WAYZATA PLANNING COMMISSION
Workshop Agenda

Wayzata City Hall Community Room, 600 Rice Street
Monday, February 7, 2022
5:00 – 6:15 PM

1. **Call to Order**
2. **Workshop Discussion**
   a. Zoning Study: Policy Changes in the Residential and Commercial Districts
3. **Adjournment**

Zoning Study: Policy Changes in the Residential and Commercial Districts

Background

Changes to the residential and commercial zoning districts were discussed by the Task Force for over a year. These changes have been reviewed and adapted by staff in accordance with the concerns of the Task Force. A high-level overview of all the proposed changes, including code cleanup items, was given at the Planning Commission's December 6 workshop. This workshop's materials are principally focused on the policy changes that have come out of the Task Force's work. These items are intended to move to a public hearing after this workshop.

Staff is asking the Planning Commission to ask questions and seek clarifications on this material in preparation for a public hearing and subsequent vote. Changes from today's discussion will be integrated into the code language presented at the public hearing. Redlined code is partially present within this memo but will be formally presented in full at the public hearing.

The basis for these specific changes is explained within each section, but this workshop's presentation and the presentation on December 6 both provide additional tables and maps for improved context.

Residential Change: Accessory Dwelling Units

Accessory dwelling units (ADUs) are proposed within Wayzata to allow for a diversity of housing, provide lower cost housing, and increase density in the residential areas to be consistent with the 2040 Comprehensive Plan. ADUs are proposed in the R-1 through R-3 residential districts to meet the goals listed above in the 2040 Comp Plan. The current R-3A and R-3 zoning districts only allow a maximum density of 4.8 units/acre, but the new Comp Plan allows a maximum density of 6 units/acre. An ADU on these sites would allow a density to fit the Comp Plan. Additionally, they fulfill two of the eight guiding principles in the Comp Plan – Multi-Generational and City Nodes with Greater Housing Diversity.

Accessory dwelling units have been known in the past as: carriage houses, mother-in-law apartments, basement apartments, backyard cottages, granny flats, and other terms. The most common existing ADU type in Wayzata is detached guest houses in the R-1 and R-1A zoning districts, but ADUs of different configurations can exist at nearly all single-family densities.

Below is a summary of the Task Force's discussions on ADUs, which spanned multiple meetings.

ADUs have been proposed within Wayzata to allow for a diversity of housing, provide lower cost housing, and increase density in the residential areas to be consistent with the 2040 Comprehensive Plan. ADUs are proposed in the R-1 through R-3 residential districts to meet the goals listed above in the 2040 Comp Plan. The current R-3A and R-3 zoning districts only allow a maximum density of 4.8 units/acre, but the Comprehensive Plan allows a maximum density of 6 units/acre. An ADU on these sites would allow a density that fits the Comprehensive Plan Central Core Residential land use designation. ADUs are proposed in the additional residential districts to meet the goals listed above in the 2040 Comp Plan.

Staff is proposing the code language attached to this packet to allow ADUs in all residential districts, besides the R-4 and R-5 districts. The same code language that is attached would be used for each residential district to provide consistency within the code for ADUs. The only difference is that the R-1 and R-1A code does not propose a maximum of 960 sq. ft. for the ADU, but still keeps the maximum area allowed of 33% of the gross floor area of the principal structure.

The one condition that the Task Force discussed in detail was to only allow the ADU as a housing unit for a family member of the owner of the principal structure. Through staff's research, staff would recommend not adding in a condition of that kind. Putting in a condition to only allow a family member could result in legal issues through administration. Enforcing this condition would also be difficult for staff. Case law supports that a City can require either the principal structure or the ADU be owner-occupied but that is it illegal to prohibit the second unit from being a rental unit. Therefore, staff has added in a condition that states either the principal structure or ADU must be owner occupied. This condition will help to resolve any issues or concerns that arise from an ADU if the owner is on site. Our existing rental licensing will also help to mitigate any issues for a rental structure.

The main concern of the Zoning Task Force was the potential impact of an ADU on the neighborhood and how staff would be able to maintain these structures so they do not negatively impact the neighboring properties. In response, the main way that staff is able to enforce specific requirements is through the rental license application process. The application is attached for reference. The form will need to be modified to add “ADU” to the “Single-Family/Townhome/Condominium” property type category. Additionally, an amendment will need to be made to the rental dwelling licenses code (Chapter 815) to change “guest and caretaker houses” to “accessory dwelling units”. Each ADU would need a rental license and that would require annual renewal. A rental license ensures the safety of the renters, but it also is able to enforce other items that revolve more around aesthetic requirements such as; yard maintenance, vehicle parking, wall and roof maintenance, pest-free conditions, etc. If the rental property or structure does not adhere to these requirements then the City can take away or not renew the rental license. As another measure, for each rental license, a background check is required before the issuance of the license and the applicant must also complete a Crime Free/Drug Free training to obtain a certificate.

Along with the rental license, staff can also apply Section 916 of City Code which regulates additional items such as; refuse, exterior storage, noise, waste, drainage, etc.

All of these items would be used to control the continued maintenance and upkeep of an ADU. These items are also in combination with the proposed Code language that will enforce how an ADU could be built on a lot, which requires the design to be similar to the principal house, limits the size of the ADU, requires specific amount of parking, and states the ADU and/or the principal home need to be owner occupied.

Residential Change: R-5 Allowances

The R-5 district is intended to allow the city’s highest densities. The land use designations within R-5 call for densities as high as 40 units/acre, but R-5 in its current state only allows 17.4 units per acre (not including allowances, which can bring densities up to 21.8 units/acre). Adjustments are needed in order to bring the R-5 district in line with the Comprehensive Plan. The process by which allowances are granted should allow for appropriate oversight. The R-5 purpose statement will also be amended to better fulfill its intended objectives.

Background

From the Comprehensive Plan: “The High Density Residential category allows for the highest density standalone residential uses at a density of at least 12 units per acre. Densities of up to 40 units per acre may be considered. Residential uses within this category predominately include multi-unit and multi-story buildings.”

Most instances of High Density Residential designations fall within the R-5 district. In order to bring R-5 into alignment with this designation, developments subject to R-5 standards (which includes some mixed-use options) should be able to achieve part or all of this range. Regulations for other residential districts are set up to allow a certain amount of density through mechanisms like the lot area per unit. R-5 also does this, but in the past has also included a set of “allowances” to enable developments to become denser in exchange for some sort of benefit to the public. The process is similar to that within a PUD, but this path to flexibility is much narrower and more well-defined than the PUD process. An allowance should be structured in the following way:

1. The incentive for the developer (for example: greater density, a reduction in open space requirements, a reduction in parking requirements)
2. The benefit to the public (for example: affordable housing units, public open space)
3. The nexus/purpose/logic (for example: our comprehensive plan values affordable housing, so if the developer includes affordable housing the City will allow greater density, which allows the developer to make greater profit)

Besides being well-constructed, allowances should be easy to comprehend, linked to outcomes, durable despite changing conditions, and usable within Wayzata’s land use context. When evaluating the City’s current allowances within R-5, some don’t meet these criteria and have an incomplete structure. As a

result, they can be difficult to use and produce uncertain outcomes. The current allowances are also a mix of incentives and disincentives. Here is a strong example of an existing incentive in Wayzata's code:

For each parking space provided under the living area of a building or underground subtract 300 square feet from minimum lot area required per unit.

1. Developer incentive: Receive an increase in density (smaller lot area per unit)
2. City benefit: Decrease a project's surface parking
3. Purpose: The city's design standards and comprehensive plan encourage a greener and more walkable city, and decreasing surface parking meets that goal.

Here is a weak example of a disincentive:

For each unit containing bedrooms in excess of two, add 300 square feet.

1. Developer: A loss in density (larger area per unit)
2. City benefit: Encourage larger 3-bedroom units
3. Purpose: The intent and outcome are unclear without interrogation, and this is an unnecessary level of oversight from the City – the market requires no intervention regarding the size of three-bedroom apartments.

Here is an incentive that should be accounted for by a different portion of the zoning code. Essentially, the incentive attempts to split the zoning district into even more specific parts – trying to create mini-districts on the edges in order to ease the transition from another zoning district. However, the city already has eight residential zoning districts that are mapped with density transitions at the forefront.

If an adjacent site is zoned for commercial use, subtract 300 square feet per unit for that portion of any building within 200 feet of said district.

1. Developer incentive: Receive an increase in density
2. City benefit: Place higher-density housing next to commercial areas
3. Purpose: The city's comprehensive plan encourages a more pedestrian-oriented community, and the need to use a vehicle for daily errands decreases for residents of higher-density housing co-located with commercially zoned areas. It also increases housing diversity within city nodes.

Allowances should advance the City's Comprehensive Plan goals in ways that the rest of the zoning code may not have the flexibility to do without entering into PUD territory. With this in mind, the following draft allowances are proposed for initial consideration:

If the project includes a renewable energy component or meets a sufficient energy certification as defined by the City's Sustainability Policy, subtract 300 square feet.

1. Developer incentive: Receive an increase in density
2. City benefit: Increase usage of renewable energy systems and/or reduce energy usage
3. Purpose: The city's comprehensive plan calls for environmental sustainability to be encouraged in new developments.

If the project includes an affordable housing component as defined by the City's Inclusionary Housing Policy, subtract 300 square feet.

1. Developer incentive: Receive an increase in density
2. City benefit: Increase housing affordability
3. Purpose: The city's comprehensive plan calls for increased affordable housing options and greater housing availability.

For each 1,000 square feet of privately owned, publicly accessible open space, subtract 100 square feet.

1. Developer incentive: Receive an increase in density
2. City benefit: Increase the availability of accessible open space
3. Purpose: The city's comprehensive plan calls for a walkable and pedestrian friendly community and for human scale spaces to be at the forefront of new development.

