



**CITY OF NEWPORT
PLANNING COMMISSION MEETING
NEWPORT CITY HALL
September 14, 2021 – 5:30 P.M.**

Commissioner: Anthony Mahmood
Commissioner: Brandon Leyde
Commissioner: Maria Bonilla
Commissioner: Tami Fuelling
Commissioner: Michael Kermes

City Administrator: Deb Hill
Asst. to the City Admin: Travis Brierley
City Planner: Sherri Buss
City Planner: Harry Davis
Council Liaison: Marvin Taylor

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. MEETING MINUTES
 - A. August 10, 2021
4. SOUTH SAINT PAUL COMPREHENSIVE PLAN
5. RESIDENTIAL PARKING ORDINANCE
6. COMMISSION REPORTS
7. ADJOURNMENT



**CITY OF NEWPORT
PLANNING COMMISSION MEETING MINUTES
NEWPORT CITY HALL
August 10, 2021**

1. CALL TO ORDER

Chair Anthony Mahmood called the Planning Commission Meeting to order at 5:30 p.m. on August 10, 2021.

2. ROLL CALL

Present (5): Chair Anthony Mahmood, Commissioner Brandon Leyde, Commissioner Maria Bonilla, Commissioner Tami Fuelling, and Commissioner Michael Kermes.

Not Present (0): None.

3. MEETING MINUTES

A. July 13, 2021

Commissioner Leyde motioned to approve the Planning Commission Minutes from July 13, 2021. Seconded by Commissioner Bonilla. Approved 5-0.

4. PUBLIC HEARING- Mississippi River Critical Corridor Area (MRCCA)

City Planner Harry Davis stated the Minnesota DRN has requested changes to the MRCCA ordinance to clarify definitions and requirements along with the revised formula for patios and porches. The changes include minor word changes to the bluff definition.

Chair Mahmood opened the public hearing at 5:31 p.m. on August 10, 2021.

Bill Sumner, residing at 737 21st Street, addressed the Commission. Mr. Sumner stated he looked at the proposed changes to the MRCCA ordinance and is in favor of approving them.

Chair Mahmood closed the public hearing at 5:32 p.m. on August 10, 2021.

Commissioner Leyde inquired if we were able to answer the past questions from a resident about the high-level mark. Assistant to the City Administrator Travis Brierley stated the ordinary high-water mark is defined by an elevation.

Commissioner Leyde motioned to recommend the updated MRCCA Ordinance to City Council for approval. Seconded by Commissioner Fuelling. Approved 5-0.

5. PUBLIC HEARING- Fence Ordinance

Planner Davis stated the City Council has requested changes to the fence ordinance to allow additional materials for fences, require permits for new fences, and to address fences in the right-of-way and easements. Planner Davis stated the surrounding communities are more accommodating with fence materials as they are more concerned with “quality” materials. The proposed change would remove the list of specific materials and the final call would reside with the City Administrator. City Administrator Deb Hill stated residents have requested to use vinyl fencing which was not on the approved material list and therefore could not be allowed.

Chair Mahmood opened the public hearing at 5:39 p.m. on August 10, 2021.

Bill Sumner, residing at 737 21st Street addressed the Commission. Mr. Sumner stated he was concerned with the barbed wire section of the ordinance. He believes the barbed wire should protrude away from the business and not towards the business like the ordinance states. Also, regarding fences in the front yard, Mr. Sumner inquired what was meant by the section to allow signage or lettering that is not visible to the public street or adjacent properties.

Planner Davis stated the barbed wire was existing language within the code. Assistant Brierley stated the barbed wire protruding toward the business has to do with visibility and makes for a cleaner appearance.

Chair Mahmood closed the public hearing at 5:50 p.m. on August 10, 2021.

The Commission discussed having signage or lettering on fences what the community standards should be. The Commission agreed that for consistency and clarity we should revert to the original language for signage and lettering. Planner Davis clarified it would read “a fence in the front yard shall be of one color or pattern and may not contain signage or lettering that is visible to a public street or to adjacent properties.

