

ORDINANCE A

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.28 PET SERVICES FACILITY.

(c) *Standards.*

(2) Standards for pet services facilities with more than five animals present at one time.

(A) *Buffer from residential uses.* Pet services facilities, except those that only offer retail activity, animal sales, or grooming services, must be located at least 50 feet from the nearest residential use as measured from the nearest wall of the facility to the nearest residential property line.

(B) *Outdoor activity.* Pet services facilities within the B-4, C-2, C-3, and C-5 zoning districts must be operated within an enclosed structure and must not include outdoor pet areas. Outdoor pet areas in all other zoning districts must be at least 200 feet from the nearest residential use as measured in a direct line from the edge of the outdoor pet area to the nearest residential property line.

ORDINANCE B

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:

(6) *Any special studies requested.* The Director of Public Works or the Director of Community Development may request special studies when there is evidence that the proposed development may negatively impact public infrastructure, the environment or adjacent land uses. Such studies may include, but are not limited to, traffic, environmental, storm water management, wetland, ~~[and] utility[studies.]~~, and noise.

§ 21.501.04 CONDITIONAL USE PERMITS.

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

(6) *Any special studies requested.* The Director of Public Works or the Director of Community Development may request special studies when there is evidence that the proposed use may negatively impact public infrastructure, the environment or adjacent land uses. Such studies may include but are not limited to traffic, environmental, storm water management, wetland, ~~[and] utility[studies.]~~, and noise.

ORDINANCE C

CHAPTER 17: STREETS AND RIGHTS-OF-WAY

ARTICLE I: DRIVEWAYS, APPROACHES AND ENTRANCES

§ 17.14 BUSINESS DRIVEWAY APPROACHES.

Additional requirements for business driveways and off-street parking areas are set forth in § 21.301.06 of this code.

(c) Loading docks, ramps and vehicular entrances must be located in such a manner that backing onto and maneuvering within the street right-of-way is ~~avoided or eliminated~~not permitted without approval from the City Engineer or designee.

ORDINANCE D

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

ARTS AND CRAFTS FESTIVAL. An association of two or more handcraft vendors who assemble at a defined location primarily for the purpose of selling directly to the consumer their arts or[~~or~~] crafts.

ORDINANCE E

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

FAMILY. One or more persons related by blood, marriage or adoption, including foster children and domestic partners and civil unions recognized under Minnesota law, or a group of not more than four persons (excluding personal care attendants, in accordance with Minnesota Rules Rule 9505.0335), occupying a dwelling unit. ~~This definition of family includes a functional household as defined in § 14.568 of the city code, as well as those persons renting rooms. (See ***BOARDING HOUSE***.)~~

ORDINANCE F

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE V: ADMINISTRATION AND NONCONFORMITY

DIVISION A: APPROVALS AND PERMITS

§ 21.501.05 INTERIM USE PERMITS.

- (a) *Purpose.* The purpose of the interim use permit application process is to:

- (5) Ensure that ~~interim~~conditional use permit applications are processed in a manner consistent with state statutes.

ORDINANCE G

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION D: SIGN REGULATIONS

§ 21.304.12 REGULATED SIGNS EXEMPT FROM OBTAINING A PERMIT.

(a) The City Council finds that allocating public funds and staff resources to those signs that present the most public safety and aesthetic problems will better achieve the overall purposes of this sign code. Requiring a permit for every type of sign in the city would unduly tax staff resources, thus diluting the overall enforcement of this sign code. Therefore, the City Council finds that the following sign types shall be regulated pursuant to this sign code but shall be exempt from the requirement of obtaining a sign permit and from the payment of a permit fee, provided the sign meets all other applicable requirements of this sign code. These exemptions do not override any more restrictive terms in contracts or leases between owners and tenants or between common-interest communities and owners, tenants, members, or occupants.

(10) Signs that exclusively express noncommercial speech, subject to the following:

(C) *Election period exemption.* Notwithstanding any provision of this sign code, noncommercial signs of any size in any number may be posted as follows:

(ii) For years other than state general election years in which elections (including any primaries or votes on ballot questions) are scheduled, beginning 46 days prior to the election~~[-of]~~, until ten days following the election date.

ORDINANCE H

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.13 HOME BUSINESSES.

(c) *Types of home businesses.*

(3) *Prohibited home businesses.* The following home businesses are prohibited without limitation:

(l) Pet services facility, except for animal grooming services as noted in subsection (c)(1) above~~[Animal kenneling];~~

ORDINANCE I

Commented [NJ1]: This ordinance will not be needed if Streamline Ordinance eliminates administrative code.

