



**CITY OF NEWPORT
PLANNING COMMISSION MEETING
NEWPORT CITY HALL
MAY 14, 2015 – 6:00 P.M.**

Chairperson:	Anthony Mahmood	City Administrator:	Deb Hill
Vice-Chair:	Kevin Haley	Executive Analyst:	Renee Eisenbeisz
Commissioner:	Matt Prestegaard	Planner:	Sherri Buss
Commissioner:	Marvin Taylor	Council Liaison:	Tom Ingemann
Commissioner:	David Tweeten		

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of April 9, 2015

4. APPOINTMENTS WITH COMMISSION

A. **Public Hearing** – To consider amendments to the Zoning Code, Section 1330

1. Memo from Sherri Buss
2. Resolution No. P.C. 2015-3

5. COMMISSION & STAFF REPORTS

6. NEW BUSINESS

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|--|---------------|-----------|
| 1. City Council Meeting | May 21, 2015 | 5:30 p.m. |
| 2. City Offices Closed due to Memorial Day | May 25, 2015 | |
| 3. City Council Meeting | June 4, 2015 | 5:30 p.m. |
| 4. Planning Commission Meeting | June 11, 2015 | 6:00 p.m. |

8. ADJOURNMENT



**City of Newport
Planning Commission Minutes
April 9, 2015**

1. CALL TO ORDER

Chairperson Mahmood called the meeting to order at 6:00 P.M.

2. ROLL CALL -

Commissioners present –Kevin Haley, Matt Prestegaard (6:05 p.m.),Marvin Taylor, David Tweeten

Commissioners absent – Anthony Mahmood

Also present –Deb Hill, City Administrator; Renee Eisenbeisz, Executive Analyst; Sherri Buss, TKDA Planner;

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of March 12, 2015

Motion by Taylor, seconded by Tweeten, to approve the March 12, 2015 minutes as presented. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Discussion Regarding Rezoning the Swanlund Property

Sherri Buss, TKDA Planner, presented on this item as outlined in the April 9, 2015 Planning Commission packet. The Planning Commission discussed the proposed site plan and rezoning request and do not see an issue with the proposal and rezoning request. The developer will be bring forward a rezoning and CUP request at a future meeting.

B. Public Hearing - To consider amendments to the Zoning Code, Section 1325

Sherri Buss, TKDA Planner, presented on this item as outlined in the April 9, 2015 Planning Commission packet.

The Public Hearing opened at 6:12 p.m.

David Tweeten - I see that we have defined tower as including monopole. There are a couple areas where "monopole" appears. They are:

- 1325.04(A)(3)
- 1325.04(B)(3) and (B)(6)

Another question I had, Section 1325.04(A)(2) says that a conditional use permit is not required for "Adjustment, repair or replacement of the elements of an antenna array affixed to a tower or antenna, provided that replacement does not reduce the safety factor." Does that have meaning?

Ms. Buss - Yes, if the building inspector wanted to, he could ask an engineer to evaluate the safety factor. I've had our structural engineers at work do that. They can look at the plans and see if the tower can carry the weight of the proposed change.

David Tweeten - That's the language they use?

Ms. Buss - Yes. The building inspector would be the one to determine that.

David Tweeten - Another area, 1325.04(A)(5) says that "Wireless telephone antennas located on the side or roof of an existing structure shall be a permitted use." The "shall be a permitted use" should be removed.

Ms. Buss - Yes.

David Tweeten - In reference to the federal regulations, it seems to anticipate them even to the 20 feet substantial change.

Ms. Buss - Which most ordinances don't have so we're fortunate to have that already. The FCC regulations went in to effect yesterday. They try to make it easier for people to update equipment and switch out towers. The FCC is trying to make it consistent nationally so people can't turn a building permit down unless there's a major change.

David Tweeten - We couldn't say no at this point either.

Ms. Buss - We could have a hearing and have some performance standards. For any replacement equipment, our powers are diminished.

David Tweeten - But we would not need to approve it in light of the fact that it doesn't require a CUP.

Ms. Buss - You can still issue one if you want to add conditions about color and performance standards. Your ordinances aren't requiring them anymore though.

Matt Prestegaard - Section 1325.06(E)(7) talks about fencing heights and what it should not be made of and 1325.06(E)(16) talks about height and what material it should be made of. I'm wondering if we can harmonize that.

Vice-Chair Haley - I saw that we don't allow barbed wire. A lot of these companies want barbed wire for security purposes. I would want barbed wire personally.

Ms. Buss - So should we get rid of the materials part in #7 and leave the fencing up to them. #16 is for AM/FM radio towers, we might just want them to have the "high voltage" sign. We can leave the material up to them in #16 too and have it be a minimum six-foot high fence.

The Public Hearing closed at 6:24 p.m.

Motion by Prestegaard, seconded by Tweeten, to adopt Resolution No. 2015-2 as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

C. Discussion Regarding Paving Requirements

Sherri Buss, TKDA Planner, and Executive Analyst Eisenbeisz presented on this item as outlined in the April 9, 2015 Planning Commission packet. The City Engineer provided the attached comments regarding this discussion. Currently, the City requires that residents pave their driveway at the point of sale if it's unpaved and the question is if parking areas outside of the driveway should be paved as well. The Planning Commission directed staff to create language that combines the three Sections with the following regulations:

- Provide the City Engineer and Public Works Superintendent the discretion to identify when a driveway or parking area needs to be paved and what materials are approved.

- Establish a five foot setback for parking areas outside of the driveway.
- State that any parking area within 40 feet of the street or is draining to the street needs to be paved.

Staff will make the above changes and bring forward a draft resolution at the May 14th meeting, where a public hearing will take place.

