

CITY OF WILLMAR

COMMUNITY DEVELOPMENT COMMITTEE MEETING

5:15 PM, MONDAY, OCTOBER 12, 2020

TELECONFERENCE GOTOMEETING

(VIRTUAL MEETING INSTRUCTIONS BY EMAIL)

Chair: Rick Fagerlie
Vice Chair: Vicki Davis
Members: Shawn Mueske
Kathy Schwantes

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Action Items
 - I. None
4. Discussion Items
 - a. Additional Renaissance Zone Incentives and Protections – For Planning Commission review and approval.
 - I. Open zoning review process; and
 - II. Heritage District and Heritage Designation
 - b. Tiny Homes
5. Future Agenda Items
 - a. Downtown/Hospital Hotel RFP and Incentives
6. Department Updates
7. Adjourn



Committee Action Request

Meeting Date:	10/12/2020	Agenda Item Number:	4a
Agenda Section:	NA	Originating Department:	Planning & Development Services
Resolution	No	Prepared by:	Dave Ramstad Director, Planning & Development
Ordinance	Yes	Reviewed By:	Brian Gramentz, City Administrator
No. of Attachments	3	Presented By:	Dave Ramstad Director, Planning & Development
Item:	FOR INFORMATION ONLY: On Wednesday, October 21 st , the Planning and Development Department is recommending that the Planning Commission adopt the attached ordinance amending Willmar Ordinance 1060, known as the Willmar Zoning Ordinance, to establish additional incentives and protections for the Renaissance Zone, including: open-zoning proposal review process, heritage district, and voluntary heritage designation.		

RECOMMENDED ACTION:

For information only.

OVERVIEW:

On May 4th, 2020, the City Council adopted the Renaissance Zone, which is a new zoning overlay encompassing the Central Business (CB) district and adjacent areas. The new district is a 5-year pilot program intended to encourage economic development. Likewise, these proposed additions to the zoning ordinance will expire with the overlay district, unless it is renewed in part or in whole. The intent of the district is to offer incentives to development within Willmar’s poorest census tract, and to offer greater flexibility relative to underlying zoning requirements that would otherwise be imposed.

The proposed amendments are regulated by Section 10 of the Zoning Ordinance, which established the district. For consideration are ordinance amendments that contain additional development incentives and heritage protections for the Renaissance Zone, including: open-zoning proposal review process, and voluntary heritage designation.

Heritage designation protects buildings, sites, uses, structures, objects and districts that are recognized for their historical, architectural, archaeological, or cultural importance, as designated by the City of Willmar pursuant to the Local Heritage Designation Ordinance.

Downtown Heritage District ensures that new construction is contextually designed in relation to existing buildings and urban environment.

Open-zoning is a process of individual project review through which a proposed use that is not allowed under the existing requirements of the underlying zoning district, but which promotes and encourages adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, may be granted a conditional use permit under this Section 12.

PRIMARY ISSUES/ALTERNATIVES TO CONSIDER:

Option A: Recommend Planning Commission approval

Option B: Recommend that Planning Commission not approve some parts or entire ordinance

Option C: Recommend modifications

BUDGETARY/FISCAL ISSUES:

Open-Zoning Approval Process: None – This is a simply a process to welcome all proposals for evaluation and approval by Committee and Council

Heritage District & Heritage Designation: Currently None – The Downtown Heritage District only requires new projects to be contextually sensitive to its neighbors and surroundings, per City review/approval by using the attached Evaluation Rubric. Since Heritage Designation is voluntary, and to encourage commercial and residential property owners to apply for designation, staff will be proposing for 2022 to open the Storefront Incentive to the few historically significant homes and commercial buildings that are eligible to apply for heritage designation.

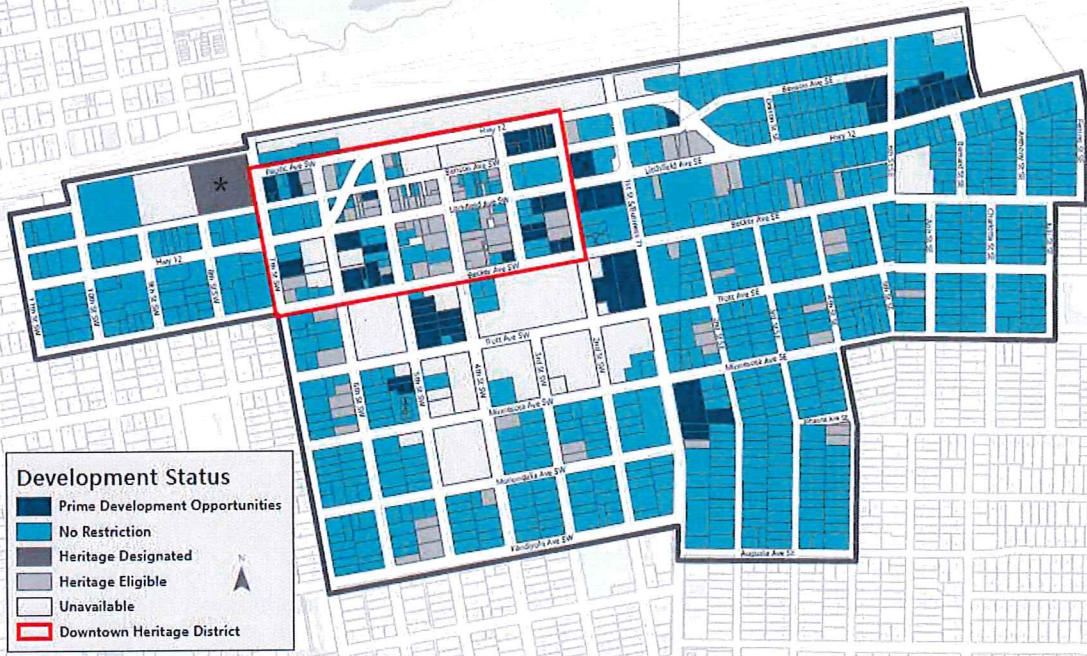
ATTACHMENTS:

Renaissance Zone Map

Evaluation Rubric for Open Zoning Project Proposals

Ordinance

Renaissance Overlay District Willmar, MN



Development Status

- Prime Development Opportunities
- No Restriction
- Heritage Designated
- Heritage Eligible
- Unavailable
- Downtown Heritage District

*Tentative Heritage Designation until December 2022

Eri Community Maps Contributors, Eri, HERE, Garmin, SafeGraph, INCREMENT P, METU/NASA, USGS, EPA, NPS, US Census Bureau, USDA

City of Willmar Property



City of Willmar Property

- Renaissance Zone
- City Parking & Vacant Lots
- City Facilities
- City Park
- Hospital
- Willmar Municipal Utilities

*Potential sites for hotel development -- City Owned or Hospital owned parking lots.