Including an existing and updatable policy or plan with allowance guidelines allows staff to make sure that the benchmarks for success continue to stay current and achievable without needing to make frequent amendments to the code itself.

Currently, allowances are granted administratively. Staff proposes instead using the Conditional Use Permit process in order to set specific conditions of success for each allowance, as well as allow the City Council and Planning Commission to evaluate the impact of allowance execution on the project's surroundings. For instance, the design of a privately-owned public space could initially fail to adequately connect to existing pedestrian pathways in the city – defeating the purpose of including it. This type of oversight would be remedied within the CUP process.

Allowances are currently structured as a change in the minimum average square feet per unit. While this is likely the best way to fit future changes into the existing code, a strong definition of the calculation methodology should be included in code.

Staff is considering the best levels at which to set "base" and "bonus" density. The R-5 district needs to fall within the 12-40 unit range, but this is a range – the lower portion should be by-right and the upper should be achievable through allowances only. For example, by-right density could range from 12-25 units/acre, and with maximum allowances (and therefore maximum public benefit) a project could achieve 40 units/acre.

Staff is also considering changes to the R-5 purpose statement language, which is currently as follows: "The R-5 District is intended to provide a general multiple residence district of average density in those areas where such development property relates to other land uses and thorough fares, or where said use may act as a transition between land uses." The existing language is vague and should convey a stronger purpose.

Residential Change: Support Townhomes in R-4 and R-4A

The 2040 Comprehensive Plan identifies the Medium Density Residential land use as the appropriate land use designation for twin homes and townhouses. Below is the description for the Medium Density Residential land use.

"Medium Density Residential represents a range of residential uses and can accommodate a mixture of housing typologies. This includes twin homes, townhomes, and small- to mid-range apartments. Densities within this category range from 6 to 12 units per acre."

The zoning districts that are most suitable for the development of twin homes and townhomes are the R-4A and the R-4 zoning districts. The R-4A zoning district allows for a maximum density of 4.36 units per acre and the R-4 zoning district allows for a maximum density of 4.84 units per acre. These existing zoning districts would not support the intensity of development described within the Medium Density Residential land use but they also do not support the majority of the existing twin home and townhome development within Wayzata. R-4A is currently located between Hollybrook Road and Gleason Lake, while R-4A does not currently apply to any parcels in Wayzata but could be rezoned to.

Residential Zoning District Summary	R-4A	R-4
Lot Requirements		
Lot Area	12,0000 to 30,000	9,000 to 27,000
Lot Area per Unit	10,000 to 12,000	9,000
Maximum Density	4.36	4.84

Based on the discussion at the January 11, 2021 Task Force meeting, the following revisions to the R-4A and R-4 have been proposed which would increase the R-4A zoning district density to 6.22 units per acre and the R-4 zoning district to a density of 11.62 units per acre. The R-4 zoning district would implement nearly the full Medium Density Residential density of 12 units per acre.

Residential Zoning District Summary (Redlined)	R-4A	R-4
Lot Requirements		
Lot Area	~~12,0000 to 30,000~~ 18,000 to 21,000	~~9,000 to 27,000~~ 14,000 to 30,000
Lot Area per Unit	~~10,000 to 12,000~~ 7,000 to 9,000	~~9,000~~ 3,750 to 7,000
Maximum Density	~~4.36~~ 6.22	~~4.84~~ 11.62
Principal Building		
Front Yard Setback	~~30 to 35~~ 30	~~20 to 35~~ 20
Side Yard Setback	~~10 to 20~~ 10	10
Rear Yard Setback	~~20 to 40~~ 20	~~20~~ 10
Height	2.5 stories ~~35 Feet~~ 30 Feet	~~2.5 stories~~ 3 stories 35 Feet
Lot Coverage	~~35%~~ 30%	35%
Impervious Surface	35%	~~35%~~ 45%
Accessory Buildings		
Front Yard Setback	40	~~40~~ 20
Side Yard Setback	10	~~10~~ 5
Rear Yard Setback	10	~~10~~ 5

Commercial Change: Upper-Story Housing in C-2 and C-3

There are eight commercial zoning districts in Wayzata, which is a relatively large number of districts for the geographic area they cover. This is beneficial for Wayzata since there is a relatively strong sensitivity in the community to development intensity. The development intensity increases so that C-1 is the least intense and C-4 is the most intense. C-1 districts are located primarily in the Central Core neighborhood surrounded by residential and commercial uses. C-4 is located in the downtown area. Wayzata Boulevard is an important corridor that stretches across the entire length of the city. The development intensity varies throughout the corridor, but is most intense east of Superior Boulevard. Parcels here are zoned C-

3. In the 2040 Comprehensive Plan, mixed-use nodes were identified as a way to strengthen the sense of community, increase walkability, and provide enhanced connections between residential neighborhoods and commercial areas.

The C-2 and C-3 zoning districts are the most appropriate zoning districts for the Mixed-Use Commercial/Residential area near Wayzata Boulevard. The majority of the existing C-3 zoned land is within the Mixed-Use Commercial/Residential land use designation with only the Boatworks (which is actually C-3/PUD) located outside of that designation. There are only two areas within the City that are zoned C-2: Colonial Square at the northwest corner of Central Ave and Wayzata Blvd and The Shoppes located on the south side of Lake St east of Superior Blvd.

Currently, residential is not allowed in the C-2 and C-3 zoning districts while upper story dwelling units are allowed within the C-4 districts (subject to the density restrictions of the R-5 zoning district – see more details about the C-4 districts below). Staff recommends that the same upper story dwelling units, subject to the density restrictions of the R-5 zoning district, become a permitted use within both the C-2 and C-3 zoning districts.

C-2	C-3	C-4A	C-4	C-4B
PERMITTED AND CONDITIONAL RESIDENTIAL USES				
~~N/A~~ GGG. Upper story dwelling units subject to the density standards of the R-5 District.	~~N/A~~ NNN. Upper story dwelling units subject to the density standards of the R-5 District.	DDD. Upper story dwelling units subject to the density standards of the R-5 District.	DDD. Upper story dwelling units subject the density standards of the R-5 District.	5. Upper story dwelling units subject to the density standards of the R-5 District.

To support the shopping center purpose of the C-2 zoning district, 2040 Comprehensive Plan objectives, and Design Guideline survey results, staff recommends lowering the height standard for C-2 to a two-story building while increasing the height standard for the C-3 zoning district to three-stories. Additionally, to implement the 2040 Comprehensive Plan objectives to protect water and natural resources, the lot coverage limitation for the C-2 is established at 50% and the impervious surface is limited to 75% for both zoning districts. The 75% impervious surface requirement will make all C-2 zoned properties non-conforming and most C-3 zoned properties non-conforming. Staff will continue evaluate the appropriate method to implement a limitation on total impervious surface on a property without creating numerous non-conforming properties.

Finally, the revised C-3 zoning district allows a three-story building with 50% lot coverage, the floor area ratio (FAR) is increased to 1.5, and the lot area per unit for both zoning districts is limited to 1,500 square feet per dwelling unit to limit the residential density to no more than 30 units/acre.

Zoning District Summary	C-2	C-3
Lot Requirements		
Lot Area	20,000	15,000
Lot Area per Unit	~~N/A~~ 1,500	~~N/A~~ 1,500
Lot Width	N/A	N/A
Lot Depth	N/A	N/A
Principal Building		
Front Yard Setback	0	10
Side Yard Setback	20	10
Rear Yard Setback	20	10
Height	~~35~~ 30 ft. (mid) ~~3~~ 2 stories	~~30~~ 35 ft. (mid) ~~2~~ 3 stories

Third Story Setback	N/A	N/A
Intensity		
Lot Coverage	~~N/A~~ 50%	50%
Impervious Surface	~~N/A~~ 75%	~~N/A~~ 75%
Floor to Area Ratio (FAR)	1.0	~~1.0~~ 1.5

Commercial Change: C-4, C-4A, C-4B

Upper story dwelling units are allowed in all three C-4 zoning districts with a density allowed within the R-5 zoning districts. Any revisions to the R-5 zoning district would also become revisions to the C-4 zoning districts and subsequently the C-2 and C-3 zoning districts with the proposed upper story residential allowance.

The C-4 zoning district is generally located on Lake St between Barry Ave and Walker Ave, while the C-4A zoning district is generally located along Lake St west of Barry Ave and the C-4B zoning district is generally located along Lake St between Walker Ave and Superior Blvd. Upper story dwelling units are allowed in all three zoning districts while the C-4 zoning district would allow a three-story building and the C-4A and C-4B zoning districts only allows for only a two-story building. The majority of the three-story buildings currently located along Lake Street west of Barry Avenue are zoned planned unit development (PUD).

There is no lot coverage or impervious surface limitations within any of the C-4 districts but the entire portion of Lake St east of Ferndale Rd is located within the Shoreland Overlay district. The Shoreland district allows for an impervious surface of 25% by right, an impervious surface of up to 75% with a stormwater management plan approved by the City Engineer, and an impervious surface of greater than 75% with a conditional use permit (CUP).

Staff is recommending one change to the C-4A zoning district performance standards, two changes to the C-4 district standards, and two changes to the C-4B district standards. The common change to all three zoning districts is adding a lot area per unit limitation of 1,500 square feet per dwelling unit to limit the residential density to no more than 30 units/acre. The common change between the C-4 and C-4B zoning districts is to address the existing non-conforming lots within the two zoning districts. Many of the C-4 zoned properties along Barry Ave and Manitoba Ave are below 12,000 square feet while many of the C-4B zoned properties along Lake St are also below 12,000 square feet. Staff recommends a new minimum lot size of 8,000 square feet for the C-4 zoning district and 6,000 square feet for the C-4B zoning district.

