

ORDINANCE NO. 2023-34

**AN ORDINANCE REMOVING AN EMPTY SUBSECTION, THEREBY AMENDING
CHAPTER 21 OF THE CITY CODE.**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.06 PARKING AND LOADING.

(I) *Compliance and change of use for a structure or site or additions thereto.*

~~[(1)]~~

~~[(A)]~~ (1) *Design standards for site redevelopment or addition.* When either a full redevelopment of a site is proposed or an addition that would increase the floor area on a site by 25% or greater, the entire site must be brought into compliance with the standards of this section of this code, subject to the approval of the city issuing authority.

~~[(B)]~~ (2) *Number of off-street parking spaces.* Any change in occupancy, square footage, or use must comply with the minimum and maximum parking requirements as set forth in this section of this code, subject to approval of the city issuing authority.

~~[(2)]~~ (3) *Requirements for nonconformities.* Requirements for nonconformities are set forth in § 21.504 of this code.

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

Tim Bense

534400D304D443F...

Mayor

ATTEST:

DocuSigned by:

Matt Blitt

65CDE6B2A77B45A...

Secretary to the Council

APPROVED:

DocuSigned by:

Melissa J. Manderschied

56C4A00FA096406...

City Attorney

ORDINANCE NO. 2023-35

AN ORDINANCE THAT UPDATES THE PROCESS TO RECLASSIFY A TYPE I HOME BUSINESS TO A TYPE II HOME BUSINESS THROUGH A CONDITIONAL USE PERMIT APPROVED BY PLANNING COMMISSION, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.13 HOME BUSINESSES.

(c) *Types of home businesses.*

(2) *Type II.* Type II home businesses are businesses of a type that the City Council has historically found to have the potential to adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type II home businesses are listed below. This list is intended to be illustrative not exhaustive.

- (A) Music, dance, or fitness schools;
- (B) Repair shops not expressly prohibited by the city code;
- (C) Reserved
- (D) Photography studios and similar uses; or
- (E) A Type I home business reclassified as a Type II home business by virtue of a conditional use permit ~~[approved by the City Council]~~.

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

Tim Beuse

531490D304D44BF...

Mayor

ATTEST:

DocuSigned by:

Matt Bell

65CDE6B2A77B45A...

Secretary to the Council

APPROVED:

DocuSigned by:

Melissa J. Manderschied

5004A60FA890400...

City Attorney

ORDINANCE NO. 2023-36

AN ORDINANCE REVISING THE SITE WIDTH MEASUREMENT DIAGRAMS FOR RESIDENTIAL SITES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

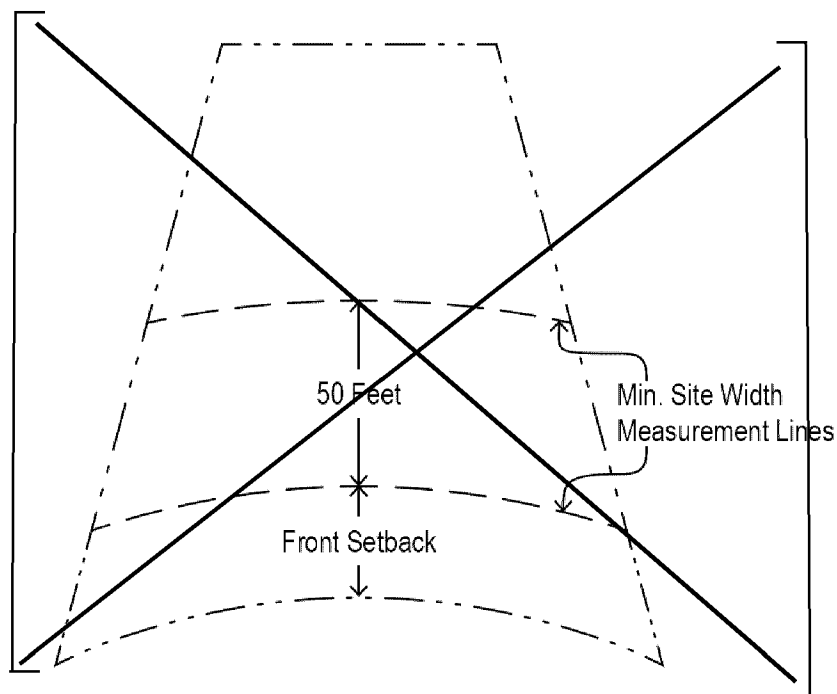
§ 21.301.01 DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS.

