
April 24, 2024
7:00 p.m.

City of Brooklyn Park – Conference Room A203
5200 85th Avenue North
Brooklyn Park, MN 55443

PLANNING COMMISSION WORK SESSION – AGENDA #8

For reasonable accommodations or alternative formats, please provide a 72-hour notice by calling 763-424-8000 or emailing Chris Xiong at chris.xiong@brooklynpark.org. Si usted necesita esta información en español, llame al 763-424-8000 y solicite un intérprete. Yog xav tau kev pab, hu 763-493-8059.

Commissioners: Chair Liam Cavin, Vice Chair Kathy Fraser, General Officer Teshite Wako, Christopher Udomah, Philip Gaye-Bai, Maggie Borer, Shereese Turner, Abdo Korosso, and Chukwunedu Arah.
City Councilmember Liaison Tony McGarvey.
Staff Liaison Paul Mogush, Amber Turnquest, Erin McDermott and Matt Hayes-Regan.

A. CALL TO ORDER

B. GENERAL INFORMATION

C. DISCUSSION ITEMS/GENERAL ACTION ITEMS

C.1 Zoning Code Update

A. 152 Article 3 Development Standards

The proposed amendments comply with the changes made to the Comprehensive Plan through the new land use designations and the adoption of new zoning districts. Technical changes for consistency throughout the Land Use title are also made.

D. VERBAL REPORTS AND ANNOUNCEMENTS

1. COUNCILMEMBER LIASON COMMENTS

2. PLANNING COMMISSION COMMENTS

3. STAFF LIASON COMMENTS

E. ADJOURNMENT

MEMORANDUM

Date: April 18, 2024
To: Planning Commission Members
From: Amber Turnquest, Principal Planner
Subject: Comprehensive Plan Land Use Code Update

Zoning Code Text Amendment – Article 3 Development Standards

The Zoning Code was amended to comply with the changes made to the Comprehensive Plan through the new land use designations and the adoption of new zoning districts. Technical changes for consistency throughout the Land Use title were also made.

Attachment A – Summary of Changes
Attachment B – Redline Text Amendment

Section	Title	Summary of Changes
152.1101	Building and Site Design Standards (Residential and Mixed Use)	Removed metal as a prohibited material. Consolidated existing language into a table.
152.1102	Building and Site Design Standards (Nonresidential)	Clarified language.
152.1103	Clear View Triangle	Revised incorrect language.
152.1104	Commercial Vehicle Parking Standards	Incorporated previously approved changes.
152.1105	Driveways	Language revision.
152.1107	Fences and Retaining Walls	Language revision.
152.1108	Landscaping Standards, Residential Sites	Clarifying language added.
152.1109	Landscaping Standards, Nonresidential and Mixed Use Sites	Revised code citation.
152.1114	Outdoor Storage	Incorporated previously approved changes.
152.1120	Relocating Structures	Duplicative with previously approved language.

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ARTICLE 3. STANDARDS

ARTICLE 10SECTION 2. DEVELOPMENT STANDARDS

- (A) Purpose. Establish specific and quantifiable limitations on identified types of structures, uses, and other activities which have a high nuisance potential.
- (B) Applicability. The performance standards apply in all zoning districts unless specifically stated to the contrary.
- (C) Compliance. All structures shall be in continual compliance with all building, fire, zoning, and health codes of the city and state.

§152.1000 ACCESSORY USES AND STRUCTURES.

- (A) Purpose. These standards allow the property owner to use the property in ways that are normally associated with the principal residential use of the property and allow the city appropriate means to maintain the residential nature of neighborhoods.
- (1) No accessory structure shall be permitted without a principal structure on the same lot.
 - (2) Such uses are subordinate and incidental to the principal residential use of the property.
 - (3) No accessory use is permitted that changes the residential character, rating or appearance of the lot or any structures on the lot.
 - (4) No accessory use or structure other than a fence or a temporary construction office for a project to be built on the property may be permitted in a residential district without a principal use occupying the property.
 - (5) There may be no exterior storage or display of equipment, materials, or products except as permitted by § .
- (B) Accessory structures secondary to primary uses that require a conditional use permit, or those that require site plan review, may also be considered conditional or needing site plan review and may be subject to the applicable standards listed in division (#) below.
- (1) Standards for accessory structures (except fences and walls).
 - (a) Front setbacks. No accessory structures are permitted between a public right-of-way and the dwelling or principal use, except garages which must adhere to the same setbacks as the principal building as described in § .
 - (b) Interior side or rear setbacks. No accessory structures are permitted closer than five feet from interior side property lines.
 - (c) Side or rear setback adjacent to public right-of-way. Same as for the principal building as Article .
 - (2) Any accessory structures sheltering or housing more than two animal units on a farm, hobby farm, or the like may not be less than 50 feet from all dwellings other than that of the owner.
 - (3) Structure size. On any lot zoned UR, R-1, R-2, R-3, or R-4, the combined gross floor area of all accessory structures (including the attached or detached garage) may not exceed the following:
 - (a) For lots one acre or less: 1,000 square feet or the foundation footprint of the habitable portion of the principal building, whichever is greater.
 - (b) For lots greater than one acre: 1,500 square feet or the foundation footprint of the habitable portion of the principal building, whichever is greater.
 - (4) Accessory structure height. A maximum of 18 feet or the height of the principal building, whichever is less. The highest point of the roof of the accessory structure shall not be higher than the highest point of the roof of the principal structure. No lot of record may have more than two detached accessory structures, except public parks and open space.

§152.1100 ALTERNATIVE ENERGY SYSTEMS

- (A) Purpose. Establish standards by which the installation and operation of wind, solar, and ground source energy systems shall be governed within the city.
- (B) Applicability. Alternative energy systems standards apply in all zoning districts.
- (C) Ground source heat pump system.
- (1) System requirements. Only closed loop ground source heat pump systems utilizing heat transfer fluids as defined in § are permitted. Open loop ground source heat pump systems are not permitted.
 - (2) Setbacks.
 - (a) All components of ground source heat pump systems including pumps, borings and loops shall be set back at least 5 feet from interior side lot lines and at least 10 feet from rear lot lines.
 - (b) Above-ground equipment associated with ground source heat pumps shall not be installed in the front yard of any lot or side yard of a corner lot adjacent to a public right-of-way and shall meet all required setbacks for the application district.

- (3) Screening. Ground source heat pumps are considered mechanical equipment subject to screening requirements of ##.
 - (4) Abandonment. If the ground source heat pump remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained in accordance with the following:
 - (a) The heat pump and any external mechanical equipment shall be removed.
 - (b) Pipes or coils below the land surface shall be filled with grout to displace the heat transfer fluid. The heat transfer fluid shall be captured and disposed of in accordance with applicable regulations. The top of the pipe, coil or boring shall be uncovered and grouted.
- (D) Solar energy.
- (1) Exemption. Passive or building-integrated solar systems are exempt from the requirements of this section and shall be regulated as any other building element.
 - (2) Standards.
 - (a) Location.
 - (1) In residential zoning districts, ground-mounted solar energy systems are limited to the rear yard.
 - (2) In non-residential zoning districts, ground-mounted solar energy systems may be permitted in the side yard meeting accessory structure requirements in §.
 - (b) Height.
 - (1) Roof-mounted solar energy systems shall comply with the maximum height requirements in the applicable zoning district.
 - (2) Ground mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt.
 - (c) Screening. Solar energy systems shall be screened from view to the extent possible without impacting their function.
 - (a) Roof-or ground-mounted solar energy systems shall not be restricted for aesthetic reasons if the system is not visible from the closest edge of any public right-of-way other than an alley, or if the system meets the following standards. Roof-mounted systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.
 - (b) Roof-mounted systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than 5 feet above the finished roof and are exempt from any rooftop equipment or mechanical system screening.
 - (d) Lot coverage. Ground-mounted systems total collector area shall not exceed half the building footprint of the principal structure.
 - (1) Ground-mounted systems shall be exempt from lot coverage or impervious surface standards if the soil under the collector is maintained in vegetation and not compacted.
 - (2) Ground-mounted systems shall not count toward accessory structure limitations.
 - (e) Glare. All solar energy systems shall be positioned to minimize glare towards vehicular traffic and adjacent properties.
 - (f) Feeder lines. The electrical collection system shall be placed underground within the interior of each parcel. The collection system may be placed overhead near substations or points on interconnection to the electric grid.
 - (g) Structures shall not be located such that solar power access blocks a neighboring property.
 - (3) Abandonment.
 - (a) If a solar energy system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including transmission equipment.
- (E) Wind energy conversion systems (WECS).

- (1) Quantity.
 - (a) No more than one WECS is allowed per residential parcel.
 - (b) No more than 10 small or one large WECS is allowed per nonresidential parcel.
- (2) Design standards.
 - (a) Height. The highest point above natural grade reached by a rotor tip or any other part of a wind turbine. The permitted maximum height of a WECS shall be determined on the type of system proposed.
 - (1) Utility wind turbines. The height of a freestanding WECS located in a BP or I district shall not exceed 125 feet.
 - (2) Small wind turbines. The height of a freestanding WECS located in a business district shall not exceed 75 feet.
 - (3) Residential wind turbines. Residential wind turbines can be either building mounted a maximum height of 20 feet above the roofline of the principal structure; or mounted on a tower a maximum height of 20 feet above the roof line of the principal structure. Poles must be connected to the principal structure and cannot be freestanding. All residential wind turbines shall be of the vertical axis style.
 - (4) The structure upon which the proposed WECS is to be mounted shall have the structural integrity to carry the weight and wind loads of the WECS and have minimal vibration impacts on the structure.
 - (b) Blade length. A maximum blade length of 15 feet is permitted.
 - (c) Setbacks for building mounted. A building or roof mounted vertical axis style WECS shall be located only on the side or rear rooflines.
 - (d) Easements. Wind energy systems shall not encroach on public drainage, utility roadway or trail easements.
 - (e) Rotor clearance. Blade-arcs created by the WECS shall have a minimum of 30 feet of clearance over any structure or tree within a 300-foot radius.
 - (f) Feeder lines. The electrical collection system shall be placed underground within the interior of each parcel. The collection system may be placed overhead near substations or points of interconnection to the electric grid.
 - (g) Aesthetics. All portions of the wind energy system shall be a nonreflective, non-obtrusive color, subject to the approval of the City Manager. Only monopole towers are permitted. The appearance of the turbine, tower and any other related components shall be maintained throughout the life of the wind energy system pursuant to industry standards. Systems shall not be used for displaying any advertising, except for applicable warning and equipment information required by the manufacturer or by federal, state or local regulations. Systems shall not be illuminated.
- (3) Noise. Wind energy systems shall comply with Minnesota Pollution Control Agency standards, as outlined in Minn. Rules Chapter 7030, at all property lines.
- (4) Screening. Wind energy systems are exempt from the requirements of § .
- (5) Safety.
 - (a) Standards. Wind energy systems shall meet minimum standards such as International Electrotechnical Commission (IEC) 61400-2 or the American Wind Energy Association's (AWEA) Small Wind Turbine Performance and Safety Standard or other standards as determined by the community development director.
 - (b) Maintenance. Wind energy systems shall be maintained under an agreement or contract by the manufacturer or other qualified entity.
 - (c) The WECS shall be equipped with both a manual and an automatic braking device capable of stopping the WECS operation in high winds.
 - (d) Tower access. To prevent unauthorized climbing, WECS towers must comply with one of the following provisions:
 - (1) Tower climbing apparatus shall not be located within 12 feet off the ground.
 - (2) A located anti-climb device shall be installed on the tower.

- (3) Tower capable of being climbed shall be enclosed by a locked, protective fence at least eight feet high.
- (6) Utility connection. All grid connected systems shall have an agreement with the local utility prior to the issuance of a building permit. A visible external disconnect must be provided if required by the utility.
- (7) Abandonment. If the wind energy system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundations to below natural grade and transmission equipment.