Eri Community Maps Contributors, Eri, HERE, Garmin, SafeGraph, INCREMENT P, METU/NASA, USGS, EPA, NPS, US Census Bureau, USDA

**City of Willmar
RENAISSANCE ZONE - PROJECT EVALUATION FORM**

Points Possible	100	PROJECT SCORE REQUIREMENT: To receive Development Committee and Planning Commission recommendation for approval by the City Council approval, projects must receive a minimum of 71 points (Excellent or better).
Points Awarded - RZ OBJECTIVES	53	
Points Awarded - VIABILITY	28	
Total Points	81	APPLICABLE PROJECTS: Non-Traditional Zoning, TIF, Abatement, Free City Land, Heritage Designated Improvements
EVALUATOR'S COMMENTS		
Project Name	Greatest Thing Since Sliced Bread	Love this project! Owner and contractor have provided very creative solutions that will greatly enhance the Renaissance Zone. They have also done their homework and have seemingly covered all contingencies.
Address	426 Litchfield Avenue SW	

RENAISSANCE ZONE OBJECTIVES - 65% of Evaluation Score

EVALUATOR'S QUALITATIVE SCORES	POINT SCALE			
CREATIVITY	Outstanding 18 - 20	Excellent 14 - 17	Good 10 - 13	Unacceptable 0 - 9
18	Project is most creative in providing spatial, contextual and architectural solutions in a most appealing and functional manner.	Project provides above average solutions that expertly address contextual, spatial and architectural relationships.	Project addresses most of the issues with adequate solutions, but some concerns remain unaddressed.	Project does not address many key issues, or solutions are either nonexistent or undesirable.
MIXED-INCOME HOUSING and/or RETAIL - OFFICE	Outstanding 18 - 20	Excellent 14 - 17	Good 10 - 13	Unacceptable 0 - 9
12	Project has demographically aligned mix of upper-, middle- and lower-income housing - AND/OR - Office/Retail spaces released.	Project mix of upper-, middle- and lower-income housing units in near alignment with demographics -AND/OR- Some Office/Retail released.	Project housing meets minimum 5% affordable ratio/Exceeds a 25% ratio -AND/OR- Office/Retail spaces speculative and do not have leases.	Project's housing excludes at least one income class. -AND/OR- Office/Retail are inadequate in a significant way.
COMPLEMENTS and/or ENHANCES RENAISSANCE ZONE	Outstanding 14 - 15	Excellent 11 - 13	Good 9 - 10	Unacceptable 0 - 8
14	Project is exceptional in the way it enhances and complements surrounding amenities -OR- as an iconic amenity/building itself.	Project adds substantial enhancements to surrounding entertainment and building amenities.	Project adequately integrates with entertainment uses.	Project lacks or has minimal integration with entertainment uses.
COMPLEMENTS and/or ENHANCES PEDESTRIAN EXPERIENCE	Outstanding 9 - 10	Excellent 7 - 8	Good 5 - 6	Unacceptable 0 - 4
9	Project is outstanding in its enhancement of the pedestrian experience, both along streets and through the building.	Project substantially enhances the pedestrian experience along streets and through building.	Project adequately integrates pedestrian amenities.	Project lacks or has minimal integration of pedestrian amenities.

VIABILITY OF THE PROJECT - 35% of Evaluation Score

EVALUATOR'S PRACTICALITY SCORES	POINT SCALE			
MEETS A DEMAND / FILLS A GAP	Outstanding 14 - 15	Excellent 11 - 13	Good 9 - 10	Unacceptable 0 - 8
12	Project meets excess demand or fills gap in an extraordinary way that is not met by any others or by a very few.	Project meets excess demand or fills gap in a significant way.	Project meets a minimal amount of demand or partially fills a gap.	Project appears to provide excess housing, retail, office or other use above market demand
FEASIBILITY	Outstanding 9 - 10	Excellent 7 - 8	Good 5 - 6	Unacceptable 0 - 4
9	Project has significant funding and reserves above needs, and has apparently mitigated all known risks.	Project excellent access to funding, has excess reserves and is well grounded in market analysis.	Project's financial plan adequately grounded in market analysis.	Project seems very speculative and not well grounded in market.
SHOVEL READINESS	Outstanding 9 - 10	Excellent 7 - 8	Good 5 - 6	Unacceptable 0 - 4
7	Project's ready to go, its site issues and construction schedule are well understood, detailed and well considered.	Project's initial phases are ready to go, construction phases are well planned.	Project has adequate planning, but some loose-ends need to be addressed during construction.	Project's site and design have many unknowns and major issues are still unaddressed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLMAR, MINNESOTA AMENDING WILLMAR ORDINANCE 1060, KNOWN AS THE WILLMAR ZONING ORDINANCE BY ESTABLISHING OPEN ZONING IN THE RENAISSANCE ZONE AND A LOCAL HERITAGE ORDINANCE
The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF ORDINANCE 1060, SECTION 12. Ordinance 1060, Section 12 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 12. RENAISSANCE ZONE OVERLAY DISTRICT.

A. GENERAL PROVISIONS.

1. Title. This Section shall be known as the “City of Willmar Renaissance Zone Ordinance”.
2. Intent and Purpose. The intent and purpose of this Ordinance is to:
 - a. Encourage urban commercial and residential development that transforms the Renaissance Zone into a self-sustaining economy that strengthens current businesses and continually attracts new commercial projects.
 - b. Celebrate, protect and preserve Willmar’s cultural and economic diversity by ensuring there is a demographically representative variety of housing, retail, office space and community events.
 - c. Maintain a regionally-demographically-pegged mixture of upper-, middle-, and low-income housing units, so the Renaissance Zone remains a place for everyone in relation to and within a 5 percent deviation from combined levels found within the city and its two-mile extraterritorial subdivision regulation enforcement jurisdiction.
 - d. Ensure the Renaissance Zone reflects the cultural heritage and economic diversity of the area by attracting development that increases both the Renaissance Zone’s resident population and the number of visitors/patrons to the Renaissance Zone by (a) utilizing a high-density, mixed-use design, (b) repositioning and reinforcing the Renaissance Zone as the cultural, health, and entertainment center of Willmar, and (c) dedicating public spaces and commons areas for events.
3. Jurisdiction. The provisions of this Ordinance shall apply to the areas of the City’s Central Business district and adjacent lands identified as the Renaissance District on the official Zoning Map, as amended from time to time.
4. Applicability and Relation to other Provisions. This Ordinance shall apply to all development within the Renaissance Zone that takes advantage of the alternative processes and provisions contained within this Ordinance. For such development, this Ordinance may impose restrictions on structures and land uses in addition to those applicable to the underlying zoning district. In many cases, this Ordinance

provides greater flexibility relative to the regulations applicable to the underlying zoning district. Where this Ordinance expressly conflicts with any other provision of the Willmar Zoning Ordinance, this Ordinance shall prevail. Where there is no express conflict, provisions of this Ordinance and of the Willmar Zoning Ordinance shall be interpreted to give effect to both provisions to the greatest extent possible

5. Definitions. Unless specifically defined below, words or phrases used in this Ordinance shall have their common meaning and to give this Ordinance its most reasonable application.

Local Heritage Designation. Buildings, sites, uses, structure, objects and districts that are recognized for their historical, architectural, archaeological, or cultural importance, as designated by the City of Willmar pursuant to the Local Heritage Designation Ordinance (citation).

Open Zoning. A process of individual project review through which a proposed use that is not allowed under the zoning requirements of the underlying zoning district, but which promotes and encourages adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, may be granted a conditional use permit under this Section 12.

Parking credit. A reduction in the required number of off-street parking spaces required under City of Willmar Zoning Ordinance, Section 4.

Pedestrian-Oriented Landscaping. Landscaping focused on amenities for those walking, including but not limited to, seating, fountains, sculptures, plantings, tables, pedestrian coverings, and lighting.