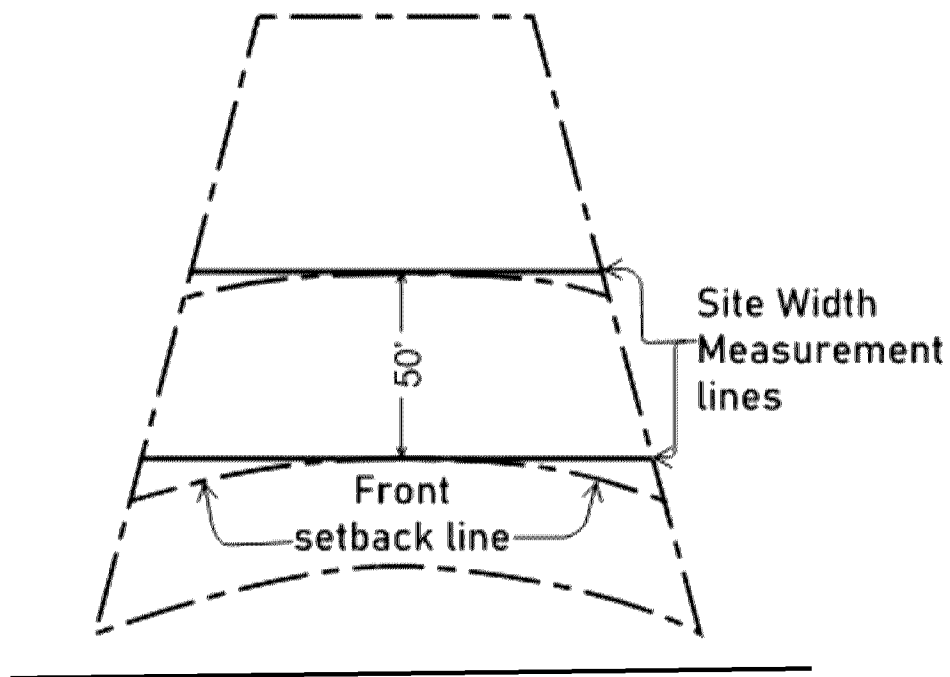
(c) Residential Zoning Districts.

(1) Residential site standards.

(A) *Site width.* Site width for non-corner sites must be at least 60 feet in the R-1 and RS-1 zoning districts and at least 100 feet in the R-1A zoning district. Corner site width at both of the minimum required front setback lines must be at least 100 feet in the R-1, RS-1 and R-1A zoning districts. Single and two-family residential sites approved by the city after August 31, 2006 must meet minimum site width requirements at the front setback line and over the first 50 feet of the site beyond the required front setback line.

(i) Graphic illustration. Site width measurements.





Passed and adopted this 18th day of December, 2023.

DocuSigned by:

Tim Beuse

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Mayor

ATTEST:

DocuSigned by:

Matt Bell

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Secretary to the Council

APPROVED:

DocuSigned by:

Melissa J. Manderschied

5664A80FA896406...

City Attorney

ORDINANCE NO. 2023-37

AN ORDINANCE CORRECTING THE REFERENCE TO SINGLE-FAMILY DWELLING STANDARDS IN THE RS-1 AND R-1A ZONING DISTRICTS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE II: DISTRICTS AND USES

DIVISION B: RESIDENTIAL ZONING DISTRICTS

§ 21.203.02 LARGE LOT SINGLE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(c) *Standards.* Development in the RS-1 District must comply with the standards in § 21.203(b) and the following:

(1) *Outside storage of a recreational vehicle.* See § 21.301.13 for applicable standards and permitting.

(2) *Additional single-family dwelling standards.* See § ~~[21.301.13]~~ 21.302.07 for applicable standards.

