things like lot and building envelopes (lot width, setbacks, height, coverage, etc.), permitted uses, density limits, and design standards. By looking at these aspects, the city may address home ownership through multi-unit properties with common ownership (condominiums, townhomes, etc.) alongside more traditional ways like single-family detached subdivisions. Some general ideas to consider moving forward are:

- Allowing single-family homes on smaller size lots, which creates opportunities to subdivide existing large lots to build additional housing units.
- Zoning for attached homes, including duplexes, triplexes, and townhomes that each have their own entryway but consume less land than detached single-family homes.

- Zoning for medium-density multifamily buildings with rental apartments or condos.
- Planned Unit Developments that allow a mixture of building forms but have minimum unit per acre requirements.

By reducing per-unit land costs, development for new homes can be more affordable to purchase (or rent). The Planning Commission may also want to review parking standards for multi-family, as the costs for parking do add significant costs to the development.

3. Transitional Zoning Districts for Existing Neighborhoods/Transition Areas Between Low-Density and High-Density Residential/Residential Densities and Chapter 10 Overhaul

The clear goal for this topic is to address how higher-density development fits next to lower-density development. This is not an issue unique to Faribault, as many cities struggle with either appropriate infill or greenfield development. What we can start to consider are either new zoning districts or reutilization of existing zoning districts, which range from R-1 (single-family) through R-2 (low) and R-3 (medium) to R-4 (high).

4. Transition Plans for Neighborhoods Surrounding Industrial Uses/Hwy 60 & Lyndale Neighborhood Zoning District and Small Area Plan

While these two ideas would be great to get neighborhood engagement and buy-in on how neighborhoods in Faribault are shifting over time, creating and adopting a new area plan requires a lot of work and are time-intensive projects. Many area plans require significant public engagement and support for plans to become more than a paper or digital document. If the Planning Commission wishes to move forward with these ideas, we can try to address some of the impacts through: other topics above; collection of data and support from residents in neighborhoods needing a small area plan; and requesting City Council take a look at or set aside budget for one or more area plans.

Recommendation:

The City Planner recommends the Planning Commission review and discuss the 2024 work plan and:

1. Set a final list of long-range work plan topics for 2024/2025
2. Establish a priorities list for researching and addressing one or more topics across 2024/2025
3. Consider tackling residential development as the first topic for the revised work plan by combining topics 1, 2, and 3 from above.

Attachments:

- List of Planning Resources for Ideas

Planning Resources for Ideas

Professional Organizations

- American Planning Association (APA) Knowledge Center
<https://www.planning.org/knowledgecenter/>
The national, professional organization for planners in the USA. Reach out to the City Planner for access to some of the services/ documents.
 - Planning Action Service (PAS) Reports, Memo, and Quick Notes Guidance on important planning issues and innovative practices.
 - Zoning Practice - Guidance on writing and administering smart development codes.
- Urban Land Institute (ULI)
<https://uli.org/>
Well-respected and diverse organization for planners, developers, policymakers, and others internationally.
 - Knowledge Finder - Available only to members, but contains research and best-practices for various development-related topics.

Media

- Planetizen
<https://www.planetizen.com/>
Combination of news and academic knowledge for planners and planning topics.
 - News, Blog, Planopedia, Videos - Good sources for finding out what's topical and cutting-edge in planning topics.
 - Educational and Training Courses - Good source for finding out more about and digging into a variety of topics.
- Article titled "Ten Actions Cities Can Take to Improve Housing Affordability" from the Bipartisan Policy Center
<https://bipartisanpolicy.org/blog/10-actions-to-housing-affordability/#:~:text=10.,of%20color%E2%80%94to%20build%20wealth.>
- Article titled "Zoning changes to allow for higher residential density" from the Local Housing Solutions through the National Community of Practice on Local Housing Policy
<https://localhousingsolutions.org/housing-policy-library/zoning-changes-to-allow-for-higher-residential-density/#:~:text=Cities%2C%20towns%2C%20and%20counties%20seeking,align%20housing%20supply%20with%20demand.>

Long-Range Workplan Topics
MN DOT 10-yr Plan Discussion
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I-35 and Hwy 60 Commercial Planning Study
Roundabout at 20th and Hwy 3
Addressing Graveyards Within Zoning Districts and Uses
Public Institutional Zoning District and Adaptive Reuse
Airport Ordinance and Zoning District
Parkland Zoning District
CBD Apartments and Mixed Use
Tree Preservation Ordinance and Landscape Requirement Overhaul
Electric Vehicle (EV) Parking Ordinance and Parking Minimum Overhaul
Commercial Districts Overhaul
Downtown Sign District (DSD) Boundary

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2-Jan	
16-Jan	
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4-Mar	
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15-Apr	Airport Ordinance/Zoning District; Cemetery Uses and Public Institutional Zoning; Parkland Zoning District
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1-Jul	Residential Density and Chapter 10 Review; Transitioning Low-Density to/from High-Density Residential
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5-Aug	
19-Aug	
3-Sep	
16-Sep	Transitional Zoning District; Small Area Plans for Transitioning Neighborhoods; Hwy 60 & Lyndale Neighborhood Zoning District and Small Area Plan
7-Oct	
21-Oct	
4-Nov	
18-Nov	
2-Dec	
16-Dec	



Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, Community and Economic
Development Director
FROM: Harry Davis, City Planner
MEETING DATE: February 5, 2024
SUBJECT: 2024 Planning Commission Workplan

Background:

At the November 20th Planning Commission Work Session, city staff met with the commissioners to develop a list of topics of interest, action items, and projects to work on in 2024. Commissioners then ranked each of the topics by attaching votes and providing a method of prioritization. City staff reviewed the votes and used a weighted average to determine projects or items to address first. The following topics are listed in order, starting from the highest level of interest and priority to the lowest level of interest and priority:

- MN DOT 10-yr Plan Discussion
- Transitional Zoning Districts for Existing Neighborhoods
- Increasing Zoning Allowances to Encourage or Provide a Path to Home Ownership
- Transition Plans for Neighborhoods Surrounding Industrial Uses
- Hwy 60 and Lyndale Zoning District and Small Area Plan
- City Engineer Report on Water Treatment Plant and Future Capacity for Expansion
- Transition Areas Between Low Density and High density Residential
- Simplification of Existing Processes (Where Possible) to Not Require a Public Hearing
- Solar Code Update for Ground-Mounted Retail Systems Size and Location
- I-35 and Hwy 60 Commercial Planning Study
- Roundabout at 20th and Hwy 3
- Addressing Graveyards Within Zoning Districts and Uses

City staff presented this list at the December 4 Planning Commission Work Session for feedback.

Discussion:

