

ORDINANCE

By Bender

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the definitions for “family” and “supportive housing” contained in Section 520.160 of Chapter 520, Introductory Provisions, be amended to read as follows:

520.160. - Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Family. ~~An individual or two (2) or more persons related by blood, marriage, domestic partnership as defined in Chapter 142 of the Minneapolis Code of Ordinances, or adoption, including foster children and domestic staff employed on a full-time basis, living together as a permanent household. This definition of family is established for the purpose of preserving the character of residential neighborhoods by controlling population density, noise, disturbance and traffic congestion, and shall not be applied so as to prevent the city from making reasonable accommodation where the city determines it necessary to afford handicapped persons living together in a permanent household equal access to housing pursuant to the Federal Fair Housing Amendments Act of 1988. A person or persons as defined in Chapter 244 of the Minneapolis Code of Ordinances.~~

Supportive housing. A facility that provides housing for twenty-four (24) hours per day and requires participation by residents in programs or services designed to assist residents with improving daily living skills, securing employment or obtaining permanent housing. It does not include:

- (1) Senior housing with services designed specifically to serve the needs associated with the aging of the residents.
- (2) Inebriate housing.
- (3) Any facility licensed by the Minnesota Department of Human Services (DHS), Department of Health (DOH) or Minnesota Department of Corrections (DOC).
- (4) Any other county, state or federal community correctional facility.
- (5) Fraternities, sororities or other student housing.
- (6) Any facility owned, leased or operated by the Minneapolis Public Housing Authority (MPHA).
- (7) The use of one (1) dwelling unit on one (1) zoning lot ~~which meets the occupancy requirements of the zoning district in which it is located.~~

Section 2. That Section 520.80 contained in Chapter 520, Introductory Provisions, be amended to read as follows:

520.80. - Reasonable accommodation. The city has a legitimate interest in preserving the character of residential neighborhoods by adopting regulations relating to the number and type of structures and uses, the number of persons who may occupy a dwelling or structure, and off-street parking, in order to control population density, noise, disturbance and traffic congestion. However, these regulations shall not be applied so as to prevent the city from making reasonable accommodation as required by the Federal Fair Housing Amendments Act of 1988 pursuant to the procedure set forth in sections 525.590 to 525.650.

Section 3. That Section 546.50 contained in Chapter 546, Residence Districts, be and is hereby repealed.

~~**546.50. Maximum occupancy.** (a) *Dwelling units.* The combined maximum occupancy of a dwelling unit located in the R1 through R3 Districts shall not exceed one (1) family plus up to two (2) unrelated persons living together as a permanent household provided that the family plus the unrelated persons shall not exceed a total of five (5) persons. The maximum occupancy of a dwelling unit located in the R4 through R6 Districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.~~

~~(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.~~

Section 4. That Section 547.50 contained in Chapter 547, Office Residence Districts, be and is hereby repealed.

~~**547.50. Maximum occupancy.** (a) *Dwelling units.* The maximum occupancy of a dwelling unit located in the office residence districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.~~

~~(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.~~

Section 5. That Section 548.50 contained in Chapter 548, Commercial Districts, be and is hereby repealed.

~~**548.50. Maximum occupancy.** (a) *Dwelling units.* The maximum occupancy of a dwelling unit located in the commercial districts shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.~~

~~(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.~~

Section 6. That Section 549.50 contained in Chapter 549, Downtown Districts, be and is hereby repealed.

~~**549.50. Maximum occupancy.** (a) *Dwelling units.* The maximum occupancy of a dwelling unit located in the downtown districts shall not exceed one (1) family plus four (4) unrelated persons living together as a~~

permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.

~~(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.~~

Section 7. That Section 551.390 contained in Chapter 551, Overlay Districts, be and is hereby repealed.

~~**551.390. Maximum occupancy.** (a) *Dwelling units.* The maximum occupancy of a dwelling unit located in the IL Overlay District shall not exceed one (1) family plus four (4) unrelated persons living together as a permanent household, provided that the family plus the unrelated persons shall not exceed a total of five (5) persons.~~

~~(b) *Rooming units.* The maximum occupancy of a rooming unit shall be as regulated by Chapter 244 of the Minneapolis Code of Ordinances, Housing Maintenance Code.~~

Section 8. That Section 551.770 contained in Chapter 551, Overlay Districts, be amended to read as follows:

551.770. - Purpose. The B4H Downtown Housing Overlay District is established to provide areas that offer affordable housing that may not meet the regulations of the primary zoning district, including minimum spacing and maximum occupancy requirements for congregate living residential uses.