§ 21.203.03 RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) DISTRICT.


(c) *Standards.* Development in the R-1A District must comply with the standards in § 21.203(b) and the following:

(1) *Outside storage of a recreational vehicle.* See § 21.301.13 for applicable standards and permitting.

(2) *Additional single-family dwelling standards.* See § ~~[21.301.13]~~ 21.302.07 for applicable standards.

Passed and adopted this 18th day of December, 2023.

DocuSigned by:



531490D391D44BF...
Mayor

ATTEST:

DocuSigned by:



660DF6D2A77D45A...
Secretary to the Council

APPROVED:

DocuSigned by:



5664A00FA806406...
City Attorney

ORDINANCE NO. 2023-38

AN ORDINANCE CLARIFYING THE SETBACKS TABLE WITHIN TWO-FAMILY DWELLING STANDARDS TO CLARIFY HEIGHT LIMITS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.04 TWO-FAMILY DWELLINGS.

(c) *Standards.*

(4) *Setbacks.* Two-family dwelling garage and living space must meet the following minimum setback requirements from property lines:

Front	30 feet
Side adjacent to street [*]	30 feet
Side not adjacent to street [*]	10 feet
Rear	30 feet

^{*} Height. Two-family dwelling structure height must meet the height limits of city code § 21.301.10.

(5) *Reserved.*

(6) *Garages.* Two-family dwellings must have at least one attached garage space per unit. Two-family dwelling garages must be at least 242 square feet per unit and must not exceed 900 square feet per unit. When a two-family dwelling is on a corner lot adjacent to two local streets as classified by the Comprehensive Plan, the garage for each unit must face a separate street. The height of the garage must not exceed the height of the

two-family dwelling. Garage door openings, measured from the floor to the trim covering the door header must not exceed eight feet in height.

(7) *Garage frontage*. Two-family dwelling garage doors facing a public or private street is limited to 40% of the structure width facing the same street.

(8) ~~[Height. Two-family dwelling structure height must meet the height limits of city code § 21.301.10.]~~Reserved.

Passed and adopted this 18th day of December, 2023.

DocuSigned by:



531490D397D44BF...
Mayor

ATTEST:

DocuSigned by:



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Secretary to the Council

APPROVED:

DocuSigned by:



5664A00FA896406...
City Attorney

ORDINANCE NO. 2023-39

AN ORDINANCE CLARIFYING A PERIMETER SCREENING STANDARD REFERENCE IN
THE MANUFACTURED HOME PARK USE STANDARDS, THEREBY
AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.10 MANUFACTURED HOME PARK.

(c) *Standards.*

(8) *Fencing.*

(A) *Perimeter fencing.*

(i) With the exception of when a fence is required for screening, all fences located around the perimeter of a manufactured home park must meet the requirements listed in ~~[§ 21.301.05]~~ § 21.301.08.

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

Tim Bause

5314900391D44BE...

Mayor

ATTEST:

DocuSigned by:

Matt Bell

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Secretary to the Council

APPROVED:

DocuSigned by:

Melissa J. Manderschied

5664A00EA896406...
City Attorney

ORDINANCE NO. 2023-40

AN ORDINANCE REMOVING AN OUTDATED APPLICATION PROCESS FROM A PROCESSES AND FEES TABLE, THEREBY AMENDING CHAPTER 21 AND APPENDIX A OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE V: ADMINISTRATION AND NONCONFORMITY

DIVISION B: APPLICATION PROCESSES

§ 21.502.01 APPLICATION PROCESSES.

(c) *Application processes and fees.* See City Code Appendix A for fees.