Topic List

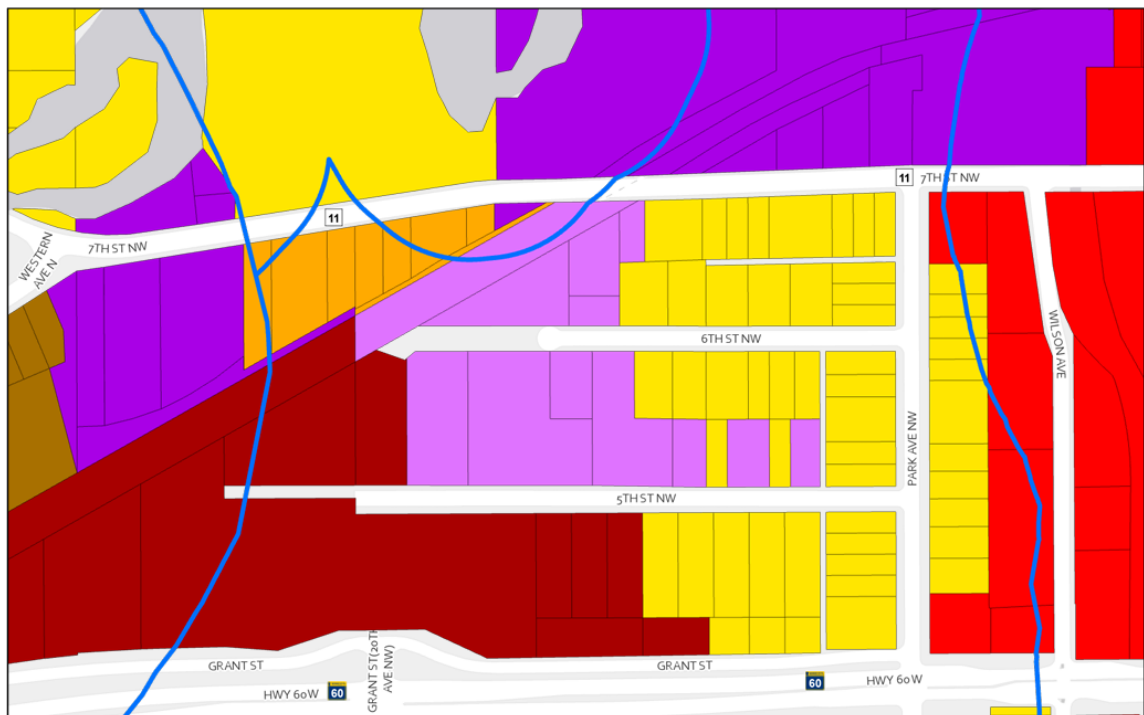
City staff reviewed the topics suggested and prioritized by the Planning Commission and added some additional topics along with descriptions for each item:

- MN DOT 10-yr Plan Discussion

This topic is suggested by the Planning Commission seeking information from MN DOT regarding future plans and projects in and around Faribault.

- Transitional Zoning Districts for Existing Neighborhoods; Transition Plans for Neighborhoods Surrounding Industrial Uses; Hwy 60 and Lyndale Zoning District and Small Area Plan

These three topics are suggested by the Planning Commission, a similar level of priority, and are related as they apply to various neighborhoods in Faribault experiencing transitioning land uses. One neighborhood in particular is northwest of Highway 60 and Lyndale Ave.



January 30, 2024

Vacant Industrial Sites Zoning

Developed

Vacant

Low Density Residential

Medium Density Residential

High Density Residential

Highway Commercial

Community Commercial

Light Industrial

Heavy Industrial

Shorelay Overlay District

1:4,514
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.17 km
City of Faribault

The neighborhood (for ease of discussion, the Fair Park-Cooks neighborhood) is a mixture of commercial, industrial, and residential with some limitations on the periphery through shoreland regulations.

- Increasing Zoning Allowances to Encourage or Provide a Path to Home Ownership

This topic is suggested by the Planning Commission as a lens for

viewing the UDO with the goal of improving people's access to home ownership through making code changes that remove barriers to creating new lots, townhomes, or other forms of housing.



- City Engineer Report on Water Treatment Plant and Future Capacity for Expansion

This topic is suggested and prioritized by the Planning Commission seeking information from Engineering regarding utility capacity and the potential for expansion.

- Transition Areas Between Low-Density and High-Density Residential; Residential Densities and Chapter 10 Overhaul

These two topics (the former a Planning Commission priority, the latter a staff item) are related as Faribault, and many other cities across the US, struggle with infill development and 'Missing Middle' housing. The Planning Commission suggested and prioritized transition areas between different residential densities as the experience from apartment buildings to single-family homes can be jarring. Staff suggests the inclusion of revisiting density caps in all residential zoning districts with the goal of creating consistent and steady intensity from low-density to high-density residential.



- Simplification of Existing Processes (Where Possible) to Not Require a Public Hearing

This topic is suggested and prioritized by the Planning Commission as a lens for reviewing current city processes and removing the

necessity for public hearings where possible. City staff is working on a development handbook to help establish a baseline for current city processes with the intent to outline steps from "A to Z".

- Solar Code Update for Ground-Mounted Retail Systems Size and Location

This topic is suggested and prioritized by the Planning Commission to review the UDO regarding ground-mounted solar systems (retail, not wholesale). There is interest in allowing larger, retail, ground-mounted solar systems by-right.

- I-35 and Hwy 60 Commercial Planning Study

This topic is suggested and prioritized by the Planning Commission to review the new Highway 60 and I-35 Small Area Plan. A draft of this plan will come before the Planning Commission on February 6 at a joint meeting with City Council. Further iterations of the plan will appear before Planning Commission for recommendation before going to City Council.

- Roundabout at 20th and Hwy 3

This topic is suggested and prioritized by the Planning Commission to request the appropriate jurisdiction(s) review the intersection of 20th and Highway 3 for a roundabout to help control and disperse traffic.

- Addressing Graveyards Within Zoning Districts and Uses; Public Institutional Zoning District and Adaptive Reuse; Airport Ordinance and Zoning District; Parkland Zoning District

The first topic is suggested and prioritized by the Planning Commission to address cemeteries and graveyards as uses within the UDO and zoning districts, which is a lingering concern from when the Public Institutional zoning district was passed. Staff suggests revisiting the Public Institutional zoning and adaptive reuse sections to round out the general topic. In addition to the Public Institutional zoning district and cemeteries, staff would like to tackle creating an ordinance and/or zoning for the airport along with a district for parkland. Both parkland and the airport run into similar administrative issues: how does the UDO interpret and allow development

- CBD Apartments and Mixed-Use

This topic is from city staff and prompted by administering recent developments in Downtown Faribault and project in the CBD zoning district. There is some inconsistency across the code regarding requirements for apartments in CBD zoning and discussion amongst staff and the development community regarding limitations on apartments in mixed-use buildings and minimum unit sizes.

- Tree Preservation Ordinance and Landscape Requirement Overhaul

This topic is from city staff and reflects efforts from the Environmental Commission to preserve mature strands of trees from

new development and encourage planting native, hardy trees and other foliage instead of invasive or at-risk plantings. In addition, staff would like to assess the landscape chapter for improvements, such as clarity, simplification, and intent/purpose.

- Electric Vehicle (EV) Parking Ordinance and Parking Minimum Overhaul

This topic is from city staff and reflects efforts from the Environmental Commission to encourage and have guidelines for accommodating electric vehicles in the parking code. In addition, staff would like to revisit the parking minimums and evaluate them against current best practices and parking standards in Minnesota peer cities.

- Commercial Districts Overhaul

This topic is from city staff and stems from administration of the various commercial districts in Faribault. Two commercial districts, C-2 Highway Commercial and C-3 Community Commercial are very similar in regulations and there is an opportunity to consolidate. In addition, this would give staff and the Planning Commission time to review and assess the purpose and intended intensity of each zoning district to ensure compatibility across the city.

- Subdivision Ordinance Overhaul

This topic is from city staff across Planning & Zoning, Engineering, and the City Attorney regarding improving administration and processes around the Subdivision part of the UDO. City staff would like to streamline and clarify requirements and processes to make it easier for applicants to meet plat requirements and for staff to review submittals.

- Downtown Sign District (DSD) Boundary

This topic is partly from city staff and City Council and linked to the Heritage Planning Commission's recent efforts to review and potentially reconcile the differences between the National Historic District and local Heritage Preservation district boundaries. The Downtown Sign District impacts areas beyond the historic district boundaries and there is interest in exploring if that is appropriate or if the two boundaries should match.

Adding topics to the long-range planning list is welcome and encouraged.

Topic Schedule

To encourage making progress on the above items, the Planning Commission should adopt a reasonable schedule for assessing, researching, proposing, and adopting amendments or policies. See staff's recommended schedule below. The schedule does not address all the topics above, as staff anticipates some topics may be very involved and require more time. Staff and commissioners may add or remove items from the schedule during the year. Commissioners may work on a topic independently, if desired.

Recommendation:

City staff recommend adopting the following workplan guiding long-range planning items for the Planning Commission in 2024.