5. COMMISSION AND STAFF REPORTS

6. NEW BUSINESS

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|--------------------------------|----------------|-----------|
| 1. City Council Meeting | April 16, 2015 | 5:30 p.m. |
| 2. City Council Meeting | May 7, 2015 | 5:30 p.m. |
| 3. Planning Commission Meeting | May 14, 2015 | 6:00 p.m. |

8. ADJOURNMENT

Motion by Prestegaard, seconded by Tweeten, to adjourn the Planning Commission Meeting at 6:49 p.m. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Anthony Mahmood, Chairperson

Respectfully submitted,

Renee Eisenbeisz
Executive Analyst

Sherri A. Buss

From: Jon Herdegen <jherdegen@msa-ps.com>
Sent: Wednesday, April 08, 2015 8:00 AM
To: Sherri A. Buss; Bruce Hanson
Cc: Deb Hill (dhill@newportmn.com); Renee Helm (reisenbeisz@newportmn.com)
Subject: RE: Planning Commission discussion on paving requirements for parking

Hi Sherri,

Bruce and I discussed the ordinance inconsistencies you laid out regarding off-street parking. Our primary concern is unpaved surfaces discharging sediment/aggregate onto City streets. We would recommend that all off street parking in front yards (and side yards adjacent to an improved City street) are paved with asphalt, concrete, paver-block, brick or other hard surface as approved by the Superintendent of Public Works or City Engineer. Off-street parking in rear-yard or side-yard, not adjacent to an improved street, may be paved with crushed or washed rock as approved by the Superintendent of Public Works or City Engineer if the applicant can demonstrate that runoff from the rock surface is solely directed onto their own property or a minimum 30' (?) vegetated buffer. If it were up to us, we wouldn't allow any rock surface but that seems to be very restrictive especially if the surface doesn't impact the City Street or neighboring property.

The second concern we had was the exemption for 3 or fewer vehicles. We struggled to determine the basis for this exemption. This may be interpreted that someone could park up to three vehicles on unpaved surfaces in residential districts. I certainly do not think that is the intent but the language seems very unclear to us. We would recommend removing that language in its entirety.

Lastly, the City has had recent some push-back from residents claiming their driveways are paved and are not subject to replacement at the point of sale but the pavement is in such disrepair that it is no longer functioning a paved surface. We have been unable to find any provision in the code that provides the City the ability to use judgement regarding the condition of the pavement and require replacement of failing pavement. Perhaps a statement such as "If, in the City's judgement, the pavement surface has deteriorated beyond maintenance or repair, the owner shall be required to remove and replace driveway or off-street parking pavement in accordance with this Chapter and the Public Works Design Manual at the point of sale".

Please give me a call directly to discuss any comments above. Thanks for the opportunity to comment on the ordinance discussion.

 **Jon Herdegen, PE** | Senior Project Engineer
MSA Professional Services, Inc.
(612) 548-3124

From: Sherri A. Buss [<mailto:sherri.buss@tkda.com>]
Sent: Tuesday, March 31, 2015 8:51 AM
To: Jon Herdegen; Bruce Hanson
Cc: Deb Hill (dhill@newportmn.com); Renee Helm (reisenbeisz@newportmn.com)
Subject: Planning Commission discussion on paving requirements for parking

Jon and Bruce,

Renee has asked that we have the Planning Commission review the sections in the City's zoning ordinance that address paving requirements for parking areas—particularly residential. Due to the requirement to pave the driveway area



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Memorandum

To:	Newport Planning Commission	Reference:	Planning Commission Meeting May 14, 2015
Copies To:	Deb Hill, City Administrator		
	Renee Eisenbeisz, Executive Analyst		
		Project No.:	15743.000
From:	Sherri Buss, RLA AICP, City Planner	Routing:	
Date:	May 5, 2015		

The Planning Commission meeting on May 14 will focus on the parking standards in Section 1330.06 of the Zoning Ordinance. A draft of that section reflecting the Planning Commission discussion in April and the City Engineer’s recommendations is attached. The Planner included both Sections 1330.05 and 1330.06 so Commission members can see the proposed changes in location of some items related to parking.

The proposed amended ordinance places all of the parking and driveway standards (except landscaping) in Section 1330.06. The Planner also made some minor editorial changes to the performance standards to try to clarify the organization of the section. One item is also highlighted under Building Materials for Planning Commission discussion.

Questions for discussion:

1330.05, Subd. 3 Building Materials, Item A 6): This is not a parking related item, but it seems confusing or outdated. Does the City want to permit wood, wood siding, metal siding or vinyl siding only in the R-2 an R-3 Districts? If not, this would be an appropriate time to clarify this section

1330.05, Subd. 7 Paving and Curbing – moved to Section 1330.06 Subd 1A so that all parking standards are located in the same Section.

1330.06 – The major changes to this section include the following:

- **Items A 1-3 consolidate the surfacing requirements for parking that currently exist in several locations in the ordinance. Item 3 includes a new item recommended by the Engineer, as noted below.**
- **Item C is a new item recommended by the City Engineer and Public Works Director.**
- **Items D-L are items in existing City ordinances that have been re-organized in this section.**

Specific changes in 1330.06 for PC discussion include the following:

1330.06 A. Standards for Surfacing - review items 1-3. The draft reflects the Planning Commission discussion at the April meeting. Please review and suggest any changes needed.

- Driveways and parking areas in Non-residential districts to be paved, with type of surface to be approved by the City Engineer. Curbing is generally required unless otherwise approved by the City.
- First 40 feet of the driveway or entire driveway area between the garage and street if less than 40 feet required to be paved, unless approved by the Engineer. All front yard parking surfaces to be paved unless approved by the City.
- Side and rear yard parking in residential districts may have a variety of surfaces as approved by the Engineer. The Engineer suggested the language regarding surfaces for parking areas draining to the street. Can we simplify this section?

1330.06 B. Standards for Drainage –

- Moved paving standards for Residential Districts to previous section to minimize duplication. Other items are same as current ordinance.

1330.06 C. Standards for Maintenance

- The language in this section is similar to Maplewood's ordinance and was suggested by the Newport City Engineer and Public Works Superintendent. The Planning Commission should review and discuss this section.