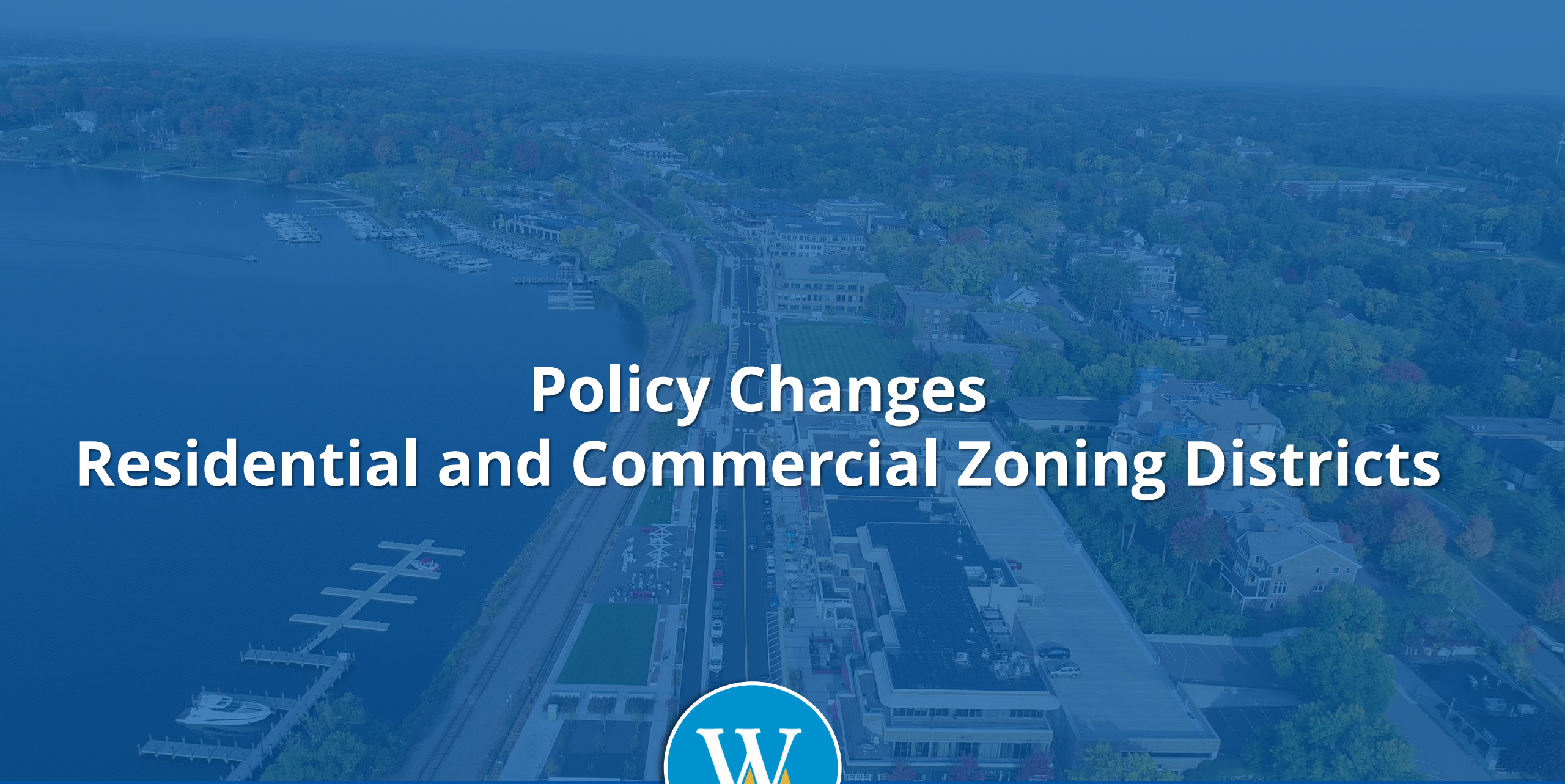
Zoning District Summary	C-4A	C-4	C-4B
Lot Requirements			
Lot Area	12,000	~~12,000~~ 8,000	~~12,000~~ 6,000
Lot Area per Unit	~~Same as R-5~~ 1,500	~~Same as R-5~~ 1,500	~~Same as R-5~~ 1,500
Lot Width	N/A	N/A	N/A
Lot Depth	N/A	N/A	N/A
Principal Building			
Front Yard Setback	0	0	0
Side Yard Setback	0	0	0
Rear Yard Setback	0	0	0
Height	30 ft. (mid) 2 stories	35 ft. (mid) 3 stories	30 ft. (mid) 2 stories
Intensity			

Third Story Setback	N/A	10	N/A
Lot Coverage	N/A	N/A	N/A
Impervious Surface	N/A	N/A	N/A
Floor to Area Ratio (FAR)	2.0	2.0	2.0
Shoreland Ordinance			
Base Impervious Surface	25%	25%	25%
Impervious Surface with City Engineer Approval	75%	75%	75%
Impervious Surface with CUP	100%	100%	100%

Conclusion

Changes to the residential and commercial zoning districts were discussed by the Task Force for over a year. These changes have been reviewed and adapted by staff in accordance with the concerns of the Task Force. A high-level overview of all the proposed changes, including code cleanup items, was given at the Planning Commission's December 6 workshop. This workshop's materials are principally focused on the policy changes that have come out of the Task Force's work. These items are intended to move to a public hearing after this workshop.

Staff is asking the Planning Commission to ask questions and seek clarifications on this material in preparation for a public hearing and subsequent vote.



Policy Changes
Residential and Commercial Zoning Districts

Agenda

Process/Review

Residential Updates

- Accessory Dwelling Units, Supporting Townhomes/Twin Homes in R-4 and R-4A, R-5 Density Allowances

Commercial Updates

- Upper-Story Housing in C-2 and C-3, Revisions to C-4, C-4A, C-4B

Discussion

Zoning Code Update Process + Schedule

Zoning Task Force → Planning Commission → City Council

- The Task Force began reviewing this work in October 2020.
- Task Force recommended on November 22 that the work be forwarded on to the Planning Commission for review.

Tentative Review Schedule

- ~~December 6, 2021: Planning Commission Workshop #1~~
- February 7, 2022: Planning Commission Workshop #2
- February 28, 2022: Public Hearing
- March 7, 2022: Consent Agenda

Summary of December 6 Workshop Discussion

- Overview of Zoning Study Task Force work on residential and commercial districts
- Zoning vs. land use designation
- Commercial density vs. residential density
- History of the Comprehensive Plan
- Minimum and maximum densities in all zoning districts

Basis for Changes

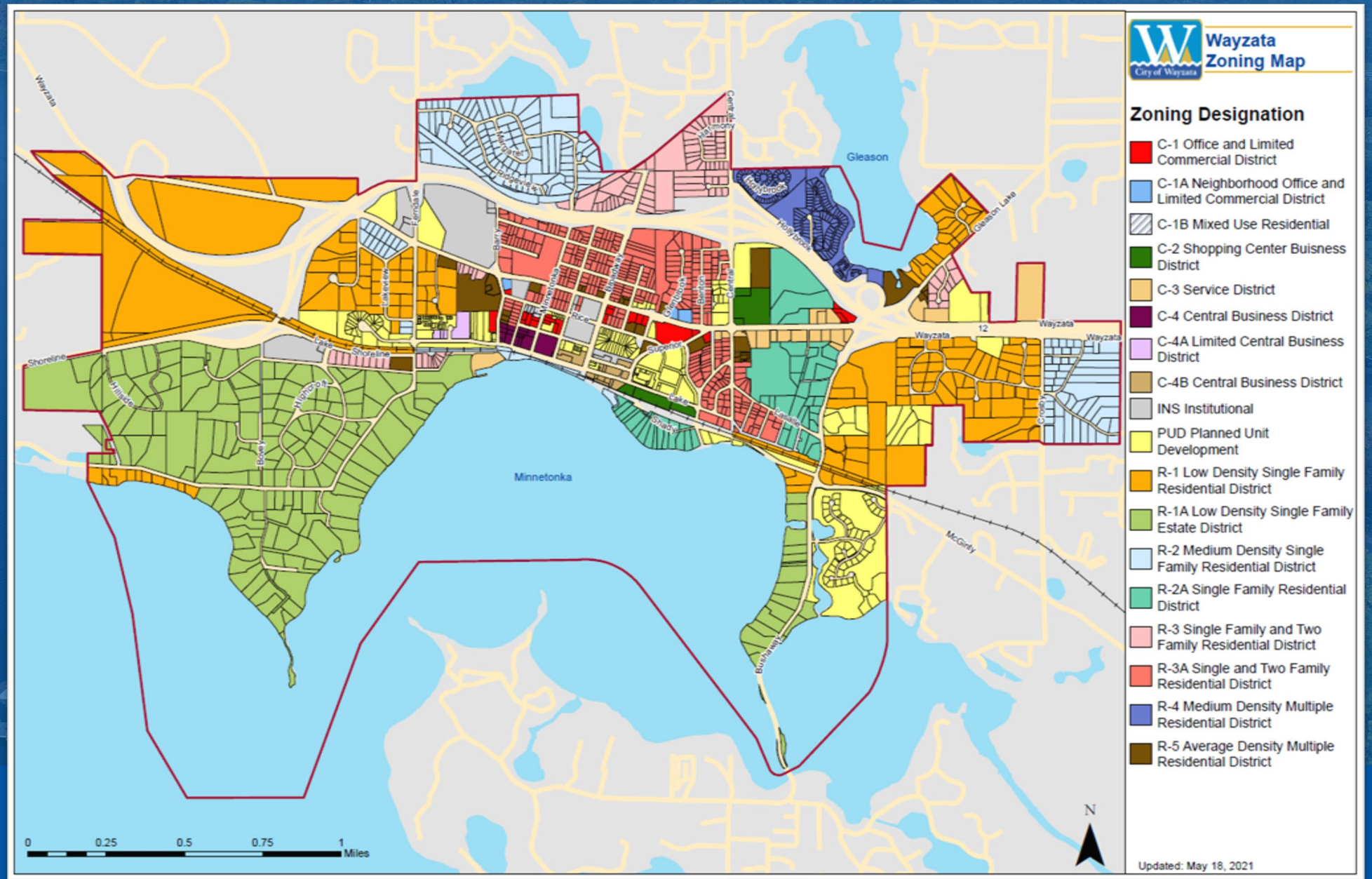
The updates are intended to **align the code** with the most recent Comprehensive Plan and to promote **ease of use**.