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Other possible items to be addressed this year: EV Parking Ordinance and Parking Minimums; Tree Preservation Ordinance and Landscape Requirement Overhaul; Commercial Districts Overhaul; DSD Boundary; Simplification of Existing Development Processes

Attachments:

- Workplan Worksheets

K:\-CED Department\COMMISSIONS\PC\PACKETS\2024\2024-02-05 WS Agenda Packet\Workplan

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Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, Community & Economic Development Director
FROM: Harry Davis, City Planner
MEETING DATE: February 20, 2024
SUBJECT: Apartments in CBD and Mixed-Use Buildings

Request:

Review the following information and come to a consensus on next steps.

Background:

In January 2024, a CUP for converting an existing building into primarily multi-family in CBD passed Council with one dissenting vote. This CUP sparked conversation about apartments in Downtown Faribault, but more specifically about apartments on the ground floor, how much of the ground floor could be apartments, and where should a façade along streets be primarily non-residential versus a mix of uses versus primarily residential.

Staff receives inquiries regularly from building owners and operators downtown asking for ground-floor apartments. Some of the reasons we hear are related to “cash flow” of buildings and how some of the existing retail/non-residential storefront spaces are too big or too expensive to rent. As a result, some building owners have to raise rents on upper-floor tenants to subsidize the unused retail spaces below them. Raised rents are likely to cause displacement for those seeking affordable housing because older buildings typically have a lower market value and are likely to be naturally-occurring affordable housing (NOAH). NOAH is different from affordable housing, which uses public assistance to lower costs.

How is affordable housing created?



Dedicated affordable housing are income-restricted units that are created through public assistance or market-based programs.



Naturally occurring affordable housing (NOAH) are units that may rent or sell at affordable levels, but do not have legally binding affordability requirements.

Source: City of Denver

The City Planner and Community & Economic Development staff acknowledge both the public and private sectors struggling with uses, buildings, and the numbers behind developing, running a business, or living downtown. The city turns this acknowledgment into a call to action for meaningful steps towards regulating uses and structures where it matters most and not hindering properties and livelihoods where it matters least.

Zoning Administration of Uses

Staff acknowledged in reports to the DRC, PC, and Council that the aforementioned CUP required a zoning determination by the City Planner and supported by the DRC stating the building is primarily residential in use with a small portion of floor area for commercial. Coming to that determination was not easy. Below is an excerpt from the DRC memo regarding the determination:

“Specifically, the City Planner requests the DRC comment on and conclude regarding the following items:

1. Does the DRC agree with the City Planner that the proposal is a CUP for multi-family or dwellings as a part of a mixed-use structure in the CBD district?
 - The City Planner determined the proposed CUP is for multi-family because the proposed layout will be primarily multi-family on the ground floor and throughout the property, with only 1/3 to 1/4 of the property used for commercial. Additionally, a CUP provides public review and transparency to the process and ensures official approval prior to a building permit or change of use.

The UDO has specific CUP requirements for a “Dwelling as part of a mixed use structure, CBD District” (Sec 7-30), which requires the following summarized criteria:

- (1) parking for each unit within 400 feet;
- (2) certain unit sizes dependent on the number of bedrooms; and
- (3) “the residential use is secondary to the ground floor commercial use”.

Reasons why the City Planner determined that the proposed CUP is not for a dwelling in a mixed-use structure within the CBD district are as follows:

- (1) The majority of the ground floor and overall property is residential with the commercial area becoming secondary to the use of the property. A secondary use to the property could, in some cases, require additional approvals (think a Home Occupation), but commercial is allowed by-right in CBD and does not require further

- approvals. In this case, the primary use of the property, multi-family, requires a CUP.
- (2) Having the residential go through a public hearing and process, including approval from City Council, ensures that the use was reviewed and approved through the correct legal process and by the city's highest officials. The CUP is still beholden to meet typical CUP criteria for approval."

Although city staff made the determination, there are issues. In the DRC memo, staff acknowledged the following:

"Additionally, the UDO spells out requirements for residential uses in the CBD district (Sec 11-430) requiring the following:

- (1) "Residential uses are permitted in the Central Business District, secondary to ground floor commercial uses...";
 - a. "area of the building divided by one thousand two hundred (1,200), times the number of floors in the building above ground-floor" equals the maximum number of units
 - b. certain unit sizes dependent on the number of bedrooms
- (2) The number of units allowed may be increased by CUP.

It is clear the intent from both code sections that buildings in CBD proposed to include residential should have a primarily commercial ground floor and residential above. What both code sections above fail to address are multi-family buildings that are primarily or completely residential in use. Recent additions to downtown in the last 5 years that fit this category are:

- (1) Riverchase – Multi-family only
- (2) Straight River – Multi-family only
- (3) Hillside – Multi-family only

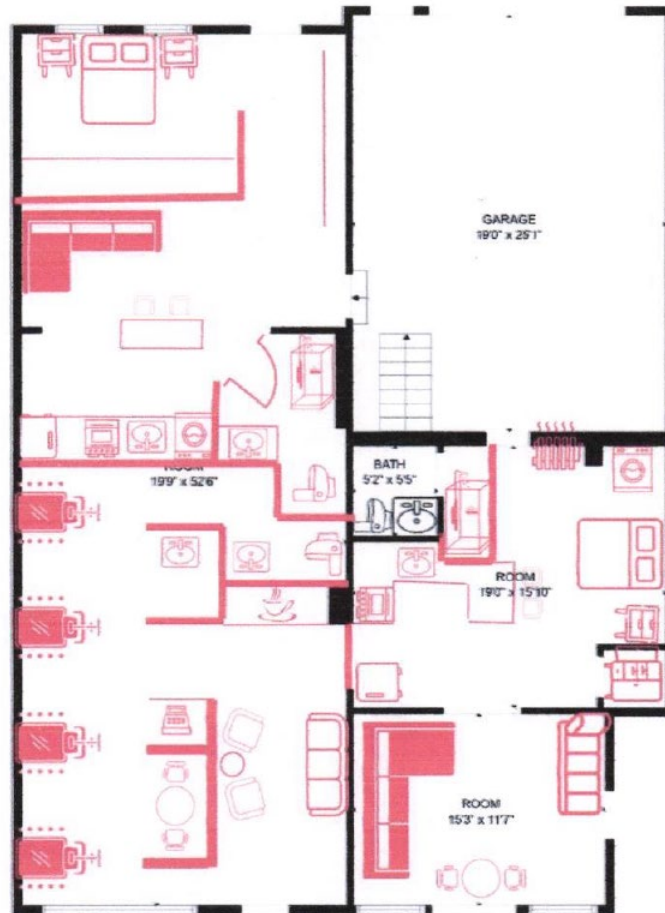
These developments were permitted as multi-family structures, which are allowed by CUP in CBD zoning, but were not required to have commercial on the ground floor as required by Sec 11-430 or adhere to any additional requirements. If a developer proposed an apartment complex with a small coffee shop as an amenity to the residents and city, would it make sense for the city to require more commercial than residential on the ground floor of the building because it includes commercial, as required by Sec 11-430 and 7-30?"

Additional problems arise considering existing or proposed buildings with multiple floors. Is a three-story building with 1/3 non-residential and 2/3 residential uses a multi-family building and not a mixed-use building?

It is clear to both the City Planner and DRC that the UDO needs an update to clarify the above issues and make it easier to administer for city and comply for developers and designers. Additionally, the CBD district currently waives all requirements for parking, which is contrary to Sec 7-30 requiring parking for each unit.

Limitations on Apartment Sizes

In the aforementioned CUP are three apartments above 550 sq ft, which is the minimum sq ft allowed for an efficiency (or studio) unit.



Floor plan from CUP

Section 11-430 regulates residential uses within CBD zoning:

"Sec. 11-430. - Residential uses.