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE V: ADMINISTRATION AND NONCONFORMITY

DIVISION C: ADMINISTRATIVE CODE

§ 21.501.03 APPLICANTS TO BE HEARD.

(b) An applicant meeting the criteria set forth in subsections (a)(1) through (a)(~~6~~**4**) above may choose to apply directly to the Planning Commission pursuant to all the provisions of § 21.501.10 of this code.

ORDINANCE J

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE II: DISTRICTS AND USES

DIVISION H: USES

§ 21.209 USE TABLES.

(f) *Specialized zoning districts.*

Use Type	Zoning District		References See Listed Section
	CX-2	LX	

Technology and Manufacturing			
[Technology campus]		[G]	
Low impact, high-technology manufacturing			
Printing and publishing			
Research laboratories	P	C	
Technology campus		C	
Warehousing			

ORDINANCE K

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE II: DISTRICTS AND USES

DIVISION H: USES

§ 21.209 USE TABLES.

(c) *Residential Zoning Districts.*

Use Type	Zoning District									References; See Listed Section
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100	

Retail Sales and Services										

Restaurants when located within a multiple- family facility								CA	CA	<u>21.302.19</u>

ORDINANCE L

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS DIVISION A: GENERAL STANDARDS

§ 21.301.07 EXTERIOR LIGHTING.

(c) *Lighting standards.* In addition to the following specific requirements, all exterior lighting must comply with the standards set forth in this section.

(12) *Lighting standards.* All exterior lighting must comply with the following standards, which vary by use. In the event more than one use is present, the highest regulatory standards apply. Single-family and two-family dwellings and residential parking lots with fewer than 12 parking spaces are exempt from the minimum light levels required but shall comply with the lights source and height requirements for any lighting installed. Maintained lighting levels shall be calculated at a light loss factor of 0.81 or the actual tested light loss factor for the source, whichever is less.

	<i>Residential Zones or Uses</i>	<i>Nonresidential Uses Within 300 Feet of Protected Residential Uses</i>	<i>Office/ Industrial Uses</i>	<i>Retail and Service Oriented Uses</i>

Minimum illumination on <u>parking surface</u> (up to a 50% reduction allowed for the perimeter 25 ft. of parking, loading,	1.0 FC	As required for the specific uses	1.5 FC	2.0 FC

access or other surfaced areas along the property line)				

ORDINANCE M

CHAPTER 8: TRAFFIC, VEHICLES AND PARKING

ARTICLE I: GENERAL PROVISIONS

DIVISION C: DEFINITIONS

§ 8.04 DEFINITIONS.

MOTOR VEHICLE. A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and must[shall] include, without limitation, automobiles, trucks[, trailers], motorcycles, or tractors[~~and wagons~~]. **MOTOR VEHICLE** does not include electric personal assistive mobility devices, personal recreational vehicles, recreational vehicles, off road vehicles, trailers or wagons[snowmobiles].

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

MOTOR VEHICLE. A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and must[shall] include, without limitation, automobiles, trucks[, trailers], motorcycles, or tractors[, ~~wagons and snowmobiles~~]. **MOTOR VEHICLE** does not include electric personal assistive mobility devices, personal recreational vehicles, recreational vehicles, off road vehicles, trailers or wagons.

ORDINANCE N

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.08 FENCES.

(m) *Other constructed features.* The following constructed features are differentiated from fences.

(1) *Arbors and trellises.* [

—(A)—Except where otherwise required in this code, regulations governing fences apply to arbors and trellises used in lieu of a fence or in combination with a fence, except that arbors and trellises used in lieu of a fence may rise once to a maximum height of nine feet for a distance of six feet in length, in compliance with 21.301.02(g)

—(B)—Arbors and trellises are permitted encroachments within required setback areas as provided in § 19.08.

ORDINANCE O

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.

Commented [NJ2]: Based on comment below about driveways being a Building Code process, I don't think it is necessary or maybe even appropriate to add driveway permits to the zoning code application process table. But again, this will depend on if driveways permits live or belong in the building code.