§152.1101 BUILDING AND SITE DESIGN STANDARDS (RESIDENTIAL AND MIXED USE)

- (A) Purpose. To encourage the construction of quality structures that exhibit an attractive appearance both to residents and potential future owners.
- (B) All residential uses. The following design standards are applicable to all residential uses.
 - (1) Facades of new additions and accessory structures must be coordinated with the facades of the principal building by integrating some or all the same materials, textures, and colors.
 - (2) All exterior surfaces must be finished with the appropriate sealant, stain, paint, or other process (to manufacturer's specifications) to withstand the elements and prevent fading, chipping, chalking, cracking, peeling, warping, rot, rust, water damage, or other natural degrading process, except for those materials, like copper, where the degrading process is architecturally desirable.
 - (3) The following metals are prohibited as facade materials:
 - (a) Any metal that is not a high-quality commercial thickness/weight (for example, the minimum for architectural steel panels is .024 thickness, architectural aluminum panels is .032 thickness and architectural copper panels is 16-ounce sheets, and the equivalent in other metals).
 - (b) Any metal that has not been treated with a factory applied color coating system against any applicable degradation listed above.
 - (c) Metal of any kind as a primary facade material (excluding steel or aluminum lap siding). Metal may be used for trim or accent up to 15% of any facade.
 - ~~(d) Metal is prohibited for use as a facade material for accessory structures. This prohibition includes, but is not limited to, trailers or recreational vehicles that have been converted to buildings or storage structures under the UBC, anchored, and used for storage. This prohibition does not include steel or aluminum lap siding.~~
 - ~~(e)(d)~~ Smooth concrete block is prohibited as a primary facade material. Smooth concrete block used as part of the foundation may be permitted to be exposed at up to 15% of any facade.
 - ~~(f)(e)~~ Non-durable siding materials such as plywood, corrugated metal or fiberglass, or other materials that decay rapidly when exposed to the elements are prohibited as a facade material.
- (C) Multifamily standards: The following design standards are applicable to apartments, condominiums, and townhomes.
 - (1) Building and Design standards by unit type.
 - (a) Townhomes.
 - (1) Controlled access entry systems are required for all multiple family buildings.
 - (2) Front elevation:
 - (a) Each front elevation shall have a minimum of 30% comprised of natural material consisting of brick, stone, stucco, hardi-board, redwood, cedar, or other similar materials.
 - (b) Homes on corner lots must relate to both streets with windows, accent and building articulation.
 - (c) Prominent front entry, including but not limited to, covered entry, front porch or similar accent shall be incorporated into the overall front elevation.
 - (d) Design of front exterior elevations shall be varied within the development
 - (3) Garages:
 - (a) Garage shall not comprise more than 55% of the viewable ground floor street-facing linear building frontage. This standard is based on the measurement of the entire

garage structure and not on a measurement of the garage door or doors only. Corner lots are exempt from this requirement.

(b) Garage doors shall be architectural styled to match the exterior design of the home.

(4) Roof:

(a) Architectural design roofing materials including composition, wood shingles (including shake), architectural asphalt shingles, concrete, clay, or ceramic tile roofs are required on all roofs.

(b) Overhangs must be a minimum of 12 inches.

(5) Side and rear facades:

(a) Each side elevation that faces an interior lot shall have at least one window or door opening which cannot be garage. Where a side elevation faces a street or is visible from a public street, at least two windows or door openings, which cannot be a garage, shall be provided. Alternatives may be considered for LEED or other efficiency standards.

(b) A maximum of 18 inches of the foundation wall may be exposed on any elevation.

(b) Multifamily (stacked) residential development, including condominiums and apartments.

(1) Controlled access entry systems are required for all multiple family buildings.

(2) Design character:

(a) Building materials shall be attractive, durable, and of a quality which is both compatible with adjacent structures.

(b) All buildings shall be of good aesthetic and architectural quality, as demonstrated by the inclusion of elements such as accent materials, entrance and window treatments, contrasting colors, irregular building shapes and rooflines, or other architectural features in the overall architectural concept.

(3) Exterior building finish:

~~(a) A minimum of 60% of the combined area of all building facades shall contain one or more of the following materials: face brick (glazed or unglazed), clay faced tile, stone masonry (granite, limestone, marble, slate, sandstone, or quartzite) or other comparable materials as approved by the City Council.~~

~~(a) Accent materials may include finished texture stucco (cement or synthetic), exterior finished wood siding (painted, stained, or weather sealed), exterior finished metal siding (not including sheet metal of any kind), exterior finished vinyl siding or fiber cement siding in lap or panel design (color impregnated or painted). Panel seam lines shall be architecturally integrated into the building design so that they are not visible. Seam lines can either be filled, covered with accent material or some other method to make seam lines invisible. Accenting materials and design shall be included on all facades.~~

<u>Class 1</u>	<u>Class 2</u>
<u>1. Brick</u> <u>2. Natural or cementitious stone</u> <u>3. Glass, or other glazing materials</u> <u>4. Masonry stucco</u> <u>5. Architectural metal panels</u> <u>6. Specialty concrete block (including textured, burnished block or rock faced block)</u> <u>7. Architecturally textured and industrial grade concrete precast panels</u> <u>8. Other materials not listed elsewhere as approved by the City Manager or as recommended by the Planning Commission</u>	<u>1. Wood</u> <u>2. Tile (masonry, stone or clay), ceramic</u> <u>3. Other materials not listed elsewhere as approved by the City Manager or as recommended by the Planning Commission</u> <u>4. EFIS in conformance with the ICC ES report</u>

~~(b)~~

~~(c)(b)~~ All building and roofing materials shall meet current accepted industry standards, and tolerances, and shall be subject to review and approval by the city for quality,

durability, and aesthetic appeal. The applicant shall submit to the city product samples, color building elevations, and associated drawings which illustrate the construction techniques to be used in the installation of such materials.

~~(d)~~(c) If complementary building styles, materials, and color schemes are proposed for a development, the developer shall submit to the city a plan showing the distribution of the styles, materials, and colors throughout the development.

~~(e)~~(d) Building elevations shall be articulated to reduce the mass of the building. Large blank exterior walls shall be prohibited. Variation in elevations can be accomplished with projections, recesses, covered doorways, balconies, covered box or bay windows or other similar features, dividing large facades and walls into human scaled proportions.

(2) Common areas.

(a) On site amenities and recreational facilities shall be provided in all multifamily developments.

(b) Minimum amenities in all developments 50 units or greater shall include outdoor common landscape areas and indoor/outdoor facilities that meet the needs of the intended population including such things as a community/party room, theatre, indoor/outdoor recreation areas such as swimming pools, indoor fitness centers, tennis courts, play equipment, walking trails, community gardens, and basketball courts.

(c) All common areas not dedicated to the public including, but not limited to, open space, driveways, private drives, parking areas, play areas, recreational facilities, etc., shall be owned in one of the following manners:

(1) Condominium ownership pursuant to M.S. 515A.1-106.

(2) Townhome common areas shall be owned by the owners of each unit lot, with each owner of a unit having an equal and undivided interest in the common area.

(3) Homeowners' association (HOA): An HOA shall be established for all townhome developments intended for individual ownership, subject to review and approval of the City Attorney. The HOA shall be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing, and regular maintenance of private driveways and other areas owned in common.

(3) Energy efficiency. All buildings and sites shall be situated on the site and developed to maximize the benefits solar heating and passive cooling, and provide other amenities aimed at promoting energy efficiency and sustainability. Each new building or development shall incorporate a minimum of three elements:

(a) Buildings oriented to optimize passive solar heating and cooling opportunities.

(b) Buildings oriented to minimize wind loads on the structure.

(c) Windows placed and appropriately shaded to maximize solar penetration during the winter months and minimize solar penetration during the summer months.

(d) Use of white membrane roofing material.

(e) Installation of a green roof occupying a minimum of 30% of the total roof area.

(f) Installation of solar panels to provide at least 10% of the project's estimate electricity demand.

(g) A minimum of 50% of all exterior light fixtures used within the development shall be powered by solar panel energy.

(h) All lighting shall use LED fixtures.

(i) Daylight sensors or times shall be installed and used on all exterior lighting.

(j) Electric vehicle stalls/plug-ins.

(k) Indoor bicycle parking.

(l) On-site recycling and organic waste disposal.

(m) Community garage space available to all residents.

(n) Other such sustainable elements and amenities as proposed by the applicant to meet desired objectives.

(4) Site design.

(a) Orient and consolidate structures to complement existing, adjacent development to create a coordinated and visually attractive residential setting.

(b) Buildings with frontage on a primary street shall orient front facades parallel to the street.

(c) Buildings shall have a clearly defined primary pedestrian entrance at the street level.

- (d) Pedestrian connections to the surrounding neighborhood shall be provided as feasible.
 - (e) Building access and internal hallways shall be so designed that any one single point of building entry cannot provide full access to the floor in which the access is located or the entire building.
 - (f) All private driveways for garages in townhouse developments shall have a maximum grade of 11%.
 - (g) A minimum 20-foot setback is required between driveways, drive aisles, or parking areas and any building.
- (5) Unit Mix. Apartment and condominium buildings, not including age restricted, shall include a mix of unit types with no more than 40 percent of the units constructed as one-bedroom units and no more than 60 percent of any other bedroom type.
- (D) Mixed use development standards.
- (1) Purpose. This section regulates the development and modification of buildings and other elements of the built environment so that:
 - (a) Building form individually and collectively defines and supports the public realm.
 - (b) Building placement supports walkability, safe streets, and safe public spaces, and creates pedestrian-friendly neighborhoods.
 - (c) Building articulation. Buildings shall have horizontal and vertical articulation, which may include dormers cornice detailing, recesses and projections, step backs of upper stories, changes in roof types and planes, building materials, and window patterns. The base of the building should relate to the human scale by including doors and windows, texture, projections, awnings, canopies, or similar features.
 - (2) Building entries.
 - (a) All main building entrances shall face a public street.
 - (b) Canopies and awnings may encroach into the public right-of-way over a sidewalk.
 - (3) Ground-floor residential.
 - (4) Permanent ground-floor residential uses fronting a public street or walkway, where present, shall be separated from the street by landscaping, steps, porches, grade changes, and low ornamental fences or walls in order to create a private yard area between the sidewalk and the front door.
 - (5) In mixed-use buildings with a ground floor ultimately intended for non-residential uses, those standards required per subsection 1, above, are not required, however, the first floor shall be built to accommodate future nonresidential uses with a height of not less than 14 feet.
 - (6) Height transition to residential districts. Where abutting a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed 3 stories. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.
 - (7) Surface parking.
 - (a) Parking lots shall be located in the side or rear of the principal structure.
 - (b) Non-vehicular access.
 - (c) A separate pedestrian access shall connect the principal building to the public street or a public trail, on all sides of the lot which front on a public right-of-way or public trail.
 - (d) Sidewalks shall be provided along all sides of the lot that abut a public or private street.
 - (e) Pedestrian/bicycle accesses shall be separated from parking areas by curbed, landscaped islands which have a minimum width of 20 feet inclusive of sidewalk.
 - (8) If an existing transit stop is located on any adjacent public street, pedestrian/bicycle access shall be located convenient to that transit stop.

§152.1102 BUILDING AND SITE DESIGN STANDARDS (NONRESIDENTIAL)

- (A) Purpose. The purpose of establishing criteria for architectural design and exterior facing materials is to ensure a high standard of development that is compatible with neighboring development and contributes to a community image of permanence, stability, and visual aesthetics, while preventing impermanent construction and use of materials that are unsightly, rapidly deteriorate, contribute to depreciation of neighborhood property values, or cause urban blight. The standards are further intended to ensure coordinated design of building facades, additions, and accessory structures in to prevent visual disharmony.
- (B) Applicability. The standards apply in all business districts (B-1, B-2, B-3, B-4, BP, I, PI, CD).

(C) General Requirements.

- (1) Building construction and design may be used to create a structure with equally attractive sides, except for those instances specified in this section.
- (2) Primary building entrances must be clearly defined to promote visual interest and architectural presence.
- (3) Large, uninterrupted expanses of a single material are not permitted, unless ~~the design is obviously superior to the intent of this chapter as determined~~ approved by the City Manager.
- (4) No wall that faces a public right-of-way, park, the public view from adjacent properties, or a residential use or district shall have an uninterrupted length exceeding 100 feet without including at least two of the following: change in plane, change in texture or masonry pattern, two class one materials, windows in a manner that is impactful to the design, or an equivalent element that subdivides the wall into human scale proportions.
- (5) Any other building, such as the case with multiple buildings on a single parcel, accessory buildings, or parking structures, should be of compatible design and materials with emphasis on the position(s) of the building(s) to give visual interest.
- (6) Additions for principal buildings constructed before the effective date of the chapter may be of similar materials and design as the principal structure.

(D) Class of materials. Acceptable exterior materials are divided into Class 1 and Class 2 categories as shown in Figure ##.

Figure ##. Classes of Materials.

Class 1	Class 2
<ol style="list-style-type: none"> 1. Brick 2. Natural or cementitious stone 3. Glass, or other glazing materials 4. Masonry stucco 5. Architectural metal panels 6. Specialty concrete block (including textured, burnished block or rock faced block) 7. Architecturally textured and industrial grade concrete precast panels 8. Other materials not listed elsewhere as approved by the City Manager or as recommended by the Planning Commission 	<ol style="list-style-type: none"> 1. Wood 2. Tile (masonry, stone or clay), ceramic 3. Other materials not listed elsewhere as approved by the City Manager or as recommended by the Planning Commission 4. EFIS in conformance with the ICC ES report

- (1) Required combination of materials. Buildings must incorporate classes of materials for each facade in the following manner:
 - (a) Office, service, and retail buildings.
 - (1) Front facades and side and rear facades visible from public right(s)-of-way, the public view from adjacent properties, parks, or residential uses or districts must be composed of at least two or more Class 1 materials totaling 65% of the facade.
 - (2) Side and rear facades not visible from public right-of-way, parks, public view from adjacent properties or residential uses or districts must use a combination of Class 1 or 2 materials.
 - (3) Facades visible from public right-of-way must include windows, doors, canopies or other treatments that help mitigate the appearance of blank walls.
 - (b) Industrial and warehouse buildings, multi-tenant office/industrial/warehouse or showroom/warehouse or other combinations.
 - (1) Front facades must be composed of at least two or more Class 1 materials totaling 65%.
 - (2) Side and rear facades visible from public right(s)-of-way, parks, public view from adjacent properties, or residential uses or districts must be composed of at least two or more Class 1 materials totaling 50 percent.