Commissioner Leyde motioned to recommend the updated fence ordinance as presented with amendments to City Council for approval. Seconded by Commissioner Kermes. Approved 5-0.

6. COMMISSION REPORTS

None

7. ADJOURNMENT

Commissioner Leyde motioned to adjourn the Planning Commission Meeting. Seconded by Chair Mahmood. Approved 5-0.

The Planning Commission Meeting was adjourned at 6:12 p.m. on August 10, 2021.

Respectfully Submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Anthony Mahmood, Chairman



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MEMORANDUM

Date: September 7, 2021
To: City of Newport Planning Commission
From: Nathan Fuerst
Harry Davis, AICP
Subject: Request for Comment – South Saint Paul Comprehensive Plan Amendment

Meeting Date: September 14, 2021

Applicant: City of South Saint Paul

Request:

The City of South Saint Paul is currently reviewing a proposed change to its Comprehensive Plan increasing allowable density from 60 to 75 units per acre for certain areas that fall within the “Mixed-Use” land use category. The City of South Saint Paul requested comments from the City of Newport as an *affected jurisdiction*.

Background:

The City of South Saint Paul adopted its 2040 Comprehensive Plan in October of 2020. That plan provides for minimum and maximum allowable densities (units allowed per acre) in all land use categories. Recently, South Saint Paul city staff have had conversations with developers leading them to identify areas where the maximum allowable density is not high enough to allow for the type of projects the City wishes to encourage. For such mixed-use projects to be economically feasible, a higher number of units per acre is necessary.

Areas Impacted:

The areas that are impacted by this proposed change are located within the area of South Saint Paul between the Mississippi River Bluff and the Mississippi River. Specifically, they are the “mixed-use areas along Concord Street, Concord Exchange, and on the Hardman Triangle”. There are currently a mix of primarily industrial and commercial land uses in the area. See the attached Annotated Future Land Use map for a visual depiction of the areas.

Impacts and Conformance with Newport’s Comprehensive Plan:

Assuming any or all properties in the areas impacted were built out to the maximum density, impacts on the City of Newport would be inconsequential. The nearest residential land use in the City of Newport is over one mile away from any properties in South Saint Paul for which the maximum density is proposed to increase to 75 units/acre.

Required Comment Period:

Minnesota State Statute requires that cities within the metropolitan area submit amendments to a comprehensive plan to the Metropolitan Council for review. As part of the review process, adjacent units of government (“affected jurisdictions”) are afforded a comment period to identify any perceived impacts. Staff responded that there are no comments from the city due to the findings articulated below.

Name: Request for Comment – SSP Comp Plan Amend.

Date: September 7, 2021

Page: 2

Staff Findings:

Staff has reviewed the proposed amendment to the City of South Saint Paul’s 2040 Comprehensive Plan and do not find any impacts on the City of Newport for the following reasons:

- The areas that are impacted within the City of South Saint Paul are approximately one mile or further away from existing residential properties within the City of Newport.
- The amount of density to be added as a result of the proposed amendment is not significantly different than the existing maximum density allowed and may not result in a noticeable difference.

Recommendation:

Receive the report and presentation from staff and ask questions as necessary.

Attachments:

- City of South Saint Paul Worksession Report, July 26, 2021
- Annotated Future Land Use Map, August 23, 2021
- League of MN Cities Handbook, Chapter 13 Comprehensive Planning, Land Use and City-Owned Land ([link only](#))



CITY COUNCIL WORKSESSION REPORT

DATE: JULY 26, 2021

DEPARTMENT: Economic & Community Development

Prepared By: Michael Healy, City Planner; Ryan Garcia, Director of ECD

3

ADMINISTRATOR: JRH

AGENDA ITEM: Comprehensive Plan Development Regulations on Concord Street, Concord Exchange, and Hardman Triangle

DESIRED OUTCOMES:

- Discuss inconsistencies between the comprehensive plan's density regulations and the City's economic development goals for Concord Exchange, Concord Street, and the Hardman Triangle.
- Determine whether a targeted comprehensive plan amendment would help the EDA and City Council better realize the City's economic development goals.

