

Item 2

Case 10000B-06

GENERAL INFORMATION

Applicant: City of Bloomington

Request: Amend City Code to Establish New Plat Findings, Residential Lot Width Standards, Building Height Standards and Residential Tree Preservation Standards

PROPOSAL

Based on neighborhood concerns with several recent infill residential subdivisions, the City Council directed that new standards be created by the end of July, 2006 to address both the compatibility of infill residential lots and homes with the surrounding neighborhood and tree preservation. The planning consulting firm of Hoisington Koegler Group (HKGi) was retained to prepare the standards. HKGi prepared a questionnaire on these issues for the Planning Commission and City Council and further discussed potential standards at the April City Council Study Meeting. Based upon input received, the proposed ordinance focuses on four areas:

1. New, more objective findings for plats;
2. New height limits for single family and two-family homes;
3. New residential lot width requirements; and
4. Tree preservation standards.

ANALYSIS

A report from the project consultant (HKGi) discussing the proposed ordinance is attached.

IMPACTS**Plat Findings**

The proposed findings are more objective and more measurable than the existing findings. The City Council expressed concerns that the existing findings are too open-ended and not tied to standards.

Height Limits

As a way of testing the proposed standards, staff analyzed the 20 most recent single-family homes that have received building permits in Bloomington (see attached spreadsheet and photos/elevation drawings). Of those 20 homes, three did not comply with the overall proposed height limit (measured to peak of roof rather than ceiling height). Photos/elevations of these three homes are attached. Homes most likely not to comply are those that have two stories, plus a walkout basement, plus a steep roof pitch. The most likely way of modifying a proposed house to comply will be to redesign the roof to effectively reduce the overall pitch.

Of the 20 most recent homes, five did not comply with the proposed height limits within 20 feet of the side lot line. Homes most likely not to comply are those that have two stories, plus a walkout basement, plus a gable style roof that is "exposed" to the side. The most likely ways of modifying a

proposed house to comply will be to increase the side setback or to redesign the roof to switch from an exposed gable facing the side to a hip roof or some other roof design.

Lot Width

The proposed lot width standards change the assumptions on which new lots can be created. Historically, Bloomington has required that all lots meet a citywide, minimum lot width (80 feet). This approach has been unpopular with neighbors of recent subdivisions in areas where most existing lots are much wider than the minimum. In recent years, the concerns have become more pronounced as the size of homes have grown significantly while the minimum lot size has remained constant.

The proposed standards assume that in addition to the minimum citywide lot width standard (80 feet), lots should also reflect the width of existing lots in the surrounding neighborhood up to a maximum of 120 feet in width. The City of Edina has applied a similar, “prevailing lot width” approach. While the change is a significant policy shift for Bloomington, it also has very tangible impacts that deserve discussion. As a test, staff has applied the standards against several recent subdivisions to see how many lots could be created. The attached table and maps summarize the results of the test. In most cases, fewer lots would result.

While the result of fewer lots would likely be popular with neighboring property owners, there are valid concerns as well. Concerns about the “prevailing lot width” approach include:

- It may result in decreased property values for owners of large lots that are currently subdividable.
- Fewer new lots and homes will be created in the City.
- New lots will be larger on average and therefore more expensive. Costs will be passed on to buyers. New homes will cost more.
- The standards will fail the test of counter simplicity. If a customer at the front counter asks a planner whether a given parcel can be subdivided, an answer may be impossible to provide over the counter. It may require a great deal of research to gather the lot widths of surrounding lots and determine the median. There may be disputes in cases where a foot or two here and there means the difference between having or not having an additional lot. Surveyors may need to be employed to reach a conclusion. That adds direct costs and time costs to the subdivision process. Those costs will again be passed on to buyers.

Tree Preservation

Staff believes there are both advantages and disadvantages to the proposed tree preservation standards that must be weighed against one another. Advantages include:

- More existing trees will be preserved and new trees planted, although the numbers may not be substantial. Over the last five years, Bloomington has been averaging 20 new single family building permits per year. Given that some of those building permits are for teardowns on existing lots, approximately 15 new single family lots were created per year. Some of these lots would already comply. Others would likely make adjustments in building location to comply or comply by planting replacement trees on-site.
- Establishment of uniform standards will “set the bar” for tree preservation up front and reduce plat by plat negotiation/discussion on tree removal. Both developers and neighboring property owners will have a better sense at the start of the process of likely outcomes.

Disadvantages include:

- The requirements will add cost and complexity to the development process. While new plats are already required to include tree surveys, under the proposed standards, developers would also need to prepare tree preservation plans for most plats (perhaps 90%) and reforestation plans for some plats (perhaps 25%). Developers will need to hire professionals to prepare these plans. The required inspections will add development costs. If reforestation is required (perhaps 25% of plats), there will be costs for trees, for bonding and for additional inspections. Added development costs will likely be passed on to home buyers.
- The requirements will add staff review, inspection and bond management time. Many of the forestry related duties are assigned to State certified arborists under the direction of the Park Maintenance Manager/Forester. Based on an analysis of the likely additional staff review and inspection time across the organization and based on conversations with other cities that have similar ordinances, the likely staff impacts on a yearly basis are between 10% and 20% of a full time equivalent employee (FTE). The impacts would be spread over multiple Divisions, but will impact Park Maintenance staff the most. The time spent on implementing the tree preservation standards will need to come from other current duties, such as upkeep of parks and other City maintained property.

RECOMMENDATION

In Case #10000B-06, staff recommends approval of an ordinance to establish new plat findings, residential lot width standards, building height standards and residential tree preservation standards but at the same time recommends that the advantages and disadvantages of the proposed standards be weighed against one another.

ATTACHMENTS

- Staff report – from HKGi
- Proposed ordinance
- Analysis of impacts
 - Height limits
 - Table
 - Photos
 - Lot width standards
 - Table
 - Maps

F:\Planning\PC\Reports\Reports 2006\10000B-06