- (3) Side and rear facades not visible from public right(s)-of-way, parks, public view from adjacent properties or residential uses or districts must use a combination of Class 1 or 2 materials.
- (c) Buildings for uses that do not conform to any of the above list of uses must conform to the materials and proportion of office and retail buildings listed in subdivision (1)(a), above.
- (E) Exterior surface finishes. All exterior surfaces must be finished with the appropriate sealant, stain, paint, or other process (to manufacturer's specifications) to withstand the elements and prevent fading, chipping, chalking, cracking, peeling, warping, rot, rust, water damage, or other natural degrading process, with the exception of those materials, like copper, where the degrading process is architecturally desirable and must not be allowed to become or remain in an unsafe condition as defined by the Uniform Building and Fire Codes.

§152.1103 CLEAR VIEW TRIANGLE

Purpose. ~~To encourage the construction of quality structures that exhibit an attractive appearance both to residents and potential future owners.~~

A 50-foot clear view triangle shall be maintained between the rights-of-way of intersecting streets.

- (E) No building, structure, fence, or planting may be erected within the clear view triangle except for fences 42 inches or less, trees trimmed to a distance of at least 7 feet above the curb line, or shrubs 3 feet in height or less and do not obstruct visibility across the above-described triangle.
- (F) No fence may be erected inside a 30-foot clear view triangle between a public right-of-way and an access driveway.

§152.1104 COMMERCIAL VEHICLE PARKING STANDARDS

For all commercial and industrial uses, outdoor parking of vehicles registered over 12,000 pounds must be in a designated city-approved staging area in compliance with § . ~~ERIN ADD!~~

§152.1105 DRIVEWAYS

- (A) Except for properties where gravel driveways existed prior to the enactment of this ordinance, all driveways shall be paved with a continuous impervious surface or an approved pervious surface, with the exception of farms and interim or temporary uses in the UR Urban Reserve District.
- (B) If a driveway that was installed before the enactment of this ordinance is expanded or enlarged by 20% or more in surface area, the entire driveway must be paved with a continuous impervious surface or an approved pervious surface.
- (C) All driveways, regardless of when installed, must be maintained in compliance with Chapter 106 of this code.
- (D) No vehicle can be parked so that it blocks a public sidewalk, trail, emergency access way, or a public or private fire hydrant.
- (E) All residential driveways must be no wider than 30 feet at the property line.
- (F) No residential property may have driveway access to more than one street.
- (G) Residential horseshoe driveways ~~with~~ must have two access points totaling 30 feet at the property line.

§152.1107 FENCES AND RETAINING WALLS

- (A) Residential fences and retaining walls.
 - (1) Fences or walls which detain or inhibit the flow of surface water drainage to and from abutting properties are prohibited.
 - (2) Setbacks.
 - (a) Front. Fences and walls more than 42 inches in height must be setback 15 feet from the property line. Multiple family dwelling developments or townhouse developments may have wrought iron (or similarly designed) decorative fences constructed up to the front property line ~~with the approval of the City Manager.~~
 - (b) Interior side or rear. No setback.

- (c) Side or rear abutting public right-of-way.
 - (1) Fences and walls must be set back 15 feet from the property line ~~and restricted for traffic visibility~~ unless they qualify for one of the following exemptions. Fences may be allowed up to the property line if:
 - (a) Properties are located on corners with controlled intersections, (i.e., stop signs or stop lights).
 - (b) Fence or wall does not encroach into the clear view triangle as defined and regulated in § .
 - (3) Access required.
 - (a) Detached single and attached two-family dwellings. Where any fence connects to a building at least one gate with a minimum width of 2 feet, 6 inches is required to allow access around the building.
 - (b) All other uses. Plans for fences and gates controlling access to the property must be approved by the Police and Fire Departments before construction begins.
 - (4) Fence height. No fence may exceed 8 feet, 6 inches as measured from the top of the fence or supports to grade. ~~Exceptions to this height may be made for fences enclosing tennis courts and other similar recreational uses or as may be required elsewhere in the City Code.~~
 - (5) Prohibited fence materials. Electric, concertina or barbed wire, or chicken wire fences are prohibited.
 - (6) Restricted fence materials.
 - (a) Silt and other construction fences must be removed from the property at project completion.
 - (b) Snow fences may not be installed before November 1st and must be removed from all properties by April 1st. If snow is present within one foot of the fence location, the presence of the snow fence may be maintained at the discretion of the City Manager.
 - (c) Chain link fences must have a top rail and posts must be spaced at intervals not to exceed 10 feet.
 - (d) Chain link fences in the front yard must have a black, brown, or green vinyl coating. Bare galvanized chain link fences are not allowed in front yards. Privacy slats are not allowed in chain link fences in the front yard.
 - (e) Finished sides of fences and walls. If the visible facade material is not finished on both sides, the finished side of the material must be on the outside, facing the abutting or adjoining properties, and all posts or structures supporting the fence or wall must be on the inside.
- (B) Nonresidential and Mixed Use Fences and Retaining Walls.
 - (1) Fences or walls that detain or inhibit the natural flow of surface water drainage to and from abutting properties are prohibited.
 - (2) All fences must be constructed of durable, weather resistant materials and properly constructed and anchored in compliance with the Uniform Building Code.
 - (3) Setbacks.
 - (a) Public right-of-way. Fences and walls more than 30 inches in height may not be constructed between the public right-of-way and the facade of the principal building.
 - (b) Interior side or rear. No setback.
 - (4) Access required.
 - (a) Where any fence connects to a building at least one gate with a minimum width of 2 feet, 6 inches is required to allow access around the building.
 - (b) Fences and gates controlling access to the property must be approved by the City Manager before a building permit may be issued or approval is given through another process.
 - (5) Height. No fence may exceed 8 feet, 6 inches as measured from the top of the fence or supports to grade. Exceptions to this height may be made for fences enclosing tennis courts and other similar recreational uses with the approval of the City Manager.
 - (6) Prohibited fence materials include electric, chicken, concertina, or barbed wire fences.
 - (7) Restricted fence materials.
 - (a) Silt and other construction fences must be removed from the property at project completion.

- (b) Snow fences must be removed from all properties by April 1st. If snow is still present within one foot of the fence location, removal may be extended at the discretion of the City Manager.
- (c) Chain link fences must have a top rail, barbed ends must be placed at the bottom of the fence, and posts must be spaced at intervals not to exceed ten feet.
- (d) Chain link fences must have a black, brown, or green vinyl coating.
- (8) Finished sides. If the material used in fence construction is not finished on both sides, the finished side of the material must be on the outside, facing the abutting or adjoining properties and all posts or structures supporting the fence or wall must be on the inside.

§152.1108 LANDSCAPING STANDARDS, RESIDENTIAL SITES

- (A) Purpose. The purpose of establishing minimum landscape standards is to enhance the city's environmental and visual character for its citizens' use; and enjoyment; preserve and stabilize the ecological balance in the city; establish a healthy environment by using vegetation to mitigate pollution's ill-effects; improve property values; protect public and private investments; and promote high quality development in the city.
- (B) Landscape plan required. Prior to the issuance of a building permit for new construction or expansion of a multifamily structure, a landscape plan must be submitted for review and approval to the City Manager in compliance with the site plan review process in §. Landscape plans must be prepared by a landscape architect and be overlaid on the grading plan.
- (C) Installation of landscape materials. All landscaping elements must be installed with professional horticultural standards as established with the most current edition of the Landscape Construction Reference Manual as published by the Minnesota Nursery and Landscape Association within 90 days of the issuance of the Certificate of Occupancy, or by June 15 for homes for which a Certificate of Occupancy is issued between September 1 and March 1.
- (D) Minimum open space requirements [for residential sites](#).

Figure ##. Minimum required open space

	Single and Two-Family Dwellings	Townhouse Developments	Multiple Family Dwellings
Minimum Open Space	25% total, to include a minimum of 50% of front yard	40%	40%
Parking areas	N/A	10% of interior parking lot area. This area counts towards total green area of the site.	

- (E) Minimum tree and shrub quantities. All developments and subdivisions that occur in the residential districts after the effective date of this chapter shall provide the minimum number of trees and shrubs as specified in the following table:

Figure ##. Minimum required tree and shrub requirements at installation.

Vegetation Type	Size	Single and Two-Family Dwellings	Townhouse Developments	Multiple Family Dwellings
Overstory deciduous trees	2" bb (Caliper)	2 in the front yard, 1 of which must be within 1 foot of the front property line, 3 additional on property	5 per unit or 1/40 lineal feet of site perimeter, whichever is greater	2/dwelling or 1/1,000 gross square feet of building area (grade level floor) or 1/40 lineal feet of site perimeter, whichever is greater

Coniferous trees	6' bb	May be substituted for any of the overstory deciduous trees except the front yard tree at the property line	May be substituted on a 1 for 1 basis for the overstory deciduous trees	Minimum of 30% of required overstory trees must be coniferous
Ornamental deciduous trees	1.5" bb (Caliper)	2 may be substituted for 1 overstory tree	1 per unit required. 2 additional may be substituted for 1 overstory (maximum substitution = 50% of required overstory trees)	2 may be substituted for 1 overstory (maximum substitution = 50% of required overstory trees)
Understory shrubs	3 gal. potted or 18"	10 per unit	5 per unit	1/300 gross square feet of building footprint area or 1/30 lineal feet of site perimeter, whichever is greater

(F) Additional [residential](#) landscape requirements. All portions of a site that are not covered by a building, hard surface coverage or water on a permanent basis must be planted with ground cover and landscaping materials.

- (1) All site areas must be covered with sod from curb(s) to all interior property lines. Seeding may not be permitted. Rock and mulch may be substituted for sod in landscaping planting beds and along the perimeter of buildings. Native plant communities may be reestablished as a part of a site plan review in compliance with all other sections of the City Code. Exceptions:
 - (a) Areas for gardens, decorative landscape plantings, and/or native plant communities.
 - (b) Developments in the Urban Reserve District (UR).
 - (c) Berms, swales, drainage ponds, and the like with slopes greater than 4 to 1.
- (2) Prior to sodding, all single-family and two-family lots subdivided after the effective date of this chapter must have a minimum of three inches of black dirt as topsoil.
- (3) Intersection visibility. All landscape materials must comply with the intersection visibility requirements of § [10.10.010](#).
- (4) Overstory trees may not be installed underneath overhead utility lines, nor may any landscape materials be installed over utility lines except in compliance with city policy.
- (5) All sodded or landscaped areas for multiple family dwellings, townhouses, or non-residential uses must have and maintain irrigations systems, including landscaped parking islands and boulevards.

(G) Quantity credits. Existing healthy trees that are not susceptible to disease, alternate sized trees, or decorative landscaping may be credited toward the required trees detailed above and the additional trees required for screening as defined in § [10.10.010](#). The following table establishes the landscaping credits.

Figure [10.10.010](#). Credits.