Residential updates especially must **balance** guiding principles and density goals.

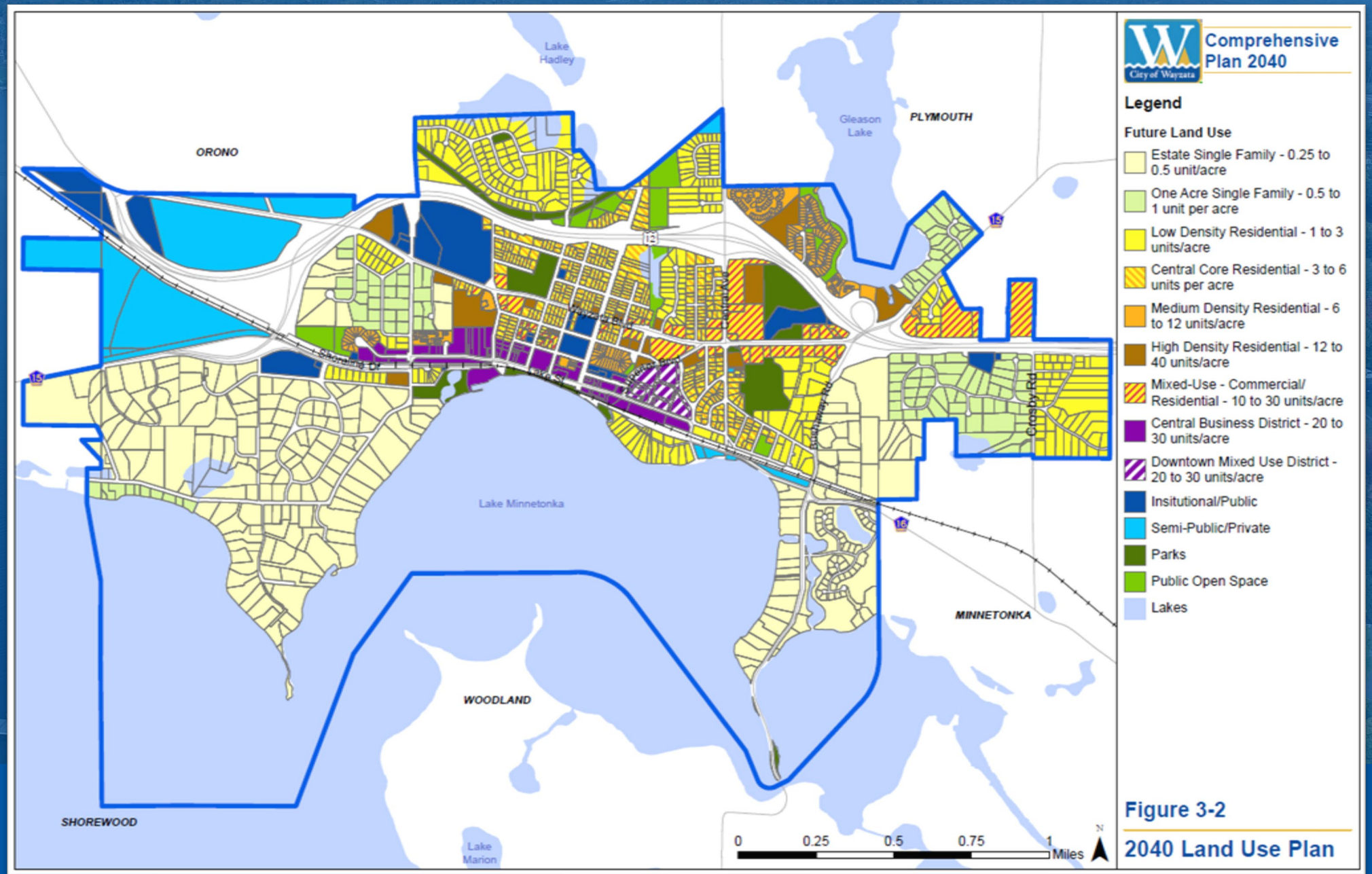
Integrating the guiding principles into the residential and commercial districts helps provide the basis by which development **fulfills the vision and goals** set forth by the Comprehensive Plan.

- Charming
- Walkable and Pedestrian Friendly
- Environmental Sustainability
- City Nodes with Greater Housing Diversity

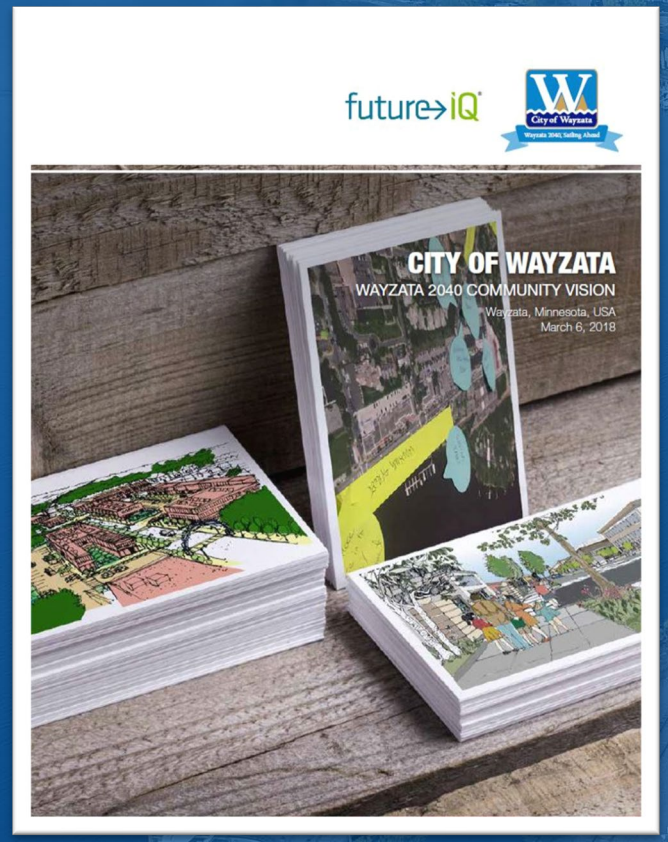
Current Zoning Map



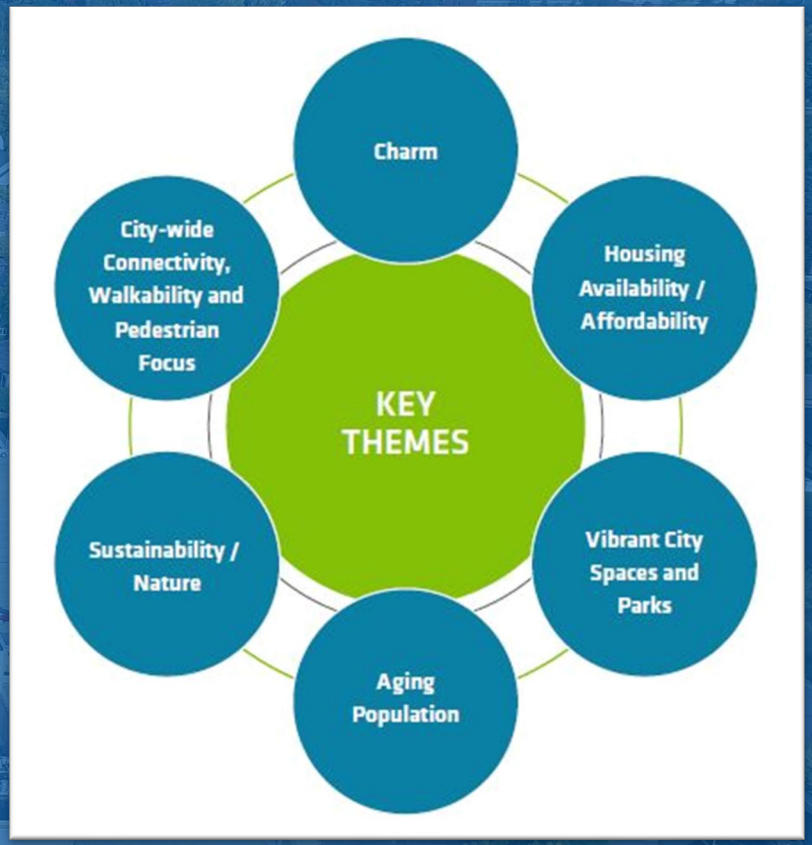
Future Land Use Map



2040 Community Vision



When asked what Wayzata's population mix should look like in 2040, over 80% of Vision Survey respondents believe that it should be geared towards a diverse, mixed-age community attractive to families and younger professionals.