<i>Application Processes</i>	<i>Review and Decision Making Authority</i>					<i>Notice</i>		
	DRC	ST	HE	PC	CC	N	Mail	

Miscellaneous

[Appeal of RV permit denial (fee applies only if applicant makes the appeal)]		[R]		[R]	[DM]	[N]	[500]	
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Section 2. That Appendix A of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

APPENDIX A: ADMINISTRATIVE RELIEF AND FEE SCHEDULE

<i>CODE SECTION</i>	<i>CROSS-REF</i>	<i>DESCRIPTION</i>	<i>FEE</i>
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Chapter 21: Zoning and Land Development			
§ 21.502.01(c)	§ 21.502.01(b)(11)	[Appeal of RV permit denial (fee applies only if applicant makes the appeal)]	[\$210]

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

531490D39TD44BF...
Mayor

ATTEST:
DocuSigned by:

05CD70B2A77B45A...
Secretary to the Council

APPROVED:
DocuSigned by:

5664A00FA896406...
City Attorney

ORDINANCE NO. 2023-41

AN ORDINANCE MODIFYING A REFERENCE TO FEES TO REFER TO APPENDIX A,
THEREBY AMENDING CHAPTER 22 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 22 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 22: SUBDIVISION AND PLATTING

DIVISION C: PROCESS

§ 22.08 APPLICATION PROCESSES~~[-AND FEES]~~.

- (a) *Purpose.* This section outlines various application processes~~[-and fees]~~. See City Code Appendix A for fees.

- (c) *Application processes.*~~[-and fees.]~~

Passed and adopted this 18th day of December, 2023.

DocuSigned by:



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Mayor

ATTEST:

DocuSigned by:



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Secretary to the Council

APPROVED:

DocuSigned by:



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City Attorney

ORDINANCE NO. 2023-42

**AN ORDINANCE UPDATING WELL CODE STANDARDS TO BE CONSISTENT WITH
CHANGES TO MINNESOTA STATUTES FOR TEMPORARY BORINGS; AND
MISCELLANEOUS UPDATES FOR CLARITY, THEREBY AMENDING CHAPTER 15 AND
APPENDIX A OF THE CITY CODE.**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 15 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strike through~~ text and adding those words that are underlined, to read as follows:

CHAPTER 15: BUILDINGS AND STRUCTURES

ARTICLE VIII: PLUMBING

DIVISION D: WELLS

§ 15.159 INCORPORATION OF STATE LAW; WELL CONSTRUCTION, RECONSTRUCTION, REPAIR, OPERATION, MAINTENANCE AND SEALING; DEFINITIONS.

(c) For the purposes of this Division D, the following terms shall have the described meanings.

EMERGENCY CONDITIONS. Exceptional circumstances where a delay in starting the construction, reconstruction or sealing of a well poses an immediate and significant danger to health or safety and there is no time for prior notification or to obtain the required permit. Exceptional circumstances include, but are not limited to, cases where well failure should leave livestock or persons without drinking water, where inaction presents an imminent threat of contamination of the well~~[-boring]~~ or groundwater, where delay would result in the endangerment of health or safety (such as in an unstable excavation) or where such work is court ordered.

§ 15.160 PERMITS REQUIRED.

(a) No person shall construct or reconstruct a dewatering well, environmental well, ~~[temporary boring]~~ or water supply well without a permit and inspection at a time designated by the city.

(c) Annual maintenance permits shall be obtained and renewed:

(1) By the owner of property containing any unsealed water supply well not in use; and

(2) By the owner of property containing an environmental well or dewatering well remaining unsealed 14 months after completion of its construction.

§ 15.161 REPORTS.

Any person who constructs, reconstructs, or seals an environmental well, ~~temporary boring,~~ dewatering well, or water supply well shall submit to the city within 60 days of completion of the work the reports and records required by state law and regulations.

Section 2. That Appendix A of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strike through~~ text and adding those words that are underlined, to read as follows:

APPENDIX A: ADMINISTRATIVE RELIEF AND FEE SCHEDULE

This appendix contains the various fees adopted by ordinance in the listed sections of the City Code.

Chapter 15: Buildings and Structures			
CODE SECTION	CROSS-REF	DESCRIPTION	FEE

§ 15.160		Wells	

		[(C) Temporary boring or site with multiple borings on the same property where the depth of the borings is 25 feet or more and sealed within 72 hours of construction	\$138/well or site]
		[(D)] <u>C</u>) Maintenance	

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

Tim Bense

531490D391D44BF...