Vegetation Type	Size	Exchange Credit
Existing trees	2" (Caliper)	1 tree
	4" (Caliper)	2 trees
New larger trees	4" (Caliper) or 14' Coniferous	2 trees

Smaller trees	Min. 1½" Deciduous	2 smaller trees for 1 overstory tree. Maximum substitution = 50% of required overstory trees
Shrubs (non-residential uses only)		10 shrubs for 1 tree (1½" db ornamental or 2" db overstory or 6' coniferous)
Decorative Landscape Yard		Exterior sculptures, fountains, decorative walks, courtyards and/or additional ponds beyond those required, shown on a landscape plan that meets the intent of this section to the satisfaction of the City Manager

§152.1109 LANDSCAPING STANDARDS, NONRESIDENTIAL AND MIXED USE SITES

- (A) Purpose. Enhance the city’s environmental and visual character; preserve and stabilize the ecological balance in the city; establish a healthy environment by using vegetation to mitigate pollution’s ill-effects; improve property values; and protect public and private investments.
- (B) Landscape plan required. A landscape plan is required prior to the issuance of a building permit for new construction or expansion of a nonresidential or mixed use structure in any district. Landscape plans must be prepared by a landscape architect.
- (C) Installation of landscape materials.
 - (1) All landscaped areas must be in conformance with the approved landscaping plan.
 - (2) Planted landscaped materials must be replaced if it becomes diseased, dies, or removed.
 - (3) All landscaped areas and adjacent rights-of-way must be maintained in conformance with Chapter 97: Grass, Weed, and Tree Regulations.
 - (4) All landscaping elements and plant materials must be installed with current professional horticultural standards.
 - (5) All landscape materials must comply with the intersection visibility requirements of § .
 - (6) Overstory and coniferous trees may not be installed underneath overhead utility lines, nor may any landscape materials be installed over utility lines except in compliance with the City Code and policy.
- (D) Landscape Areas. The landscape requirements have been divided into four categories: Canopy Cover (C), Foundation Landscape (FL), Open Areas Landscape (OL), Landscape Screen (LS) and Street Trees (ST).
 - (1) Canopy cover (CC). The purpose of this requirement is to mitigate the effects of vehicular hardscape by establishing tree canopy cover to intercept rainfall, protect pavement from sun deterioration, reduce the heat island affect, and improve aesthetics. Vehicular hardscape area shall include all loading drives, parking lots, driveways, drop-offs, and other areas covered with a hard surface intended for vehicles.
 - (a) A minimum of one large tree or two medium trees shall be provided per 360 square feet of required parking lot area green space. These trees shall be located within parking areas and not within any required perimeter landscaping area. Pervious pavements are considered 50% hardscape.
 - (b) Required canopy trees shall be located within the parking lot area islands (minimum width of six feet and total area of 180 square feet if designed as end island or 9 feet in width if designed as continuous island between bays.
 - (2) Foundation landscape (FL). The purpose of this requirement is to soften and enhance building architecture, define access points, add color and seasonal interest, and to blend buildings in with the natural environment.
 - (a) At least 40 percent of the total building perimeter shall be sodded or landscaped with approved ground cover, low level plantings in an area of no less than 6 feet in width.

- (3) Open areas landscape (OL). The purpose of this requirement is to provide general site beautification and high aesthetic quality with a mix of plant materials in open areas. Open areas include all areas not occupied by building or hardscape.
- (a) Each development must have at least the minimum percentage open space shown in the following table.

Figure ##. Minimum required open space

	B-1	B-2	B-3, B-4, MU	BP	I
Total development site	30%	30%	20%	30%	20%

- (b) Open space areas must not be covered by a building or other impervious surface, and must be planted with trees, shrubs, flowers, native plant species or similar and covered with sod, landscape rock or mulch. All site areas and areas that have been disturbed during construction must be covered with sod to property lines and/or adjacent rights-of-way. Rock and mulch may be substituted for sod in landscaping planting beds. Areas used for demonstrated parking cannot be used to fulfill the open space requirement. Interior parking lot landscaping provided on site to meet requirements in § counts towards this open space requirement.
- (c) Plant diversity. No more than 25% of any trees planted shall come from the same family and 15% of the same species. In addition, the landscape plan design shall, at a minimum, provide at least 3 of the following required numbers of trees and shrubs in addition to any trees and shrubs required for screening in §:
- (1) One overstory tree per 3,000 square feet of open area.
 - (2) One ornamental tree per 1,500 square feet of open space.
 - (3) One evergreen tree per 3,000 square feet of open area, except on sites where security, pedestrian or traffic safety are a concern evergreens may be excluded or installed in a reduced number.
 - (4) One deciduous or evergreen shrub per 100 square feet of open area.
- (d) Street trees (ST).
- (1) Street trees are required at the rate of one tree per 70 linear feet of road frontage, within the property line, where the property fronts any public road. Acceptable and unacceptable species are listed in Figure of this Code.
 - (2) Evergreens shall not be planted as a street tree.
 - (3) Street trees shall have a minimum trunk diameter of 2 inches measured 6 inches above grade.
 - (4) The boulevard (planting area) must be at least 8 feet in width.
 - (5) The street tree planting site must be located as follows:
 - (a) Fifty feet or greater from street curb intersections as per § 152.323.
 - (b) At least 15 feet from curb on Class-I collector and any arterial streets.
 - (c) At least ten feet from curb on local or Class-II collector streets.
 - (d) At least ten feet from any sewer line, water line, or driveway.
 - (e) At least five feet from a fire hydrant per § 93.26 and the International Fire Code.
 - (f) At least five feet from any gas, electric, telephone, cable TV or other underground utility.
 - (g) At least three feet from any sidewalk or trail.
 - (h) At least 20 feet from overhead utility cables or using an approved ornamental dwarf tree noted in Figure.
 - (6) Street trees shall be balled and burlapped and a minimum size of 2" caliper unless noted in 152. (E).
 - (7) Street tree species and placement will be reviewed and approved by the Operations and Maintenance Department as not to interfere with existing or proposed utility systems.

Figure .

Acceptable Shade Trees	Acceptable Ornamental Dwarf Trees
Bi-Color Oak (swamp white oak) Columnar Norway Maple Freeman Maple Ginko (no seed producing) Hackberry Imperial Honey Locust Little Leaf Linden New Horizon Elm Northwood Maple Sugar Maple River Birch Triumph Elm (street)	Amur Maple (single stem) Heritage River Birch Ironwood Japanese Lilac Tree Korean Mountain Ash Newport Plum Pink Spire Crabapple Red Splendor Crabapple
Additional species may be allowed with City Manager approval	
Prohibited Tree and Shrub Species	
American Elm Amur Maple Box Elder Common Buckthorn Cottonwood North American Ash Lomardy Poplar Russian Honeysuckle Siberian Elm	
Above listed trees/plants are prohibited due their high maintenance costs, surface roots, intolerance to storms, undesirable fruiting habits, or a susceptibility to disease or pests	

(E) Minimum Size Requirements. The minimum plant size requirements are described in the following table:

Figure .

Plant Type	Minimum Size*
Large trees	Bare root - 1.75" Balled and burlapped or container - 2" caliper
Medium and small trees	Bare root - 1.5" Balled and burlapped or container - 1.5" caliper
Evergreen trees	6' height
Large shrubs	5 gallon container
Medium shrubs, small shrubs and groundcovers	3 gallon container
Ornamental grasses and perennials	4" pot
* City may limit bare root plantings in areas of high visibility. In selected situations the City may allow ten whip bare root plantings, or five 3/4" caliper bare root plantings to be substituted for 1 large tree. Bare root plantings must be protected with rodent guards.	

(F) Credits. Existing healthy trees that are not susceptible to disease, new larger or smaller sized trees, or decorative landscaping may be credited toward the required trees detailed in this section, and the additional trees required for screening as defined in § 152.1110. The following table establishes the landscaping credits.

Figure 152.1110.

Vegetation Type	Size	Exchange Credit
Existing Trees	2" db (Caliper) Deciduous or between 6' and 14' Coniferous	1 tree
	4" db (Caliper) Deciduous or 14' Coniferous or larger	2 trees
New larger trees	4" db (Caliper) or 14' Coniferous	2 trees
	Two 3" db (Caliper)	three 2" trees
Ornamental Deciduous Trees or smaller overstory deciduous	min. 1.5" (Caliper)	2 trees may be substituted for 1 overstory deciduous tree (maximum substitution = 50% of required overstory trees)
Shrubs	10 large shrubs	1 tree
Decorative Landscape Yard		Exterior sculptures, fountains, decorative walks, courtyards and/or additional ponds beyond those required, shown on a landscape plan that meets the intent of this section to the satisfaction of the City Manager and/or City Council

(G) Irrigation system required.

- (1) All landscaped areas, including parking area islands must be equipped with an underground, automatic irrigation system or an alternative if approved by the City Engineer. The irrigation system must include a flow meter, moisture sensing devices and must be calibrated to meet all applicable City Codes. Irrigation of adjacent rights-of-way is required; however, irrigation equipment must not be located within the right-of-way without approval from the City Manager.
- (2) In lieu of an underground automatic irrigation system, an alternative irrigation plan may be approved. An alternative plan can include, but is not limited to, rain gardens, closed rain barrels, or greywater systems. Any alternative system must ensure that landscaping will be provided with adequate irrigation.
 - (a) The greywater shall be contained on the site where it is generated.
 - (b) Greywater shall be directed to and contained within an irrigation or disposal field.
 - (c) Ponding or runoff is prohibited and shall be considered a nuisance.
 - (d) Greywater may be released above the ground surface provided at least two inches of mulch, rock, or soil, or a solid shield covers the release point. Other methods which provide equivalent separation are also acceptable.
 - (e) Greywater systems shall be designed to minimize contact with humans and domestic pets.
 - (f) Greywater shall not contain hazardous chemicals derived from activities such as cleaning car parts, washing greasy or oily rags, or disposing of waste solutions from home photo labs or similar hobbyist or home occupational activities.
- (3) Arid landscaping plans are exempt from irrigation requirements.

§152.1110 LIGHTING STANDARDS

(A) Purpose. The purpose of this subchapter is to provide regulations to balance lighting needs for visibility and personal and property safety with the negative impacts of off-site light spill-over.

(B) Applicability. The following standards shall apply to all new development. Seasonal lighting is not regulated by this section.

(C) Standards.

- (1) Wall or roof lighting may be used to illuminate pedestrian walkways, entrance areas, loading docks, and yard areas within 20 feet of the building.
- (2) No wall or roof lighting may be used to primarily illuminate areas for motor vehicle parking or access beyond 20 feet from the building.
- (3) Any open area used for motor vehicle parking, storage or access must be primarily illuminated with free-standing luminaires.
- (4) Free-standing luminaire regulations:
 - (a) Height maximums, as measured from the average elevation of the finished grade within 10 feet of the structure or fixture to the highest point of the luminaire (including the support structure), may be as follows:
 - (1) Within 250 feet of any property zoned residential: 15 feet including any base or support structures.
 - (b) Farther than 250 feet from any property zoned residential or if the height of the building effectively blocks the light from a residential zone: 25 feet.
- (5) Cut-off angles must be equal to or less than 90°.
- (6) Low-pressure sodium fixtures may only be used for: single-family, duplex, and townhouse developments.
- (7) Lighting intensity must adhere to the standards in Figure ##.

Figure ##. Required Minimum and Maximum Light Intensities

Use	Minimum Intensity*	Maximum Intensity*	Maximum Intensity at side or interior Property Line*
Parking areas for non-residential uses	1	15	0.5
Private sidewalks and other pedestrian walkways	2	20	0.5
Building entrances and exits	5	20	0.5
Exterior storage areas	NA	15	0.5
*Measured in foot candles at ground level			

(D) Glare. All lighting must be arranged so as not to produce glare. All properties must be in compliance with the following:

- (1) All light sources must be controlled and equipped with lenses, louvers, shields, or prismatic control devices designed to prevent off-site views of the light source.
- (2) No flickering or flashing lights except those associated with public safety activities may be permitted.
- (3) Light sources that are integrated into a canopy must be designed to be recessed and flush with the ceiling of the canopy and equipped with a flat lens surface.

§152.1111 LOADING DOCKS AND STAGING AREAS

(A) Applicability. All business and industrial uses must have an area designated for loading, unloading, or staging of delivery vehicles in compliance with the following.

(B) Loading docks must be provided in the Business Park and Industrial Districts, at a minimum, in compliance with the following:

Building Size (in square feet)	Required Loading Docks
--------------------------------	------------------------

< or = to 10,000	1
>10,000 and < or = to 20,000	2
>20,000 and < or = to 50,000	3
>50,000	4

- (C) All staging areas and loading docks must be off-street and must be located on the same lot as the building or use to be served. A loading dock or staging area must not be located between the principal building and a public right-of-way or residential property. All loading docks and staging areas visible from public rights-of-way or residential areas must be screened in compliance with § .
- (D) All loading docks and staging areas must be located with the appropriate means of vehicular access to a street or public alley in a manner which will least interfere with traffic.
- (E) Additional standards for loading docks:
 - (1) Outdoor storage of goods and materials is prohibited in loading dock area.
 - (2) May not be included as part of the space requirements necessary to meet the off-street parking area.
- (F) Additional standards for staging areas:
 - (1) Temporary parking of commercial vehicles is allowed for 96 hours or less.
 - (2) Any commercial vehicles in the staging area must be related and necessary to the principal permitted use of the property.
 - (3) Outdoor storage of goods or materials is prohibited in the staging area.
 - (4) Temporary parking spaces cannot be blocking drive aisles or public right-of-way and must be properly marked and surfaced for orderly site design.
 - (5) Must be maintained, organized and free of trash or debris.
 - (6) Must be in a city-approved designated area of the property.
 - (7) May not be included as a part of the space requirements necessary to meet the off-street parking area.

§152.1112 LOWEST FLOOR ELEVATION

- (A) The lowest floor elevation for any residential basement construction must be at or above the regulatory flood protection elevation.
- (B) All nonresidential basements must follow the requirements of ###.