2040 Community Vision – Multi-Generational

VISION IN ACTION

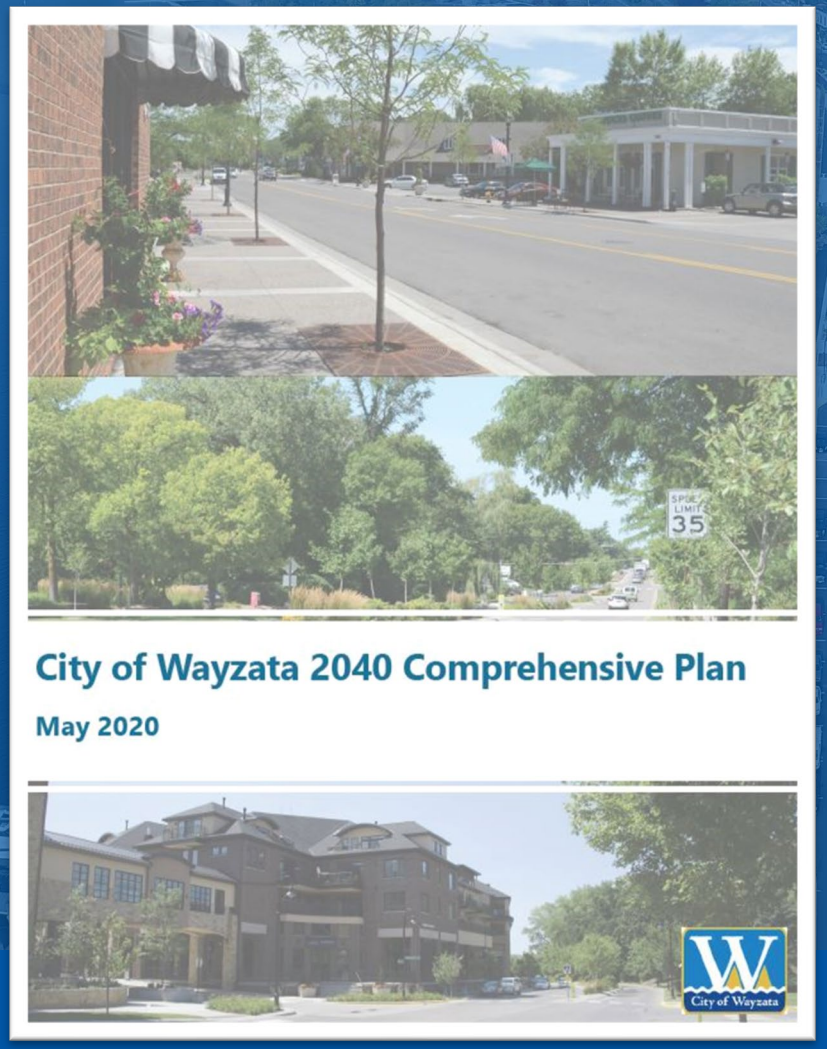
- Foster Intergenerational programs throughout the community: Senior tutors at Wayzata Library, community garden classes.
- Encourage establishment of start up companies in Wayzata.
- Support developments that create multi-generational friendly housing.
- Increase walkability and bikeability in an effort to attract Millenials and Baby Boomers.
- Establish park activities that cater to different generational cohorts.
- Invest in state of the art playgrounds and activities that specifically cater to young famlies.

2040 Community Vision – Greater Housing Diversity

VISION IN ACTION

- Encourage mixed developments throughout Wayzata Boulevard.
- Revitalize the streets around Wayzata Boulevard in order to accomodate a more walkability-seeking resident cohort.
- Encourage the development of more affordable town-homes as a means of attracting younger families to Wayzata.
- Update Wayzata's affordable housing plan.
- Attract start up companies to Wayzata.

2040 Comprehensive Plan



This work implements:

2040 Housing Goals

2040 Land Use Goals

Residential Updates

Zoning districts should **align** with their predominant land use designation in the Comprehensive Plan.

Density in the R-3, R-3A, R-4, R-4A, and R-5 districts is currently lower than the Comprehensive Plan requires. Solutions include:

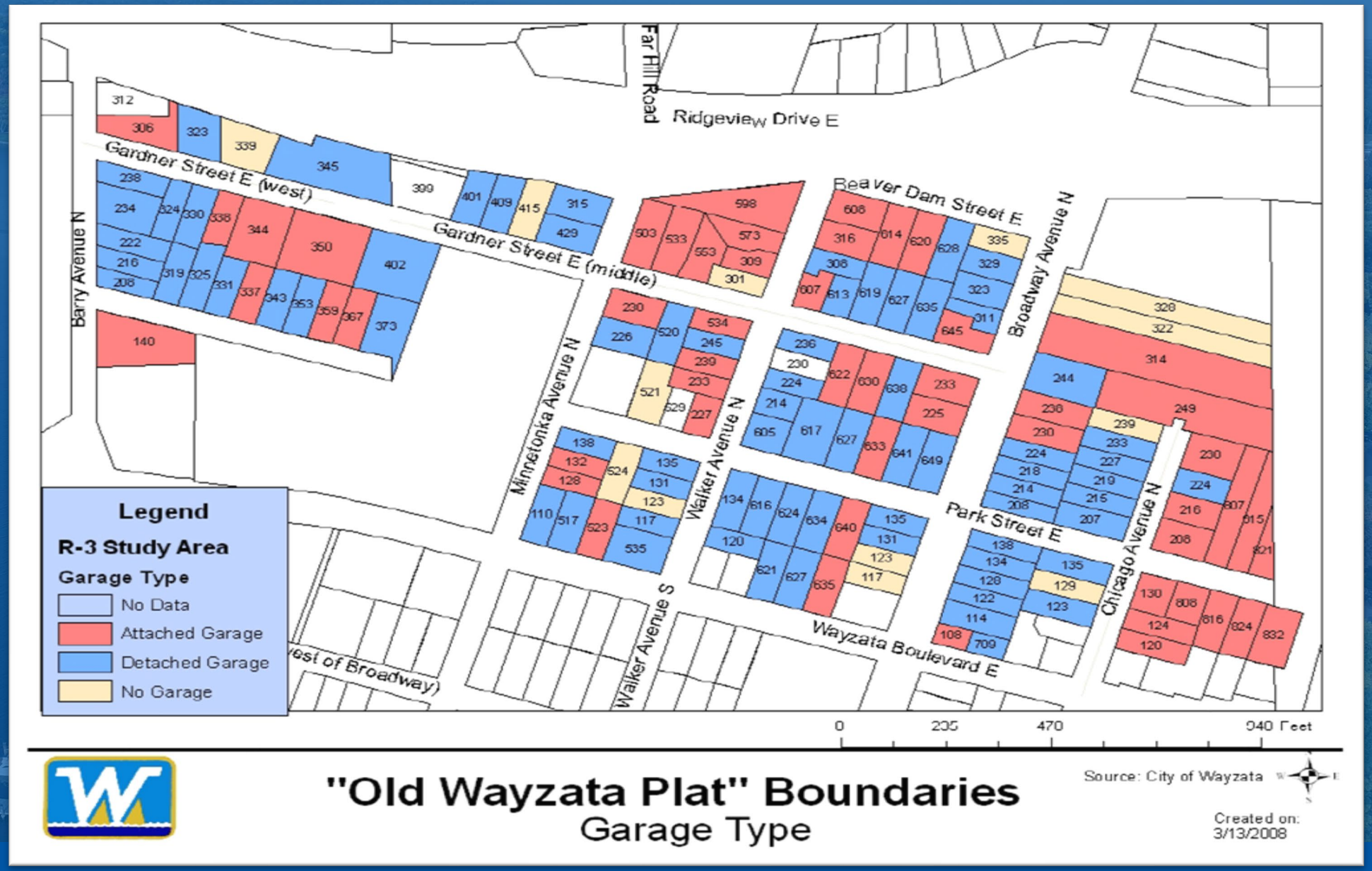
- R-1 through R-3: Accessory Dwelling Units (ADUs)
- R-4 and R-4A: Revisions to support townhomes and small apartment building uses
- R-5: Density allowances

Residential Zoning District	Single Family Max. Net Density	Multiple Family Residential Maximum Density	Land Use Designation allowing Residential	Density Range	Relationship to Zoning Districts
R-1A	0.545	N/A	Estate Single Family	0.25 to 0.5 units per acre	The R-1A zoning district aligns with the density and allowed uses of this category. (Max. Density of 0.545 du/ac)
R-1	1.089	N/A	One Acre Single Family	0.5 to 1.0 units per acre	The R-1 zoning district aligns with the density and allowed uses of this category. (Max. Density of 1.089 du/ac)
R-2	2.904	N/A	Low Density Residential	1 to 3 units per acre	The R-2A and R-2 zoning districts align with the densities and allowed uses of this category. (Max. Density of 2.904 du/ac)
R-2A	1.742	N/A			
R-3	4.840	N/A	Central Core Residential	3 - 6 units per acre	The R-3 and R-3A zoning districts have a maximum density that is about the midpoint of the Central Core Residential density range. (Max. Density of 4.840 du/ac)
R-3A	4.840	N/A			
R-4	4.840	N/A	Medium Density Residential	6 - 12 units per acre	The R-4 zoning district has a maximum density that is below the Medium Density Residential density range. (Max. Density of 4.840 du/ac)
R-4A	3.630	N/A			
R-5	4.840	21.780	High Density Residential	12 - 40 units per acre	The R-5 zoning district has a maximum density for multiple family residential that is about a one-third of the High Density Residential density range. (Max. Density of 21.780 du/ac for MFR and 43.560 for MFR-Elderly)

Residential Updates

Accessory Dwelling Units

- ADUs are a **secondary**, or accessory, unit on a lot with an existing home
- ADUs can be internal conversions, additions, or detached structures
- Separate living facilities accessed **independently** from the main home
  - Kitchen, bathroom, living space
- ADUs have existed on large lots as carriage houses or guest cottages for most of Wayzata's history