Application Process	Review and Decision Making Authority					Notice		
	DRC	ST	HE	PC	CC	N	Mail	

Miscellaneous								
<u>Driveway permit</u>		<u>DM</u>						

APPENDIX A: ADMINISTRATIVE RELIEF AND FEE SCHEDULE

CODE SECTION	CROSS-REF	DESCRIPTION	FEE
CHAPTER 21: Zoning and Land Development			

§ 21.502.01(c)		Driveway Permit Fees	
		Driveway (private property)	\$75

Commented [NJ3]: This might belong in the Chapter 15 section of Appendix A instead of Chapter 21 section. I think driveways fall under the building code, whereas signs do not for comparison. Also, if we do add to Chapter 21 section, we need to add more headers/content that explains precisely where this fee is being located or slotted in comparison to other fees.

ORDINANCE P

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.04 SIDEWALKS.

(g) *Private sidewalks for new uses without new development or significant redevelopment.* When the City Engineer or ~~its~~ designee determines that a new use that does not involve new development or significant redevelopment is likely to increase the amount of pedestrian traffic coming to the site relative to the previous use and a public sidewalk exists adjacent to the site, the property owner must provide a sidewalk link conforming to the standards of this section between the public sidewalk and either the entrance to the new use or the parking lot used by the new use. An exception to this requirement may be granted upon a determination by the City Engineer or designee that construction of the private sidewalk link is impractical due to physical characteristics of the property.

ORDINANCE Q

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:

(E) Where applicable, tree preservation plans in accordance with city code § 21.301.14.

ORDINANCE R

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

RECREATION AND ENTERTAINMENT, INDOOR. An establishment that offers recreation and entertainment activities, for-profit or nonprofit, to the general public within an enclosed building. Typical uses include theaters, movie theaters, bowling alleys, skating rinks, game arcades, ballrooms,~~[dance studios]~~ and the like.

SPORTS TRAINING FACILITY. A facility primarily designed to provide for sports training for athletes in a particular sport, including gymnasiums, dance training studios, multi-sports floors, training facilities, and flexible space for the purpose of sports practice and skills enhancement. With sufficient parking, **SPORTS TRAINING FACILITIES** may include accessory large group classes and competition as subordinate activities. A **SPORTS TRAINING FACILITY** is considered to be distinct from commercial recreational services catering to the general public such as health and fitness clubs, shooting ranges, archery ranges, bowling alleys, arcades, driving ranges, miniature golf courses, skating rinks, racquet clubs, batting cages and the like.

ORDINANCE S

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.04 TWO-FAMILY DWELLINGS.

(c) *Standards.*

(7) *Reserved.* [~~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.~~]

ORDINANCE T

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS DIVISION A: GENERAL STANDARDS

§ 21.301.07 EXTERIOR LIGHTING.

(i) ~~Reserved. [Date for final compliance. Notwithstanding any of the above, all site lighting within the city must be in compliance with the minimum illumination levels at ground level as specified in this section no later than December 31, 2024, unless the site or portion thereof meets one of the following exemptions:~~

~~— (1) The site has an approved lighting plan with installation on or after August 19, 1996, and the lighting has been maintained at the levels on the approved plan;~~

~~— (2) Reserved;~~

~~— (3) The site has an approved lighting plan with installation prior to August 19, 1996, that documents illumination levels of no less than 75% of the illumination levels required in subsections (c)(11) or (c)(12) above for the respective use, provided code-complying light fixtures are used and illumination levels are maintained as per the approved plan;~~

~~— (4) The site or portion thereof is mapped and scheduled for acquisition by January 1, 2026, by a federal, state or local government agency. In the event that only a portion of the site is mapped, only that portion is exempt from compliance;~~

~~— (5) The site is planned for redevelopment prior to January 1, 2026, as evidenced by an approved preliminary development plan; or~~

~~— (6) The City Council has approved a variance exempting compliance due to a hardship or special circumstance.]~~

ORDINANCE U

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.15 LANDSCAPING AND SCREENING.

(a) *Purpose and intent.* The city recognizes the health, safety, aesthetic, ecological and economic value of landscaping and screening. The provisions of this section are intended to:

(12) Reduce the potential for criminal and illegal activities;~~[-and]~~

(13) Prevent conflicts with utilities~~[-]; and~~

(14) Improve and sustain ecosystem health across the city.

(c) *Landscaping standards.*

(5) ~~[Native Prairie and Long Grasses]~~Managed Natural Landscapes. As defined in § 21.601, ~~[(T]hese [plants]landscapes~~ are allowed as specified in Chapter 10, Article VI ~~[Weeds and Brush]~~, subject to the following standards:~~[-See definition in code section 10.37](c)].~~

(A) Access and Obstruction. Managed natural landscapes that abut sidewalks, trails, paths, curb, or streets must not obstruct or impede pedestrian access. Rain gardens may not encroach into the public right of way or utility easements without written approval from the issuing authority.