OVERVIEW:

Background

In recent years, the City Council has directed Staff to consider "up the hill" and "down the hill" as two separate character areas when it comes to planning for economic development:

- **"Up the Hill:"** Residents like the existing look and feel of the neighborhoods "up the hill" and want to see that existing character maintained and enhanced. There is a general feeling that larger-scale, multi-story developments are not always a good fit for these established single- and two-story neighborhoods.
- **"Down the Hill."** Residents want to see more activity down on Concord Exchange, Concord Street, at the Hardman Triangle, and better connections to the Mississippi River. They want to see restaurants and retail and they understand that the best way to attract new amenities is to have more people living down the hill to support new businesses. There is a general feeling that new larger-scale, multi-story developments belong "down the hill."

The City Council and EDA/HRA have spent decades preparing land on Concord Exchange and Concord Street for mixed-use redevelopment. The EDA already owns a significant amount of land and is in the process of assembling the Hardman Triangle as a future mixed-use redevelopment opportunity. The EDA achieves redevelopment by partnering with private sector real estate developers. Developers looking to bring projects to South St. Paul must study the real estate market and also study the City Code and Comprehensive Plan to determine whether they will be able to build the type of project that the market will support. Several developers have informed City Staff that the 2040 Comprehensive Plan's density regulations make it very difficult (and in some cases impossible) to create the type of development that the City Council wants to see "down the hill."

Problems with Comprehensive Plan Guidelines for "Down the Hill"

The City adopted a new comprehensive plan in 2020. While many sections of the comprehensive plan were directly shaped by local residents and policymakers, some parts of the plan were required by the Metropolitan Council to be written a certain way. The Metropolitan Council has a number of mathematical formulas that they use to calculate what types of minimum density requirements each city in the region will be required to add to their comprehensive plans. The Metropolitan Council considers South St. Paul an 'urban center' community along with West St. Paul, Richfield, Hopkins, St. Louis Park, Columbia Heights, Saint Paul, and Minneapolis.

In order to comply with the Metropolitan Council’s minimum density requirements, the City added the following provisions to its 2040 Comprehensive Plan in Chapter 4: Land Use:

1. New development in areas that are guided “High Density Residential” must have a minimum density of 20 units per acre. *The City has also set a ‘maximum density’ of 60 units per acre in these areas.*
2. New development in areas that are guided “Mixed Use” must have a minimum density of 25 units per acre. *The City has also set a ‘maximum density’ of 60 units per acre in these areas.*

The existing standards were written as a “one size fits all” rule and apply to all of South St. Paul. The standards are a good fit for the neighborhoods “up the hill” where the City really does not want to see new large multifamily buildings unless they can be designed to complement the character of the established neighborhoods. The standards are in direct conflict with the type of development that the City Council and the EDA want to see “down the hill.” The City wants to attract modern high-quality multifamily development to this area. These developments typically have structured parking and many have premium amenities such as swimming pools, lounges, fitness centers, and rooftop decks. It is generally not possible to build this type of housing product with a maximum density of 60 units per acre. Staff would note the following:

- Bill Beard, the developer of “The Yards,” and Max Heitzmann, the developer of “The Drover”, have indicated that modern apartment buildings with premium amenities and structured parking generally must have a minimum a density of 64-68 units per acre. According to these developers, this is a minimum threshold that needs to be met in order to make this kind of project “pencil out”, and these projects are not usually possible at lower densities.
- “The Yards” could only be approved because the City was able to count some of the bluff area next to the development site when calculating the total density of the project. Otherwise, the project would exceed the 60-unit per acre density limit. *The City will not be able to use this strategy on the Hardman Triangle since there is no adjacent bluff area there. The 60-unit per acre maximum will make it very difficult to attract developers to redevelop the Hardman Triangle.*
- Development costs – particularly underbuilding parking – are generally fixed costs that directly impact the income that will be required to make a project economically viable. In Cities like South St. Paul that are mostly/fully developed and have scarce land resources, underbuilding parking is the smart option versus dedicating numerous acres to surface parking lots. This drives construction costs higher, which in turn requires additional income (i.e. more units) to be economically viable.
- Vertical mixed-use buildings, which are generally buildings that have retail/commercial space on the street level and residential units above, are challenging to finance in even the strongest retail markets. For these to be viable in South St. Paul – unless market and lending dynamics significantly change – the income a developer/owner can generate on the residential component of a project will be paramount, because essentially the residential will need to “subsidize” the first floor retail to pass underwriting.
- In most other inner-ring suburbs, the comprehensive plan differentiates between different mixed-use areas. There is not a “one-size-fits-all” maximum density rule that applies citywide.