Far Hill Road
Ridgeview Drive E
Gardner Street E (west)
Gardner Street E (middle)
Barry Avenue N
Minnetonka Avenue N
Walker Avenue N
Walker Avenue S
Beaver Dam Street E
Broadway Avenue N
Park Street E
Chicago Avenue N
Wayzata Boulevard E
Legend
R-3 Study Area
Garage Type
No Data
Attached Garage
Detached Garage
No Garage
0
235
470
940 Feet
"Old Wayzata Plat" Boundaries
Garage Type
Source: City of Wayzata
Created on:
3/13/2008

Residential Updates

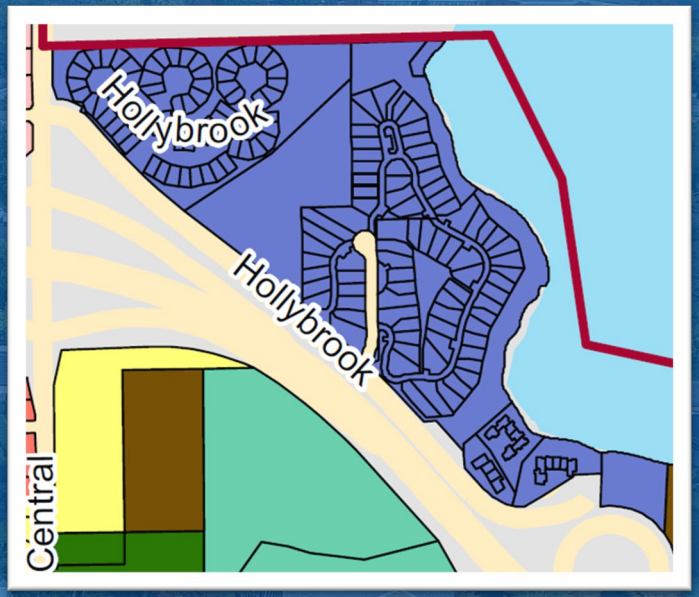
Accessory Dwelling Units – Code Language

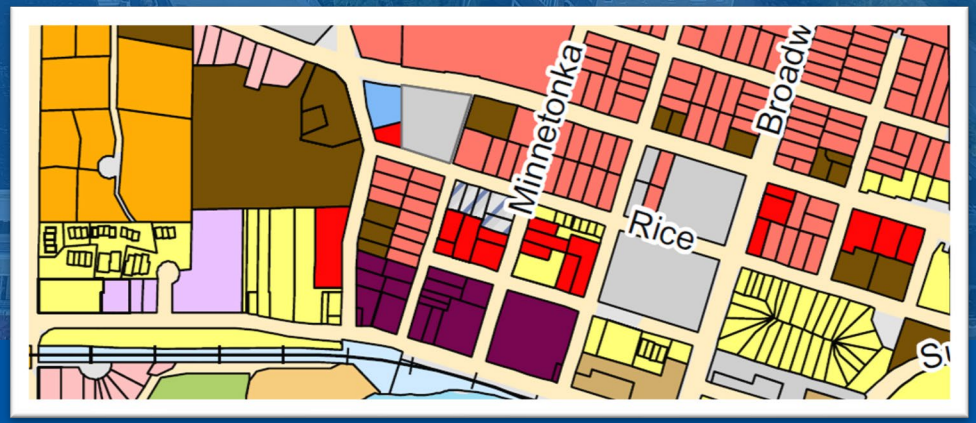
1. An ADU's total floor area shall be no more than **33%** of the primary residence's gross habitual space and no more than **960** square feet. The minimum ADU size is 300 square feet.
2. An ADU shall be designed and maintained as to be **consistent** with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.
3. **One off-street parking space** shall be required for the ADU, in addition to the two off-street parking spaces required for the primary residence.
4. The principal structure or ADU must be **owner-occupied**.
5. No more than one ADU shall be permitted on a lot or parcel.

Residential Updates

Support Townhomes in R-4 and R-4A

- Medium Density Residential land use designation
- Increase density to meet land use designation by better supporting townhome and twin home development
- Many existing townhomes on smaller lots achieved by PUD, despite becoming a prominent housing type in Wayzata





Residential Updates

R-5 Allowances – Proposed

Allowances should advance the City's Comprehensive Plan goals in ways that the rest of the zoning code may not have the flexibility to do without entering into PUD territory.

Allowances

- If the project includes a **renewable energy** component or meets a sufficient energy certification as defined by the City's Sustainability Policy, subtract 300 square feet.
- If the project includes an **affordable housing** component as defined by the City's Inclusionary Housing Policy, subtract 300 square feet.
- For each 1,000 square feet of privately owned, publicly accessible **open space**, subtract 100 square feet.
- (Existing) For each **parking space** provided under the living area of a building or **underground** subtract 300 square feet from minimum lot area required per unit.

Residential Updates

R-5 Allowances – Additional Considerations

- Including an **existing and updatable policy or plan** with allowance guidelines allows staff to make sure that the benchmarks for success continue to stay current and achievable without needing to make frequent amendments to the code itself.

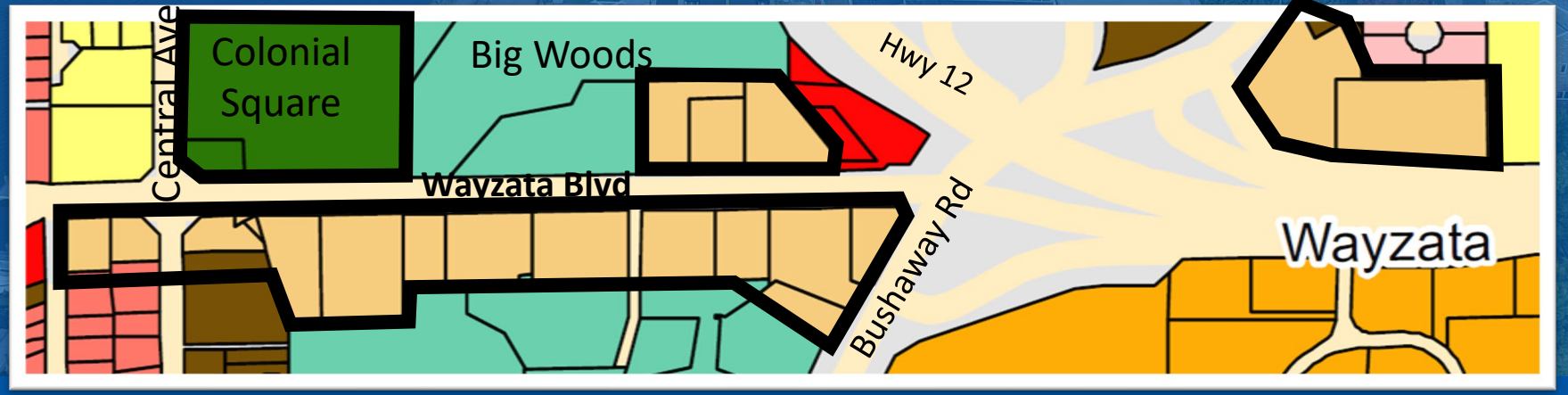
- Currently, allowances are granted administratively. Staff proposes instead using the **Conditional Use Permit** process in order to set specific conditions of success for each allowance, as well as allow the CC and PC to evaluate the impact of allowance execution.

- Staff is also considering changes to the R-5 purpose statement language.

Commercial Updates

Upper Story Housing in C-2 and C-3

- Mixed-Use Commercial/Residential land use, Wayzata Blvd corridor
- Preliminary accounting for redevelopment – more detailed planning as part of Corridor Study in 2022
- No more than 30 units/acre – 2 stories in C-2 (decrease) and 3 stories in C-3 (increase)