1330.06 D. Location

- This requirement is included in the current ordinance, and was moved to this section.

1330.06 E. Setbacks

- This requirement was added based on PC discussion in April. Chapter 8 of the City Code, which includes some driveway dimension standards, calls for a side setback of 3 feet. This section would require a five-foot setback from all parcel boundaries for consistency, and to provide snow storage.

1330.06 F- L.

- These requirements are included in the current ordinance, and were moved or reordered within the parking section.

The Commission will hold a public hearing on the ordinance amendment on May 14.



1330.05 Performance Standards

Subd. 1 Intent. It shall be the intent of this section to promote high standards of design and construction in the City. These standards are set forth in order to enhance the visual appearance of the built environment within the City, to preserve the taxable value, to implement the goals and policies of the Comprehensive Plan and to promote the public health, safety, and welfare of the general public.

Subd. 2 General Scope—Performance Standards for Non-Residential Districts. Except in the RE, R-1, and R-1A districts, any construction or alteration of buildings, structures, property or exterior equipment in the City which requires a building permit under the provisions of this Chapter shall be reviewed by the Zoning Administrator and shall comply with the standards set in Subds. 34-15 and 17 through 19 inclusive. Subd. 3 and 16 include performance standards for Building Materials and Fences in all districts.

If the Zoning Administrator determines that the plans comply with the intent and standards contained herein, a building permit may be issued. All decisions of the Zoning Administrator may be appealed to the City Council as provided for in this Chapter.

Subd. 3 Building Materials. Exterior building materials of all structures shall be one of, or a combination of, the following materials:

A. Permitted materials:

- 1) Face brick, stone, or glass;
- 2) Decorative concrete block with a color and texture theme that is directly related to the building material, if not more than 50% of the building elevation faces any public roadway. Plain, flat unpainted concrete block is not allowed, nor is any type of painted concrete block;
- 3) Architecturally treated concrete or cast-in-place or precast concrete panels;
- 4) Stucco or other cement like coating applied in a manner so as to create a harmonious design with other exterior materials;
- 5) Metal panels with interlocking, concealed, or tongue-and-groove seams, and concealed fasteners, if the exterior surface finish is warranted by the manufacturer for twenty years against blistering, peeling, cracking, flaking, checking, or chipping, if not more than 50% of the building elevation faces any public roadway;
- 6) Wood, wood siding, metal siding, or vinyl siding, but only in the R-2 and R-3 districts, and only on buildings with eight (8) or fewer units.

B. Conditional materials. Other exterior building materials may be approved by Conditional Use Permit, if it is determined that:

- 1) The materials are similar to or better than the permitted materials listed above;

- 2) The materials are high quality, long-lasting, attractive, reasonably maintenance-free, and;
- 3) The materials are integrated harmoniously into the building design and with neighboring uses.
- 4) The materials are approved by the building official.

Subd. 4 Additions, Alterations, and Accessory Structures. All subsequent additions, exterior alterations, and accessory structures, built after the construction of the original building or buildings shall be of the same materials as those used in the original building and shall be designed to conform to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Such alterations shall also maintain the appearance of the building exterior due to fading, cracking, peeling, rotting, or other degradations or inconsistencies, particularly where signage, equipment, fixtures, or other features may have been removed, revealing an inconsistent color or condition of materials.

Subd. 5 Other Structures—Garages and Walls. Garages, screen walls, and other areas of exposed permanent materials shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Exposed areas of retaining walls shall be of high quality durable materials compatible with the overall design of the site plan and structures.

Subd. 6 Outside Storage. All outside storage of equipment, materials, or vehicles shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses, subject to the following conditions and exceptions:

- A. Temporary, daily parking of vehicles, for a period of no more than forty-eight (48) consecutive hours, for employees or patrons of a business, need not be screened in side and rear yards adjacent to other business or industrial uses, but shall be completely screened from residential uses. In front yards, all such vehicles need to be screened to a height of three (3) feet. Any vehicle parked for more than forty-eight (48) consecutive hours shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses.
- B. Any outside storage or display of vehicles for sale, rent, or lease shall be by Conditional Use Permit only as governed by this Chapter, and shall include only operable new vehicles or operable used vehicles in good working order and of good appearance.
- C. Open storage of any kind shall be prohibited in any required front, side or rear yard setback.
- D. Overnight storage of perishable goods shall be allowed only within a completely enclosed permanent structure.

~~**Subd. 7 Paving and Curbing.** All parking areas and drives shall be constructed of concrete, blacktop, or similar durable hard surface free of dust. The periphery of all parking areas and drives shall be constructed with poured in place concrete curbing unless otherwise approved by the City.~~

Subd. 8-7 Utility Equipment. All utility equipment, such as heating and ventilating equipment, meters and other devices shall be completely screened from eye-level view of adjacent properties and streets. Equipment shall be screened with a screen wall, berm, or landscaping if located on the ground. If on the roof, the equipment shall be screened with a parapet or screen wall of materials compatible with the principal structure. Vertical or horizontal wood slats, fencing or similar materials are not acceptable screening material.

Subd. 9-8 Utilities Location. When practical and feasible, all utilities shall be placed underground. All groundwork shall be completed prior to street surfacing. All utility lines for telephone and electrical service shall be placed in rear line easements when carried on overhead poles.

Subd. 10-9 Loading and Service Areas. All loading and service areas shall be completely screened from eye-level view of adjacent residential uses, adjacent public streets, and the public front and office sides of business and industrial uses, except at driveway access points. Exterior loading docks or other provisions for handling materials brought to or removed from the site shall be on those sides of buildings, which do not face any roadway or proposed roadway.

Subd. 11-10 Trash Handling. Dumpsters, trash, trash handling equipment, and recycling equipment shall be stored within a principal structure or within an accessory structure of the same materials as the principal structure which is enclosed by walls 6' in height and with doors that close.