Renaissance Zone Application. The City of Willmar Renaissance Zone Application, including the main application, the additional forms for specific programs, and any additional documents required by the Zoning Administrator.

B. ADMINISTRATION.

1. Applications. In addition to any applications usually required under the Willmar Zoning Ordinance, a Renaissance Zone Application must be submitted to the Zoning Administrator for all projects within the Renaissance Zone that take advantage of the alternative processes and provisions contained within this Ordinance.
2. Zoning Administrator. The Zoning Administrator shall accept all Renaissance Zone Applications, review for completeness, and act upon the application in accordance with the processes herein described.
3. Variances. Variances may be granted in accordance with Minnesota Statutes Chapter 462. The administrative procedures for variance applications contained in

Section 9, Subsection D of the City of Willmar Zoning Ordinance shall be followed for variance applications within the Renaissance Zone.

4. Conditional Use Permits. The review of a conditional use permit application for a property within the Renaissance Zone shall follow the application procedure found in the City of Willmar Zoning Ordinance Section 12, if the proposed use is a conditional use pursuant to the applicable provisions of the City of Willmar Zoning Ordinance for the underlying zone. Any requests for conditional uses not permitted by the applicable provisions of the City of Willmar Zoning Ordinance for the underlying zone may apply for a conditional use permit using the Open Zoning provisions found herein.

C. PERFORMANCE STANDARDS.

Projects issued a conditional use permit under Paragraph D below shall be exempted from the setback requirements and other performance standards established in the underlying zoning district. Such setback requirements or performance standards may be addressed in conditions of the conditional use permit customized to reflect the specific characteristics and impacts of the permitted project.

D. OPEN ZONING.

1. Eligibility: All projects within the Renaissance Zone not permitted by the underlying Zoning District, as defined in the City of Willmar Zoning Ordinance, may apply for a Conditional Use Permit (CUP) under the Open Zoning process set forth in this Paragraph D.
2. Open Zoning Process: The Open Zoning process allows the consideration of a conditional use permit for any use within the Renaissance Zone that is evaluated pursuant to Subparagraph 4 herein to promote and encourage adaptive reuse of heritage-designated and existing infrastructure; contextual use and creativity; density; mixed-income housing; entertainment uses; a healthy, equitable, and resilient community; and pedestrian-scaled streetscapes, notwithstanding the underlying Zoning District requirements.
3. Application: All projects wishing to apply for a conditional use permit under the Open Zoning process must submit a completed Renaissance Zone Application to the City Zoning Administrator, and provide all additional information requested by City staff, the Planning Commission, the Development Committee, and the City Council to support the application. When the Zoning Administrator determines the application is complete, the Zoning Administrator shall submit the application to the Planning Commission.
 - a. Housing: If the project proposes to redevelop any existing below-market housing units, the application must be accompanied by a plan demonstrating that the project will satisfy the following requirements:

- i. at least five percent (5%) of the housing units created by the project shall be reserved for and affordable by tenants making a maximum of eighty percent (80%) of the Area Median Income (AMI);
 - ii. intermediate transition housing shall be provided for current residents of below-market housing units on the site of the project for the duration of construction or renovation of new units on the site;
 - iii. current residents of below-market housing units on the site of the project shall have the right of first refusal to lease new units created by renovation or construction on the site; and
 - iv. in the event that the project will result in a reduction in the number of housing units reserved for and affordable by tenants making a 80% of AMI on the site, residents of such existing units who are unable to secure a lease in the new development shall be provided relocation assistance pursuant to Minn. Stat. § 117.52, as the same may be amended.
 - b. Local Heritage Designation: An Applicant may apply for Local Heritage Designation of any existing or proposed buildings, in accordance with the Willmar Local Heritage Designation program, Willmar City Code Chapter 14, Section 4, simultaneously with the Open Zoning application. If the project contains one or more Local Heritage Designated structures, structures on the list of potential heritage sites, or is in the Downtown Commercial Heritage District, the applicant must simultaneously submit an alteration/renovation/demolition review request in accordance with Willmar City Code Chapter 14, Section 4.
4. Evaluations and approvals: The Planning Commission shall follow the procedure and criteria laid out in the conditional use process, Willmar Planning Code 9E2-9E9 for the evaluation and approval of a conditional use permit under the open zoning process. The Planning Commission shall additionally consider the objective evaluation of the project's viability and furtherance of the following Renaissance Zone objectives, according to a uniform scoring system to be approved by the City Council:
- a. Whether the project exhibits creativity in addressing contextual, spatial and architectural relationships;
 - b. Whether and the extent to which the project will include mixed-income housing;
 - c. Whether and the extent to which the project will include retail and/or office space;
 - d. Whether and the extent to which the project will complement and/or enhance the vitality and character of the Renaissance Zone;

- e. Whether and the extent to which the project will enhance the pedestrian experience;
 - f. Whether the project meets a demand and/or fills a market gap;
 - g. Whether the project is financially feasible and viable; and
 - h. Whether the project is shovel ready.
5. Ineligible Uses. The following uses are ineligible for a CUP under the open zoning process:
- a. Adult Uses.
 - b. Agricultural product processing plants.
 - c. Gas bulk plants.
 - d. Manufacturing of explosive or toxic materials.
 - e. Meat packing/rendering plants.
 - f. Power plants.
 - g. Solid waste collection and recycling facilities for metals, glass, paper, wood, etc. (not including household garbage).
 - h. storage and/or sale of flammable liquids and gases.
 - i. Permanent concrete, bituminous, or gravel production businesses.
6. Appeals from decisions of the Zoning Administrator or Planning Commission regarding decisions made in accordance with this ordinance may be made to the Board of Zoning Appeals, as defined in Willmar Zoning Ordinance Section 9B, by following the process and standards found in Willmar Zoning Ordinance Section 9C.

E. PARKING.

1. OFF-STREET PARKING REQUIREMENTS.

- a. The off-street parking requirements of Section 4 of the Willmar Zoning Ordinance apply to all buildings, structures, and uses of land constructed, established, or authorized, except Parking Credits may be used to meet said requirements.
- b. Upon submission of the Renaissance Zone Application and the Parking Reduction application, the Zoning Administrator may issue parking credits not to exceed 50% of the parking requirements under the Willmar Zoning Ordinance, for the following reasons:

- i. Construction or use of below grade contextual or camouflaged parking;
- ii. Suitable number of public parking space, if retail or office uses are included;
- iii. Installation of bike parking;
- iv. Installation of Electric Vehicle Charging Stations;
- v. Shared car amenities provided by multifamily housing management for the use of multifamily housing residents.

F. FEES.

1. Notwithstanding any other ordinance provision or the City of Willmar Fee Schedule, upon the approval of a Renaissance Zone Application requesting permit fee reductions an applicant shall not be charged a fee for any the following, except as provided in subparagraph 2 below:

- a. Building Permit Fees;
- b. Land Use Application Fees;
- c. Sign Permit Fees;
- d. Sewer Availability Charge; or
- e. Water Availability Charge.

2. If a share of any of the fees or charges listed in subparagraph 1 above is due to the Federal government, State of Minnesota, or another political subdivision, the Zoning Administrator shall charge the applicant the non-City portion of the fee.