Commercial Updates

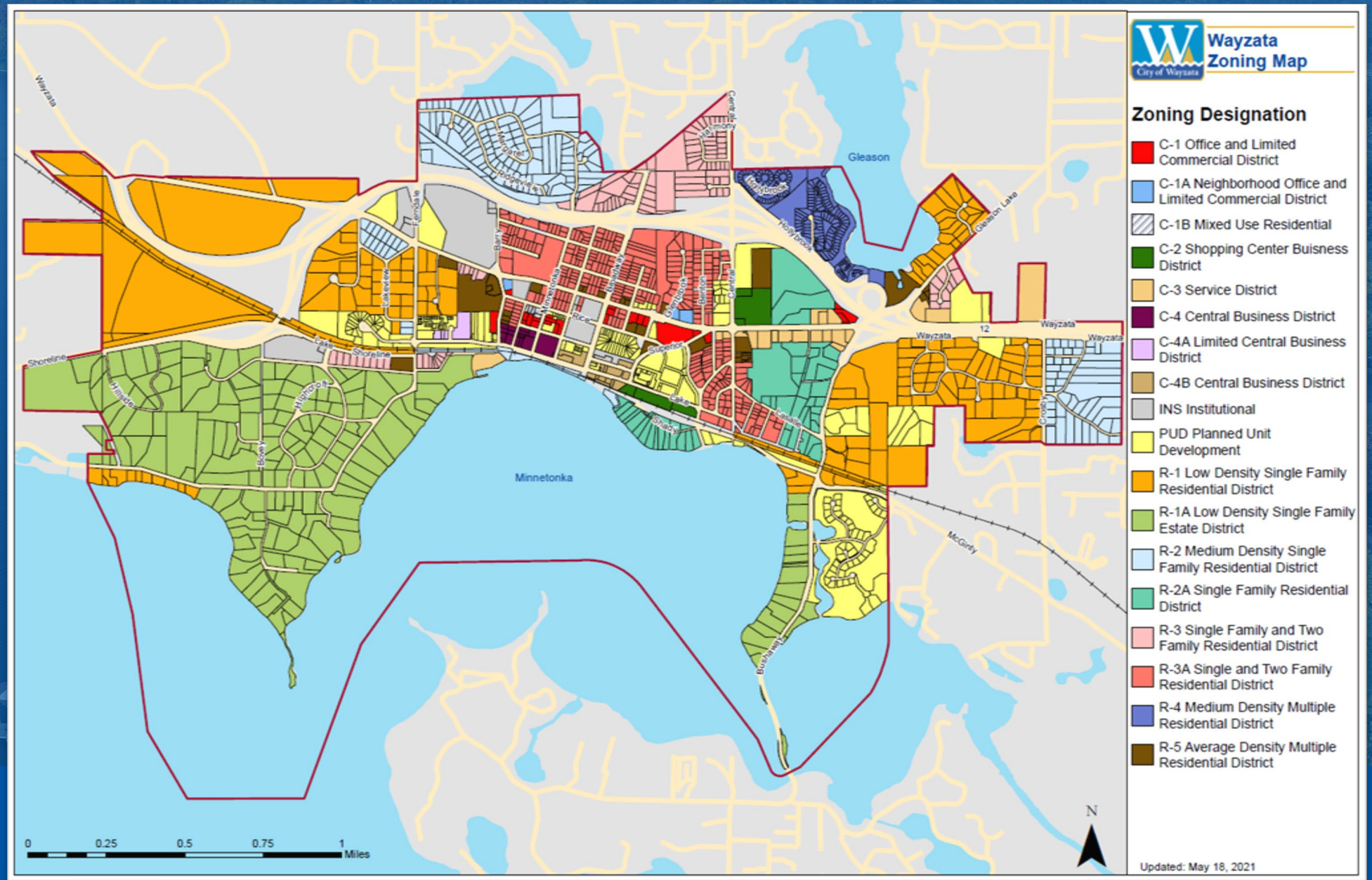
Revisions to C-4, C-4A, C-4B

- Located along Lake St in distinct segments
- Upper story dwelling units subject to R-5 densities (currently)
- Limit density to no more than 30 units/acre
- Address existing non-conforming lots by decreasing minimum lot size

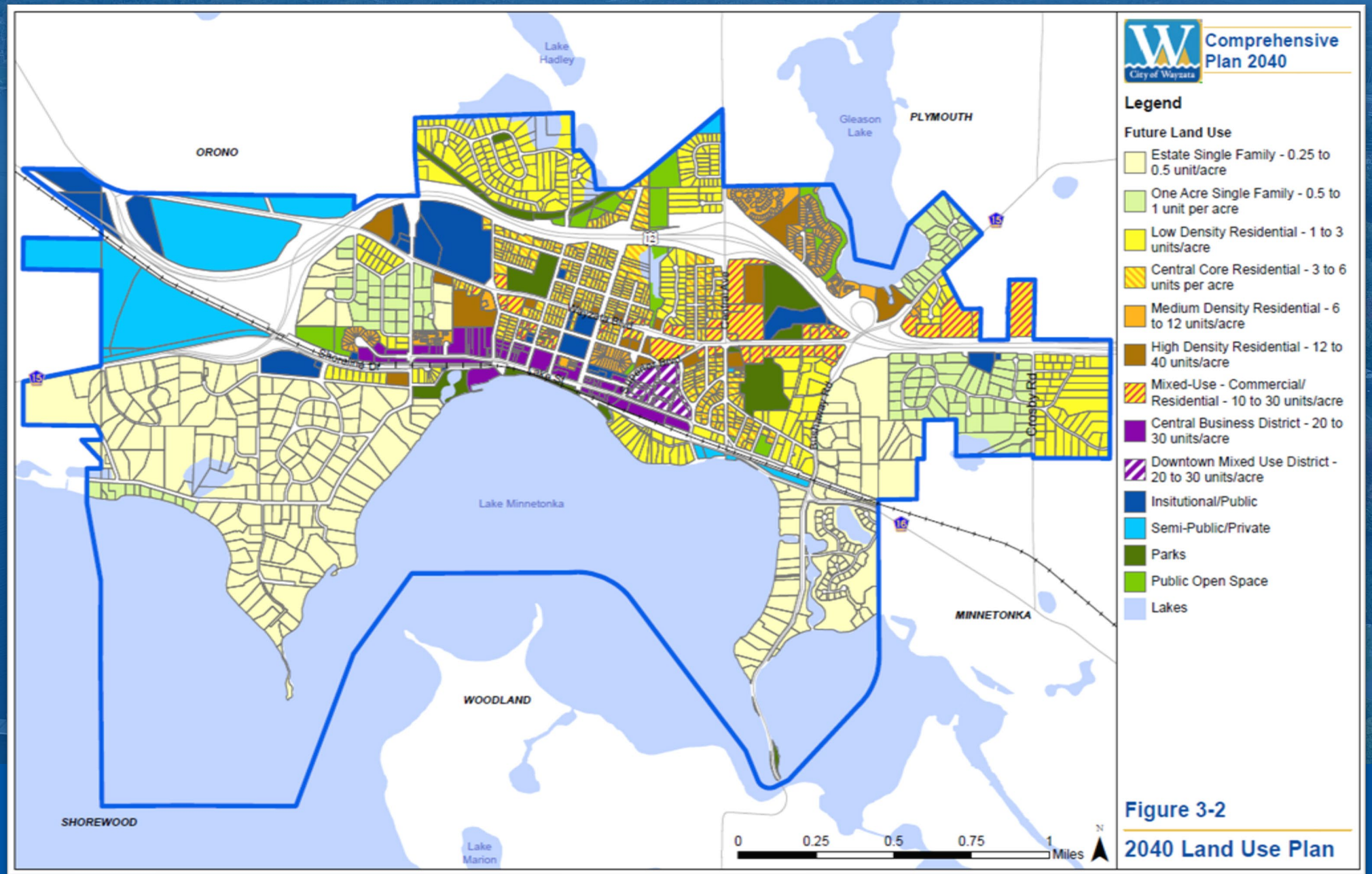
Questions for Discussion

- Which updates do you feel merit more discussion?
- What questions need to be addressed in order to write the best code language possible?
- What information do you feel would best accompany these changes at the public hearing?
- Does the Commission request another workshop prior to conducting the public hearing for these Code amendments?

Current Zoning Map



Future Land Use Map



Wayzata Zoning Map

City of Wayzata

Zoning Designation

- C-1 Office and Limited Commercial District
- C-1A Neighborhood Office and Limited Commercial District
- C-1B Mixed Use Residential
- C-2 Shopping Center Buisness District
- C-3 Service District
- C-4 Central Business District
- C-4A Limited Central Business District
- C-4B Central Business District
- INS Institutional
- PUD Planned Unit Development
- R-1 Low Density Single Family Residential District
- R-1A Low Density Single Family Estate District
- R-2 Medium Density Single Family Residential District
- R-2A Single Family Residential District
- R-3 Single Family and Two Family Residential District
- R-3A Single and Two Family Residential District
- R-4 Medium Density Multiple Residential District
- R-5 Average Density Multiple Residential District

Wayzata
Margaret
Ridgeview
Central
Har-mony
Gleason
Hollybrook
Hollybrook
Gleason Lake
Ferndale
Barry
Broadway
Minnetonka
Glenbrook
Benton
Central
Lakeview
Rice
Wayzata
12
Wayzata
Wayzata
Lake
Shoreline
Superior
Shoreline
Hillside
Highcroft
Lake
Lasalle
Shady
Crosby
Bovey
Minnetonka
McGinty
Bushaway