§152.1113 NOISE POLLUTION CONTROL

The following state agency regulations are adopted by reference: Minnesota Pollution Control Agency, Noise Pollution Control Section, 6 MCAR 4.2004 and NPC 1.

§152.1114 OUTDOOR STORAGE

[Locate amended text and move other references to OS here.](#)

§152.1116 PARKING

- (A) Purpose. Establish off-street parking standards to allow for the orderly and adequate storage of vehicles on property, to alleviate and prevent congestion on public rights-of-way, and control the appearance and maintenance of parking areas and surfaces.
- (B) Applicability. All property in the city must comply with the minimum parking requirements of this subchapter unless an exception is granted per ###.
- (C) Required parking. Figures # and # establish the minimum number of off-street parking spaces required based on land use. For uses not specifically listed, off-street parking requirements may be established by the City Manager based upon the characteristics of the use and the district in which the use is located.
- (D) Exceptions to required parking. Parking requirements may be reduced when approved by the City Manager in the following cases.
 - (1) Industry standards. Based on verifiable information pertaining to industry parking standards.

- (2) Proof of future parking. If it is clearly demonstrated by the owner that the required parking is more than anticipated demand, all required parking need not be constructed initially. A minimum number of spaces, as negotiated between the developer and the City Manager, shall initially be constructed. The remainder of the required spaces, as shown on the site plan, may be constructed by the owner if the City Manager determines they are needed. The area of future parking must be sodded with grass and kept free of shrubs or trees. To ensure the construction of the future spaces, a financial guarantee may be required by the city. Any changes to use and/or building size could invalidate the approval.
- (3) Shared parking.
 - (a) Parking areas may be shared by uses on adjoining lots within 500 feet of the entrances to the uses it will serve provided that the standards in ### are met.
 - (b) Cross access easements shall be required to accommodate shared parking arrangements and access drives, and evidence of the maintenance of all shared facilities may be provided to the city for review and may be recorded.
- (4) Public parking and transit. All uses, other than residential, located in proximity to rapid transit and/or municipal parking facilities shall be entitled to a reduced parking requirement based on the following criteria.
 - (a) Uses within 650 feet of municipal parking garages or lots shall be entitled to a 10% reduction in required parking.
 - (b) Uses within 1,000 feet of a bus stop or transit station shall be entitled to a 20% reduction in required parking.
- (5) Parking study. A parking study prepared by a registered professional engineer indicates a reduced number of parking stalls can adequately serve the proposed use. Said study shall include, at a minimum, the following:
 - (a) Size and type of uses or activities on site.
 - (b) Composition of tenancy on site.
 - (c) Rate of parking turnover.
 - (d) Peak traffic and parking loads to be encountered.
 - (e) Local parking habits.
 - (f) Availability of public transportation.
- (6) Credit for on-street parking. This subsection is intended to reduce the amount of unnecessary parking spaces and to encourage pedestrian activity as an alternative means of transportation. Requests for on street parking shall meet the following requirements:
 - (a) All on street parking facilities shall be designed in conformance with the standards established by the city.
 - (b) Prior to approving any requests for on street parking, the development review team shall determine that the proposed on-street parking will not materially adversely impact traffic movements and related public street functions.
 - (c) Credit for on street parking shall be limited to the number of spaces provided along the street frontage adjacent to the use.
 - (d) A public sidewalk must be present or installed along the street used for on-street parking for the entire length of the property or the area anticipated for parking, whichever is greater, with a walkway connection to the entrance of the building.

Figure ###. Minimum parking spaces required for residential uses.

Use	Surfaces Spaces Required	Garage Spaces Required	Bicycle Parking
Single family (detached)	2 (see garage requirements)	2 spaces per unit; 400 square foot garage	None
Two family (attached)	2 (see garage requirements)	2 spaces per unit; 400 square foot garage	None

Townhouse (attached or detached)	2 spaces per unit, plus 1 space for each unit for guest parking	2 spaces per unit; 400 square foot garage	None
Multifamily	2 spaces per unit, plus 0.5 spaces for each unit for guest parking	A minimum of ½ of the number of required parking spaces must be enclosed within garages or an underground parking facility	1 space per unit for the first 20 units, then 1.05 per unit over 20
Mobile home	2 spaces per unit	N/A	None
Mobile home park	2 space per unit, plus 3 per each 6 units as guest parking	N/A	1 space per unit for the first 20 units, then 1.05 per unit over 20
Senior housing (independent living)	1 space per unit, plus 0.5 space for each unit for guest parking, plus 0.5 spaces for parking in reserve in the event the development is converted to regular occupancy	N/A	0.50 spaces per dwelling
Bed and breakfast establishments and boarding and rooming houses	2 spaces for the principal residential dwelling unit plus 1 space for each rental room	N/A	2 spaces
Assisted living housing	0.5 spaces for each unit	N/A	0.25 spaces for each employee
Nursing home	1 space per 6 patient beds, plus 1 space per employee on the largest work shift	N/A	None
Daycare facilities	No additional spaces required if located in a single dwelling or one unit in a multiple dwelling structure	N/A	2 spaces
Model houses/temporary real estate offices in residential units	4 temporary spaces per dwelling or office in compliance with § 24-107.	N/A	None
Offices related to leasing, renting and maintenance of multiple	1 space for each employee on the largest shift, plus two	N/A	2 spaces

family or attached dwellings	visitor spaces or one space for each 100 square feet, whichever is greater.		
Residential facilities (Licensed for over 6 persons)	1 space for each staff person on the largest shift and 0.5 space for each resident of the licensed capacity	N/A	2 spaces

Figure ##. Minimum parking spaces required for nonresidential use.

Use	Surface Spaces Required	Bicycle Parking Required
Agricultural uses	N/A	N/A
Airports and aeronautical uses		N/A
Animal services		
Assembly, banquet, convention halls or conference centers	1 space for each 2.5 seats based on the design capacity in the main assembly area, plus parking figured separately for additional gymnasiums, banquet rooms, meeting rooms, offices, and other multiuse spaces	0.05 spaces per each person
Automobile rental containing more than 6 cars on site	1 space for each 2,000 SF of land up to the first 8,000 SF, plus 1 space for each 4,000 SF up to a parcel of 24,000 SF, plus 1 space for each 6,000 square feet over 24,000.	N/A
Bank	See "offices" for parking requirements.	0.05 spaces per each employee
Boat and other recreational equipment and vehicle sales	4 spaces plus 1 additional space for each 500 square feet of gross floor area over the first 1,000 square feet	N/A
Body art	1 per chair	N/A
Bowling alley	5 spaces per lane, plus additional parking calculated separately for restaurants and other related uses	0.05 spaces per lane
Bus or truck storage or service shops, including fuel stations	N/A	N/A
Business, trade, or non-academic colleges	Minimum of 3.5 spaces, with a maximum of 4 spaces per 1,000 square feet of gross floor area	2 spaces or 0.05 spaces per each employee, whichever is greater
Care center, convalescent home, and assisted living		N/A
Carwash	N/A	N/A
Clinics – (medical, dental, chiropractic, etc.)	1 space for each staff doctor or dentist or 1 space for each 150	0.05 spaces per each employee

	square feet of gross floor area, whichever is greater	
Clubs	1 space per each person at maximum capacity, plus 1 space for each employee	0.05 spaces per each person
Commercial indoor recreational facility 2,450 SF or under	1 for every 2 users at maximum capacity, plus 1 space for each employee	0.05 spaces per each person
Commercial indoor recreational facility over 2,450 SF	1 for every 2 persons at maximum capacity per fire code, plus 1 space for each employee	0.05 spaces per each person
Commercial outdoor recreational facilities	1 for every 2 users at maximum capacity, plus 1 space for each employee	0.25 spaces per each person
Concrete or asphalt mixing plants, concrete block fabrication, builder or contractor yards, brick yards	2 spaces plus 1 space for each 400 square feet of gross floor area	N/A
Conservation uses including drainage control, forestry, wildlife sanctuaries and facilities for making same available and useful to public	N/A	N/A
Daycare, preschools, except residential	1 space per employee plus one space per 7 children of licensed capacity of the facility	0.05 spaces per each employee
Farmer's market	1 ½ spaces per producer and 1 ½ customer parking stalls per producer	0.05 spaces per each vendor
Fuel or service stations	4 spaces plus 3 spaces for each enclosed service stall plus parking figured separately for retail or office space.	2 spaces per every 10,000 square feet of gross floor area
Golf courses, driving ranges	4 spaces for each green, plus 1 for each employee on the largest shift, plus 2 spaces for each driving tee on a driving range	0.05 spaces per each employee
Hotel, motel	1.25 spaces per rental room plus additional parking calculated separately for banquet rooms, meeting rooms, and restaurants	2 spaces or 0.05 spaces per each employee, whichever is greater
Hospitals	2 spaces for each patient bed	4 spaces
Manufacturing, fabricating, or processing of a product or material	4 spaces plus 1 space for each 400 square feet of gross floor area	N/A
Movie theaters	1 space for each 2.5 seats of design capacity	2 spaces per every 10,000 square feet of gross floor area
Offices, including government buildings and other professional offices > 6,000 sq ft of floor area	Minimum of 5 spaces with a maximum of 5.5 spaces per 1,000 square feet of gross floor area	2 spaces or 0.05 spaces per each employee, whichever is greater

Offices, including government buildings and other professional offices 6,000 SF of floor area or less	Minimum of 3.5 spaces, with a maximum of 4 spaces per 1,000 square feet of gross floor area	2 spaces or 0.05 spaces per each employee, whichever is greater
Open sales lots	1 space for each 2,000 SF of land up to the first 8,000 SF, plus 1 space for each 4,000 SF up to a parcel of 24,000 SF, plus 1 space for each 6,000 square feet over 24,000.	N/A
Restaurants and delicatessens	1 space for each 40 SF of gross floor area of dining and bar plus 1 space for each 80 square feet of kitchen area	2 spaces or 0.05 spaces per each employee, whichever is greater
Restaurants, fast food	1 space per 50 square feet of gross floor area, plus 1 space per employee on the largest work shift, plus 6 off street stacking spaces per drive-through lane	2 spaces or 0.05 spaces per each employee, whichever is greater
Restaurants where no interior serving areas are present, such as a drive-in or take out business	1 space for each 15 SF feet of building dedicated to patron service and 5 spaces for employees	N/A
Retail or service use, unless otherwise specified	1 space for each 200 SF of gross floor area. No retail or service use may provide parking in excess of 10 percent above the minimum required parking spaces. Such properties may hold parking in reserve if depicted on an approved site plan.	2 spaces or 0.05 spaces per each employee, whichever is greater
Self-service storage facility	3 spaces, plus 1 per every 75 units.	N/A
Self-service storage facility (indoor or climate-controlled)	3 spaces, plus 1 per every 75 units.	N/A
Shopping centers and retail uses less than 50,000 sq ft	Maximum of 5 spaces per 1,000 SF of gross floor area	2 spaces per every 10,000 square feet of gross floor area
Shopping centers and retail uses 50,000 sq ft or greater	Maximum of 4 spaces per 1,000 SF of gross floor area	2 spaces per every 10,000 square feet of gross floor area
Showrooms for display or sales including furniture stores, carpet stores, etc.	1 space per 400 square feet for first 25,000 square feet, plus 1 space per 600 square feet thereafter.	1 space per every 10,000 square feet of gross floor area
Showrooms for sale of automobiles	5 spaces for customer parking for every acre of total site area, plus 5 spaces for customer service parking for every acre of total site area, plus 1 space for each 400 square feet of gross floor area for employees.	1 space per every 10,000 square feet of gross floor area
Skating rinks (indoor), dance halls, miniature golf, ice arenas (indoor), health and fitness clubs, commercial	1 space per 300 SF of gross floor area, plus 1 space per employee on the largest work shift	2 spaces or 0.05 spaces per each employee, whichever is greater

indoor recreational facility over 2,450 square feet, etc.		
Warehousing (and storage) in structures < 6,000 sf	1 space for each 600 SF of gross floor area, with a minimum of 5 spaces	N/A
Warehousing (and storage) in structures > 6,000 sf	1 space for each 2,000 SF of gross floor area, with a minimum of 10 spaces	N/A

§152.1117 PARKING AREA DESIGN

- (A) Applicability. All new construction, expansion, repaving, or modification of parking areas with more than four parking spaces must comply with the following parking lot design standards.
- (B) Setbacks. All parking areas created after the effective date of this chapter must be designed and constructed so that no part of any vehicle may ever be nearer than the following:
 - (1) Side or rear setback when adjacent to a residential use – 35 feet.
 - (2) All other interior side or rear setback – 5 feet.
 - (3) Setback from public rights-of-way – 15 feet.
- (C) Drive Aisles. Each parking space and drive aisle must be unobstructed and must adhere to the design requirements included in the following table:

Figure ## Required Length and Width of Parking Spaces

Angle of Parking Space	Type	Minimum Width of Space at Curb (Non-Retail Uses)	Minimum Width of Space at Curb (Retail Uses)	Minimum Length of Space from Curb	Minimum Drive Aisle Width (One Way)	Minimum Drive Aisle Width (Two Way)
90 degrees	Standard Compact	9' 8'	10' 8'	18' 16'	20' 20'	25' 25'
60 degrees	Standard Compact	10' 9'	12' 9'	21' 17'	18' 18'	25' 25'
45 degrees	Standard Compact	13' 9'	14' 9'	21' 17'	15' 15'	25' 25'

- (1) Parking spaces for the disabled or for specially equipped vehicles for the disabled must comply with the State Building Code requirements and the Americans with Disability Act standards.
- (2) Where parking spaces abut perimeter curbs, the length of the spaces may be shortened to account for the car overhang. They shall not be shorted adjacent to sidewalks.
- (3) All parking spaces must be designated by clearly visible painted lines.
- (4) Non-residential driveway width shall be approved at the time of site plan review based on expected traffic demands and road classification.
- (D) Curbing required. Paving areas must be separated with curb and gutter from all designated landscaping areas, curb islands, and at ingress-egress locations to the traveled roadway. Curbing must be constructed of poured-in-place concrete equipped with a gutter and must be of a six-inch non-surmountable design. Other curb options may be allowed as approved by the city.
- (E) Paving requirements.
 - (1) All areas shall be surfaced with concrete, bituminous, pavers, or pervious paving/paver systems provided appropriate soils and site conditions exist for the pervious systems to function. Gravel driveways are prohibited. This paving requirement includes the entire parking area including parking stalls, aisles and driveways.