Mayor

ATTEST:

DocuSigned by:

Matt Bell

650DF6B2A77B45A...
Secretary to the Council

APPROVED:

DocuSigned by:

Melissa J. Manderschied

5664A00FA896406...
City Attorney

ORDINANCE NO. 2023-43

AN ORDINANCE CLARIFYING ACCESSORY STRUCTURE REAR YARD SETBACKS IN THE R-3 ZONING DISTRICT, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.02 STRUCTURE PLACEMENT.

(d) *Residential District setbacks.*


(1) *Residential structure setbacks in residential districts.*

<i>Zoning District</i>	<i>Along Streets**</i>	<i>Rear</i>	<i>Side Not Along Streets</i>
	<i>Minimum</i>	<i>Minimum</i>	<i>Minimum</i>

R-1A	75 feet or as required in subsection (3) below, whichever is greater*. Setbacks also subject to the exception in subsection (4) below.	75 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service	30 feet 5 feet for garages and accessory buildings not connected to water or sanitary sewer service
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R-3	30 feet*	30 feet <u>10 feet for garages and accessory buildings not connected to water or sanitary sewer</u>	10 feet
R-4, RM-12, RM-24, RM-50	40 feet*	30 feet 10 feet for garages and accessory buildings not connected to water or sanitary sewer	10 feet plus 0.25 feet for each foot in height over 30 feet

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

531490D391D44BF...
Mayor

ATTEST:
DocuSigned by:

660DF0B2A77B45A...
Secretary to the Council

APPROVED:
DocuSigned by:

55524200FA896406...
City Attorney

ORDINANCE NO. 2023-44

AN ORDINANCE DEFINING FARMERS MARKET, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 19: ZONING

ARTICLE I: GENERAL PROVISIONS

DIVISION B: DEFINITIONS

§ 19.03 DEFINITIONS.

FAMILY DAY SHELTER, UNLICENSED. A facility operated on property owned by a place of assembly for worship which provides temporary shelter for a family or families who are being assisted in finding permanent housing and/or employment and is not licensed by a federal, state or local governmental entity.

FARMERS MARKET. An association of two or more market vendors along with other vendors allowed by the City Code who assemble at a defined location primarily for the purpose of selling directly to the consumer the products of a farm or garden occupied and cultivated or raised by the person selling the product.

FENCE. An artificially constructed barrier enclosing, separating or screening areas of land, serving as a boundary, a means of protection, a buffer, a decorative element, a means of visually modifying the view, and/or for confinement. Except where otherwise required in this code, regulations governing the height, location and opacity of fences apply to walls used in lieu of a ***FENCE*** or in combination with a ***FENCE***.

Passed and adopted this 18th day of December, 2023.

DocuSigned by:



531490D391D44B7...

Mayor

ATTEST:

DocuSigned by:

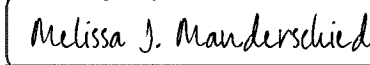


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Secretary to the Council

APPROVED:

DocuSigned by:



5664A00FA896406...

City Attorney

ORDINANCE NO. 2023-45

AN ORDINANCE CLARIFYING THAT THE REQUIRED CONTENT FOR VARIOUS DEVELOPMENT AND PLATTING APPLICATIONS MAY INCLUDE AN APPLICATION FORM OR OTHER FORM OF ELECTRONIC OR WRITTEN APPROVAL TO DEMONSTRATE PROPERTY OWNER AUTHORIZATION, THEREBY AMENDING CHAPTERS 21 AND 22 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE V: ADMINISTRATION AND NONCONFORMITY

DIVISION A: APPROVALS AND PERMITS

§ 21.501.01 FINAL SITE AND BUILDING PLANS.

(f) *Content.* Final site and building plan applications must include the following information, unless exempted by the Planning Manager:

(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative;

§ 21.501.02 PRELIMINARY DEVELOPMENT PLANS.

(f) *Content.* Final site and building plan applications must include the following information, unless exempted by the Planning Manager:

(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative of the parcel on which development is proposed. For planned developments, the application form must be signed by or otherwise authorized electronically or in writing by property owners or authorized representatives of parcels within the planned development that:

(A) Will be physically changed by proposed construction activity, unless the change is allowed under an existing easement or agreement; or

(B) Will lose an access point that the parcel uses.