Section 2. AMENDMENT OF CITY CODE CHAPTER 14. City Code Chapter 14 is hereby amended to add a new Article IV as follows:

ARTICLE IV. - LOCAL HERITAGE DESIGNATION ORDINANCE

Sec. 14-251. - Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall have their common meaning and to give this ordinance its most reasonable application.

(a) *Architectural Integrity.* Degree of a building's or portion of a building's original components and aesthetics. Architectural Integrity degradation is measured according to the following terms and definitions:

- (1) *Unaltered:* No alteration.

(2) *Slightly Altered*: Basic shape and window arrangement intact, roofline intact, and only mild alterations to storefront or upper façade. Simple covering of original siding with removable material or aluminum combination windows installation allowed.

(3) *Moderately Altered*: Basic shape and window arrangement intact, but two of the following have occurred: new siding, storefront or upper façade altered or enclosed, window openings or type changed, roofline changed, or unobtrusive rear or side addition.

(4) *Significantly Altered*: Basic shape and window arrangement changed and two or more of the following have occurred: new siding; storefront or upper street façade significantly altered, removed, or enclosed; major addition; original design elements removed or covered; or roofline altered.

The original state of the building shall be the date of the significant event, person, style, or work attached to the building or portion of the building.

(b) *Downtown Commercial Heritage District*. The area south of Pacific Avenue SW, east of 7th Street SW, north of Becker Avenue SW, and west of 2nd Street SW.

(c) *Local Heritage Designation*. A designation bestowed upon a parcel, building, or portion of a building by the City of Willmar Heritage Preservation Commission indicating the historical, architectural, archaeological, engineering, or cultural significance of the parcel or structure in accordance with this ordinance and any rules promulgated by the City of Willmar Heritage Preservation Commission.

(d) *Renaissance Zone*. The area designated as the Willmar Renaissance Zone Overlay District in Ordinance XXX.

Sec. 14-252. – Heritage Preservation Commission (HPC).

(a) *Created*. There is hereby established a heritage preservation commission in accordance with Minn. Stat. § 471.193, subd. 2, which shall be known as the City of Willmar Heritage Preservation Commission.

(b) *Members*. The membership of the City of Willmar Heritage Preservation Commission shall be the Chair of the Planning Commission, Chair of the Community Development Committee, Chair of the Zoning Board of Appeals, Chair of the Parks & Recreation Board, and the Chair of the Kandiyohi County Historical Society, if such person resides in the City of Willmar. The non-voting membership of the commission shall be the City Planner, the City Zoning Administrator, the City Administrator, the City Building Official, and the Chair of the Kandiyohi County Historical Society, if said person resides outside of the City of Willmar.

(c) *Powers and duties*. The City of Willmar Heritage Preservation Commission is assigned the following powers and duties, to be exercised in compliance with all applicable state laws, the City of Willmar City Charter, and all provisions of the City of Willmar Zoning Ordinance, Ordinance No. 1060, as amended:

- (1) Survey, review, and designate districts, sites, buildings, structures, and objects of historical, architectural, archaeological, engineering, or cultural significance, in accordance with the provisions herein.
 - (2) Create and maintain a list of potential properties, including sites, buildings, and structures, for local heritage designation.
 - (3) Enact rules governing the construction, alteration, demolition, and use of Local Heritage Designated buildings and the Downtown Commercial Heritage District, including criteria for the review of building permits and the prescription of measures for the preservation, protection, and perpetuation of designated properties and areas.
 - (4) Approve, deny, or prescribe additional measures for building permits connected to Local Heritage Designated buildings, including granting historical preservation, protection, or perpetuation related use variations to the City of Willmar Zoning Ordinance, in accordance with the rules developed by the Heritage Preservation Commission.
 - (5) Provide historical preservation, protection, or perpetuation recommendations to the Planning Commission on Renaissance Zone projects or on any other property within the City, as requested by the Planning Commission.
 - (6) Submit proposed site designations and design guidelines to the state historic preservation officer, in accordance with Minn. Stat. §471.193, subd. 6.
 - (7) Act as a resource and in an advisory capacity to the owner of designated and potentially designated properties regarding preservation, restoration, and rehabilitation activities.
 - (8) At the discretion of the Heritage Preservation Commission, initiate public hearings to solicit public input regarding proposed activities on a heritage preservation site.
- (d) *Annual Report.* The Heritage Preservation Commission shall make an annual report, containing a statement of its activities and plans, to the state historic preservation office and the city council, in accordance with the requirements of Minn. Stat. § 471.193, subd. 6.

Sec. 14-253. – Criteria for Local Heritage Designation.

- (a) The following criteria shall be used by the City of Willmar Heritage Preservation Commission to evaluate whether a parcel, home, building, or portion of a building is eligible for Local Heritage Designation. Properties must meet at least one of the following criterion to be considered for designation:
- (1) The property is associated with significant events or uses that exemplify broad patterns of cultural, political, economic, or social history.
 - (2) The property is associated with the lives of significant persons or groups.
 - (3) The property is within the Downtown Commercial Heritage District.

(4) The property embodies the distinctive characteristics of an architectural or engineering type, or style, or method of construction.

(5) The property exemplifies great works of builders, engineers, designers, artists, craftsmen, or architects.

(b) Once a parcel, home, building, or portion of a building is designated as eligible for a Local Heritage Designation by the Heritage Preservation Commission the designation cannot be removed from the property for at least ten (10) years.

Sec. 14-254. – Application.

(a) *Application.* All home or building owners wishing to apply for the Local Heritage Designation must complete an application, on the form provided by the Zoning Administrator, submit a completed application to the Zoning Administrator, and provide all additional information requested by City staff and the Heritage Preservation Commission. When the Zoning Administrator determines the application is complete, the Zoning Administrator shall submit the application to the Heritage Preservation Commission.

(b) *Evaluations and approvals.* The Heritage Preservation Commission shall review the application, and within 60 days of the date the Zoning Administrator determines the application is complete, take one of the following actions: approve the application, deny the application, request more information, or approve the application subject to conditions that must be satisfied before the approval is effective.

Sec. 14-255. – Alteration/Renovation and Demolition Reviews.

(a) *Building Official Review.* All permit applications for alterations, renovation and demolition of any structure shall be reviewed by the Building Official and Zoning Administrator to determine whether the project in whole or part is participating in the Local Heritage Designation program or is on the list of potential heritage properties. If any portion of the project is participating in the Local Heritage Designation program or on the list of potential heritage designation properties, the Building Official shall administratively review the permit to determine whether the proposed alterations or renovation are major or minor.

(1) *Major Alterations.* Major alterations are those changes that moderately or significantly alter the architectural integrity of the building(s) as it existed at the time of the Local Heritage Designation, as defined herein. Such alterations include, but are not limited to, new construction, additions, demolition, relocation, rehabilitation, or changes in material, roof line, basic shape, or placement of windows. Projects containing major alterations must be reviewed and approved by the City of Willmar Heritage Preservation Commission before a building or demolition permit may be issued.

(2) *Minor Alterations.* Minor alterations are those changes that do not alter or only slightly alter the architectural integrity of the building(s) as it existed at the time of the Local Heritage Designation, as defined herein. The Building Official may administratively approve building permits for projects with no or minor alterations.