Subd. 12-11 Screening. The screening required by this section for any purpose may be accomplished by:

- A. Existing vegetation, topography, or other site feature;
- B. Placement of the building on the lot or of a building on an adjacent lot;
- C. Berming or landscaping which is at least eighty (80) percent opaque at maturity. Planting screens shall consist of healthy, fully hardy plant materials, at least six (6) feet in height. Such plantings shall be maintained in a neat and healthy condition. Plant materials that have died shall be promptly replaced;
- D. Screen walls, provided they are maintained in good repair at all times.

Subd. 13-12 Outdoor Electronic Speakers. Outdoor electronic speakers, and other sound-making devices, such as automobile service order devices, drive-in car speakers, outdoor sound systems, and similar instruments shall be screened, baffled, or located in such a manner that they do not transmit nuisance noise to adjacent or nearby residential uses.

Subd. 14-13 Lighting. Lighting fixtures shall be of a downcast, cutoff type, concealing the light source from view and preventing glare from spilling into residential areas. Lighting

levels shall be measured in foot-candles five feet off the ground or floor level. The following light levels shall be met:

- A. Lot line of adjacent residential property 0.5 foot candle maximum
- B. Open parking areas 1.0 foot candle minimum
- C. Covered parking facilities/night (minimum):
 - 1) General parking & pedestrian areas 5 foot candles
 - 2) Ramps & corners 5 foot candles
 - 3) Entrances & exits 5 foot candles
 - 4) Stairwells 20 foot candles
- D. Covered parking facilities/day (minimum):
 - 1) General parking & pedestrian area 5 foot candles
 - 2) Ramps & corners 10 foot candles
 - 3) Entrances & exits 50 foot candles
 - 4) Stairwells 20 foot candles

Subd. ~~15-14~~ Landscaping. All areas of land not covered by structures or pavement shall be landscaped with sod, mulch, or rock materials, and landscaped according to the provisions of this section:

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance. Trees provided shall be at least twenty-five (25) percent overstory deciduous and at least twenty-five (25) percent coniferous. All deciduous trees provided shall be long-lived hardwood species.
- D. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.

- E. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- F. Berming used to provide screening of parking lots shall be 3 feet in height and shall have a maximum slope ratio of 3:1.
- G. Parking Lot [Landscaping](#) Requirements.
 - 1) Parking lots for more than eight (8) cars shall landscape 10 percent of the parking lot surface area. The landscaped area may be in the form of landscape islands, special brick paving or other landscaping as approved by the Zoning Administrator. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 250 square feet. The landscaped area shall adhere to the size and material requirements of this Chapter.
 - 2) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2 ½ and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.
- H. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 - 1) Deciduous trees shall be at least 2 ½ inches in diameter.
 - 2) Ornamental trees shall be a minimum of 1 ½ inches in diameter
 - 3) Evergreen trees shall have a minimum height of 6 feet.
 - 4) Potted shrubs shall be in a 5 gallon pot or larger.
 - 5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
- I. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

Subd. ~~16-15~~ Fences.

- A. Fences in Business (B) and Industrial (I) Zoning Districts:
 - 1) A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
 - 2) The side of the fence considered the face (the finished side as opposed to the structural supports) shall face the abutting property.
 - 3) A fence shall be of one color or pattern, may not contain or support pictures, signage or lettering, and must be maintained in good condition and appearance.

- 4) A fence shall only be constructed of the following materials:
 - a. Treated wood, cedar, or redwood
 - b. Simulated wood
 - c. Decorative brick or stone
 - d. Wrought iron or aluminum designed to simulate wrought iron
 - e. Coated or non-coated chain link
 - f. Split rail
 - g. Barbed wire. Barbed wire may be used for top fencing only around Business and Industrial uses where the base fence is at least six (6) feet in height. The barbed wire portion of the fence may not exceed three (3) strands, and shall have arms projecting into the applicant's property on which the barbed wire shall be fastened. The minimum height to the bottom strand of the barbed wire shall not be less than six (6) feet from finished grade.
- 5) A fence may be no more than twelve (12) feet in height.
- 6) A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic. No fence shall be closer than one (1) foot from a public walkway.
- 7) In the I-S district, a fence at least six (6) feet in height shall be required around all storage tanks.
- 8) No fence shall be constructed on public rights-of-way.

B. Fences in the Residential (R) and Mixed Use (MX) Zoning Districts:

- 1) A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- 2) That side of the fence considered being the face (the finished side as opposed to the structural supports) shall face the abutting property.
- 3) A fence in the front yard shall be of one color or pattern, and may not contain or support pictures, signage or lettering visible to a public street or to adjacent properties.
- 4) A fence may be no more than four (4) feet in height in the front yard.
- 5) A fence may be no more than six (6) feet in height in a side or rear yard, unless the side or rear lot line is common with the front yard of an abutting lot, in which case the portion of the side or rear lot line equal to the required front yard of the abutting lot may have a fence no more than four (4) feet in height.
- 6) Except in the RE district, electric fences may not be used.

- 7) A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic. No fence may be closer than one (1) foot from a public walkway.
- 8) All fences shall be maintained in good condition and appearance.
- 9) A fence shall only be constructed of the following materials:
 - a. Treated wood, cedar, or redwood
 - b. Simulated wood
 - c. Decorative brick or stone
 - d. Wrought iron or aluminum designed to simulate wrought iron
 - e. Coated or non-coated chain link
 - f. Split rail
 - g. Other materials or fence types as approved by the Zoning Administrator.
- 10) Barbed wire fence material may be used for security purposes on the side and rear of non-residential buildings in the MX Districts with the approval of an Administrative Permit by the Zoning Administrator. The barbed wire portion of the fence shall not be placed in the front yard. Barbed wire may be used for top fencing only where the base fence is at least six (6) feet in height. The barbed wire portion of the fence may not exceed three (3) strands, and shall have arms projecting into the applicant's property on which the barbed wire must be fastened. The minimum height to the bottom strand of the barbed wire shall not be less than six (6) feet from finished grade.
- 11) Except in the RE District, welded wire shall not be used for fences on property boundaries.
- 12) Welded wire may be used in the RE District for fences on property boundaries of rear yards.
- 13) Welded wire may only be used for small enclosures in all districts to protect vegetation such as trees, gardens, plants, and bushes.
- 14) Except in the RE District, snow fences may not be used for fences.
- 15) Snow fences may be erected in the RE District for controlling snow between November 1 and April 15. All snow fences must be removed by April 16.
- 16) No fence shall be constructed on public rights-of-way.