§ 21.501.03 FINAL DEVELOPMENT PLANS.

(g) *Content.* Final development plan applications must include the following information, unless exempted by the Planning Manager:

(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative of the parcel on which development is proposed. For planned developments, the application form must be signed by or otherwise authorized electronically or in writing by property owners or authorized representatives of parcels within the planned development that:

(A) Will be physically changed by proposed construction activity, unless the change is allowed under an existing easement or agreement; or

(B) Will lose an access point that the parcel uses.

§ 21.501.04 CONDITIONAL USE PERMITS.

(j) Content. Conditional use permit applications must include the following information, unless exempted by the Planning Manager:

(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative;

§ 21.501.05 INTERIM USE PERMITS.

(i) *Content.* Interim use permit applications must include the following information, unless exempted by the Planning Manager:

(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative;

§ 21.501.06 MASTER SIGN PLAN.

(j) Content. Master sign plan applications must include the following information:

(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative.

(2) The required application fee as set forth in City Code Appendix A.

Section 2. That Chapter 22 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 22: SUBDIVISION AND PLATTING

DIVISION C: PROCESS

§ 22.05 PRELIMINARY PLATS.

(f) *Application content.*

(1) Type I preliminary plat applications must include the following items:

(A) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representatives;

§ 22.06 FINAL PLATS.

(f) *Application content.* Type I, II and III final plat applications must include the following items:


(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representatives;

§ 22.07 PLATTING VARIANCES.

(g) *Content.* Platting variance applications must include the following items:

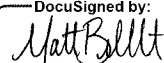
(1) An application form that is signed by or otherwise authorized electronically or in writing by the property owner(s) or authorized representative;

Passed and adopted this 18th day of December, 2023.

DocuSigned by:

531490D391D44BF...


Mayor

ATTEST:

DocuSigned by:

83CDF6B2A77B45A...

Secretary to the Council

APPROVED:

DocuSigned by:

3004A00FA696406...

City Attorney

ORDINANCE NO. 2023-46

AN ORDINANCE CLARIFYING THE ACCESSORY DWELLING UNIT LOCATION, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS


DIVISION B: USE STANDARDS

§ 21.302.03 ACCESSORY DWELLING UNITS.


(b) *Standards.*

(4) *Location.* Accessory dwelling units may be attached to, detached from, or internal to a single-family dwelling. Accessory dwelling units are not permitted in conjunction with two-family dwellings, townhomes/rowhomes or multiple-family dwellings. Detached accessory dwelling units are not permitted to be located closer to the front or side lot line along a street than the principal structure.


Passed and adopted this 18th day of December, 2023.

DocuSigned by:

531490D391D44BF...
Mayor

ATTEST:

DocuSigned by:

83CDF6B2A77B45A...
Secretary to the Council

APPROVED:

DocuSigned by:

5564A00FA896406...
City Attorney

ORDINANCE NO. 2023-47

AN ORDINANCE CREATING A DEFINITION AND CLARIFYING REGULATIONS FOR DISPLAYS OF MERCHANDISE IN COMMERCIAL AND BUSINESS DISTRICTS, THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strikethrough~~ text and adding those words that are underlined, to read as follows:

CHAPTER 19: ZONING

ARTICLE I: GENERAL PROVISIONS

DIVISION B: DEFINITIONS

§ 19.03 DEFINITIONS

The following words and terms when used in Chapters 19 and 21 shall have the following meanings unless the context clearly indicates otherwise.

DISPLAY BOX. A shallow, framed box structure containing a glass or glazed windowpane that is built into or attached to a building wall and intended to be used for visual displays.

DISPLAYS OF MERCHANDISE. An arrangement of consumer products, or a portable and secured bin, device, or equipment of less than 15 square feet offering a personal convenience, located outside the principal structure, that is established for the benefit of the owner, operator, customers, employees, visitors, or third-party beneficiaries of a commercial use.

DISTILLERY, MICRO. A facility that produces ethyl alcohol, hydrated oxide or ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non- industrial use in total quantity not to exceed 40,000 gallons in a calendar year. A ***DISTILLERY*** may include a cocktail room.