- A. Residential uses are permitted in the Central Business District, secondary to ground floor commercial uses with the maximum number of units based on the lesser of the calculations shown below, except as may be modified by Section 11-430 (B):
 1. The area of the building divided by one thousand two hundred (1,200), times the number of floors in the building above ground-floor; or

2. The number of residential units that have a minimum floor area, exclusive of outdoor patios, decks, public hallways, and other common areas, as follows:
 - a. Efficiency or studio, 550 square feet.
 - b. One-bedroom unit, 650 square feet.
 - c. Two-bedroom unit, 900 square feet.
 - d. Three-bedroom unit and above, 1,100 square feet.
- B. The number of residential units allowed by Section 11-430 (A) (1), may be increased with the approval of a conditional use permit. The minimum floor area outlined in Section 11-430 (A) (2) may be reduced with the approval of a conditional use permit.
 1. Approval of the conditional use permit shall be subject to the standards identified in Sections 2-260 through 2-340.
 2. As per Section 2-310, the City Council may establish any reasonable conditions of approval that are deemed necessary to mitigate adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives identified elsewhere in this ordinance."

Section 11-430(A)(1) above operates as the density cap for the number of apartments allowed in a building, while (2) sets the minimum bar for allowed apartment sizes.

Looking at various websites and data aggregate/analysis reports, sizes for apartments vary significantly with studios somewhere between 300-600 square feet, 1-bedroom units between 500-1,000 square feet, 2-bedroom between 800-1,200 sq ft, and 3-bedrooms units at 1,200 sq ft or more. From 2008 to 2016, the average new apartment size in the US decreased ~8% to 934 sq ft. The average apartment size in Minnesota is around 892 sq ft, which is slightly above the US average across all apartments at 882 sq ft.

Recent Residential Construction in CBD

Straight River Apartments

- Mix of 1-, 2-, and 3-bedroom units
 - o 1-bedroom between ~638 sq ft and ~731 sq ft
 - o 2-bedroom between ~815 sq ft and ~983 sq ft
 - o 3-bedroom between ~1,200 sq ft and ~1,255 sq ft

Hillside Apartments

- Mix of Studio, 1-, and 2-bedroom units
 - o Studio between ~519 sq ft and ~521 sq ft
 - o 1-bedroom between ~641 sq ft and ~788 sq ft
 - o 2-bedroom between ~937 sq ft and ~1,064 sq ft

Masonic Temple Apartments

- Mix of 2-, 3-, and 4-bedroom units
 - o 2-bedroom (w/o loft) between ~708 sq ft and ~911 sq ft

- 2-bedroom (w/ loft) at ~1166 sq ft
- 3-bedroom at ~895 sq ft
- 4-bedroom (w/ loft) between ~1,473 sq ft to ~1,732 sq ft

Riverchase Apartments

- Mix of 1- and 2-bedroom units
 - 1-bedroom between ~699 sq ft and ~828 sq ft
 - 2-bedroom between ~873 sq ft and ~1,256 sq ft

Based on the list above, some apartments built within the last 5 years in CBD and downtown do not meet the minimum for square footage. This is not meant to point fingers, and should not be used in that way, as the size of these apartments can't change now and the success of these buildings is testament to why the zoning minimums are out of sync with the market.

Building Code

The City's Building Official, John Rued, shared with the City Planner building code limitations on residential, habitable spaces. A habitable space, including a bedroom, kitchen, or living room, must be at least 70 sq ft (or a 7-foot by 10-foot room). As a note, bathrooms, hallways, and spaces not used for habitation operate on a different standard. For a studio apartment, this would be incredibly small and likely unsuitable to most people in Faribault. Another part of the building code regulates something called 'tiny homes' which are dwellings constructed on-site and at least 400 sq ft. A 400 sq ft tiny home will accommodate living spaces, a bathroom, and bedroom loft in a small space in the same way an apartment is organized. The Building Official recommended to the City Planner that 400 square feet is an adequate minimum size for any apartment.

Non-residential Use Space Requirements

Many business owners need a certain amount of square footage to make their café, clothing boutique, law office, or other business work based on the number of patrons or clients, staff, product inventory, etc. Calculating one encompassing standard is challenging, but there are some general planning and urban design ideas when it comes to building bulk models:

- Retail minimum space is 20-feet wide and 60-feet deep, or 1,200 sq ft.
- Office minimum space is 30-feet by 30-feet, or 900 sq ft.

These dimensions are not a catch-all for all businesses, but various websites geared towards marketing and leasing commercial spaces recommend a square-shaped space for retail, but rectangle-shaped spaces are most common and perfectly acceptable at around 20-foot wide. Some market research completed in Northeast US compiled a range of average store sizes for various businesses:

- Convenience Stores 1,400 – 2,900 sq ft
- Eye Care 500-3,700 sq ft

- Wireless Stores 1,200-2,900 sq ft
- Coffee/Donuts 800-2,200 sq ft
- Pizza 1,200-3,100 sq ft
- Fast Casual 2,200 – 2,400 sq ft
- Mexican/Burrito 1,500 – 2,500 sq ft
- Quick Serve Sandwiches 800-4,500 sq ft
- Quick Serve Burgers 1,800-3,600 sq ft
- Ice Cream and Yogurt 600-2,600 sq ft
- Dry Cleaners 1,200-3,600 sq ft
- Nail Salons 900-1,600 sq ft
- Hair Salons/Hair Cutters 800-2,200 sq ft
- Health & Fitness Services (small format operators) 1,200-4,500 sq ft
- Wine/Liquor 2,000 – 17,000 sq ft

Many of the businesses above, on the lower end of their ranges, would fit within 1,200 sq ft, lending credibility to an approximate 20-foot by 60-foot space being suitable. Additional research, specifically for office uses, shows that a smaller space is suitable, ranging from 150-350 sq ft per private office to 60-110 sq ft per open-plan workspace. The average office space per employee has decreased from 225 sq ft in 2011 to 195 sq ft in 2020, indicating a trend toward more flexible workspace solutions. A small law office, similar to an eye care office above, may only need 500 sq ft.

Discussion:

Apartment Sizes

Based on the data collected and presented in this report, staff recommends shifting a minimum size for apartments to 400 sq ft. This brings into compliance many of the recently-built, and likely many nonconforming or existing, units into zoning compliance and leaves apartment layouts and sizes to the market and each developer or building owner. This also tracks well with national trends regarding apartment sizes, which fluctuate wildly but are generally decreasing over time. For renters, smaller units will drive down owner costs, which in turn should positively impact rental rates. When you couple variable unit sizes with older structures, there is a strong possibility of NOAH units becoming more readily available. In addition, Faribault is experiencing a housing shortage, and the more housing available will drive down costs due to competition.

Residential and Non-residential Mix on the Ground Floor

Staff looked at various properties within downtown both on and off Central Avenue. Many properties along Central Avenue have buildings that are approximately 22-feet wide, or some multiple of that measurement (44, 66), with a wide array of lengths/depths between approximately 80 feet and 141. There are likely some outliers at either end of the spectrum, but the block of Central Avenue between 2nd and 3rd streets provides a reasonable snapshot:



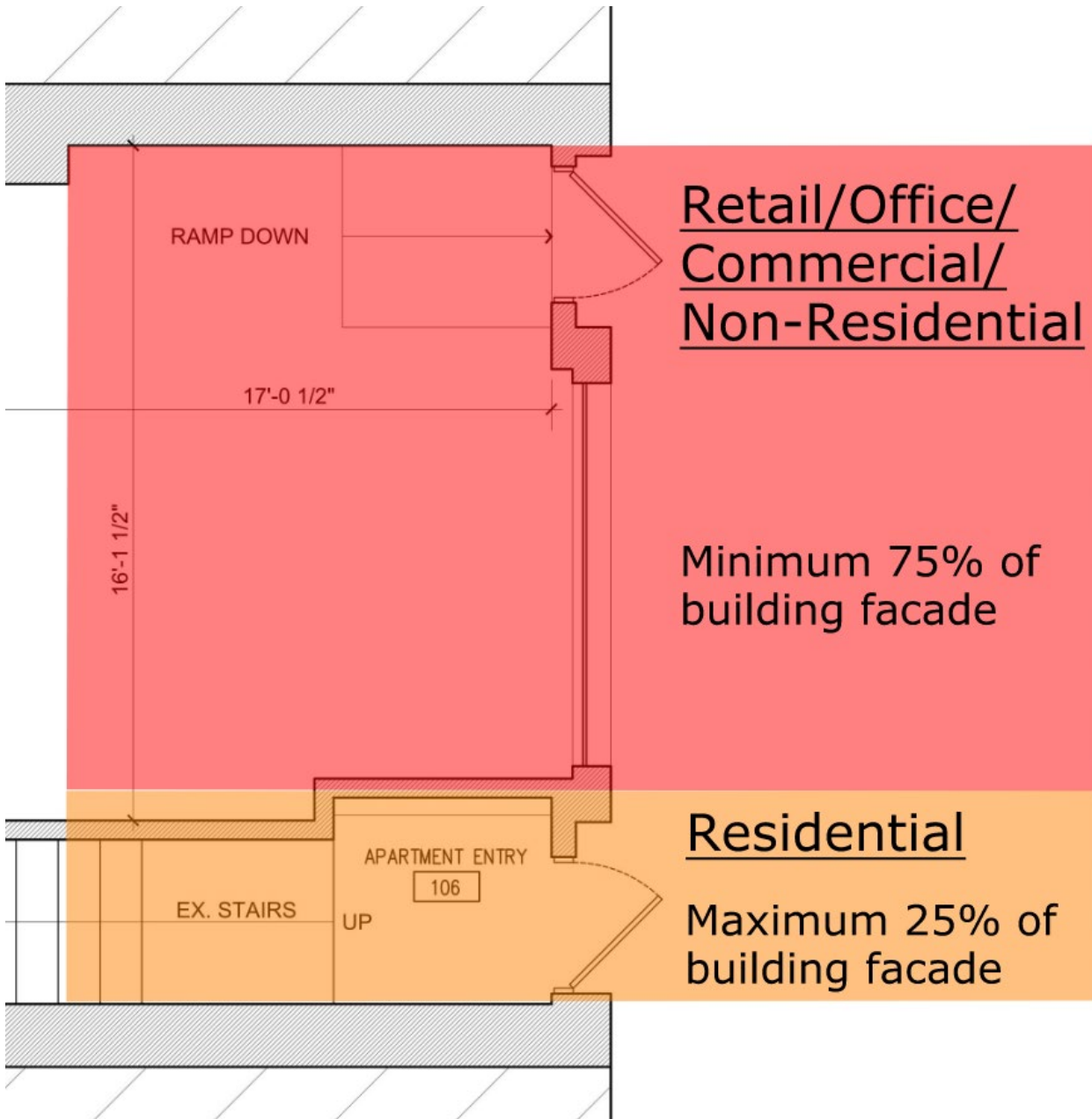
Rice County Beacon GIS aerial image with measurements based on imagery

Most buildings off of Central Avenue have little to no consistency in size or footprint.

There are some options available (and likely others after Planning Commission input) using a hierarchical system of facades on Central Ave, facades a block from central, and all other facades:

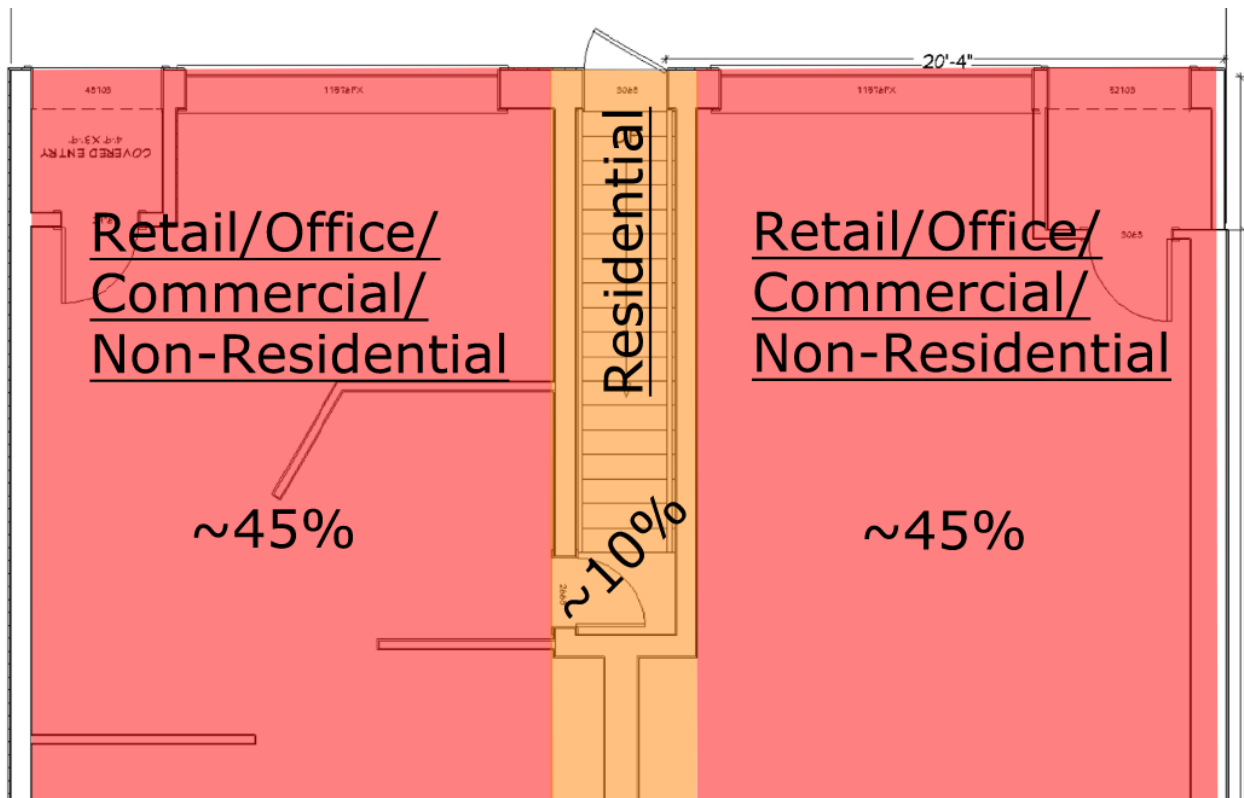
- *Full Restriction of Ground-level Uses for Facades Facing Central Ave*
Based on the character of buildings, historic uses, and size/layout along Central Avenue, staff recommends encouraging through regulation the retention of non-residential spaces and uses along Central Avenue building facades. However, some existing buildings have access doors and hallways or stairways to residential within the building, and staff sees great value in continuing to allow residential access along Central Avenue: passive surveillance through constant

activity at all parts of the day of people entering and leaving buildings or walking along the street. Staff recommends the ratio shown in the following diagram:



Ratio diagram using 206 Central Avenue as-built drawings (~22 ft wide building)