Subd. ~~17-16~~ Noxious Matter. The emission of noxious matter shall be controlled so that no such emission crosses the lot line of the property from which it originates. Noxious matter shall mean any solid, liquid or gaseous material, including but not limited to gases, vapors,

odor, dusts, fumes, mists, or combinations thereof, the emission of which is detrimental to or endangers the public health, safety, comfort or general welfare, or causes damage to property. The operator of the facility shall comply with a regular inspection schedule as approved by the City and shall submit reports of such inspections to the City.

Subd. ~~18-17~~ Restricted Operations. Uses which because of the nature of their operation are accompanied by an excess of noise, vibration, dust, dirt, smoke, odor, noxious gases, glare or wastes shall not be permitted. Noise, odors, smoke and particulate matter shall not exceed Minnesota Pollution Control Agency standards. Glare, whether direct or reflected, such as from spotlights or high temperature processes, as differentiated from general illumination, shall not be visible beyond the lot line of the property from which it originates.

Subd. ~~19-18~~ Explosives. Any use requiring the storage, use or manufacturing of explosives, or other products which could decompose by detonation, shall not be located less than four hundred (400) feet from any residential use or residentially zoned area. This provision shall not apply to the storage or use of liquefied petroleum or natural gas for normal residential or business purposes, nor to the storage and distribution for retail sale of gasoline and other motor fuels if properly stored and handled according to applicable safety regulations.

Subd. ~~20-19~~ Exceptions for Legal Non-Conforming Structures. The standards in this section do not apply to legal non-conforming single family residential structures and properties in Business and Industrial districts, provided they are continuously used for residential purposes only, and provided any additions or alterations to these structures meet the standards of the R-1 district and other applicable zoning and building code standards. For legal non-conforming non-residential structures in the Business and Industrial districts or for existing non-residential development on properties that are rezoned to a Business or Industrial zoning district, the following exceptions shall apply:

- A. New construction projects for repairs, remodeling, or additions to a structure do not need to meet the standards in this section if the construction increases the size of the building by less than ten (10) percent, or if it increases the assessor's market value by less than twenty (20) percent.
- B. Construction projects involving a building expansion between ten (10) and fifty (50) percent of the size of the building or an increase in assessor's market value between twenty (20) and fifty (50) percent of its value need not meet all the standards of this section, but shall be required to meet a reasonable proportion of the requirements of this section as determined by the Planning Commission, upon the advice of the Zoning Administrator. If two or more smaller projects, over a period of five years or less, together exceed the percentage thresholds in this paragraph, the property shall then meet a reasonable proportion of the requirements as determined by the Zoning Administrator.
- C. Construction projects involving a building expansion over fifty (50) percent of the size of the building or an increase in assessor's market value over fifty (50) percent of its value shall be required to meet all the standards of this section. If two or more smaller projects, over a period of five years or less, together exceed the percentage threshold in this paragraph, the property shall then meet all the standards of this section.

- D. For the purposes of determining compliance with the standards in this section, site work not involving the structures on site shall be considered separately from work on the structures.
- 1) For legal non-conforming uses, new construction projects for repairs, remodeling, or additions to the parking lot, outdoor spaces, landscaping, or other exterior features do not need to meet the standards in this section if the construction increases the size of these areas by less than ten (10) percent.
 - 2) Construction projects involving an expansion of exterior space between ten (10) and fifty (50) percent of the size of the parking lot or other outdoor space need not meet all the standards of this section, but shall be required to meet a reasonable proportion of the requirements as determined by the Planning Commission, upon the advice of the Zoning Administrator.
 - 3) For the purposes of this section, adding one inch or more of new material to an existing parking lot surface shall be considered an increase of one hundred (100) percent of the area involved.

Subd. ~~21-20~~ Subdivisions ~~21-240-23~~ -- Performance Standards in RE, R-1, and R-1A districts. All construction or alteration of buildings, structures, or property in the RE, R-1, and R-1A districts shall comply with the standards set in Subds. ~~21-20~~ through 23 inclusive, as interpreted by the Zoning Administrator. Building Materials and Fences in Residential Districts shall comply with the standards included in Subd 3 and 165 of this Section, respectively. All decisions of the Zoning Administrator may be appealed to the City Council as provided for elsewhere in this Code.

Subd. ~~22-21~~ Exterior Storage and Screening in RE, R-1, and R-1A districts.

- A. All waste, refuse, garbage and containers shall be kept in a building or in a fully screened area, except as allowed before a scheduled collection.
- B. All non-operating vehicles or equipment shall be kept within a fully enclosed building.
- C. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, subject to the following conditions and exceptions:
 - 1) All vehicles parked in the front yard shall be on concrete, blacktop, or similar durable hard surface free of dust.
 - 2) No more than three (3) vehicles may be parked in the front yard at any one time, only one of which may be over six thousand (6,000) pounds gross vehicle weight or over twenty (20) feet in length.
 - ~~2)3)~~ Additional operable vehicles above the limit of three (3) may be parked in the front yard on a temporary basis, for no more than forty-eight (48) consecutive hours.
- D. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.

Subd. ~~23~~22 Lighting in the RE, R-1, and R-1A districts. Lighting used to illuminate any exterior area or structure shall be arranged so as to direct the light away from any adjoining property or from the public street.