(B) Height restrictions. All managed landscapes must meet the following height requirements:

(i) Clear view triangle area, as defined in § 21.601.

Commented [NJ4]: Should we incentivize natives by evaluating the ratio of how perennials equate to the shrub requirement in (c)(2)(B)(ii)? Maybe this warrants a deeper study than appropriate for misc. issues, but I think our shrub requirement framing is not as supportive of sustaining native ecosystems/habitat as it could be.

(ii) Abutting curb lines and sidewalks - See § 21.301.15(f)(6).

(iii) Fire hydrant and utility clear zone - See § 21.301.15(f)(5).

(C) Thatch. Thatch, as defined in § 21.601, must be cleared at least once per year through mowing, burning, or other appropriate means. A burning permit must be issued by the City Fire Marshal.

(D) Standing water restrictions. All managed natural landscapes that are rain gardens must be free of all standing water within 48 hours from the end of the most recent rainfall.

(f) *Restrictions.* The following restrictions on landscaping and screening apply to protect the public health, safety and welfare.

(5) *Fire hydrant and utility clear zone.* The area three feet in radius around all fire hydrants, fire hose connections and utility boxes must be kept free of any trees, shrubs or other landscaping feature that could impede access to or use of the hydrant, fire hose connection or utility box.

(A) The three-foot, circular setback around all fire hydrants, fire hose connections, and utility boxes must be maintained to a height of 8 inches or lower.

(B) From the street to the fire hydrant, a path no less than three feet wide must be maintained to a height of 8 inches or lower.

(C) The fire hydrant must be clearly visible from the street from all drivable directions.

(6) Adjacent curb lines and sidewalks. Plants may not extend over the edge of curbs, sidewalks, or alleys. All grasses, sedges, flowering broad leaf plants, forbs, and ferns must not exceed 4 feet in height within 5 feet of any sidewalk, multiuse path, or adjacent roadways. This height restriction excludes trees, shrubs, and hedge rows.

Commented [NJ5]: If this applies to natives, I think it should also apply to shrubs. Don't see the difference really - both could create visibility and safety issues.

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

MANAGED NATURAL LANDSCAPES. Planned, intentional and maintained plantings of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees including but

not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes do not include turfgrass lawns left unattended for the purpose of returning to a natural state.

MEADOW VEGETATION. Grasses and flowering broad-leaf plants native that are native to, or adapted to, the state of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.

ORNAMENTAL PLANTS. Grasses, perennials, annuals, and groundcovers purposely planted for aesthetic reasons.

THATCH. The accumulation of dead plant material, including stems, roots, and plant foliage.

VOLUNTEER WOODY VEGETATION. Woody plants, such as trees or shrubs, that appear spontaneously or unintentionally in a specific area without deliberate human planting or cultivation.

ORDINANCE V

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.02 STRUCTURE PLACEMENT.

(i) *Measurement.* The structure setback is measured from the foundation of a structure to the nearest property line.

ORDINANCE W

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.40 AGRICULTURAL STANDS.

(a) *Products grown on-site.* Nothing in this chapter [~~shall~~]should be deemed to prohibit the construction or maintenance of any temporary stand or shelter for the sale of agricultural products produced on the premises; provided that if the structure is within ten feet of the front lot line, it [~~shall~~]must be used only during the season when the products sold are in season and at all other times [~~shall~~]must be removed from said location.

(b) *Products not grown on-site.* Nothing in this chapter should be deemed to prohibit the temporary construction or maintenance of any temporary stand or shelter for the sale of agricultural products not produced on the premises, but sold by the person who cultivated the agricultural products on land they own or rent, or their designee, during the season when the products sold are in season, provided:

(1) The stand or shelter is on private property with the permission of the property owner;

(2) The stand or shelter is on a property that is a nonresidential use

(3) The stand or shelter is located a minimum of 20 feet from a property line abutting a street and is located a minimum of five feet from a property line not abutting a street;

(4) The stand or shelter operates a maximum of 60 days per calendar year at said property;

(5) The stand or shelter only operates between the hours of 7:00am to 8:00pm;

(6) Any signs for the stand or shelter must be temporary in nature and follow the requirements for temporary signs for farmers markets stated in § 21.304.13; and