(b) *Renaissance Zone Open Zoning projects.* Any project plan submitted to the Zoning Administrator under the Renaissance Zone Open Zoning process that affects any property with a Local Heritage Designation, which is on the list of potential heritage properties, or is in the Downtown Commercial Heritage District shall be reviewed by the City of Willmar Heritage Preservation Commission. The commission must submit recommendations to the Planning Commission on how to best preserve, protect, and perpetuate the historical significance represented by the affected properties.

(c) *Temporary Interim Protection.* The Building Official may temporarily delay issuing permits for the destruction or major alteration of any site, building, or structure on the list of potential heritage properties or in the Downtown Commercial Heritage District for up to 90-days to consult with the Zoning Administrator, Planning Commission and Zoning Board prior to issuance of a demolition or building permit.

(d) *Demolition.* Demolition of a Local Heritage Designated property must be approved by the Heritage Preservation Commission, after a public hearing, and based on specific findings that (1) the property no longer fits the designation criteria based on professional historical, engineering, or architectural evaluations and studies; or (2) the property or the designated portion of the property has been destroyed by natural or other causes.

Sec. 14-256. – Appeals.

Appeals from decisions of the Building Official, Zoning Administrator, or the Heritage Preservation Commission regarding decisions made in accordance with this ordinance may be made to the Board of Zoning Appeals, as defined in Willmar Zoning Ordinance Section 9B, by following the process and standards found in Willmar Zoning Ordinance Section 9C.

Section 3. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Section 4. EXPIRATION DATE. This ordinance shall expire and be of no further force or effect from and after December 31, 2025, unless this ordinance, or any provision(s) thereof, are renewed or extended by separate ordinance.

Passed by the City Council of the City of Willmar this ___ day of _____, 2020.

ATTEST:

Judy Thompson, City Clerk

Marvin Calvin, Mayor

VOTE: ___ ALVARADO ___ ASMUS ___ DAVIS ___ FAGERLIE
 ___ MUESKE ___ NELSEN ___ PLOWMAN ___ SCHWANTES

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____



Tiny Homes Discussion

Update on Planning Commission's Exploration

October 12, 2020

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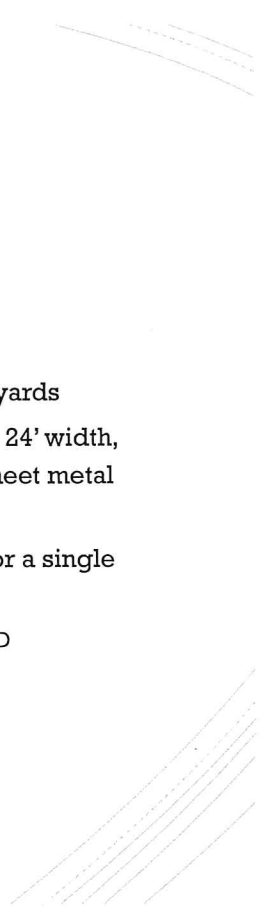
Definitions & Trends

- Tiny Home Standards (“Appendix Q”) were adopted as part of the Minnesota Building Code updates that occurred in March 2020. The building code defines Tiny Homes as those **less than 400 square feet**
- Tiny Homes can be **mobile, manufactured, or built on-site**
- Willmar continues to see a decreasing trend in household size
- We also continues to see a low housing supply (~3.0 months -- 6 months would be healthy)



Current Standards

- **Current Willmar Standards:**

- No minimum square footage for building size
 - Accessory Dwelling Units not allowed in backyards
 - Manufactured home standards (on foundation, 24' width, pitched roof, connection to City utilities, flat sheet metal siding not permitted, etc)
 - Minimum lot size of approximately 8,500sqft for a single dwelling unit
 - 4,000sqft for a mobile home park lot or in a PUD
- 

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Community Housing
Goals

The background of the slide features several sets of curved, concentric lines in a light gray color, creating a sense of motion or a circular path. These lines are positioned in the upper left and lower right corners of the page.

Vision2040 Housing Subcommittee

- Focus on balance of quality rental & owner occupied housing options
- Renovation & restoration of existing single-family housing stock
- Promotion of multi-family & mixed-income (re)developments

The page features a decorative background of thin, curved lines in shades of gray, some solid and some dashed, sweeping across the top and sides. A prominent red graphic element, consisting of a horizontal bar above a larger rectangular box with a downward-pointing triangular tail, is positioned on the left side. The text 'City of Willmar Comprehensive Plan' is centered within the red box.

City of Willmar Comprehensive Plan

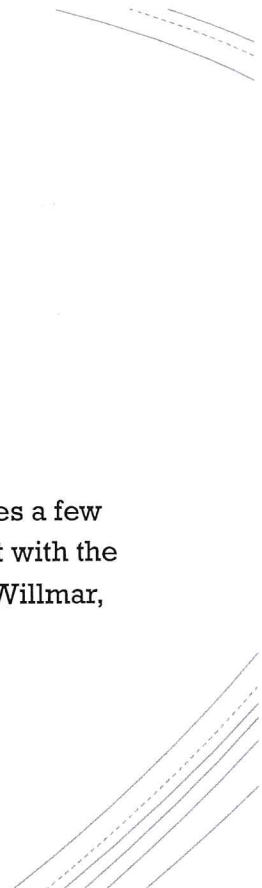
- **Residential & Social Development Goal:** To preserve and develop a mixture of different housing types, densities, and cost ranges that will meet the needs of all citizens.
- **Policy “c”:** Encourage the development of neighborhoods that include a variety of housing types and cost ranges.
- **Policy “g”:** Encourage innovative site and housing unit design for energy conservation, aesthetics, open space preservation, bike and pedestrian access etc.

A red speech bubble graphic with a white outline, pointing downwards. It is centered on the page and contains the text "Other Community Examples".

Other Community
Examples

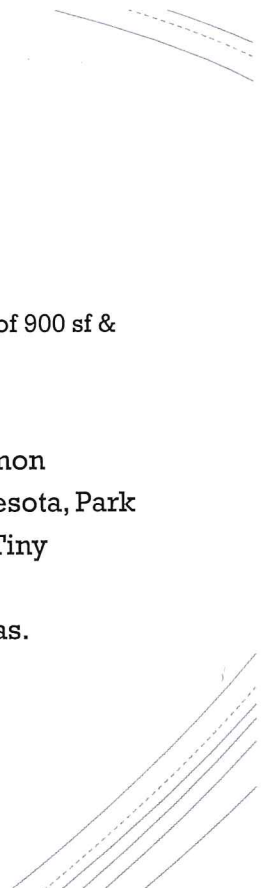


Bloomington

- **Code:**
 - Expressly prohibits Tiny Homes
 - 1,120 sf minimum for Single Family Dwelling
 - 11,000 sf minimum interior lot size
 - ADU's not allowed
 - **Reasoning:** City Council discussed Tiny Homes a few years ago & decided they were not consistent with the residential character of Bloomington. Unlike Willmar, Bloomington is fully built-out.
- 