- (2) The use of pervious paving/paver systems is encouraged for pedestrian walkways, parking areas, overflow parking areas, snow storage areas, within raised medians and islands, emergency vehicle lanes and other low traffic areas. The owner shall provide soils information and the City Engineer shall make the final determination if soils are conducive for use of pervious paving/paver systems. Owners of property in Business, Industrial and Mixed-Use districts shall enter into a maintenance agreement to ensure ongoing maintenance and operation of all pervious paving/paver systems. This requirement also applies to open sales lots, open rental lots, and outdoor storage or display areas. Other materials such as decorative rock, gravel, sand, or bare soil are prohibited.
 - (3) Any parking spaces proposed in excess over minimum requirements, as listed in § , shall use a pervious paver system (provided appropriate soil conditions exist, as determined by the City Engineer), within the total square footage of excess parking proposed, as approved by the City Engineer.
- (F) Drainage. Driveways shall not exceed a grade of 4% and all parking lots except those for less than four vehicles shall include a minimum of a one percent grade. Catch basins, sumps, and underground storm sewers must be installed if required by the City Engineer.
- (G) Traffic regulatory signs. Stop signs are required at all driveway exits to city streets. Other signs may be required as part of the site plan review process.
- (H) Shared parking. Parking areas may be shared by uses on adjoining lots within 500 feet of the entrances to the uses it will serve provided that the following are met:
- (1) The marking or signing of parking spaces in multitenant building for the exclusive use of specific tenants is not permitted.
 - (2) Certain uses that have their highest peak demand for parking at substantially different times of the day or week can consider a plan to provide required parking by sharing parking with adjacent uses based on the following criteria:
 - (a) Up to 50% of the off-street parking stalls required for a theatre, bowling alley, dance hall, bar, or restaurant may be supplied by the off-street parking facilities provided by types of uses specified as a primarily daytime use in subparagraph (d) below.
 - (b) Up to 50% of the off-street parking stalls required for any use specified under subparagraph (d) below as primary daytime uses may be supplied by the parking facilities provided by the following nighttime or Sunday uses: auditoriums incidental to a public or parochial school, churches, bowling alleys, dance halls, theatres, bars, or restaurants.
 - (c) Up to 50% of the off-street parking stalls required by § for a religious institution or for an auditorium incidental to a public or parochial school may be supplied by off-street parking facilities provided by uses specified under subparagraph (d) below as primarily daytime uses.
 - (d) For the purpose of this section, the following uses are considered as primarily daytime uses, such as banks, business offices, retail stores/shopping centers, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale, and similar uses.
 - (3) The parking area must have a pedestrian connection, which includes a trail or walkway, paved with a continuous impervious surface that connects to all users of the shared parking.
 - (4) The parking plan for the area must demonstrate that all other applicable ordinances can be met.
 - (5) Any adjacent properties with approved shared parking agreements must have vehicle access between them.
 - (6) The agreement between all affected property owners may be approved as to content by the City Attorney and may define responsibilities for maintenance. Where shared use of parking exists within the same site or across sites, a properly drawn legal instrument, drafted and executed by the parties concerned, must be filed as a deed restriction on both properties with the records for both properties in the Registrar of Titles' or Recorder's Office of Hennepin County with proof thereof presented to the city. The intent in either case is that the agreement will be in the public record in perpetuity, and not altered unless approved by the city.
 - (7) Revocation. Failure to comply with the shared parking provisions of this section constitutes a violation of this Code. A shared parking agreement may be revoked by the parties to the

agreement only if off-street parking is provided as otherwise set forth in § 152.142 of this Code, or if an alternative shared parking plan is approved by the city.

- (8) Multi-tenant buildings. A parking lot for a building containing more than one tenant or user is considered shared between all users. Exclusive parking spaces are not permitted.
- (9) Time-limited (i.e., 10-minute parking) parking spaces are permitted.
- (I) Parking areas for interim or temporary uses in the UR Urban Reserve District are exempt from provisions in § [redacted] only when approved through the interim use permit process as described in §§ [redacted].
- (J) Parking lot landscaping and screening. This section is intended to break up large impervious areas and provide greater shading and reduction of heat island effect. Review and approval of a landscape plan shall be required for new parking lots and changes to existing parking areas that create or affect more than four stalls prior to issuance of any permits, including snow removal.
 - (1) All landscaped areas, including parking area islands must be equipped with an underground, automatic irrigation system. The irrigation system must include a flow meter, moisture sensing devices and must be calibrated to meet all applicable City Codes.
 - (2) Ten percent of the impervious, interior parking area must be landscape islands, rain gardens or other green space. The 10% is included as part of the total open space requirement.
 - (3) Landscape islands.
 - (a) All parking lots of at least 25 parking stalls or more shall be designed with landscaped parking lot islands distributed throughout the entire parking area.
 - (b) To ensure adequate distribution of landscaped islands within parking lots no more than the maximum number of stalls as displayed in the table below may be installed without abutting some type of landscaped islands.
 - (c) Landscaped islands may be designed at the ends of stalls, in a continuous row between bays as shown in the diagram below, or in other patterns, provided that an island is abutting parking stalls based on the table below.
 - (d) Islands designed at the end of rows shall have a minimum size of 180 square feet. Continuous parking lot islands shall be at least nine feet in width.
 - (e) Islands can be designed at the end of rows or in a continuous row to meet the maximum number of stalls between island requirements

Figure [redacted]: Landscape Island Requirements

Use Type	Maximum Number of Stalls Between Island
Residential – multiple family uses	12 stalls
Commercial, mixed use, civic and institutional uses	22 stalls
Industrial and business park uses	22 stalls
Open storage warehouse and like uses	50 stalls

- (f) Type and quantity of landscaping required in islands and within the parking area shall comply with landscaping standards in § [redacted]. Each landscape island must be planted with a minimum of one deciduous large or two medium trees, two shrubs and pervious ground cover as required in § [redacted]. Rain gardens shall be finished with hardy native plant species that will survive and remain aesthetically pleasing in wet and dry conditions. The trees and shrubs in the landscape islands and rain gardens shall count toward the overall required landscaping in § [redacted].
- (4) Parking areas greater than 50,000 square feet shall be divided both visually and functionally into smaller parking courts.
- (5) Screening. Screening must be required for any off-street parking or loading area and may be any combination of landscaping, decorative fencing, and berms, approved through the Site Plan Review process or as required elsewhere in this chapter, unless further restricted by the following:
 - (a) Residential. All parking and loading areas over four spaces must be screened from adjacent residential zoning districts. Screening must be a minimum of six feet in height when installed

- as measured from the parking area surface to the satisfaction of the City Manager. Fences alone shall not meet this requirement.
- (b) Street rights-of-way. All parking areas containing more than four stalls and all loading areas must be screened from adjacent public rights-of-way. Screening must be a minimum of three feet in height as measured from the top of the adjacent parking area surface.
- (6) Perimeter parking area landscaping standards. Where a parking area serving a use abuts a street right-of-way, vacant land, or any other development (except another parking use area), perimeter landscaping strips shall be provided and maintained between the vehicle use areas and the abutting right-of-way or property line in accordance with the following standards:
- (a) Location.
 - (1) Perimeter landscaping strips shall be located on the same land where the parking use area is located.
 - (2) Perimeter landscaping strips may not be placed within future street rights-of-way as identified on the city's transportation plans.
 - (b) Minimum width. When the parking use area is located within 50 feet of a street right-of-way, the perimeter landscaping shall be located within a planting strip at least six feet wide. In all other instances, the strip shall be the minimum width necessary to assure required landscaping is not damaged by vehicle or other on-site activity. In no instance shall the strip be less than three feet wide.
 - (c) Landscaping. Each perimeter landscaping strip shall include landscaping screening of three feet in height as measured from the top of the adjacent parking area surface or screening that is 80% opaque where a parking lot abuts a residential zoning district.
- (K) Stormwater management. Rainwater and snowmelt shall be managed to encourage infiltration, evapotranspiration, and water reuses to achieve water quality and quantity measures as required by the applicable watershed district. Additionally, a minimum of two of the following stormwater management techniques shall be implemented. The appropriate watershed district shall have final review and permitting authority for all surface water management measures proposed.
- (1) Permeable paving for parking spaces, drive aisles, overflow parking, snow storage areas, and other hard surfaces in the parking lot.
 - (2) Trees, shrubs, and other absorbent landscaping throughout the parking lot to provide shade and places for water uptake.
 - (3) Bio-retention areas, such as swales, vegetated islands, and overflow ponds.
 - (4) Catch basin restrictors and oil/grit separators.
 - (5) Rainwater harvesting from rooftops and other hard surfaces for landscape irrigation.
 - (6) Bio-retention areas shall be appropriately designed and located to filter, store, and/or convey the expected stormwater flows from surrounding paved areas.
- (L) Cart storage. Where shopping carts are used, ample space shall be provided for cart storage within off-street parking areas (unless all carts are stored and returned at the building entry). The need and specific amount of required cart storage space shall be determined as part of site plan review. When required, cart storage areas shall not occupy required off-street parking space, shall be clearly delineated, and include facilities for cart confinement.

§152.1118 PARKING RAMP

- (A) Applicability. All new parking ramps or garages shall adhere to the following standards.
- (B) Design. Parking ramps comply with the following:
 - (1) Ground floor active uses are required; in this instance, an active use shall mean a principal nonresidential use.
 - (2) Design features that facilitate future conversion of parking garages to other uses, including flat floors, are encouraged.
 - (3) Multi-level parking deck or garage structures, whether stand-alone or part of a larger development, shall comply with the following standards:

- (a) Facades of the parking deck or garage that are facing a street or within 100 feet of open space shall be harmonious and complement the principal structure and contain all of the following architectural treatments:
 - (1) Facade articulation (i.e. wall offsets).
 - (2) Horizontal and vertical projections.
 - (3) Material and color variation.
 - (4) Varied proportions of openings.
- (b) No vehicles parked within or on the roof of the deck or garage shall be visible from the street.
- (c) All internal elements such as plumbing pipes, fans, ducts, and lighting shall be screened.
- (d) No deck or garage ramp areas shall be visible from the street and shall be internal to the building.
- (e) Openings off any street shall not exceed two lanes in width or 30' maximum per entrance/exit. Entrances/exits on alleys/service roads are exempt from this requirement.
- (f) If the deck or garage is accessed from a street, there shall be only one point of access to the garage area from that street.
- (g) Pedestrian entrances to the deck or garage shall be directly from a frontage line through an exterior or interior pedestrian passage or a combination thereof running from the rear to the front of the lot. Parking spaces serving residential units are exempt from these requirements.
- (4) Accessory parking ramps in all MU districts shall be one level less than the adjacent principal structure.

