

38th and Chicago Rezoning Study Frequently Asked Questions

What is zoning?

Zoning is the basic means of implementing the comprehensive plan and controlling land use throughout the city. The zoning code assigns each property in the city to a primary zoning district: residence, office-residence, commercial, industrial or downtown. There are also overlay zoning districts that may provide more flexibility or impose more restrictions than the primary zoning district. Proposed developments, from new construction to small home additions, must meet the requirements of the zoning code. Within each zoning district, the zoning code imposes land use controls that regulate what can be built on a parcel of land. Such controls include: specifying the allowed uses of land in each zoning district; yard setbacks; building height, bulk, and density; parking requirements; lot coverage; etc. In each zoning district, any particular use is either permitted, conditional, or prohibited. A permitted use is allowed as of right. A conditional use requires a public hearing before the City Planning Commission.

What does each of the various zoning districts mean?

The abbreviations on zoning map refer to the various existing and proposed zoning districts in the area of 38th and Chicago. The full titles and a brief description of each of these zoning districts is listed below. For more details about each zoning district, please email or call using the contact information on the other side of this sheet. The full text of the zoning code is also available on the city's web site at <http://www.ci.minneapolis.mn.us/zoning/code/>.

R1 and R1A Single Family Districts

The R1 and R1A districts allow for single-family dwellings as well as some institutional and public uses. Most development occurs at no more than 2.5 stories.

R2 and R2B Two-Family District

The R2 and R2B zoning districts allow for single- and two-family dwellings as well as some institutional and public uses. Most development occurs at no more than 2.5 stories.

R4 and R5 Multiple-Family Districts

The R4 and R5 districts are multifamily residential districts that allow for a range of housing densities. Most development occurs at no more than 4 stories.

OR1 Neighborhood Office Residence District

The OR1 district allows for small scale mixed use development of low to moderate density dwellings and office uses. This district often serves as a transition between neighborhood commercial centers and the surrounding residential uses. Most development occurs at no more than 2.5 stories.

C1 Neighborhood Commercial District

The C1 district provides for a convenient shopping environment of small scale retail sales and commercial services that are compatible with adjacent residential uses. In addition to commercial uses, residential uses, institutional and public uses, parking facilities, limited production and processing and public services and utilities are allowed. Most development occurs at no more than 2.5 stories.

C2 Neighborhood Corridor Commercial District

The C2 district allow for retail sales and commercial services that are larger in scale than allowed in the C1 District. In addition to commercial uses, residential uses, institutional and public uses, parking facilities, limited production and processing and public services and utilities are allowed. Most development occurs at no more than 4 stories.

PO Pedestrian Oriented Overlay District

The PO district is intended to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and by prohibiting certain high impact and automobile-oriented uses.

Why is my property on the list of proposed zoning changes?

The zoning on your property was established prior to vision for land use change and revitalization outlined in the 38th Street and Chicago Avenue Small Area/Corridor Framework Plan. One or more characteristics of the existing zoning on

your property does not conform to that vision, be it the types of land uses allowed (commercial, residential, industrial), the height and bulk of buildings allowed, or any number of other factors.

Why is my property NOT listed for a proposed zoning change?

If you do not see your property on the list of zoning changes, your property is not in the area identified for long-term change in the 38th Street and Chicago Avenue Small Area/Corridor Framework Plan. This notice was mailed as a courtesy to all property owners within 350 feet of that area.

What happens if my zoning district is changed?

When the zoning of a property changes, some uses may no longer be permitted under the new regulations. There are very few instances where this is the case as a result of the proposed changes in the 38th and Chicago area. When the regulations change and a use is no longer permitted under the zoning code, it does not mean that the use needs to cease immediately. Uses that were established legally prior to a zoning change are called legal nonconforming uses and may continue indefinitely. If your property is one of the few in this category, you will receive a separate letter outlining the implications of the proposed zoning change for your property. In some cases, the proposed zoning district *adds* new allowed uses, sometimes bringing a previously nonconforming use into conformity. Most zoning changes proposed in the 38th and Chicago Rezoning Study have few or no implications for existing businesses and property owners. The changes are intended to shape how new development happens if and when property owners choose to redevelop.

What does it mean if my property is in the PO District?

- New auto-oriented uses (gas stations, auto repair, drive-throughs) are prohibited.
- New commercial development may not be set back more than eight feet from the front property line. This is a requirement in most parts of the city, but in the PO district there are fewer options for varying from this requirement.
- New parking lots may not be located in front of buildings. This is a requirement in most parts of the city, but in the PO district there are fewer options for varying from this requirement.
- New commercial development must include at least 40% window coverage on the first floor facing the street. This requirement is 30% outside the PO district.
- New parking lots are limited to 60 feet of frontage along the street.
- Off-street parking requirements (minimums and maximums) are reduced by 25% for commercial uses.

What does it mean if my property is changing from...

OR1 to C1 with PO?

- Office and housing (single- or multi-family) are still allowed.
- Retail and other commercial uses are now allowed, but not auto-oriented uses (gas stations, auto repair, drive-throughs)
- Mixed-use residential/commercial buildings are now allowed.

R4/R5 to C1 with PO?

- Housing (single- or multi-family) is still allowed.
- Retail and other commercial uses are now allowed, but not auto-oriented uses (gas stations, auto repair, drive-throughs)
- Mixed-use residential/commercial buildings are now allowed.

R2B to C1 with PO?

- Single-family housing is still allowed.
- Multi-family housing is now allowed.
- Retail and other commercial uses are now allowed, but not auto-oriented uses (gas stations, auto repair, drive-throughs)
- Mixed-use residential/commercial buildings are now allowed.

Does this mean the City is going to take my property?

No. Zoning simply regulates the use of property.