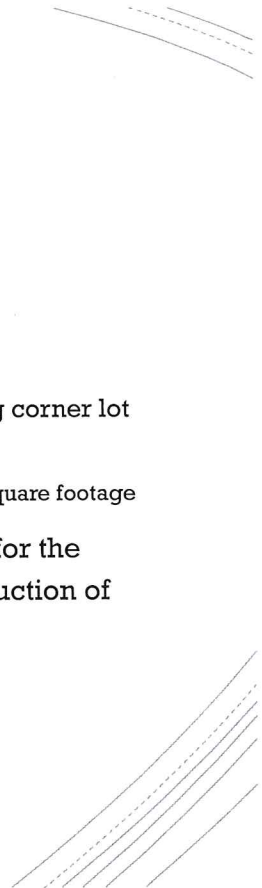


Wahkon

- **Code:**
 - Primary structures required to be a minimum of 900 sf & 24 feet wide
 - **Reasoning:** Likely standards leftover from mobile/manufactured home standards. Common among other communities. In Northern Minnesota, Park Models are often a workaround for traveling Tiny Homes (resorts, state parks, etc) where size requirements do not apply to designated areas.
- 



Powell, WY

- **Code:**
 - 600 sf minimum for Single Family Dwelling
 - 6,000 sf minimum for lot size
 - Small lot exception: division of vacant, existing corner lot
 - Single Family Dwellings only
 - Lot is at least 3,500 sf & two times total house square footage
 - **Reasoning:** Small lot exception was created “for the purpose and intention of encouraging construction of affordable one-family dwellings”
- 



Brainerd

- **Code:**
 - Tiny homes (500-750 sf) are allowed on non-conforming vacant lots (located in the city prior to 1989)
 - Subject to Design standards
 - Requires a Conditional Use Permit
- **Reasoning:** Brainerd has a significant number of older, vacant, non-conforming lots. Recognizing that these non-conforming lots were unable to be developed and meet setback standards, City Council approved "Small" homes with a CUP, in an effort to make these lots useable. They are currently pursuing rewriting of their Zoning Ordinance & anticipate this discussion to come up. May be looking at a hybrid of Form & Euclidean Zoning Code



Bemidji

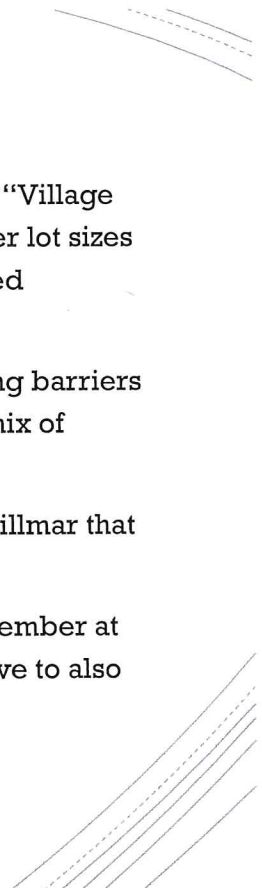
- **Code:**
 - Tiny Homes are allowed as a subdivision
 - No single Tiny Homes in an existing developed neighborhood are allowed
- **Reasoning:** They have not seen any subdivisions of this type built since the code was enacted, nor were any current staff on board when the code was enacted. Planning Director stated that they have several interested in building a tiny home, but no one willing to create the subdivision at this time. Expressed that he would almost rather the subdivision allowance not exist, because of the desire for one-off tiny homes to be built.



Current Status



Planning Commission's Exploration

- Interested in continuing to explore stick-built “Village Cluster” standards that would allow for smaller lot sizes & smaller homes (with requirements for shared amenities, greenspace, etc).
 - Interested in education/promotion of removing barriers to allow for smaller homes to be built in the mix of housing solutions.
 - Finding lots of examples of older homes in Willmar that are smaller in size & built on smaller lots.
 - Anticipate review of a draft Ordinance in November at Planning Commission. Amendment would have to also be approved by City Council.
- 

QUICKNOTES

Making Space for Tiny Houses

"Tiny houses" are attracting a lot of attention through social media, television shows, documentaries, and stories in the popular press. Advocates often tout the affordability and environmental friendliness of living in very small homes. Meanwhile, skeptics and detractors see a passing fad and caution against embracing tiny houses as a distinct type of dwelling. Currently, many cities and counties have provisions in their land-use and development regulations that make legal development and occupation of tiny houses difficult or impossible. However, a small number of communities have made changes to their codes to explicitly permit tiny-house living.

Background

While there is no official definition, many planners, policy experts, and advocates consider any single-family dwelling with 400 square feet or less of floor area to be a *tiny house*. In some contexts, commentators only apply the label *tiny house* to very small site- or factory-built dwellings attached to permanent foundations. However, other commentators reserve the term for chassis-mounted mobile homes, which may or may not be built to U.S. Department of Housing and Urban Development standards for manufactured housing (24 CFR §3280) or to the Recreational Vehicle Industry Association's standards for "park model" recreational vehicles (ANSI A119.5).

In many places, property owners and residents are interested in both foundation-attached and chassis-mounted tiny houses as principal or accessory dwelling units. In some cities and counties, there is also a growing interest in tiny-home communities, where multiple foundation-attached or chassis-mounted tiny houses are sited on fee-simple subdivided lots, a condominium lot, or lease lots.

Regardless of the type of tiny house, there are several potential individual and collective benefits associated with tiny-house living; however, there has been little research to date on the actual community impacts of tiny houses. Meanwhile, state and local building codes, as well as local subdivision and zoning ordinances, often pose barriers to siting and occupying tiny houses.

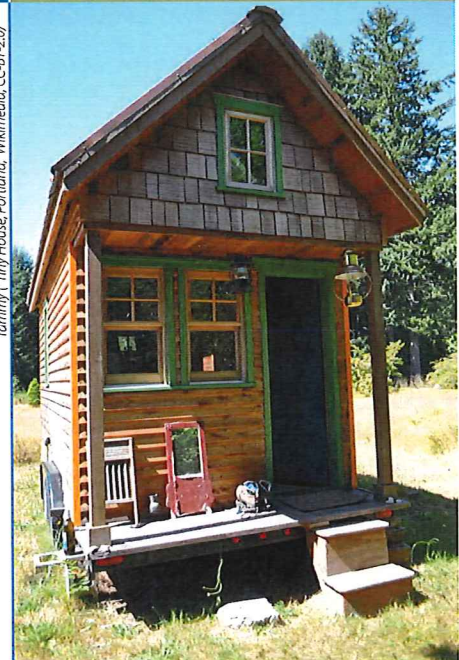
The Case for Tiny-house Living

When considering homes constructed with similar materials and sited in similar locations, the smaller the home the cheaper and more efficient it is to heat, cool, and provide with electricity and water services. The same rule applies to the cost of the home itself. Chassis-mounted tiny houses are easier to move than site-built homes, and buyers can typically purchase them separate from land. This makes them attractive to people interested in traveling with their home and has the potential to create ownership opportunities for those who can't afford a conventional site-built home.

Many planners and housing policy experts see accessory tiny houses as a viable strategy for providing semi-independent housing for aging family members. In this scenario, tiny houses may be temporary or permanent and may include medical monitoring equipment. Beyond this, many housing and homelessness policy experts are interested in exploring the potential of tiny home communities as an alternative to temporary shelters or informal encampments for individuals experiencing homelessness. For example, Dignity Village in Portland, Oregon, has provided transitional housing in the form of a tiny house community since 2001 (dignityvillage.org).

Notwithstanding the potential benefits above, tiny houses do not enjoy universal support. In some communities, tiny-house residents have earned a reputation as scofflaws by "flying under the radar" of local building and zoning code enforcement. In other communities, there is a general concern about welcoming tiny houses without carefully assessing their likely impacts on public health, safety, and welfare.