Subd. ~~24~~23 Landscaping in the RE, R-1 and R-1A Districts. All areas of land not covered by structures or pavement shall be landscaped with sod, mulch, or rock materials, and landscaped according to the provisions of this section:

- A. At least one (1) over-story tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance.
- D. All areas of land not covered by structures, pavement, or landscaping may be covered by natural characteristics, when appropriate.
- E. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- F. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- G. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 - 1) Deciduous trees shall be at least 2 ½ inches in diameter.
 - 2) Ornamental trees shall be a minimum of 1 ½ inches in diameter.
 - 3) Evergreen trees shall have a minimum height of 6 feet.
 - 4) Potted shrubs shall be in a 5 gallon pot or larger.
 - 5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at

planting. Evergreen shrubs will have a minimum spread of 24 inches.

- 6) Except when a property's topsoil depth is less than 24 inches, the plant size requirement may be reduced by 50% or to 1 ¼ inches and doubling the number of trees.

H. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

Subd. ~~25-24~~ Utilities Location in Residential (R) Districts. When practical and feasible, all utilities shall be placed underground. All groundwork shall be completed prior to street surfacing. All utility lines for telephone and electrical service shall be placed in rear line easements when carried on overhead poles.

1330.06 Off-Street Parking Areas and Driveways

Subd. 1 General.

A. Standards-Surfacing. All Off-street parking, areas and driveways, shall be constructed with an improved surface to meet the following requirements:

- 1) In all Non-Residential Districts (MX, B and I Districts) all driveways, parking, loading, and service areas shall be ~~improved-constructed~~ with a concrete, asphalt or similar a durable and dustless surface, approved by the City Engineer. The periphery of all parking areas and drives in Non-Residential Districts (except parking areas for Single-Family Residential uses in those districts) shall be constructed with poured-in-place concrete curbing, unless otherwise approved by the City.
- 2) In Residential Districts, the first 40 feet of the driveway or the driveway area between the street and garage, whichever is less, shall be paved with concrete, asphalt or an acceptable surface as approved by the City Engineer, except for properties whose main access is on a non-paved roadway. All parking surfaces in the front yard of the principal structure and/or draining to a public paved street shall be paved, unless otherwise approved by the City.
- 3) In Residential districts, any parking or driveway surface located in the side or rear yard shall be constructed of one of the following: concrete, asphalt, class V gravel (minimum 6 inches compacted), landscape rock (minimum 6 inches compacted), landscape paver blocks or brick, as approved by the City Engineer. [Alternate language suggested by the City Engineer: Off-street parking in side or rear yards, not adjacent to an improved street, may be paved with concrete, asphalt, class V gravel, or crushed or washed rock as approved by the City Engineer if the applicant can demonstrate the runoff from the rock surface is solely directed onto their own property or surface runoff meets the City's stormwater management requirements.]

B. Standards-Drainage. ~~and~~ Parking, loading and service areas shall be graded and drained so as to dispose of all surface water accumulation within the parking area to meet the City and other applicable stormwater management requirements. Acceptable surfaces may include crushed rock and similar treatment for parking

~~accessory to single family and duplex residential structures, all other uses shall utilize asphalt, concrete or substitute as approved by the Zoning Administrator. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the City.~~

~~C. Standards-Maintenance. The City, at its discretion, can require the entire or greater portion of the driveway to be paved if erosion or drainage problems are experienced on public or private land. All parking lots shall be kept in good condition with no potholes. If in the City's judgment, the pavement surface of a driveway or parking lot has deteriorated beyond maintenance or repair, the owner shall be required to remove and replace the driveway or off-street parking area pavement at the point of property sale in accordance with this Chapter and the City's Public Works Design Manual. Parking areas for three (3) vehicles or fewer shall be exempt from the requirements of this paragraph.~~

~~C.~~

D. Location. All parking spaces shall be on the same lot as the principal use for which they are intended.

E. Setbacks. All parking areas [and driveways] shall be set back a minimum of five (5) feet from property lines. Driveways shall meet the standards in Chapter 8, Section 811.07 (E) of the City Code.

F. Size. In Residential Districts, parking areas in front yards shall not exceed two (2) spaces, or twenty-five percent (25%) of the front yard area, whichever is less. The location of parking lots and lot coverage in Non-Residential Districts shall meet the requirements in Section 1350.14 of this Ordinance.

G. Easements. The parking or driveway surface may not encroach on any drainage and utility easement, except the front yard drainage and utility easement abutting the street.

~~D.H.~~ H. Dimensions. Each off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet deep. Access drives and aisles shall be a minimum of twenty-four (24) feet wide for two-way traffic, and eighteen (18) feet wide for one-way traffic. Parking space dimensions for angled parking shall be approved by the Zoning Administrator, based on acceptable planning standards.

~~E.I.~~ I. Compact Car Parking. Parking spaces for compact cars may be included within a parking lot plan approved by the Zoning Administrator provided the spaces comprise no more than forty (40) percent of the spaces for the entire use or project, and provided they shall be clearly identified on the site and their location shall be designed carefully into the overall site plan. The spaces shall be a minimum of eight (8) feet wide by sixteen (16) deep.

~~E.J.~~ J. Handicapped Parking. Parking for handicapped persons shall be provided in accordance with State and Federal regulations.

K. Access. All off-street parking spaces shall have access from a private driveway and shall not access directly onto a public street.

L. Unless otherwise provided, required parking for all uses shall be within four hundred (400) feet of the entrance to the use.

Subd. 2 Number of Off-street Parking Spaces. The number of off-street parking spaces required for uses in the Residential, Non-Residential, and MX-1 and MX-2 Districts shall be as follows. Section 1350.19(D) prescribes the number of off street parking spaces required for uses in the MX-3 District.