____ (7) The stand or shelter is removed from said property when not in continued operation.

ORDINANCE X

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

RETAIL SALES, HEAVY EQUIPMENT. Facilities where heavy equipment are displayed and sold and/or leased to contractors, other retailers or to the public. Any outdoor displays associated with **HEAVY EQUIPMENT RETAIL SALES** are considered to be exterior storage and must meet exterior storage performance standards in §21.301.16. Heavy equipment is equipment and parts for equipment used in all types of construction of buildings, highways, airports, dams or other earthen structures. Heavy equipment may include, but is not limited to, excavators, crawler tractors, wheel loaders, compactors, pavers, backhoes, hydraulic hammers, cranes, fork lifts, compressors, or generators.

Commented [NJ6]: Fairchild Equipment has had display excavators out front of their building at 2000 W 94th Street before. This provision in the definition would conflict with that element. Maybe worth a short discussion.

ORDINANCE Y

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.02 STRUCTURE PLACEMENT.

(g) *Encroachments.*

(3) *In all zoning districts,*

(K) Sunshades up to 15 feet in height may encroach into any front, side or rear setback, provided that a front setback of not less than 15 feet and side and rear setbacks of not less than five feet must be maintained. Such features must not encroach into public easements of record without written approval of the issuing authority.

Commented [NJ7]: If over 15 feet in height, I think should just meet principal bldg setback.

Commented [NJ8]: We can discuss if helpful. Let's see what Glen thinks.

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

STUDIO, AUDIO OR VIDEO. Facilities with studios for the creation and production of audio or video programming or recordings.

SUNSHADE. A permanent structure providing protection from the sun.

TAKE-OUT RESTAURANT. Any establishment which has as its principal business the preparation of food, frozen dessert or beverage for sale to be consumed away from the premises of the establishment. This does not apply to restaurants which occasionally sell such items for consumption away from the premises and does not apply to drugstores or grocery stores.

ORDINANCE Z

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.06 PARKING AND LOADING.

~~[(m) *Parking and storage of vehicles and trailers in residential zones.*~~

~~— (1) *Recreational vehicles.* This section does not regulate recreational vehicles. Recreational vehicles are defined and regulated in § 21.301.13.~~

~~— (2) *Vehicles.*~~

~~— (A) *Types of vehicles.*~~

~~— (i) *Type I motor vehicle.* A vehicle that is:~~

~~— (aa) Less than or equal to eight feet in height; and~~

~~— (bb) Less than or equal to 22 feet in length;~~

~~— (cc) Not a recreational vehicle; and~~

~~— (dd) Not a non-residential vehicle.~~

~~— (ii) *Type II motor vehicle.* A vehicle that is:~~

~~— (aa) A taxi that meets the Type I motor vehicle requirements; or~~

~~— (bb) A limousine that meets the Type I motor vehicle requirements; or~~

~~— (cc) A Type I vehicle with a snow plow attachment.~~

~~— (iii) *Type III motor vehicle.* A vehicle that is:~~

~~— (aa) Greater than eight feet in height; or~~

~~— (bb) Greater than 22 feet in length.~~

~~— (iv) *Non-residential vehicle.* Motor vehicles that, by virtue of their use, design, type, or characteristics, are not customary and incidental to the use or occupancy of residential properties. These include, but are not limited to:~~

~~———— (aa) Boom trucks;~~
~~———— (bb) Buses;~~
~~———— (cc) Cargo trucks;~~
~~———— (dd) Dump trucks;~~
~~———— (ee) Farm implements (except when used in an agricultural use authorized under this code);~~
~~———— (ff) Fire trucks;~~
~~———— (gg) Flatbed trucks;~~
~~———— (hh) Forklifts;~~
~~———— (ii) Hearses;~~
~~———— (jj) Loaders;~~
~~———— (kk) Semi trailer tractors;~~
~~———— (ll) Skid steers;~~
~~———— (mm) Step vans;~~
~~———— (nn) Tank trucks;~~
~~———— (oo) Tow trucks;~~
~~———— (pp) Tractors; and~~
~~———— (qq) Riding lawnmowers or snowblowers, and recreational vehicles are not considered non-residential vehicles.~~