Tammy ("Tiny House, Portland," Wikimedia, CC-BY-2.0)



A chassis-mounted tiny house in
Portland, Oregon.



American Planning Association

Making Great Communities Happen

Remove Unintentional Barriers

For cities and counties interested in supporting tiny-house living, it is important to take a close look at the effects of current building, subdivision, and zoning requirements on opportunities to site and occupy tiny houses. The most common regulatory barriers are state or local building code provisions that stipulate the minimum amount of habitable space per person for different types of residences, local zoning provisions that stipulate minimum unit sizes, and local zoning provisions establishing minimum lot area per unit and off-street parking requirements. Beyond this, many cities and counties classify chassis-mounted tiny houses as recreational vehicles and not dwelling units at all.

In some localities, minimum unit size or habitable space requirements and general prohibitions on camping outside of designated campgrounds or recreational vehicle parks effectively prohibit all tiny houses. In others, development standards can make tiny housing cost prohibitive.

Each of these potential barriers to tiny-house living may be wholly consistent with local policy objectives. If this not the case, consider opportunities to revise local building, subdivision, or zoning codes to remove unintentional barriers to siting and occupying tiny houses. This may be as simple as eliminating off-street parking requirements for accessory dwelling units or minimum unit size standards that exceed minimum habitable space requirements in the latest version of the International Building Code.

Identify Appropriate Locations

Not all types of tiny houses are appropriate for all community contexts. Some cities and counties may be content to see tiny houses on permanent foundations comingled with conventional site-built housing. Others may prefer to limit tiny houses to tiny-home communities or recreational vehicle parks.

In contexts where it is important to differentiate between tiny houses and other types of dwelling units (or recreational vehicles), cities and counties should consider defining tiny-house living as one or more distinct types of land uses and adding these land uses to tables or lists of permitted uses by zoning district.

Mitigate Potential Impacts

In some contexts, zoning district development standards may either be inappropriate for tiny house development or insufficient to ensure neighborhood compatibility. In these cases, cities and counties should consider adopting use-specific standards to minimize the potential for incompatible development.

For example, Fresno, California, permits chassis-mounted tiny houses as a type of accessory dwelling unit, subject to use-specific standards addressing design, minimum lot size, units per lot, unit size, lot coverage, setbacks, entrances, space between buildings, unit height, openings, access, parking, mechanical equipment, utility meters/addressing, home occupations, airport compatibility, and owner occupancy (§15-2754). Meanwhile, Bemidji, Minnesota, permits “tiny house subdivisions” as planned unit developments, subject to standards addressing location, density, ownership structure, structural independence, lot size, setbacks, open space, design review, and utilities (§1101.F).

Conclusions

The aging of the U.S. population, the continued growth in the percentage of single-person households, and the demand for a wider range of housing choices in communities across the country is fueling interest in new forms of residential development, including tiny houses. While many cities and counties can accommodate very small, site-built homes under their existing building, subdivision, and zoning codes, many others have development regulations that make factory-built or chassis-mounted tiny houses impractical or impossible to site and occupy. Once a city or county has identified a desire to make space for tiny houses, it's important to remove unintentional regulatory barriers, identify suitable locations, and consider adopting use-specific standards for tiny-house living.

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FURTHER READING

1. Published by the American Planning Association

Elliott, Donald L., and Peter Sullivan. 2015. “Tiny Houses and the Not-So-Tiny Questions They Raise.” *Zoning Practice*, November. Available at planning.org/zoningpractice.

Wyatt, Anne. 2016. “Tiny Houses: Niche or Noteworthy?” *Planning*, February. Available at planning.org/planning/2016/feb/tinyhouses.htm.

2. Other Resources

Vail, Katherine. 2016. “Saving the American Dream: The Legalization of the Tiny House Movement.” *University of Louisville Law Review*, 54: 354–379. Available at tinyurl.com/nyxfqbj.

Watson, Jayna. 2017. “Do Tiny Houses Fit in Your Community?” *Western Planner*, February. Available at tinyurl.com/m8hd2yx.

TINY HOUSES AND THE 2020 MINNESOTA RESIDENTIAL CODE

Minnesota Department of Labor and Industry

OVERVIEW

"Tiny houses" have received a lot of attention and interest in recent years. The following information is provided to clarify how these small structures are regulated by the Minnesota State Building Code. The Minnesota State Building Code is the standard of construction that applies statewide for the construction of buildings (MS 326B.121) including tiny houses.

Loosely defined, tiny houses range from about 100 to 400 square feet. The following describes how these houses are regulated by building codes, zoning codes and the Department of Housing and Urban Development (HUD).

ZONING REQUIREMENTS

Municipalities establish zoning ordinances to regulate land use, location, height, width, type of foundation, number of stories and size of buildings. These zoning ordinances vary by municipality.

Minimum building size varies from areas of 500 to 2,000 square feet. Jurisdictions may also require minimum lot sizes related to the house size. Sometimes there are minimum house size requirements such as 24 feet by 24 feet or a minimum dimension of 20 feet. Because of these varying requirements, the jurisdiction must be consulted for specifics

BUILDING CODES

The Minnesota Residential Code includes Appendix Q, Tiny Houses. The "code," for the purpose of constructing houses, means the 2020 Minnesota Residential Code. It is the standard that applies statewide.

The 2020 Minnesota Residential Code defines a dwelling as a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Appendix Q defines a tiny house as a dwelling 400 square feet or less in floor area excluding lofts. The code includes requirements for light, ventilation, heating,



The trend of tiny houses has received a lot of attention in recent years. This handout is provided to clarify how these small structures are regulated by the Minnesota State Building code.

Other codes related to house construction include:

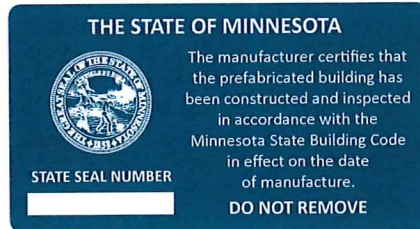
- Minnesota Energy Code
- Minnesota Mechanical Code
- Minnesota Electrical Code
- Minnesota Rules Chapter 1303
- Minnesota Plumbing Code

minimum room sizes, ceiling heights, sanitation, toilet, bath and shower spaces, emergency escape and rescue openings, means of egress, smoke alarms and carbon monoxide alarms.

PREFABRICATED BUILDINGS

Minnesota Rules, Chapter 1360

Tiny houses constructed as prefabricated buildings must comply with the requirements of Minnesota Rules Chapter 1360 and be designed and constructed in accordance with the Minnesota Residential Code. Review of building plans and inspections are performed by the Minnesota Department of Labor and Industry. The completed building requires a Minnesota prefabricated building label.



Example prefab construction label - located under kitchen sink.

Prefabricated building manufacturers are permitted to build three or fewer buildings per year. Construction of more than three buildings is regulated by Minnesota Rules Chapter 1361 for industrialized/modular buildings.

A data plate must be attached to the dwelling that includes the following minimum information:

- design loads
- codes
- IIBC label numbers
- serial numbers
- model designation
- date of manufacture
- name and address of manufacture
- occupancy and type of construction.

All on-site work is subject to local jurisdiction and inspections according to the Minnesota Residential Code.