- Most other inner-ring suburbs that are trying to attract modern apartment buildings with premium amenities to their mixed-use areas have at least 75 units per acre as their maximum density in the areas where they are trying to steer the development of new multifamily buildings.
 - St. Louis Park has a 75 units per acre maximum in some mixed-use districts and a 125 units per acre maximum in other mixed-use districts.
 - Richfield has a 75 units per acre maximum in some mixed-use districts and a 150 units per acre maximum in other mixed-use districts.
 - Hopkins has a 60 units per acre maximum in some mixed-use districts and a 100 units per acre maximum in other mixed-use districts.
 - Edina has a 75 units per acre maximum in some mixed-use districts and a 150 units per acre maximum in other mixed-use districts.
- The previous 2030 Comprehensive Plan (in place until August 2020) did have a density maximum in the mixed-use districts BUT it stated that densities could be allowed to exceed that maximum through a Conditional Use Permit or Planned Unit Development. It is not entirely clear why this flexibility was taken out of the comprehensive plan during the 2040 update. The old comprehensive plan was more in alignment with the City’s economic development goals.

Comprehensive Plan Update to Fix Development Issues

As it is currently written, the Comprehensive Plan is going to pose a major barrier to the EDA’s efforts to redevelop the areas down the hill, specifically its efforts to redevelop the Hardman Triangle. Staff recommends that the City Council move forward with a very targeted comprehensive plan amendment that would:

1. Continue to protect the neighborhoods “up the hill” and prevent them from being over-developed in a way that might undermine their existing character.
2. Allow slightly higher densities on Concord Exchange, Concord Street, and the Hardman Triangle to align with market realities and make these areas “shovel ready” for high quality multifamily development.

Staff would propose adding the red underlined text to Chapter 4:Land Use of the 2040 Comprehensive Plan:

MU: Mixed-Use (25-60 u/ac): The Mixed-Use category is intended to allow for developments which combine residential, office, retail, and commercial uses through planned development. These uses may be mixed within the same building (vertical mixed use) or may be in separate buildings that are mixed within the same area (horizontal mixed use). Overall, throughout all mixed-use areas, 40% of development is expected to be residential. The exact mix of uses will depend on the site and will need to be sensitive to the development context. Mixed-use development within the Southview Hill area is expected to be of lesser scale than sites identified along Concord Street due to the size of remaining developable sites and the context of the surrounding neighborhood. A switch to a minimum average density of 25 units per acre is consistent with Metropolitan Council’s standard for “Urban Center” communities. The maximum density in this category is 60 units per acre except that the mixed-use areas

along Concord Street, Concord Exchange, and on the Hardman Triangle shall have a maximum density of 75 units per acre .

DIRECTION NEEDED

Staff is looking for feedback regarding the disconnect between the 2040 Comprehensive Plan and the City Council & EDA’s goals for redevelopment along Concord Street. If the City Council is agreeable to Staff’s proposed “fix,” Staff should be directed to begin the comprehensive plan amendment process.