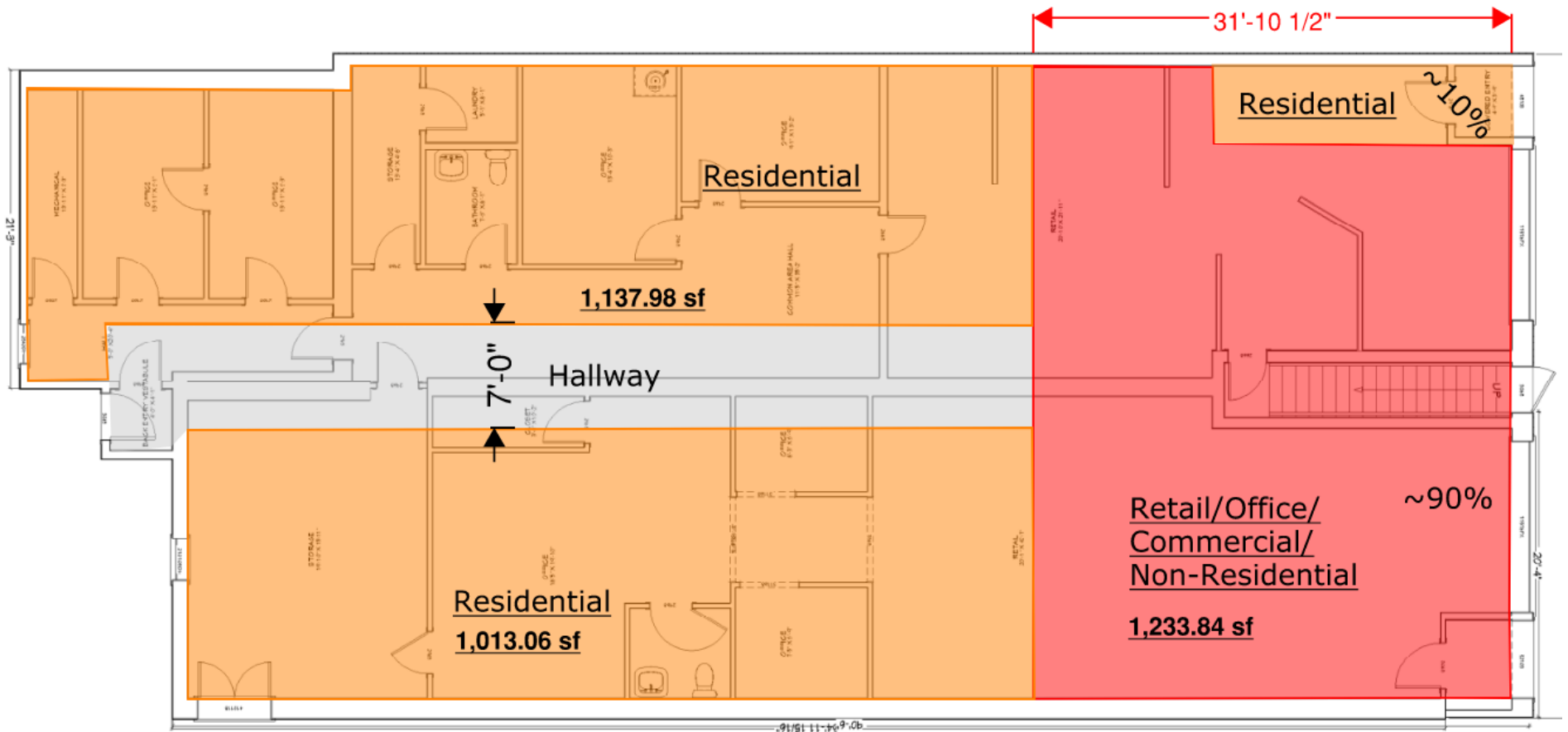
A larger building along Central Avenue than the example above will be able to accommodate the requirement for a minimum of 75% of the façade be used by non-residential uses:



Ratio diagram using 204 Central Ave, a larger building, as-built drawings (~44 ft wide building)

In initial conversations with Planning Commission and City Council, maintaining a commercial front to the buildings along Central Avenue is desirable and the ratio above accomplishes that. However, a ratio for the façade isn't enough. To establish a safeguard against creating unusable non-residential spaces, staff recommends establishing a minimum size for non-residential uses along Central Avenue. Using data from the background section of this report, staff recommends utilizing a combination of a minimum 75% of the façade be used for non-residential uses and a minimum of 1,200 sq ft and 30-foot deep space.

For apartments on the ground floor in these buildings, staff recommends allowing them only in rear parts of the building, with the exception of access hallways and stairways as noted above. There are a few options on how this setup looks:



Ratio diagram using 204 Central Ave, a larger building, as-built drawings (~44 ft wide building)

It's critical to remember that not very long ago, the idea that someone lived behind a business along a main street wasn't a strange concept. Many historic buildings in downtowns and on main streets were live-work structures with a business owner conducting business out of the front or ground floor of their building and living on the back or upstairs. The rise of zoning in the early 1920s started to remove many of these layouts by making them illegal or nonconforming. We know more now than we did in 1920, and the issues we were concerned with back then are not issues anymore.

Another reason to allow apartments on the ground floor is for ADA accessibility and "live in place" concepts. For those with chronic conditions impairing mobility or aging out of their second-floor apartment, having a ground-floor unit within the same building or attached to a business they own can dramatically impact quality of life.

- *Partial Restriction of Uses Along Façade for Approximately One Block Adjacent to Central Avenue*

For facades along a street that crosses Central Avenue *and* on the same block that touches Central Avenue, façade requirements can go a few different directions:

- *No restrictions*

This assumes a stance that preserving commercial and non-residential uses on Central Avenue is paramount and other street facades are free to shift uses along with market forces.

- *Continued restrictions from facades along Central Ave*

This assumes a stance that facades that connect or lead to facades on Central Avenue are just as important in design and use as those on Central Avenue.

- *Reduction of façade ratios and space size/depth*

Some potential ideas include:

- Reduction of ratios to a minimum 75% of the façade be used for non-residential uses and a minimum of 900 sq ft and 30-foot deep space
 - Reduction of ratios to a minimum 75% of the façade be used for non-residential uses and 30-foot deep space
 - Reduction of ratios to a minimum 50% of the façade be used for non-residential uses and 30-foot deep space

There are benefits and drawbacks to each of the approaches, which the Planning Commission should discuss using the diagrams above.

- *Minor Restriction of Uses for All Other Street Facades*

For facades along any other street, façade requirements can go a few different directions:

- *No restrictions*

This assumes a stance that preserving commercial and non-residential uses on Central Avenue is paramount and other street facades are free to shift uses along with market forces.

- *Reduction of façade ratios and space size/depth*

Some potential ideas include:

- Reduction of ratios to a minimum 75% of the façade be used for non-residential uses and a minimum of 900 sq ft and 30-foot deep space
- Reduction of ratios to a minimum 75% of the façade be used for non-residential uses and 30-foot deep space
- Reduction of ratios to a minimum 50% of the façade be used for non-residential uses and 30-foot deep space

- *No restrictions on uses, some restrictions on space sizes*

This option would not require spaces along street facades be reserved for non-residential uses, but it would require construction of those spaces to be flexible, meaning possible conversion from residential to non-residential. This concept is called 'adaptive reuse' and has roots in converting offices or commercial spaces into housing. Developers are taking the concept and applying it to new construction, where a space might be used in the near term for one use, but is constructed for easy (or easier) remodeling in the future for a different use.

How this would work is that the front space could be required to be a minimum 900 sq ft or 1,200 sq ft space that can be converted from office or retail to residential and vice versa.

Again, there are benefits and drawbacks to each of the approaches, which the Planning Commission should discuss using the diagrams above.

Recommendation:

The City Planner requests the Planning Commission discuss the above information and options and provide staff with direction and answer the following questions:

1. What additional information would be helpful to know prior to staff creating draft ordinance language?
2. Should the city begin a public engagement campaign to ask for input? Is there a particular group of stakeholders?
3. Would Commissioners want to engage the Heritage Planning Commission for feedback and ideas?

Attachments:

- List of Resources Used in this Report
- Building Code Sections on Habitable Space and Tiny Homes

Apartment Size and Trends Resources

ExtraSpace Storage Resource Blog:

<https://www.extraspace.com/blog/moving/buying-selling-renting/apartment-size-guide-how-many-square-feet-do-you-need/>

ExtraSpace Storage operates self-storage facilities.

Flexible Finance (flex.) Education Blog: <https://getflex.com/blog/average-apartment-size/>

flex. is a rent payment platform for renters and property managers.

RentCafe Blog: <https://www.rentcafe.com/blog/rental-market/average-apartment-size-in-the-us-by-state/>

RentCafe uses market intelligence sources ranging from Yardi Matrix, Census data, Labor statistics, HUD, and other sources to write monthly apartment market reports. Their data and analysis is featured in everything from the NY Times and Architectural Digest to Business Insider.