~~———— (B) *Measurements.*~~

~~———— (i) *Height.* The height of a motor vehicle is measured as the vertical distance between the lowest part of the tires to the top of the highest part of the vehicle.~~
~~———— (ii) *Length.* The length of a motor vehicle is measured as the horizontal distance between the front edge of the vehicle to the rear edge of the vehicle.~~
~~———— (iii) For purposes of measurement, accessories, attachments, and materials fixed or carried upon a vehicle will be considered part of the vehicle (with the exception of aerial antennas and attached trailers).~~

~~———— (C) *Standards.*~~

~~———— (i) *Type I and II motor vehicles.* Type I and II motor vehicles are permitted to be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, subject to the requirements of this section and any other applicable sections of this code.~~

~~———— (aa) A vehicle that is a Type II vehicle by reason of the attachment of a snowplow blade may only be parked or stored with blade attached between November 1st and April 30th.~~

~~———— (bb) No Type II vehicle may be parked or stored at a residentially zoned lot unless that vehicle is owned or leased or regularly used by a person physically residing on that premises.~~

~~———— (ii) *Type III motor vehicles.* Type III vehicles must not be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, except as provided under subsection (m)(4) of this section.~~

~~———— (iii) *Non-residential motor vehicles.* Non-residential vehicles must not be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, except as provided under subsection (m)(4) of this section.~~

~~———— (iv) *Limitations on quantity.*~~

~~———— (aa) No more than four vehicles per unit may be parked or stored at single-family and two-family dwelling units outside a garage or on a street.~~

~~———— (bb) Only one Type II vehicle may be parked or stored per single-family or two-family dwelling unit.~~

~~———— (cc) Vehicles temporarily parked at a residence for visitation or business service reasons, Class I recreational vehicles (as defined in § ~~21.301.13~~ of this code), or any vehicle parked or stored within a garage will not be counted for the purposes of these numerical limitations.~~

~~———— (dd) All other vehicles, whether screened or not, including abandoned vehicles, junk vehicles, or inoperable vehicles, as defined in § ~~8.04~~ of this code, will be counted as vehicles for purposes of determining the number of vehicles parked or stored outside of a garage or on the street.~~

~~———— (v) *Location requirements.* The location of parked and stored vehicles on residentially zoned lots must adhere to the requirements of subsection (i)(4) above.~~

~~———— (3) *Trailers.*~~

~~———— (A) *Standards.*~~

~~—— (i) *Limitations on size.* The following size trailers are prohibited from being parked or stored in a residential district or in the public right-of-way immediately abutting any residential district:~~

~~—— (aa) Trailers with a trailer bed greater than eight feet six inches in length; or~~

~~—— (bb) Trailers greater than six feet in height.~~

~~—— (cc) The length of a trailer bed is measured as the horizontal distance between the front and rear edges of the trailer bed.~~

~~—— (dd) The height of a trailer is measured as the vertical distance between the lowest part of the tires to the top of the highest part of the trailer. Accessories, attachments, and materials carried upon a trailer and/or trailer bed are considered part of the trailer and will be included in the height measurement.~~

~~—— (ii) *Parking location requirements.*~~

~~—— (aa) Trailers may not be parked or stored more than eight feet in front of a dwelling unit wall plane that faces a public street unless parked or stored on a legal driveway or off-drive parking area.~~

~~—— (bb) Trailers must be setback at least five feet from any lot line.~~

~~—— (iii) *Limitations on quantity.* Only one trailer may be parked or stored on a residentially zoned lot outside of a garage.~~

~~—— (4) *Exceptions.* The parking and storage limitations and requirements of this section are subject to the following exceptions:~~

~~—— (A) Vehicles and trailers otherwise prohibited from being parked or stored under this section may be temporarily parked on or in front of a residential lot while being loaded or unloaded or while rendering a service at that location.~~

~~—— (B) Vehicles and trailers otherwise restricted by this section may be parked on a residential lot when the lawful principal use of the lot under the Zoning Code is other than residential and the vehicle and/or trailer is directly related to that lawful use.~~

~~—— (C) Vehicles designed for accommodating the needs of a person with disabilities are allowed to exceed the Type I or Type II height limits set in this section, provided that the vehicle displays a disability license plate or disability parking sticker issued by the state.~~

~~—— (D) Vehicles and trailers otherwise prohibited from being parked or stored under this section may be temporarily parked on weekdays between 11:00 a.m. and 1:00 p.m.~~

~~Such parking must occur off the public right-of-way and on the premises owned or occupied by the driver of the vehicle.~~

~~—— (E) Trailers that are recreational vehicles as defined by § 21.301.13 may be parked or stored on a site if properly parked or stored in accordance with said § 21.301.13.~~

~~—— (5) *Variances.* Variances from the dimensional limitations of this section may be granted in accordance with §§ 2.85.04 and 2.10 of this code.]~~

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.20 VEHICLE AND TRAILER PARKING AND STORAGE IN RESIDENTIAL ZONES.