0 0.25 0.5 0.75 1 Miles

N

Updated: May 18, 2021

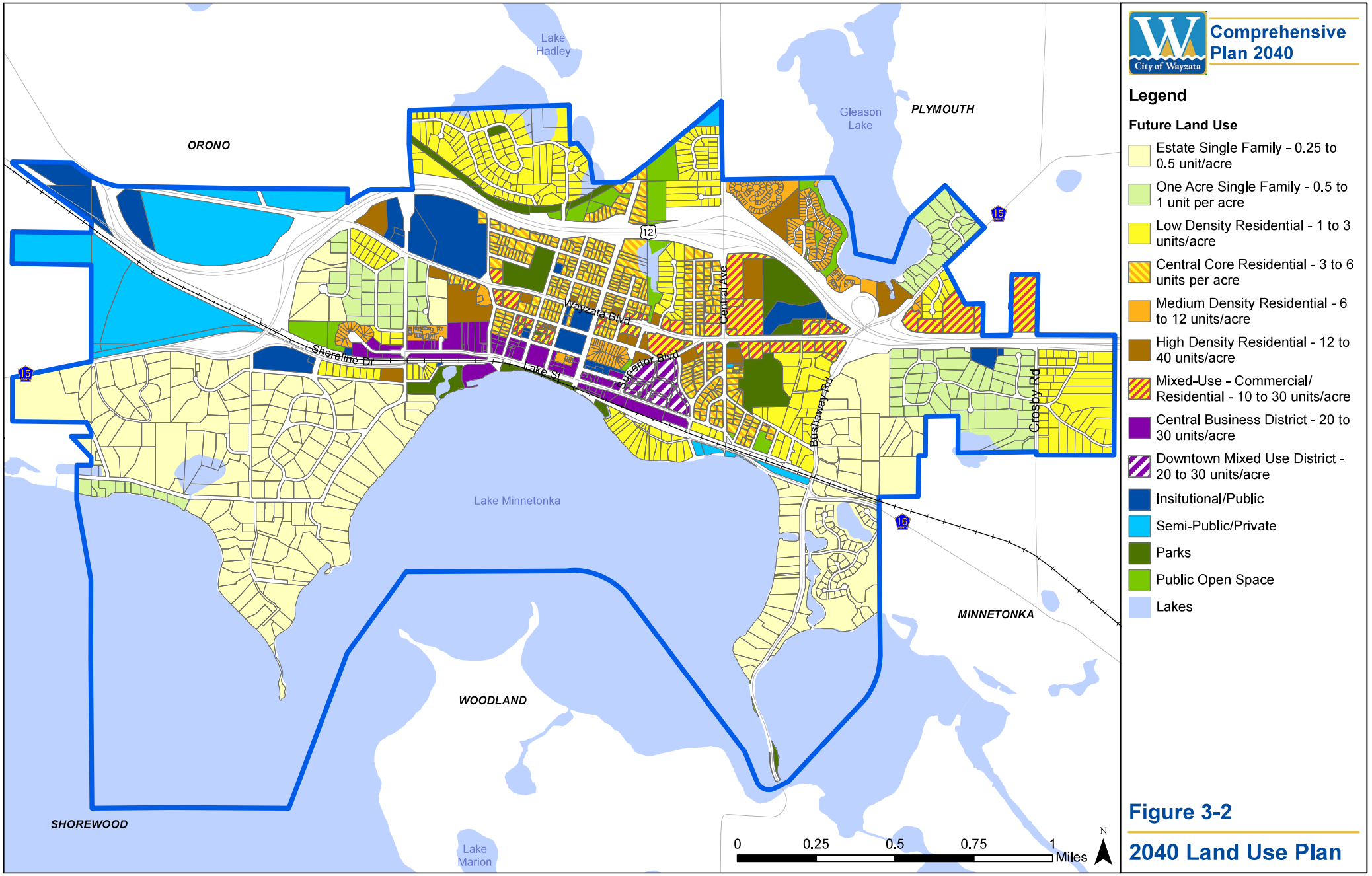


Figure 3-2

2040 Land Use Plan

Proposed Changes to Wayzata Code of Ordinances *Regarding Accessory Dwelling Units (ADUs)*

Summary of Code Sections to be Updated:

- Section 902.02 – Definitions
- Chapter 955 – R-3A District (the same language would also be applied to Chapter 956 - R-3 District, but it is not listed here to shorten the document)
- Chapter 954 – R-2 District (the same language would also be applied to Chapter 953 - R-2A District, but it is not listed here to shorten the document)
- Chapter 951 – R-1A District (the same language would also be applied to Chapter 952 - R-1 District, but it is not listed here to shorten the document)

Note: The following Code sections are provided in an underlined/overstruck format. The underlined language is new proposed language that could be added to the City Code. The ~~overstruck~~ language is current language that could be removed from the City Code.

902.02 - DEFINITIONS.

Accessory Dwelling Unit (ADU) An Accessory Dwelling Unit (ADU) refers to a habitable living unit added to, created within, or detached from a primary one-unit Single Family dwelling, which together constitute a single interest in real estate. It is a separate additional living unit, including kitchen, sleeping, and bathroom facilities

CHAPTER 955 - R-3A SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

955.01 - Purpose.

The purpose of the R-3A Single and Two Family Residential District is to provide for high density single family dwelling units in the community's oldest neighborhoods and to introduce on a restricted basis, two family dwelling units, accessory dwelling units, and directly related, complementary uses.

955.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the "R-3A" District:

F. Accessory Dwelling Unit (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU's total floor area shall be no more than 33% of the primary residence's gross habitual space and no more than 960 square feet. The minimum ADU size is 300 square feet.

2. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.

3. One off-street parking spaces shall be required for the ADU, in addition to the two off-street parking spaces required for the primary residence.

4. The principal structure or ADU must be owner-occupied.

5. No more than one ADU shall be permitted on a lot or parcel.

G. Accessory uses customarily incidental to the uses permitted in Sections 955.02 and 955.05 of this Ordinance.

955.06 - Lot Area and Setback Requirements.

The following minimum requirements shall be observed in an "R-3A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

2. Accessory Structure(s):
   a) Front Yard: 20 feet.
   b) Side Yard: Five feet.
   c) Rear Yard: Five feet.

955.07 - Lot Coverage and Height.

The following lot coverage and height requirements shall be observed in an "R-3A" District:

A. Lot coverage shall not exceed 30 percent of lot area. Impervious surfaces on a lot shall not exceed 35 percent of the lot area.

B. All residences shall be limited to a maximum height of two stories and 32 feet in vertical distance above the Grade Plane, as measured to the peak of the roof, whichever is lesser.

C. All residential accessory buildings shall be limited to a maximum height of 20 feet.

D. All Accessory Dwelling Units shall be limited to two stories, or 25 feet, whichever is lesser.

CHAPTER 954 - R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

954.01 - Purpose.

The purpose of the R-2 Medium Density Single Family Residential District is to provide for medium density single family detached dwelling units, accessory dwelling units, and directly related, complementary uses.

954.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the "R-2" District:

F. Accessory Dwelling Unit (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU 's total floor area shall be no more than 33% of the primary residence's gross habitual space and no more than 960 square feet. The minimum ADU size is 300 square feet.

2. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.

3. One off-street parking spaces shall be required for the ADU, in addition to the two off- street parking spaces required for the primary residence.

4. The principal structure or ADU must be owner-occupied.

5. No more than one ADU shall be permitted on a lot or parcel.

954.05 - Conditional Uses.

Subject to applicable provisions of this Ordinance, the following are conditional uses in an "R-2" District: (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)

~~F. Living quarters of persons employed on the premises, provided that:~~

~~1. Occupancy is limited to the principal structure.~~

~~2. Such accommodations are provided for no more than one family.~~

~~3. Two extra off-street parking spaces are provided on the lot.~~

~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

954.06 - Lot Area and Setback Requirements.

The following minimum requirements shall be observed in an "R-2" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

B. Setbacks:

2. Accessory Structure(s):

a) Front Yard: 30 feet.

b) Side Yard: Five feet.

c) Rear Yard: Five feet.

954.07 - Lot Coverage and Height.

The following requirements shall be observed in an "R-2" District:

A. Lot coverage shall not exceed 20 percent of lot area. Impervious surfaces on a lot shall not exceed 30 percent of the lot area.

B. All single family residences shall be limited to a maximum height of 2½ stories and 30 feet, whichever is lesser.

C. All accessory buildings shall be limited to a maximum height of 20 feet.

D. All Accessory Dwelling Units shall be limited to two stories, or 25 feet, whichever is lesser.

CHAPTER 951 - R-1A LOW DENSITY SINGLE FAMILY ESTATE DISTRICT

951.01 - Purpose.

The R-1A District is intended to provide a low density residential district for existing large and estate-type properties. These properties are unique in that they are unusually large in size and frequently include accessory structures, such as ~~guest houses and employees' quarters~~ accessory dwelling units. This district also allows recreational uses.

951.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the "R-1A" District:

H. Accessory Dwelling Unit (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU 's total floor area shall be no more than 33% of the primary residence's gross habitual space. The minimum ADU size is 300 square feet.

2. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.

3. One off-street parking spaces shall be required for the ADU, in addition to the two off- street parking spaces required for the primary residence.

4. The principal structure or ADU must be owner-occupied.

5. No more than one ADU shall be permitted on a lot or parcel.

951.05 - Conditional Uses.

Subject to applicable provisions of this Ordinance, the following are conditional uses in an "R-1A" District: (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)

~~A. One guest, carriage, or caretaker's house as an accessory use, provided that:~~

~~1. The structure will not be used for rental purposes.~~

~~2. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.~~

~~3. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

951.06 - Lot Area and Setback Requirements.

The following minimum requirements shall be observed in an "R-1A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

B. Setbacks:

2. Accessory Structure(s):

a) Front Yard: 50 feet.

b) Side Yard: Ten feet.

c) Rear Yard: Ten feet.

951.07 - Lot Coverage and Height.

The following requirements shall be observed in an "R-1A" District:

A. Lot coverage shall not exceed ten percent of lot area. Impervious surfaces on a lot shall not exceed 20 percent of the lot area.

B. All single family residences shall be limited to a maximum height of three stories and 40 feet, whichever is lesser.

C. All accessory buildings shall be limited to a maximum height of two stories and 25 feet, whichever is lesser.

CHAPTER 815 - RENTAL DWELLING LICENSES

815.01 - Purpose.

This chapter may be referred to as the Rental Dwelling License Ordinance. The purpose of this chapter is to ensure that rental housing in the City is decent, safe, and sanitary; that it is so operated and maintained as not to become:

A. A nuisance to the surrounding neighborhood; or

B. An influence that fosters blight and deterioration, or creates a disincentive to reinvestment in the community.

815.02 - Scope.

This chapter applies to all rental dwellings and the individual units therein that are rented or leased in whole or in part, including apartment buildings, town homes, single-family and two-family housing, ~~guest and caretaker houses~~ Accessory Dwelling Units, and condominiums with private entrances. It also includes any accessory structures of the rental dwellings, such as garages and storage buildings, and appurtenances such as sidewalks, driveways and retaining walls, which are on the property of the rental dwelling. This chapter does not apply to Minnesota Department of Health licensed rest homes, convalescent care facilities, nursing homes, hotels or motels licensed by the City.

CHAPTER 916 - GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

916.02 - Dwelling Unit Restriction.

A. No garage, tent, accessory building, travel trailer or motor home shall at any time be used as living quarters, temporarily or permanently, unless authorized as an Accessory Dwelling Unit.

B. Tents, play houses or similar structures may be used for play or recreational purposes.

C. Basements and cellars may be used as living quarters or rooms as a portion of the principal residential dwelling. Energy conserving designs in housing are not prohibited by this provision of the Ordinance, provided that a conditional use permit is approved by the City Council and the structure complies with standards imposed by the State Building Code