- A. Single and Two-family Dwellings: Two (2) spaces per unit, at least one of which shall be enclosed.
- B. Residential Dwellings up to Eight (8) Units per structure: Two (2) spaces per unit, at least one each of which shall be enclosed, plus one half (0.5) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within one hundred (100) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- C. Residential Dwelling with more than Eight (8) Units: One and one-half (1-½) spaces per unit for each efficiency or one bedroom unit, at least one each of which shall be enclosed, and two (2) spaces per unit for each unit with two or more bedrooms, at least one each of which shall be enclosed. In addition, there shall be one-half (½) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within two hundred (200) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- D. Driveway Space: Driveway space immediately in front of a garage door, blocking normal access to the garage, may not be counted as part of the required parking space for any residential use.
- E. Retail Sales and Service Uses: One (1) space for each two hundred fifty (250) square feet of gross floor area.
- F. Hotel or Motel: One (1) space per unit, plus one (1) space per employee on the largest shift.
- G. Medical or Dental Clinic: Six (6) spaces per doctor or dentist.
- H. Vehicle or Equipment Service and Repair: Two (2) spaces plus three (3) spaces for each service stall
- I. Restaurants, Taverns, Clubs, and Similar Uses: One (1) space for each two and one half (2.5) seats, based on maximum design capacity.
- J. Offices, Other than Medical or Dental: One (1) space for each two hundred fifty (250) square feet of gross floor area.

- K. Churches, Theaters, Auditoriums, Funeral Homes, and Other Places of Assembly.: One (1) space for each three (3) seats or for each five (5) feet of pew or bleacher length, based on the maximum design capacity.
- L. Warehouse, Storage, Handling of Bulk Goods, Industrial Storage: One (1) space for each two (2) employees on the largest shift, or one (1) space for each two thousand (2,000) square feet of gross floor area, whichever shall be greater.
- M. Manufacturing, Light Industrial, Processing, and Fabrication: One (1) space per five hundred (500) square feet of gross floor area.
- N. Uses Not Specifically Mentioned: As shall be determined by the Zoning Administrator.

~~Subd. 3 Residential Districts.~~

- ~~A. No more than twenty five (25) percent of the required yard area shall be surfaced or utilized for driveway space or vehicle storage.~~
- ~~B. All parking spaces shall be on the same lot as the principal use for which they are intended.~~

Subd. 3 Shared Parking in Non-residential Districts. The standards for shared parking spaces for uses in all-non-residential districts are as follows:

- A. Required parking facilities serving two or more uses may be located on the same lot or in the same structure, provided that the total number of parking spaces furnished shall not be less than the sum of the separate requirements for each use.
- B. A shared parking plan for two or more uses involving fewer than the total number of parking spaces required in paragraph (1) above may be approved by Conditional Use Permit, if at least the following conditions shall be met:
 - 1) No more than fifty (50) percent of the required parking spaces for a given use may be shared with another use.
 - 2) The applicant shall show that there is no substantial conflict between the principal operating hours of the uses, which will share parking spaces.
 - 3) A properly drawn legal instrument covering access easements, cross parking arrangements, maintenance, or other pertinent issues, executed by the parties involved, and approved by the City Attorney, shall be filed with the City Clerk-Administrator.
 - 4) Proof of available parking can be made available should a more intensive use be proposed for the site at a later time.

~~Subd. 5 Location of Parking.~~ ~~Unless otherwise provided, required parking for all uses shall be within four hundred (400) feet of the entrance to the use.~~

**PLANNING COMMISSION
RESOLUTION NO. P.C. 2015-3**

**A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE A ZONING AMENDMENT TO SECTION
1330 GENERAL DISTRICT REGULATIONS**

WHEREAS, The City has been working to clean up language in its Zoning Code; and

WHEREAS, The Planning Commission feels it is advantageous to clean up and clarify language regarding parking standards; and

WHEREAS, The Planning Commission held a public hearing on this Zoning Amendment at its meeting of Thursday, May 14, 2015; and

NOW, THEREFORE, BE IT RESOLVED, That the Newport Planning Commission recommends Newport City Council approval of a Zoning Amendment to amend the present language found in *Section 1330 General District Regulations*. It will read as follows:

Section 1330 General District Regulations

1330.05 Performance Standards

Subd. 1 Intent.

Subd. 2 General Scope—Performance Standards for Non-Residential Districts. Except in the RE, R-1, and R-1A districts, any construction or alteration of buildings, structures, property or exterior equipment in the City which requires a building permit under the provisions of this Chapter shall be reviewed by the Zoning Administrator and shall comply with the standards set in Subds. 4-15 and 17-19 inclusive. Subd. 3 and 16 include performance standards for Building Materials and Fences in all districts.

If the Zoning Administrator determines that the plans comply with the intent and standards contained herein, a building permit may be issued. All decisions of the Zoning Administrator may be appealed to the City Council as provided for in this Chapter.

Subd. 3 Building Materials.

Subd. 4 Additions, Alterations, and Accessory Structures.

Subd. 5 Other Structures—Garages and Walls. Garages, screen walls, and other areas of exposed permanent materials shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Exposed areas of retaining walls shall be of high quality durable materials compatible with the overall design of the site plan and structures.

Subd. 6 Outside Storage.

Subd. 7 Utility Equipment.

Subd. 8 Utilities Location.

Subd. 9 Loading and Service Areas.

Subd. 10 Trash Handling.

Subd. 11 Screening.

Subd. 12 Outdoor Electronic Speakers.

Subd. 13 Lighting.