The following regulations are applicable to parking and storage of various types of vehicles and trailers in residential zoning districts, except for recreational vehicles. Recreational vehicles are defined and regulated in § 21.301.13.

(a) Vehicles.

(1) Types of vehicles.

(A) Type I motor vehicle. A vehicle that is:

(i) Less than or equal to eight feet in height; and

(ii) Less than or equal to 22 feet in length;

(iii) Not a recreational vehicle; and

(iv) Not a non-residential vehicle.

(B) Type II motor vehicle. A vehicle that is:

(i) A taxi that meets the Type I motor vehicle requirements; or

(ii) A limousine that meets the Type I motor vehicle requirements; or

(iii) A Type I vehicle with a snow plow attachment.

(C) Type III motor vehicle. A vehicle that is:

(i) Greater than eight feet in height; or

_____ (ii) Greater than 22 feet in length.

_____ (D) Non-residential vehicle. Motor vehicles that, by virtue of their use, design, type, or characteristics, are not customary and incidental to the use or occupancy of residential properties. These include, but are not limited to:

_____ (i) Boom trucks;

_____ (ii) Buses;

_____ (iii) Cargo trucks;

_____ (iv) Dump trucks;

_____ (v) Farm implements (except when used in an agricultural use authorized under this code);

_____ (vi) Fire trucks;

_____ (vii) Flatbed trucks;

_____ (viii) Forklifts;

_____ (ix) Hearses;

_____ (x) Loaders;

_____ (xi) Semi-trailer tractors;

_____ (xii) Skid steers;

_____ (xiii) Step vans;

_____ (xiv) Tank trucks;

_____ (xv) Tow trucks;

_____ (xvi) Tractors; and

_____ (xvii) Riding lawnmowers or snowblowers, and recreational vehicles are not considered non-residential vehicles.

_____ (2) Measurements.

_____ (A) Height. The height of a motor vehicle is measured as the vertical distance between the lowest part of the tires to the top of the highest part of the vehicle.

_____ (B) Length. The length of a motor vehicle is measured as the horizontal distance between the front edge of the vehicle to the rear edge of the vehicle.

(C) For purposes of measurement, accessories, attachments, and materials fixed or carried upon a vehicle will be considered part of the vehicle (with the exception of aerial antennas and attached trailers).

(3) Standards.

(A) Type I and II motor vehicles. Type I and II motor vehicles are permitted to be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, subject to the requirements of this section and any other applicable sections of this code.

(i) A vehicle that is a Type II vehicle by reason of the attachment of a snowplow blade may only be parked or stored with blade attached between November 1st and April 30th.

(ii) No Type II vehicle may be parked or stored at a residentially zoned lot unless that vehicle is owned or leased or regularly used by a person physically residing on that premises.

(B) Type III motor vehicles. Type III vehicles must not be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, except as provided under subsection (m)(4) of this section.

(C) Non-residential motor vehicles. Non-residential vehicles must not be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, except as provided under subsection (m)(4) of this section.

(D) Limitations on quantity.

(i) No more than four vehicles per unit may be parked or stored at single-family and two-family dwelling units outside a garage or on a street.

(ii) Only one Type II vehicle may be parked or stored per single-family or two-family dwelling unit.

(iii) Vehicles temporarily parked at a residence for visitation or business service reasons, Class I recreational vehicles (as defined in § 21.301.13 of this code), or any vehicle parked or stored within a garage will not be counted for the purposes of these numerical limitations.

(iv) All other vehicles, whether screened or not, including abandoned vehicles, junk vehicles, or inoperable vehicles, as defined in § 8.04 of this code, will be counted as vehicles for purposes of determining the number of vehicles parked or stored outside of a garage or on the street.

(E) Location requirements. The location of parked and stored vehicles on residentially zoned lots must adhere to the requirements of subsection (i)(4) above.

(b) Trailers.

(1) Standards.

(A) Limitations on size. The following size trailers are prohibited from being parked or stored in a residential district or in the public right-of-way immediately abutting any residential district:

(i) Trailers with a trailer bed greater than eight feet six inches in length; or

(ii) Trailers greater than six feet in height.