(Note: Yardi Matrix is a business development and asset management tool for brokers, sponsors, banks and equity sources underwriting investments in the multifamily, office, industrial and self-storage sectors)

Commercial Space Sizes Resources

BusinessLink:

<https://businesslink.ca/leasing-right-size-and-shape-commercial-space/>

Linear Retail:

<https://linearretail.com/how-much-reail-space-should-l-lease/>

Yarooms:

<https://www.yarooms.com/blog/average-office-size-how-much-office-space-do-you-need#:~:text=US%20standards%20suggest%20a%20range,per%20person%20for%20meeting%20rooms>

Adaptive Reuse Resources

https://assets.ctfassets.net/z78475or6i3d/6ZYLFdxJyrl4ICG1HkZodn/47373a3c14c7865b95afa4a6826f8d52/Adaptive_Reuse_Urban_Reprograming_Omgivning_1.pdf

Chad Fisher Construction

<https://www.cfisherconstruction.com/what-is-the-difference-between-adaptive-reuse-and-mixed-use-construction/>

SECTION R303

LIGHT, VENTILATION AND HEATING

R303.1 Habitable rooms.

Habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural *ventilation* shall be through windows, skylights, doors, louvers or other *approved* openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The openable area to the outdoors shall be not less than 4 percent of the floor area being ventilated.

Exceptions:

1. The glazed areas need not be openable where the opening is not required by Section R310 and a whole-house mechanical *ventilation* system is installed in accordance with Section M1505.
2. The glazed areas need not be installed in rooms where Exception 1 is satisfied and artificial light is provided that is capable of producing an average illumination of 6 footcandles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.
3. Use of sunroom and patio covers, as defined in Section R202, shall be permitted for natural *ventilation* if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.

R303.2 Adjoining rooms.

For the purpose of determining light and *ventilation* requirements, rooms shall be considered to be a portion of an adjoining room where not less than one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room and not less than 25 square feet (2.3 m²).

Exception: Openings required for light or *ventilation* shall be permitted to open into a sunroom with thermal isolation or a patio cover, provided that there is an openable area between the adjoining room and the sunroom or patio cover of not less than one-tenth of the floor area of the interior room and not less than 20 square feet (2 m²). The minimum openable area to the outdoors shall be based on the total floor area being ventilated.

R303.3 Bathrooms.

Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 m²), one-half of which shall be openable.

Exception: The glazed areas shall not be required where artificial light and a local exhaust system are provided. The minimum local exhaust rates shall be determined in accordance with Section M1505. Exhaust air from the space shall be exhausted directly to the outdoors.

R303.4 Mechanical ventilation.

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Mechanical ventilation of a dwelling unit shall comply with either Minnesota Rules, Chapter 1322 or 1346 – MN Energy Codes.

R303.5 Opening location.

Outdoor intake and exhaust openings shall be located in accordance with Sections R303.5.1 and R303.5.2.

R303.5.1 Intake openings.

Mechanical and gravity outdoor air intake openings shall be located not less than 10 feet (3048 mm) from any hazardous or noxious contaminant, such as vents, chimneys, plumbing vents, streets, alleys, parking lots and loading docks.

For the purpose of this section, the exhaust from *dwelling* unit toilet rooms, bathrooms and kitchens shall not be considered as hazardous or noxious.

Exceptions:

1. The 10-foot (3048 mm) separation is not required where the intake opening is located 3 feet (914 mm) or greater below the contaminant source.
2. Vents and chimneys serving fuel-burning appliances shall be terminated in accordance with the applicable provisions of Chapters 18 and 24.
3. Clothes dryer exhaust ducts shall be terminated in accordance with Section M1502.3.

R303.5.2 Exhaust openings.

Exhaust air shall not be directed onto walkways.

R303.6 Outside opening protection.

Air exhaust and intake openings that terminate outdoors shall be protected with corrosion-resistant screens, louvers or grilles having an opening size of not less than 1/4 inch (6 mm) and a maximum opening size of 1/2 inch (13 mm), in any dimension. Openings shall be protected against local weather conditions. Outdoor air exhaust and intake openings shall meet the provisions for *exterior wall* opening protectives in accordance with this code.

SECTION R304

MINIMUM ROOM AREAS

R304.1 Minimum area.

Habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).

Exception: Kitchens.

R304.2 Minimum dimensions.

Habitable rooms shall be not less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

R304.3 Height effect on room area.

Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

SECTION R305

CEILING HEIGHT

R305.1 Minimum height, new buildings.

Habitable space, hallways, bathrooms, toilet rooms, laundry rooms, and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions:

1. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room shall have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) at the center of the front clearance area for water closets, bidets, or sinks. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

R305.1.1 Basements, new buildings.

Portions of basements that do not contain habitable space, hallways, bathrooms, toilet rooms, and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exception: Beams, girders, ducts, or other obstructions may project to within 6 feet 4 inches (1931 mm) of the finished floor.

R305.2 Alterations to existing building basements.

Alterations to portions of existing basements shall comply with the provisions of this section.

R305.2.1 Minimum ceiling height, existing buildings.

Alterations to existing basements or portions thereof shall have a ceiling height of not less than 6 feet 4 inches (1931 mm), including beams, girders, ducts, or other obstructions.

R305.2.1.1 Bathroom plumbing fixture clearance.

Bathrooms shall have a minimum ceiling height of 6 feet 4 inches (1931 mm) at the center of the front clearance area for water closets, bidets, or sinks. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 4 inches (1931 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the wall where the showerhead is placed. The ceiling may have slopes or soffits that do not infringe on the height required for the plumbing fixture.

R305.2.2 Minimum stairway headroom, existing buildings.

Alterations to existing basement stairways shall have a minimum headroom in all parts of the stairway not less than 6 feet 4 inches (1931 mm) measured vertically from the sloped line adjoining the tread nosing or from the floor surface of the landing or platform on that portion of the stairway.

Exception: Where the nosings of treads at the side of a flight extend under the edge of a floor opening through which the stair passes, the floor opening shall be allowed to project horizontally into the required headroom a maximum of 4³/₄ inches (121 mm).

SECTION R306

SANITATION

R306.1 Toilet facilities.

Every *dwelling* unit shall be provided with a water closet, lavatory, and a bathtub or shower.

R306.2 Kitchen.

Each *dwelling* unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.

R306.3 Sewage disposal.

Plumbing fixtures shall be connected to a sanitary sewer or to an *approved* private sewage disposal system.

R306.4 Water supply to fixtures.

Plumbing fixtures shall be connected to an *approved* water supply. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water.

SECTION R307

TOILET, BATH AND SHOWER SPACES

R307.1 Space required.

Plumbing fixtures shall be installed in accordance with Minnesota Rules, Chapter 4714, Minnesota Plumbing Code.

R307.2 Bathtub and shower spaces.

Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet (1829 mm) above the floor.

SECTION R308

GLAZING

R308.1 Identification.

Except as indicated in Section R308.1.1 each pane of glazing installed in hazardous locations as defined in Section R308.4 shall be provided with a manufacturer's designation specifying who applied the designation, the type of glass and the safety glazing standard with which it complies, and that is visible in the final installation. The designation shall be acid etched, sandblasted, ceramic-fired, laser etched, embossed, or be of a type that once applied cannot be removed without being destroyed. A *label* shall be permitted in lieu of the manufacturer's designation.

Exceptions:

1. For other than tempered glass, manufacturer's designations are not required provided that the *building official* approves the use of a certificate, affidavit or other evidence confirming compliance with this code.
2. Tempered spandrel glass is permitted to be identified by the manufacturer with a removable paper designation.

R308.1.1 Identification of multiple assemblies.

Multi-pane assemblies having individual panes not exceeding 1 square foot (0.09 m²) in exposed area shall have not less than one pane in the assembly identified in accordance with Section R308.1. Other panes in the assembly shall be *labeled* "CPSC 16 CFR 1201" or "ANSI Z97.1" as appropriate.

R308.2 Louvered windows or жалousies.

Regular, float, wired or patterned glass in жалousies and louvered windows shall be not less than nominal $\frac{3}{16}$ inch (5 mm) thick and not more than 48 inches (1219 mm) in length. Exposed glass edges shall be smooth.

R308.2.1 Wired glass prohibited.

Wired glass with wire exposed on longitudinal edges shall not be used in жалousies or louvered windows.