Subd. 14 Landscaping. All areas of land not covered by structures or pavement shall be landscaped with sod, mulch, or rock materials, and landscaped according to the provisions of this section:

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance. Trees provided shall be at least twenty-five (25) percent overstory deciduous and at least twenty-five (25) percent coniferous. All deciduous trees provided shall be long-lived hardwood species.
- D. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- E. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- F. Berming used to provide screening of parking lots shall be 3 feet in height and shall have a maximum slope ratio of 3:1.
- G. Parking Lot Landscaping Requirements.
 - 1) Parking lots for more than eight (8) cars shall landscape 10 percent of the parking lot surface area. The landscaped area may be in the form of landscape islands, special brick paving or other landscaping as approved by the Zoning Administrator. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 250 square feet. The landscaped area shall adhere to the size and material requirements of this Chapter.
 - 2) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2 ½ and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.
- H. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 - 1) Deciduous trees shall be at least 2 ½ inches in diameter.
 - 2) Ornamental trees shall be a minimum of 1 ½ inches in diameter
 - 3) Evergreen trees shall have a minimum height of 6 feet.
 - 4) Potted shrubs shall be in a 5 gallon pot or larger.

5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.

I. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

Subd. 15 Fences.

Subd. 16 Noxious Matter.

Subd. 17 Restricted Operations.

Subd. 18 Explosives.

Subd. 19 Exceptions for Legal Non-Conforming Structures.

Subd. 20 Subdivisions 20-23 -- Performance Standards in RE, R-1, and R-1A districts. All construction or alteration of buildings, structures, or property in the RE, R-1, and R-1A districts shall comply with the standards set in Subds. 20 through 23 inclusive, as interpreted by the Zoning Administrator. Building Materials and Fences in Residential Districts shall comply with the standards included in Subd 3 and.15 of this Section, respectively. All decisions of the Zoning Administrator may be appealed to the City Council as provided for elsewhere in this Code.

Subd. 21 Exterior Storage and Screening in RE, R-1, and R-1A districts.

Subd. 22 Lighting in the RE, R-1, and R-1A districts.

Subd. 23 Landscaping in the RE, R-1 and R-1A Districts.

Subd. 24 Utilities Location in Residential (R) Districts.

1330.06 Off-Street Parking Areas and Driveways

Subd. 1 General.

A. Standards-Surfacing. All off-street parking areas and driveways, shall be constructed with an improved surface to meet the following requirements:

1) In all Non-Residential Districts (MX, B and I Districts) all driveways, parking, loading, and service areas shall be constructed with a concrete, asphalt or similar durable and dustless surface, approved by the City Engineer. The periphery of all parking areas and drives in Non-Residential Districts (except parking areas for Single-Family Residential uses in those districts) shall be constructed with poured-in-place concrete curbing, unless otherwise approved by the City.

2) In Residential Districts, the first 40 feet of the driveway or the driveway area between the street and garage, whichever is less, shall be paved with concrete, asphalt or an acceptable surface as approved by the City Engineer, except for properties whose main access is on a non-paved roadway. All parking surfaces in the front yard of the principal structure and/or draining to a public paved street shall be paved, unless otherwise approved by the City.

3) In Residential districts, any parking or driveway surface located in the side or rear yard shall be constructed of one of the following: concrete, asphalt, class V gravel (minimum 6 inches compacted), landscape rock (minimum 6 inches compacted), landscape paver blocks or brick, as approved by the City Engineer. [Alternate language suggested by the City Engineer: Off-street parking in side or rear yards, not adjacent to an improved street, may be paved with concrete, asphalt, class V gravel, or crushed or washed rock as approved by the City Engineer if the applicant can demonstrate the runoff from the rock surface is solely directed onto their own property or surface runoff meets the City's stormwater management requirements.]

B. Standards-Drainage. Parking, loading and service areas shall be graded and drained so as to dispose of all surface water accumulation within the parking area to meet the City and other applicable stormwater

management requirements. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the City.

- C. Standards-Maintenance. The City, at its discretion, can require the entire or greater portion of the driveway to be paved if erosion or drainage problems are experienced on public or private land. All parking lots shall be kept in good condition with no potholes. If in the City's judgment, the pavement surface of a driveway or parking lot has deteriorated beyond maintenance or repair, the owner shall be required to remove and replace the driveway or off-street parking area pavement at the point of property sale in accordance with this Chapter and the City's Public Works Design Manual.
- D. Location. All parking spaces shall be on the same lot as the principal use for which they are intended.
- E. Setbacks. All parking areas [and driveways] shall be set back a minimum of five (5) feet from property lines. Driveways shall meet the standards in Chapter 8, Section 811.07 (E) of the City Code.
- F. Size. In Residential Districts, parking areas in front yards shall not exceed two (2) spaces, or twenty-five percent (25%) of the front yard area, whichever is less. The location of parking lots and lot coverage in Non-Residential Districts shall meet the requirements in Section 1350.14 of this Ordinance.
- G. Easements. The parking or driveway surface may not encroach on any drainage and utility easement, except the front yard drainage and utility easement abutting the street.
- H. Dimensions. Each off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet deep. Access drives and aisles shall be a minimum of twenty-four (24) feet wide for two-way traffic, and eighteen (18) feet wide for one-way traffic. Parking space dimensions for angled parking shall be approved by the Zoning Administrator, based on acceptable planning standards.
- I. Compact Car Parking. Parking spaces for compact cars may be included within a parking lot plan approved by the Zoning Administrator provided the spaces comprise no more than forty (40) percent of the spaces for the entire use or project, and provided they shall be clearly identified on the site and their location shall be designed carefully into the overall site plan. The spaces shall be a minimum of eight (8) feet wide by sixteen (16) deep.
- J. Handicapped Parking. Parking for handicapped persons shall be provided in accordance with State and Federal regulations.
- K. Access. All off-street parking spaces shall have access from a private driveway and shall not access directly onto a public street.
- L. Unless otherwise provided, required parking for all uses shall be within four hundred (400) feet of the entrance to the use.

Subd. 2 Number of Off-street Parking Spaces.

Subd. 3 Shared Parking in Non-residential Districts.

Adopted this 14th day of May, 2015 by the Newport Planning Commission.

VOTE: Mahmood	_____
Haley	_____
Prestegaard	_____
Taylor	_____
Tweeten	_____

Signed: _____
Anthony Mahmood, Chairperson

ATTEST: _____
Deb Hill, City Administrator

DRAFT