§152.1119 PEDESTRIAN CIRCULATION (SIDEWALKS AND WALKWAYS)

- (A) Purpose. Establish design criteria for pedestrian circulation facilities to reduce reliance on automobiles, provide opportunities for recreational walking throughout the city, and ensure safe pedestrian movement between properties and from off-street parking areas to building entrances.
- (B) Applicability. Except for platted single-family and two-family sites, walkways must be provided within all sites.
- (C) Sidewalks Standards.
 - (1) Sidewalks are required along all existing and future minor arterials (high and low density), all major collectors as designated by the Functional Classification System included in the Comprehensive Plan, and according to the provisions of Chapter 151 of the City Code.
 - (2) Sidewalks may be required on any street where one or more of the following are present as determined by the city:
 - (a) Concrete curb and gutter have been constructed on the roadway.
 - (b) Traffic volumes on the road exceed 1,000 vehicles per day.
 - (c) A roadway connecting a neighborhood to a commercial area, park, school, religious institution or other community-oriented facility.
 - (d) Along any street in a business district.
 - (e) A multi-family, office, commercial, or industrial use that is expected to generate pedestrian traffic.
- (D) Walkway Standards.
 - (1) Walkways must be located to provide convenient, safe pedestrian access, as determined by the city, between principal uses, parking areas, and/or adjacent public sidewalks.
 - (2) Walkways must be as direct as possible to minimize distance and other impediments to walking.
 - (3) All parking lots serving multiple family and nonresidential uses shall be subject to the following standards to provide a safe pedestrian environment:
 - (a) A direct and continuous pedestrian network shall be provided to connect parking lots to building entrances, public sidewalks, transit stops, and other pedestrian destinations.
 - (b) At least one pedestrian route shall be provided between the main building entrance and the public sidewalk that is uninterrupted by surface parking and driveways.

- (c) In larger parking lots, or where parking lots serve more than one building or destination, designated pedestrian pathways for safe travel through the parking lot shall be provided.
- (d) All pedestrian routes within a parking lot shall include a clear division from vehicular areas, with a change in grade, soft landscaping, or a change in surface materials.
- (e) Where pedestrian routes cross street access driveways and other major drive aisles, crossings shall be clearly marked and sight distance for both pedestrian and vehicles shall be unobstructed.

§152.1120 RELOCATING STRUCTURES

~~All relocated structures must meet the requirements of the district in which they will be located. In addition, the applicant provides the following:~~

- ~~(A) A report from the Building Official which specifies, at a minimum:

 - ~~(1) The improvements to the house that may be required for the structure to meet all applicable, current codes, based on an inspection.~~
 - ~~(2) If the applicant's submitted plans will successfully meet the required improvements.~~
 - ~~(3) If the sewer and water connections have been plugged or discontinued at the curb line or at the main and that all other hazards have been eliminated.~~~~
- ~~(B) Evidence that all taxes and sewer and water charges have been paid against the property the structure is being relocated.~~
- ~~(C) The applicant must submit evidence that upon completion, the relocated structure will have a fair market value equal to at least 80% of the assessed value of similar buildings within a 500-foot radius.~~
- ~~(D) A signed development contract stating that the applicant has agreed to complete the necessary changes specified by the City Manager within a period of one year, and a performance bond or cash deposit in compliance with § .~~
- ~~(E) Evidence that the applicant has secured the necessary permits or permission for the displacement of any overhead electrical or other wires from the person, association, or corporation that owns, operates, or controls the wires.~~
- ~~(F) Evidence that the applicant or their designated person, firm or corporation engaged in moving structures has a license, in compliance with Section 445, before moving any structure over streets controlled by the City of Brooklyn Park.~~

§152.1121 SATELLITE DISHES

- (A) Satellite or microwave dishes: Dishes may be considered permitted in all districts, provided they meet all of the following:
 - (1) The communication sending and/or receiving dish is accessory to the primary use on the site.
 - (2) The dish is not located within any of the building setbacks unless it is one meter or less in diameter and attached to a building.
 - (3) When placed on a flat roof, the dish must be setback from the edge of the building a distance equal to the height of the dish, unless it is one meter or less in diameter. The height of the dish cannot exceed 15 feet.
 - (4) Dishes over one meter in diameter may not be placed on a residential roof when visible from a public right-of-way.
 - (5) When placed on the ground, setbacks from other properties are at least equal to the height of the communication device.
 - (6) No more than one satellite dish over one meter in diameter may be permitted on any one property zoned for residential uses and two satellite dishes over one meter in diameter are permitted on any one property zoned for business uses.
 - (7) All other satellite dishes are considered conditional uses, except for the number allowed per parcel, unless otherwise modified in this chapter.
 - (8) No satellite dishes may exceed five feet in diameter.

§152.1122 SCREENING

- (A) Applicability. All mechanical or accessory uses, including, but not limited to, exterior storage areas, exterior loading docks, service areas, mechanical areas, waste and refuse areas, and rooftop equipment, must be screened as follows.
- (B) Requirements.
 - (1) Screening may be accomplished using a wing-wall, fencing, walls, earth berms (not to exceed slopes of 4:1), and/or landscape plantings consisting primarily of evergreens. Must achieve 80% opacity year-round at maturity. Fences and walls are regulated elsewhere in this chapter.
 - (2) Non-landscaped screening must be designed with the same exterior materials and incorporate similar architectural features as the principal building and be designed so that the equipment is not visible from any public right-of-way or residential development.
 - (3) Rooftop equipment screening must be provided by the building parapet or incorporate similar architectural features as the building, use the same exterior materials as the principal structure, or be designed so that the equipment is not visible from six feet above ground level on any property line of the applicable site.
 - (4) Incidental equipment deemed unnecessary to be screened by the City Manager must be of a color to match the building, roof, or the sky, whichever is most effective.
 - (5) Metal cabinets and/or fences used to enclose and protect mechanical equipment may not substitute as screening.
 - (6) Residential properties along principal or minor arterial streets shall adhere to the additional screening requirements for residential properties per **Figure ## ___**.
 - (7) For all nonresidential and mixed use development projects, a 35 foot berm and landscaped area must be included within the required setback area from residential district property lines.
 - (8) The City Council may approve alternative screening such as decorative fencing and landscaping meeting minimum opacity requirements in lieu of the berming requirements of **Figure ## ___**.

Figure ##. Additional screening for residential properties.

Along ...	Height of Berming (in feet)	Depth of Berms or Landscaped Area (measured in feet from the property line on private property) See Alternate Requirements Below	Amount of plant materials
Principal and "A" Minor Arterials	6	50-foot bermed and landscaped area	4 coniferous trees and 3 deciduous trees
"B" Minor Arterials and Class I Collectors	3	25-foot landscaped area	4 trees and 5 shrubs

§152.1123 TELECOMMUNICATION TOWERS

- (A) Purpose. The Council finds that regulations are necessary to accommodate the communication service facilities to benefit the needs of residents and businesses while protecting the public health, safety, and general welfare of the community. These regulations are necessary to:
 - (1) Provide for the appropriate locations for the development of communication facilities to serve the residents and businesses of the city.
 - (2) Minimize adverse visual effects of communication towers and other facilities through careful design and siting standards.
 - (3) Avoid potential tower failure damage to adjacent properties through structural standards and setback requirements; and,
 - (4) Maximize the use of existing and approved towers, buildings, and other structures to accommodate wireless telecommunication devices to reduce the number of towers needed to serve the community.
- (B) Existing antennas and towers.

- (1) Previous licensees, owners, operators, or secured parties must remove all abandoned or unused towers or associated facilities and equipment within 12 months of the cessation of operations at the site. Cessation of operations means the removal of the antennas from the tower or the cessation of electricity and/or phone service to the site.
 - (2) All hazardous towers or associated facilities and equipment as defined in the Uniform Building Codes definition of hazardous structures must be removed from the property within a maximum of 60 days of the date of the hazardous determination by the city. The city may require more expeditious removal based on the nature of the hazard.
- (C) General requirements.
- (1) No towers may be constructed in the Mississippi River Critical Area Overlay.
 - (2) Towers and antennas in parks must obtain a valid lease from the appropriate city, county, or state agency.
 - (3) Towers and antennas may not be artificially lighted except if required by the FAA unless they are incorporated into the approved design of the tower, such as light fixtures illuminating ball fields, parking lots, or a similar use.
 - (4) Roof or wall-mounted communication devices (excluding satellite dishes) shall adhere to the following standards.
 - (a) Roof-mounted antennas must be no more than 15 feet in height.
 - (b) Roof-mounted antennas and their accessory equipment/buildings must be setback from the edge of the principal building or structure a distance equal to the height of the antenna, equipment, or building.
 - (c) Installation of the antennas requires a building permit. The applicant must submit a report prepared by a qualified professional engineer licensed by the State of Minnesota indicating the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure. Complete details of all fixtures and couplings, and the precise point of attachment must be indicated.
 - (d) All other antennas may be considered conditional unless otherwise modified in this chapter.
 - (e) Proof of non-interference with public safety telecommunications: Each application for construction of wireless communication equipment includes a statement from a qualified professional engineer licensed by the State of Minnesota that the construction of the tower, including reception and transmission functions, will not interfere with public safety telecommunications, provided however, that no application requires any statement regarding the environmental effects of radio frequency emissions to the extent that the wireless telecommunication equipment complies with FCC regulations concerning such emissions. Before the introduction of any new service or changes in existing service, telecommunication providers must notify the city and the Hennepin County Sheriff's Radio Systems Manager at least ten calendar days in advance of such changes to allow interference levels to be monitored during the testing process.
 - (5) Construction and design requirements: Proposed or modified towers and antennas must meet the following design requirements:
 - (a) All towers and antennas erected, constructed or located within the city, and all wiring must comply with the requirements set forth in the Minnesota Building Code.
 - (b) Towers and antennas must be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except when otherwise dictated by federal or state authorities. The telecommunications facilities must use as many stealth design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide stealth design techniques.
 - (c) Commercial wireless telecommunication service towers intended primarily for the support of their related antennas must be self-supporting monopoles unless the City Council determines that an alternative design would better blend into the surrounding environment. The use of guyed towers is prohibited.
 - (6) Permanent platforms or other structures exclusive of antennas that serve to increase off-site visibility are prohibited.

- (7) The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.
- (8) Accessory buildings and equipment: All accessory equipment related to towers and antennas must be housed within an existing structure whenever possible. Any new accessory buildings, lockers, and/or ground mounted equipment must meet the following:
 - (a) They must be architecturally designed to blend in with the surrounding environment, subject to the landscaping and screening requirements of §§ 152.270 through 152.276 and §§ 152.370 through 152.376.
 - (b) They must meet the minimum setback requirements of the underlying zoning district, unless they are located on the roof of the principal building, in which case they must be setback from the edge a distance equal to their height.
 - (c) Unless the accessory equipment is mounted on an existing structure or housed within an existing structure, the city may require a security fence around the base of the tower and/or accessory equipment. If required, the security fence must have a maximum opacity of 50% and meet the fencing requirements elsewhere in the City Code.
- (9) Maintenance hours: Nonemergency maintenance of towers, antennas and associated equipment must be completed between the hours of 7:00 a.m. and 7:00 p.m. for all towers within 1,000 feet of a residential district.
- (10) Collocation requirements. All towers erected, constructed, or located within the city to support antennas for wireless communication service providers as defined in §152.008, must comply with the following requirements:
 - (a) The City Council will not approve a proposal for a new tower unless it finds that the antennas cannot be accommodated on an existing or approved tower or building within a one-mile search radius (one half-mile search radius for towers 120 feet or less in height) of the proposed tower due to one or more of the following reasons:
 - (1) The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified professional engineer licensed by the State of Minnesota and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment.
 - (2) The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified professional engineer licensed by the State of Minnesota and the interference cannot be prevented.
 - (3) Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function as documented by a qualified professional engineer licensed by the State of Minnesota.
 - (4) Written documentation that the applicant made a good faith, diligent, but unsuccessful effort to install or collocate the antenna(e) within the defined search radius. The documentation must include the names, addresses and telephone numbers of all owners of other towers, buildings, or other structures of appropriate height, including those on city-owned property.
 - (5) Other unforeseen circumstances as approved by Council.
 - (b) Any proposed tower intended to support antennas for wireless communication service providers, as defined in § 152.008, and its proposed site must be designed structurally, electrically, and in all respects, to accommodate both the applicant's antennas and accessory equipment and comparable antennas and equipment for at least two additional users if the tower is over 100 feet in height and for at least one additional user if the tower is between 60 to 100 feet in height. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights. Alternative designs for towers with more than three users may be approved by the City Council if they prevent the construction of multiple towers and are found to be compatible with the neighborhood.
 - (c) Any tower proposed at less than 75 feet must be constructed with a foundation adequate to accommodate an additional 20 feet of height to accommodate an additional user. The

applicant must provide written evidence that they will allow the extra height added to their tower with a reasonable request for a collocation lease.