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strikethrough~~ text and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.16 EXTERIOR STORAGE.

(c) *In Commercial and Business Districts.*

(1) Displays of merchandise/exterior storage, incidental.

(A) Displays of merchandise may extend up to five feet in front of an existing building and may encroach up to five feet into a required setback area if such building abuts against or extends into the required setback area.

(B) Displays of merchandise must be stored on a paved bituminous or concrete surface.

(C) Displays of merchandise must not reduce or impede the off-street parking area or vehicle access lanes as required by § 21.301.06 of the city code.

(D) Displays of merchandise must not block a sidewalk as required by § 21.301.04 of the city code.

(E) ~~[Displays of merchandise or]~~ Exterior storage not incidental to the primary use ~~[are]~~ is prohibited.

(F) Exterior storage incidental to the primary use and not a display of merchandise must be fully screened so as not to be visible from adjoining or adjacent lands. All screening must be consistent with the standards in § 21.301.15. Before the erection of any screening required by this section, the plans for such screening must be approved by the Planning Manager.


(2) Exceptions: Displays of [M] merchandise may be displayed on convenience facility with fuel sales pump islands and where motor vehicles, new or used, are lawfully sold on the premises, they may be stored or displayed in off-street parking areas.

Passed and adopted this 18th day of December, 2023.


ATTEST:

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Secretary to the Council

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Mayor

APPROVED:

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City Attorney

ORDINANCE NO. 2023-48

AN ORDINANCE AMENDING AN EXCEPTION TO HEIGHT REQUIREMENTS FOR RESIDENTIAL FENCES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strikethrough~~ text and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.08 FENCES.

(c) *Height*. Except where otherwise required by this code, the following regulations apply to fence height. For the purposes of fence height requirements, alleys are not considered a street.

(1) *Limitations*. Except where otherwise required by this code or required by a condition of approval for a development application, the following limitations apply to fence height:

<i>Type of Yard</i>	<i>Maximum Height for Body of Fence</i>	
	<i>Residential Use</i>	<i>Nonresidential Use</i>
Yard abutting a street	4 ft.	6 ft.
Yard not abutting a street	6 ft.	10 ft.

(2) *Exceptions and interpretation*. The following exceptions and guidance on interpretation apply to fence height limitations:

- (A) A residential fence in a yard abutting an arterial street as designated by the Comprehensive Plan may rise to a maximum height of six feet;
- (B) Any residential fence may rise to a height of eight feet if the following locational requirements are all met:
- (i) The fence must not be located in a front yard or yard abutting a street unless it is set back at least 65 feet from the public right-of-way; and

(ii) ~~[that]~~ Fences located within side or rear yards not abutting a street must meet[s] the required setback from a specific property line for a principal structure in the applicable zoning district ~~[may rise to a height of eight feet];~~

(C) A residential fence in the rear yard of a corner lot may rise to a height of six feet provided the fence meets the minimum setback from the street for a principal structure in the applicable zoning district or provided the fence is no closer to a street than an existing principal structure or garage;

(D) A residential fence in the rear yard of a through lot when abutting lots are also through lots may rise to a height of six feet;

(E) A residential fence abutting a nonresidential use may rise to the height of eight feet;

(F) Screening fences required by the city code (see subsection (g)(4) below for references);

(G) Screening fences required by a condition of approval for a development application; and


(H) Public chain link fences for public safety and/or public research purposes such as along public trails and/or at public parks.

Passed and adopted this 18th day of December, 2023.


ATTEST:

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Secretary to the Council

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Mayor

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City Attorney

ORDINANCE NO. 2023-49

AN ORDINANCE AMENDING THE DEFINITIONS OF VEHICLE REPAIR MAJOR AND VEHICLE REPAIR MINOR TO CLARIFY THAT REPAIR ACTIVITIES MUST OCCUR WITHIN A BUILDING, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 19: ZONING

ARTICLE I: GENERAL PROVISIONS

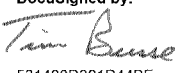
DIVISION B: DEFINITIONS

§ 19.03 DEFINITIONS.