R308.3 Human impact loads.

Individual glazed areas, including glass mirrors in hazardous locations such as those indicated as defined in Section R308.4, shall pass the test requirements of Section R308.3.1.

Exceptions:

1. 1.Louvered windows and jalousies shall comply with Section R308.2.
2. 2.Mirrors and other glass panels mounted or hung on a surface that provides a continuous backing support.
3. 3.Glass unit masonry complying with Section R607.

R308.3.1 Impact test.

Where required by other sections of the code, glazing shall be tested in accordance with CPSC 16 CFR 1201. Glazing shall comply with the test criteria for Category II unless otherwise indicated in Table R308.3.1(1).

Exception: Glazing not in doors or enclosures for hot tubs, whirlpools, saunas, steam rooms, bathtubs and showers shall be permitted to be tested in accordance with ANSI Z97.1. Glazing shall comply with the test criteria for Class A unless otherwise indicated in Table R308.3.1(2).

SECTION R310 EMERGENCY ESCAPE AND RESCUE OPENINGS

P

Premium Code Insights :

Minnesota Sonar

R310.1 Emergency escape and rescue opening required.

P

Basements, habitable attics, and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where *basements* contain one or more sleeping rooms, an emergency egress and rescue opening shall be required in each sleeping room, but not be required in adjoining areas of the basement. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exceptions:

1. 1.Storm shelters and *basements* used only to house mechanical *equipment* not exceeding a total floor area of 200 square feet (18.58 m²).
2. 2.Basements or basement bedrooms when the building is protected with an automatic sprinkler system installed in accordance with IRC Section P2904 or NFPA 13D.
3. 3.Basements or basement bedrooms where the entire basement area, including all portions of the means of egress to the level of exit discharge, and all areas on the level of exit discharge that are open to the means of egress is protected with an automatic sprinkler system in accordance with IRC Section P2904 or NFPA 13D.

Premium Code Insights :

Minnesota Sonar

R310.1.1 Operational constraints and opening control devices.

P

Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge. Window opening control devices on windows serving as a required emergency escape and rescue opening shall comply with ASTM F2090.

Premium Code Insights :

R310.2 Emergency escape and rescue openings.

P

Emergency escape and rescue openings shall have minimum dimensions as specified in this section.

Premium Code Insights :

R310.2.1 Minimum opening area.

Emergency and escape rescue openings shall have a net clear opening of not less than 5.7 square feet (0.530 m²). The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. The net clear height of the opening shall be not less than 24 inches (610 mm) and the net clear width shall be not less than 20 inches (508 mm).

Exception: *Grade floor openings* or *below-grade openings* shall have a net clear opening area of not less than 5 square feet (0.465 m²).

R310.2.2 Window sill height.

Where a window is provided as the emergency escape and rescue opening, it shall have a sill height of not more than 44 inches (1118 mm) above the floor; where the sill height is below *grade*, it shall be provided with a window well in accordance with Section R310.2.3.

R310.2.3 Window wells.

The horizontal area of the window well shall be not less than 9 square feet (0.9 m²), with a horizontal projection and width of not less than 36 inches (914 mm). The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

Exception: The ladder or steps required by Section R310.2.3.1 shall be permitted to encroach not more than 6 inches (152 mm) into the required dimensions of the window well.

R310.2.3.1 Ladder and steps.

Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Section R311.7. Ladders or rungs shall have an inside width of not less than 12 inches (305 mm), shall project not less than 3 inches (76 mm) from the wall and shall be spaced not more than 18 inches (457 mm) on center vertically for the full height of the window well.

R310.2.3.2 Drainage.

Window wells shall be designed for proper drainage by connecting to the building's foundation drainage system required by Section R405.1 or by an approved alternative method.

Exception: A drainage system for window wells is not required where the foundation is on well-drained soil or sand-gravel mixture soils in accordance with the United Soil Classification System, Group I Soils, as detailed in Table R405.1.

R310.2.4 Emergency escape and rescue openings under decks and porches.

Emergency escape and rescue openings installed under decks and porches shall be fully openable and provide a path not less than 36 inches (914 mm) in height to a *yard* or court.

R310.2.5 Replacement windows.

Replacement windows installed in buildings meeting the scope of this code shall be exempt from the maximum sill height requirements of Section R310.2.2 and the requirements of Section R310.2.1, provided that the replacement window meets the following conditions:

1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window is of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.
2. The replacement window is not part of a change of occupancy.

R310.2.5.1 Licensed facilities.

P

Windows in rooms used for foster care or day care licensed or registered by the state of Minnesota shall comply with the provisions of Section R310.2.5, or all of the following conditions, whichever is more restrictive:

1. Minimum of 20 inches (508 mm) in clear opening width;
2. Minimum of 20 inches (508 mm) in clear opening height;
3. Minimum of 648 square inches (4.5 square feet) clear opening; and
4. Maximum of 48 inches (1219 mm) from the floor to the sill height.

Premium Code Insights :

Minnesota Sonar

R310.3 Emergency escape and rescue doors.

Where a door is provided as the required emergency escape and rescue opening, it shall be a side-hinged door or a slider. Where the opening is below the adjacent grade, it shall be provided with an area well.

R310.3.1 Minimum door opening size.

The minimum net clear height opening for any door that serves as an emergency and escape rescue opening shall be in accordance with Section R310.2.1.

APPENDIX Q TINY HOUSES

This provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: Appendix Q relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

SECTION AQ101

GENERAL

AQ101.1 Scope.

This appendix shall be applicable to *tiny houses* used as single *dwelling units*. *Tiny houses* shall comply with this code except as otherwise stated in this appendix.

SECTION AQ102

DEFINITIONS

AQ102.1 General.

The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

EGRESS ROOF ACCESS WINDOW. A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a *loft*.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

TINY HOUSE. A *dwelling* that is 400 square feet (37 m²) or less in floor area excluding *lofts*.

SECTION AQ103

CEILING HEIGHT

AQ103.1 Minimum ceiling height.

Habitable space and hallways in *tiny houses* shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in *lofts* are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AQ104

LOFTS

AQ104.1 Minimum loft area and dimensions.

Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

AQ104.1.1 Minimum area.

Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AQ104.1.2 Minimum dimensions.

Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area.

Portions of a *loft* with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a *loft* with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.

AQ104.2 Loft access.

The access to and primary egress from *lofts* shall be of any type described in Sections AQ104.2.1 through AQ104.2.4.

AQ104.2.1 Stairways.

Stairways accessing *lofts* shall comply with this code or with Sections AQ104.2.1.1 through AQ104.2.1.5.

AQ104.2.1.1 Width.

Stairways accessing a *loft* shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 inches (508 mm).

AQ104.2.1.2 Headroom.

The headroom in stairways accessing a *loft* shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AQ104.2.1.3 Treads and risers.

Risers for stairs accessing a *loft* shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landing platforms.

The top tread and riser of stairways accessing *lofts* shall be constructed as a *landing platform* where the *loft* ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the *loft*. The *landing platform* shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the *loft*, and 16 to 18 inches (406 to 457 mm) in height measured from the *landing platform* to the *loft* floor.

AQ104.2.1.5 Handrails.

Handrails shall comply with Section R311.7.8.

AQ104.2.1.6 Stairway guards.

Guards at open sides of stairways shall comply with Section R312.1.

AQ104.2.2 Ladders.

Ladders accessing *lofts* shall comply with Sections AQ104.2.1 and AQ104.2.2.

AQ104.2.2.1 Size and capacity.

Ladders accessing *lofts* shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ inch (9.5 mm).

AQ104.2.2.2 Incline.

Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices.

Alternating tread devices accessing *lofts* shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AQ104.2.4 Ships ladders.

Ships ladders accessing *lofts* shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft Guards.

Loft guards shall be located along the open side of *lofts*. *Loft* guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

SECTION AQ105

EMERGENCY ESCAPE AND RESCUE OPENINGS

AQ105.1 General.

Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: *Egress roof access windows* in *lofts* used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the *loft* floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.