- (11) Tower and/or antenna setbacks. Towers and antennas must meet the setbacks of the underlying zoning district, unless modified by the following:
 - (a) A tower's setback may be reduced or its location in relation to a public street varied, at the sole discretion of the City Council, to allow the integration of a tower into an existing or proposed structure such as a church steeple, light standard, power line support device, or similar structure.
 - (b) In Business Park (BP) and Industrial (I) zoning districts, towers and/or antennas may encroach into the rear setback area, provided that the rear property line abuts another property in the Business Park (BP) or Industrial (I) district and the tower does not encroach upon any easements.
 - (c) All towers and/or antennas must be set back from planned public rights-of-way as documented in city corridor studies, the Comprehensive Plan, or the appropriate county or state plans, by a minimum distance equal to one half of the height of the tower including all antennas and attachments.
 - (d) If applicable, setbacks for towers and/or antennas must be determined for the full height of the proposed tower, including extension/expansion height as may be required elsewhere in this chapter.
 - (e) Towers in residential districts shall be setback a distance equal to four times the height of the structure.
 - (f) Towers in districts adjacent to residential parcels used primarily or guided for residential purposes shall be setback a distance equal to two times the height of the tower.
- (12) Height. Height may be determined by measuring the vertical distance from the tower's point of contact with the ground to the highest point of the tower, including all antennas or other attachments. When towers are mounted upon or attached to other structures, the combined height of the structure and tower must meet the height restrictions of this section. In addition, all towers must meet the following:
 - (a) In all residential zoning districts on parcels other than those used primarily for residential purposes, the maximum height of any tower, including all antennas and other attachments, may not exceed one foot for each four feet the tower is setback from residential parcels used primarily or guided for residential purposes, up to a maximum height of 125 feet.
 - (b) In all non-residential zoning districts, the maximum height of any tower, including all antennas and other attachments, may not exceed one foot for each two feet the tower is setback from residential parcels used primarily or guided for residential purposes up to a maximum height of 125 feet.
- (13) Preference for identification of tower sites. The following preferences shall be followed in site selection for new towers when collocation is not possible:
 - (a) Existing buildings or structures;
 - (b) Public institution sites;
 - (c) Sites zoned BP or I;
 - (d) Sites zoned B3 or B4;
 - (e) Sites zoned B1 or B2;
 - (f) Other properties consistent with provisions of this subchapter.
- (D) Towers and antennas in residential areas. All towers and antennas in the following residential and mixed-use districts: R-1, R-2, R-3, R-4, R-5, and in those areas in the PDO guided for low and medium residential development must comply to the following:
 - (1) Radio and television towers and antennas: Proposed towers for personal radio and television antennas located on parcels zoned residential and used primarily for residential purposes may be considered permitted if they meet the following conditions:
 - (a) The tower and/or antennas, including all accessory antennas and other attachments, is (are) at or below the maximum height as regulated elsewhere in the City Code.
 - (b) It meets the setbacks of the underlying district.

- (c) It is located to the rear of the property.
- (d) Only one tower is allowed per parcel.
- (2) Personal (non-commercial) radio and television towers and antennas that exceed the maximum height defined elsewhere in the City Code and commercial towers shall be considered conditional uses in residential districts. Commercial towers may only be allowed as a conditional use on the following parcels:
 - (a) Religious institution sites, when constructed in or as part of a steeple, spire, bell tower or similar architectural feature.
 - (b) Park sites, if conformance with this section are met to the satisfaction of the city.
 - (c) Government, school, utility, and institutional uses.
- (E) Additional submittal requirements. In addition to the information required elsewhere in this Code, Conditional Use Permit applications for towers require the following supplemental information:
 - (1) A report from a qualified professional engineer licensed by the State of Minnesota which:
 - (a) Describes the tower's capacity, including the number and type of antennas that it can accommodate.
 - (b) Documents the height above grade for all potential mounting positions for collocated antennas and the minimum separation distances between antennas.
 - (2) A letter of intent committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.
 - (3) A copy of the relevant portions of a signed lease which require the applicant to remove the tower and associated facilities when they are abandoned, unused or become hazardous may be submitted as a requirement of the Conditional Use Permit before any building permits may be issued.
 - (4) In the event that a tower is not removed within 12 months, the tower and associated facilities may be removed by the city and the costs of removal, as well as any city staff time spent in processing the removal, may be assessed against the property.
 - (5) Proposals to erect new towers must be accompanied by any required federal or state agency licenses.
 - (6) A signed statement that certifies that the proposed tower complies with regulations administered by Federal Aviation Administration.
 - (7) All applications for towers erected, constructed, or located within the city to support antennas for wireless communication service providers, as defined elsewhere in this chapter, may be required to submit a current area plan map showing their existing towers and the search areas for the towers and antennas for which the Conditional Use Permit application has been filed. The area map must include those towers and antennas (including existing and proposed in the Conditional Use Permit application) within the city and a radius of one mile outside the city's boundaries.
 - (8) Proof of non-interference with public safety telecommunications: Each application for construction of wireless communication equipment includes a statement from a qualified professional engineer licensed by the State of Minnesota that the construction of the tower, including reception and transmission functions, will not interfere with public safety telecommunications, provided however, that no application requires any statement regarding the environmental effects of radio frequency emissions to the extent that the wireless telecommunication equipment complies with FCC regulations concerning such emissions. Before the introduction of any new service or changes in existing service, telecommunication providers must notify the city and the Hennepin County Sheriff's Radio Systems Manager at least ten calendar days in advance of such changes to allow interference levels to be monitored during the testing process.
- (F) Evaluation and monitoring. As a condition of approval for telecommunication facilities, the applicant must reimburse the city for its costs to retain outside expert technical assistance to evaluate any aspect of the proposed siting of telecommunications facilities, including but not limited to other possible sites within the city. The owner of a telecommunications facility must provide the city with current, technical evidence of compliance with FCC radiation emission requirements, annually or more frequently at the city's reasonable request. If the owner does not promptly provide the city with

satisfactory technical evidence of FCC compliance, the city may carry out tests to ensure FCC radiation compliance using a qualified expert. The owner must reimburse the city for its reasonable costs in carrying out such compliance testing.

§152.1124 TRANSPORTATION DEMAND MANAGEMENT.

- (A) Purpose. Lesson congestion on streets and roads, reduce environmental pollution associated with vehicular transportation, and generally protect the public health, safety and welfare.
- (B) Intent. The standards and regulations are intended to be components of an overall transportation demand management plan.
- (C) Applicability. These standards apply to all new construction in nonresidential districts, TOD districts, and nonresidential uses in any residential district.
- (D) Bicycle parking requirements.
 - (1) The minimum number of bicycle parking spaces provided for any use shall be 5% of the vehicular parking spaces required for such use.
 - (2) Design standards for bicycle parking spaces.
 - (3) Bicycle parking spaces shall be:
 - (a) Located on the same lot as the principal use.
 - (b) Located to prevent damage to bicycles by cars.
 - (c) In a convenient, highly visible, active, well lighted area.
 - (d) Located so as not to interfere with pedestrian movements.
 - (e) As near the principal entrance of the building as practical.
 - (f) Located to provide safe access from the spaces to the right-of-way or bicycle lane.
 - (g) Consistent with the surroundings in color and design and incorporated, whenever possible, into buildings or street furniture design.
 - (h) Anchored to resist rust or corrosion, or removal by vandalism.
- (E) Transit service.
 - (1) Parking may be reduced by 10% for any parcel located within one-quarter mile of a transit stop. This 10% shall be shown on the site as proof of parking in the event transit services are altered and additional parking is required. To qualify, the transit stop must be served by regular transit service on all days of the week that the business or use is in operation and adequate pedestrian access must be available between the transit stop and parcel. Regular transit service shall operate at least twice hourly between 7:30 a.m. and 6:30 p.m. on weekdays and once hourly after 6:30 p.m. Regular transit service shall operate on Saturdays, Sundays, and holidays.
- (F) Motorcycle/scooter parking.
 - (1) Two motorcycle/scooter parking spaces may be provided in lieu of one required automobile parking space. The maximum automobile parking space reduction under this provision shall be calculated at a 1:30 ratio (For every 30 required automobile parking spaces, one automobile space may be waived).
 - (2) Parking areas under 30 spaces may reduce the parking requirement by a maximum of one automobile parking space. Motorcycle parking must be properly labeled with signs and surfaced with concrete. The minimum stall size for one motorcycle shall be four-foot in width by seven foot in depth.
- (G) Compact parking stalls.
 - (1) Parking areas including 30 spaces or more may include 35% compact parking stalls which must be labeled as such on the parking plan and located in areas of anticipated infrequent use. Compact parking stall sizes are stated in Figure .
- (H) Industrial businesses in the General Industrial (I) zoning district may, after five years of operation at their current location, reduce the existing parking space width to 8.5 feet for workforce management.

§152.1125 WASTE ENCLOSURES

- (A) Applicability. All uses except single-family dwellings, two-family dwellings, and townhouses must store their trash in compliance with one of the following two options:
 - (1) Indoors. Within a designated area of the interior of the building in conformance with the following:
 - (a) The adopted Fire and Building Codes.
 - (b) The area must be readily accessible by collection vehicles.

- (c) The area must be readily accessible to the users by use of a pedestrian access, such as an easily operable door. The door must remain closed, except when servicing.
 - (d) The interior walls and floor of the area must be finished with smooth, non-absorbent material sealed or finished to withstand frequent cleaning.
 - (e) All waste storage areas must be kept clean and sanitary, and maintained in good condition.
- (B) Outdoors. Outdoors within a four-sided accessory structure designed and sized for this purpose. The enclosure must be in conformance with the adopted Fire and Building Codes. Design standards. All exterior waste enclosures must meet the following design standards:
- (1) Walls must be constructed of architectural masonry or similar materials.
 - (2) Enclosures must have an opaque gate made of metal or decorative wood. Design and materials of the enclosure must be compatible with the principal building.
 - (3) Additional landscape screening may be required for any enclosure requiring design review.
 - (4) Trash enclosures may have a pedestrian entrance when shared by multiple units. No more than two openings may be present per enclosure and the openings may not be placed in the same wall section. The opening may be no less than 32 inches and no more than 36 inches. For nonresidential properties, a gate is required for the opening. Where a gate is required or provided for the opening, it must be an opaque metal or decorative wood gate, meeting the design standards of this chapter.
 - (5) Trash enclosures must have minimum inside dimensions, excluding pedestrian access areas, of 8 feet by 12 feet, and must be sized to accommodate all waste, recycling, organics recycling, and trash storage. Walls and gates must be of a height to fully screen the view of the bins and storage. A maximum 6-inch space may exist at the bottom of the gate to the ground surface. A maximum of two openings on not more than two sides area allowed for drainage. Each opening may not exceed 8 inches by 16 inches per wall section.
 - (6) Location.
 - (a) Enclosures may not be located in the front or side yards and may not be closer than five feet of an interior lot line.
 - (b) Enclosures must meet all parking setback requirements.
 - (c) Enclosure doors must not restrict driveways, extend into adjacent parking spaces, or obstruct fire hydrants or building exits.
 - (d) Enclosures must be located so they are accessible to collection vehicles.
 - (e) Enclosures must remain at least five feet from any combustible construction or building openings.
 - (f) .
- (C) Construction and maintenance standards.
- (1) All waste enclosure structures, including gates, must be maintained in good condition.
 - (2) All gates and doors must be kept closed, except during servicing.
 - (3) The enclosure area must be set on a concrete pad at ground level, with a minimum slope to prevent accumulation of water from cleaning and rain runoff.
- (D) Trash compactors. Trash compactors that are open to or loaded outside must be located in a waste enclosure meeting the requirements of this chapter. Self-contained trash compactors that are completely enclosed and loaded only from the interior of a building must be located in a waste enclosure or meet the following criteria:
- (1) Design and materials of the trash enclosure must conform to the architecture of the buildings in the development and be compatible with the finish of the principal building, such as matching paint.
 - (2) Landscape screening or other screening may be required to eliminate or minimize the view from adjacent properties.
 - (3) Appropriate measures must be taken to prevent or eliminate nuisances from noise, trash, or other nuisances created by the location or use of the trash compactor.
- (E) Alternative compliance.
- (1) The City Manager's designee may consider alternatives to standard trash enclosures. Such alternatives shall be evaluated with respect to the following seven criteria:
 - (a) The proposal provides adequate capacity for the use.
 - (b) The proposal blends with the architecture of the site.

- (c) The proposal provides convenient access for residents and businesses located within the development.
 - (d) The proposal meets code requirements for all setback requirements including, but not limited to, the front and street side yards and corner cut-offs.
 - (e) The proposal is accessible to trash collection vehicles.
 - (f) The proposal does not generate the potential for undesirable odors, noise, flies or nuisances.
 - (g) The proposal represents an improvement upon code requirements and more adequately meets the needs of the occupants.
- (2) Requests for consideration of alternatives.
- (a) Requests for consideration of alternatives must be submitted to the City Manager's designee with the following items: a written letter explaining the request, the reason for it, an explanation of how it meets the above seven criteria, a site plan, and a detail of the proposed alternative including specifications, colors and materials, and measures that will be taken to correct any problems associated with the proposed use if approved.
 - (b) After consideration, the City Manager's designee may, upon written findings reflecting compliance with the above seven criteria, allow installation of the requested alternative.
 - (c) Alternatively, the City Manager's designee may deny the request.
 - (d) Such denial shall set forth which criteria are not met.