

## Sample language for a Midtown Greenway Overlay District

October 26, 2009

### As proposed by the Midtown Greenway Coalition

**Purpose:** To protect the usability of the Midtown Greenway trails for non-motorized travel year-round; to ensure that adjacent development enhances the visibility of and access to the Greenway, and to maintain a safe and pleasant environment for users of the trails and open space.

**Established boundaries:** As shown on the official zoning map. [*would generally apply to lots abutting the Midtown Greenway and lots that are wholly or partially within 200 feet to the south of the southern property line of the Hennepin County Regional Railroad Authority-owned Midtown Greenway corridor.*]

**Height and solar setback:** Maximum height of buildings shall be as established by the primary zoning district. However, buildings on the south side of the Midtown Greenway shall not cast a shadow at mid-day onto the Midtown Greenway trails as calculated when the sun is at a 22 degree angle above the horizon (the winter solstice). Buildings shall be set back and/or building facades may be stepped back in order to meet this requirement. Portions of a building may extend above the height limit established above, provided that such portions occupy no more than 15 percent of the total lineal Midtown Greenway-facing frontage of the structure. Maximum building height may be increased by conditional use permit in non-shading parts of a property in order to compensate for any loss of height adjacent to the Greenway.

**North side setback:** Buildings located on the north side of the trench segment of the Greenway shall be set back a minimum of fifteen (15) feet from the Greenway property line.

**Development credit for dedication of land:** If a property owner dedicates land for a public walkway along the north side of the trench segment or for improved trail access or open space amenities in other locations, the development rights of the dedicated land shall be transferred to the remainder of the parcel. Maximum number of dwelling units and floor area ratio shall be based upon the original size of the parcel.

**Off-premises advertising prohibited:** Off-premises advertising signs shall be prohibited within the Midtown Greenway Overlay District where such signs would be visible from the Midtown Greenway trails.