INDUSTRIALIZED/MODULAR BUILDINGS

Minnesota Rules, Chapter 1361; Interstate Industrialized Buildings Commission (IIBC)

Tiny houses constructed as modular buildings must comply with Minnesota Rules Chapter 1361 and the Interstate Industrialized Buildings Commission (IIBC). These modular dwellings must be designed and constructed in accordance with the Minnesota Residential Code. Review of dwelling plans and in-plant inspections are performed by a certified IIBC third-party agency.

Modular buildings must have IIBC construction labels on each building section or every 600 square feet of closed panels.

A data plate must be attached to the dwelling that includes the following minimum information:

- design loads
- codes
- serial numbers
- IIBC label numbers
- model designation
- date of manufacture
- name and address of manufacture
- occupancy and type of construction.



Example IIBC label - located inside each home section.

All on-site work is subject to local jurisdiction and inspections according to the Minnesota Residential Code.

HUD MANUFACTURED HOMES

Tiny houses constructed as a manufactured home must comply with U.S. Department of Housing and Urban Development (HUD Code). "Manufactured home" means a single family dwelling in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

A data plate must be attached to the dwelling unit to include the following as a minimum:

- design loads
- codes
- label numbers
- serial numbers
- model designation,
- date of manufacture
- name and address of manufacturer

AS EVIDENCED BY THIS LABEL NO. [REDACTED]
THE MANUFACTURER CERTIFIES TO THE BEST OF THE
MANUFACTURER'S KNOWLEDGE AND BELIEF THAT
THIS MANUFACTURED HOME HAS BEEN INSPECTED IN
ACCORDANCE WITH THE REQUIREMENTS OF THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND IS CONSTRUCTED IN CONFORMANCE WITH THE
FEDERAL MANUFACTURED HOME CONSTRUCTION AND
SAFETY STANDARDS IN EFFECT ON THE DATE OF
MANUFACTURE. SEE DATA PLATE.

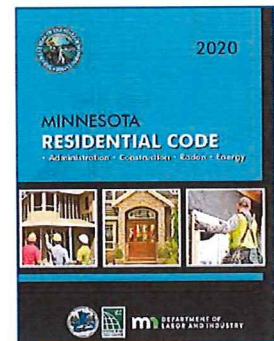
Example HUD construction label
- located on exterior of each
section.

Review of dwelling plans and in-plant inspections are performed by HUD-certified third-party agencies. All on-site work is subject to the local jurisdiction and inspections according to the Minnesota Residential Code.

SITE-BUILT STRUCTURES

Tiny houses constructed on site are regulated by the Minnesota State Building Code. The dwelling construction must comply with all the requirements of the Minnesota Residential Code.

The Minnesota Residential Code can be viewed at
<http://codes.iccsafe.org/app/book/toc/Minnesota/Residential/index.html>.



NOTE:

Recreational park trailers, or park models, are designed as **temporary** living quarters for recreational, camping or seasonal use but not as year-round dwellings. These trailers are often constructed to ANSI standard (A119.5) and are self-certified by the manufacturer.

MINNESOTA RESIDENTIAL CODE

The following code references provide general code requirements related to dwelling construction. The dwelling must comply with all applicable requirements of the Minnesota State Building Code.

General requirements

R202 – Definition of dwelling unit and habitable space.

Dwelling unit: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Habitable space: A space in a building

for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

R301.1 Application.

Buildings and structures must be constructed to safely support all loads, including dead loads, live loads, roof

loads, flood loads, snow loads, wind loads and seismic loads prescribed in this code. The construction of buildings and structures in this code must result in a structure that transfers all loads from their point of origin to the foundation.

Continues on next page.

General requirements, continued.

R303 – Light, ventilation and heating

Habitable rooms must have 8 percent of the floor area as natural light and 4 percent of the floor area as natural ventilation (see exceptions).

Bathrooms must have 3 square feet of natural light and 1.5 square feet of natural ventilation (see exception).

Mechanical ventilation must comply with Minnesota Rules 1322.

Dwelling must be capable of maintaining a minimum room temperature of 68 degrees at three feet above the floor and two feet from the exterior walls (excludes use of portable heaters).

R304 – Minimum room areas

Habitable rooms must be at least 70 square feet in area and not less than 7 feet in any direction (except kitchens).

R306 – Sanitation

Every dwelling unit must have a water closet, lavatory tub or shower and kitchen sink.

All plumbing fixtures must be connected to a sanitary sewer or approved private sewage system and an approved water supply.

Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machines must have hot and cold water.

R307 – Toilet, bath and shower spaces

See the Minnesota Plumbing Code for required plumbing fixture clearances.

Bathtubs, shower floors, and walls must have a nonabsorbent surface a minimum of 6 feet above the floor.

R310 – Emergency escape and rescue openings

Basements, habitable attics and every sleeping room must have at least one operable emergency escape and rescue opening of 5.7 square feet. (See

code for minimum dimensions).

R311 – Means of egress

All dwellings must have a means of egress door with a clear width of 32 inches and a clear height of 78 inches.

A floor or landing is required on each side of exterior doors.

Exterior landings must be positively attached to the primary structure.

Hallways and stairways must have a minimum width of 36 inches.

Stair treads must be 10 inches minimum in depth, stair risers 7.75 inches in height, or as permitted in Appendix Q.

A floor or landing is required at the top and bottom of each stairway.

A handrail is required at stairs having four or more risers.

R314 – Smoke alarms

Smoke alarms are required in each sleeping room, immediate vicinity of the bedrooms, and on each additional story of the dwelling including basements and habitable attics.

R315 – Carbon monoxide alarms

Carbon monoxide alarms are required in every dwelling unit having fuel-fired appliances or attached garage.

MR 1322 – Residential Energy Code

Dwellings must comply with the Minnesota Energy Code.

MR 1346 – Mechanical Code

Dwellings must comply with the Minnesota Mechanical Code.

MR 1303 – Radon requirements

Dwellings must comply with Minnesota Rules Chapter 1303 for either passive or active radon control systems.

MR 1315 – Electrical Code

All electrical service, wiring and fixtures for the structure must comply with the National Electrical Code.

MR 4715 – Plumbing Code

Dwellings must comply with the Minnesota Plumbing code.

Appendix Q – Tiny Houses

AQ101 – Scope

Tiny houses used as dwelling units must comply with the Minnesota Residential Code unless otherwise stated in Appendix Q.

AQ102/R202 – Definitions

Tiny house: A dwelling that is 400 square feet or less in floor area measured from inside of wall to inside of wall and excludes lofts.

Loft: A floor level more than 30 inches above the main floor with a ceiling height less than 6 feet 8 inches and used as living or sleeping space.

AQ103 – Ceiling height

Habitable space and hallways must have a minimum ceiling height of 6 feet 8 inches. Bathrooms, toilet rooms and kitchen shall have a minimum ceiling height of at least 6 feet 4 inches.

AQ104 – Lofts (area and access)

Lofts used for living or sleeping require a floor area of 35 square feet minimum with a horizontal dimension not less than 5 feet. Loft ceiling heights less than 3 feet are not included in the minimum required loft floor area.

Lofts must have access by stairways, ladders, alternating tread devices, or ships ladders. (See section for specific compliance requirements).

Lofts guards are required on open side of lofts and cannot be less than 36 inches in height or one-half of the clear height to the ceiling, whichever is less.

AQ105 – Emergency escape and rescue openings (EERO)

Emergency escape and rescue openings must comply with Section R310. (See exception for loft roof access windows).