(iii) The length of a trailer bed is measured as the horizontal distance between the front and rear edges of the trailer bed.

(iv) The height of a trailer is measured as the vertical distance between the lowest part of the tires to the top of the highest part of the trailer. Accessories, attachments, and materials carried upon a trailer and/or trailer bed are considered part of the trailer and will be included in the height measurement.

(B) Parking location requirements.

(i) Trailers may not be parked or stored more than eight feet in front of a dwelling unit wall plane that faces a public street unless parked or stored on a legal driveway or off-drive parking area.

(ii) Trailers must be setback at least five feet from any lot line.

(C) Limitations on quantity. Only one trailer may be parked or stored on a residentially zoned lot outside of a garage.

(c) Exceptions. The parking and storage limitations and requirements of this section are subject to the following exceptions:

(1) Vehicles and trailers otherwise prohibited from being parked or stored under this section may be temporarily parked on or in front of a residential lot while being loaded or unloaded or while rendering a service at that location.

(2) Vehicles and trailers otherwise restricted by this section may be parked on a residential lot when the lawful principal use of the lot under the Zoning Code is other than residential and the vehicle and/or trailer is directly related to that lawful use.

(3) Vehicles designed for accommodating the needs of a person with disabilities are allowed to exceed the Type I or Type II height limits set in this section, provided that

the vehicle displays a disability license plate or disability parking sticker issued by the state.

(4) Vehicles and trailers otherwise prohibited from being parked or stored under this section may be temporarily parked on weekdays between 11:00 a.m. and 1:00 p.m. Such parking must occur off the public right-of-way and on the premises owned or occupied by the driver of the vehicle.

(5) Trailers that are recreational vehicles as defined by § 21.301.13 may be parked or stored on a site if properly parked or stored in accordance with said § 21.301.13.

(d) Variances. Variances from the dimensional limitations of this section may be granted in accordance with §§ 21.501.10 of this code.

ORDINANCE AA

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.20 VEHICLE AND TRAILER PARKING AND STORAGE IN RESIDENTIAL ZONES.

(a) Vehicles.

(3) Standards.

(A) Type I and II motor vehicles. Type I and II motor vehicles are permitted to be parked or stored in a residential district or in the public right-of-way immediately abutting any residential district, subject to the requirements of this section and any other applicable sections of this code.

(i) A vehicle that is a Type II vehicle by reason of the attachment of a snowplow blade may only be parked or stored with blade attached between ~~November 4th~~October 1st and April 30th.

ORDINANCE BB

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

21.301.04 SIDEWALKS.

(d) *Design standards.* Except for private sidewalks on single- and two-family residential sites, sidewalks must conform to the following design standards.

(10) *Clear zones for public sidewalks.* Along the edges of public sidewalks, two-foot clear zones must be provided as determined by the City Engineer or designee for user safety and maintenance purposes.

(e) *Maintenance.* Sidewalks must be maintained according to the following standards.

(4) *Clear zones.* Clear zones required in subsection (d)(10) above must be maintained as determined by the City Engineer or designee on an ongoing basis.

ORDINANCE CC

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

BASEMENT. The portion of the building between the floor and the ceiling, ~~[which is partly below and partly above grade (as defined in the Building Code, Chapter 15), but]~~so located that ~~[the vertical distance from the grade to the floor below is less than vertical distance from grade to ceiling]~~the finished surface of the floor next above is not more than six feet (1829 mm) above grade plan; or not more than 12 feet (3658 mm) above the finished ground level at any point.

ORDINANCE DD

CHAPTER 9: HOUSING OPPORTUNITY AND PRESERVATION

ARTICLE IX: IMPLEMENTATION EVALUATION AND ENFORCEMENT

§ 9.42 IMPLEMENTATION AND EVALUATION.

(b) On or before October 1 of each calendar year, the Community Development Director, or designee, will provide a report to the City Council on the implementation of this chapter. Reports will be posted on the City's public website.

ORDINANCE EE
CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS
DIVISION A: GENERAL STANDARDS

§ 21.301.02 STRUCTURE PLACEMENT.

(b) *Table key.* The following labeling conventions apply to each table in this section.

(1) *Setbacks from public streets.* All setbacks from public streets or proposed public streets must be measured from the planned widened rights-of-way in accordance with the Master Street Plan of the city, unless exempted by the City Engineer and Planning Manager.