VEHICLE REPAIR, MAJOR. An establishment engaged in ~~[performing]~~major repairs and service to passenger automobiles, trucks, vans and motorcycles performed inside a building except for temporary limited outdoor repair approved by the issuing authority. **MAJOR REPAIR** may include all activities of repair or servicing allowed in a minor automobile repair establishment as well as major engine and transmission repair and replacement and paintless dent repair (pdr). The rebuilding or reconditioning of passenger automobiles, body, frame, painting, rust-proofing or other similar activity is not considered **MAJOR VEHICLE REPAIR** and is defined separately.

VEHICLE REPAIR, MINOR. An establishment engaged in ~~[performing]~~minor repairs and service to passenger automobiles, trucks, vans and motorcycles performed inside a building except for temporary limited outdoor repair approved by the issuing authority. **MINOR REPAIR** may include muffler replacement, oil and fluid changing and lubrication, tire repair and replacement except tire recapping, wheel alignment, brake repair, suspension repair, minor engine and transmission repair, flushing of radiators, servicing of air conditioners, any minor maintenance, repair or replacement of motor vehicle components such as audio system installation, window tinting, wheel rim upgrades, engine tune-ups, vehicle diagnostic analysis and other vehicle inspections, lubrications, remote car starts, engine or exhaust add-ons and other after market parts, and similar minor repairs and service.

Passed and adopted this 18th day of December, 2023.


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Mayor

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Secretary to the Council

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City Attorney

ORDINANCE NO. 2023-50

AN ORDINANCE ADDING FILM COVERINGS TO THE LIST OF PROHIBITED WINDOW COVERINGS IN THE HX-R ZONING DISTRICT, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 19: ZONING

ARTICLE III: ZONING DISTRICT MAP, ZONING DISTRICTS AND DISTRICT USES

§ 19.29 HIGH INTENSITY MIXED USE WITH RESIDENTIAL (HX-R) DISTRICT.

(j) *Building design.*

(1) *Entrances.* Buildings adjacent to and within 100 feet of public streets must include at least one public entrance clearly visible and directly accessible from an adjacent public street. The public entrance may include security controls.

(2) *Windows.* First floor building facades facing and within 100 feet of public or private streets or major pedestrian corridors must meet the following window standards on those facades in order to promote a pedestrian oriented environment and add visual interest.

(A) For residential uses, a minimum of 25% of the area of the first floor building facade must be composed of windows or entrances.

(B) For nonresidential uses, a minimum of 50% of the area of the first floor building facade must be composed of windows or entrances. No more than 25% of the total window area and eye level window area may be obscured by signs, film coverings, product displays or similar covering. Blinds, curtains and similar temporary coverings for privacy or sunlight control are permitted.

Passed and adopted this 18th day of December, 2023.

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Mayor

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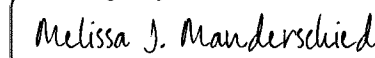


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City Attorney

ORDINANCE NO. 2024-2

AN ORDINANCE CLARIFYING CONFORMANCE TRIGGERS FOR NONCONFORMING SITE CHARACTERISTICS RELATED TO FLOOR AREA EXPANSION, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE V: ADMINISTRATION AND NONCONFORMITY

DIVISION D: NONCONFORMITY

§ 21.504 NONCONFORMITY.

(c) *Standards.*

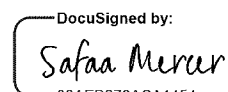
- (4) *Conformance triggers.* Nonconformities must be brought into conformance upon the following events.

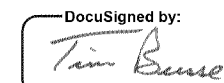
(D) Nonconforming site characteristics. Nonconforming site characteristics must be brought into conformance with current site characteristic requirements of the city code upon:

(i) Redevelopment of the site or expansion of total floor area on the site by 25% or greater, measured cumulatively for floor area expansions on or after January 24, 2008;

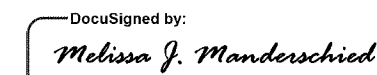
Passed and adopted this 12th day of February, 2024.

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Secretary to the Council

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Mayor

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City Attorney