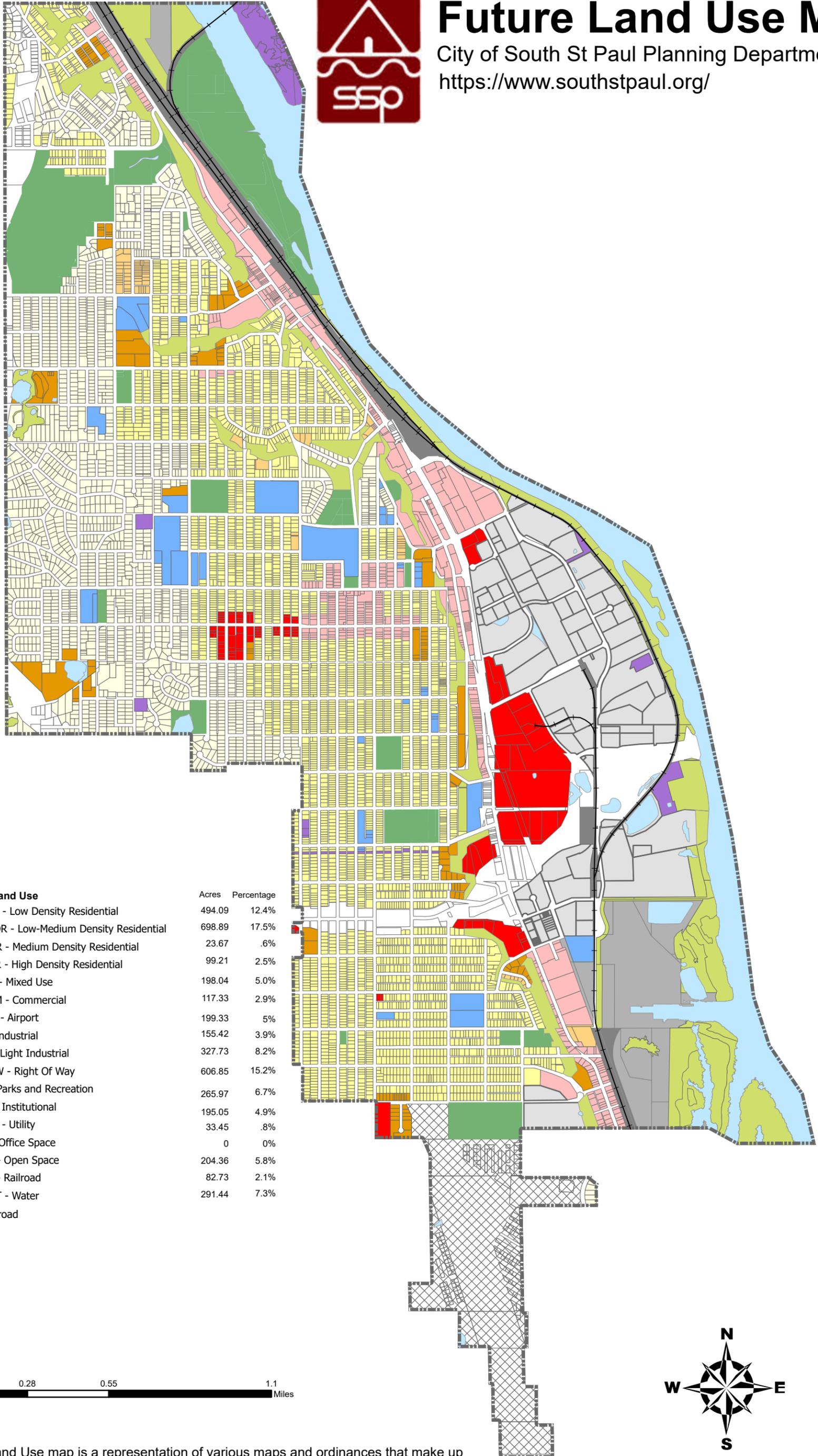
ATTACHMENTS

- A. 2040 Comprehensive Plan Future Land Use Map



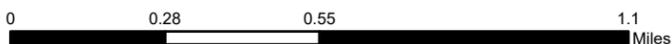
Future Land Use Map

City of South St Paul Planning Department
<https://www.southstpaul.org/>



Future Land Use

Future Land Use	Acres	Percentage
LDR - Low Density Residential	494.09	12.4%
LMDR - Low-Medium Density Residential	698.89	17.5%
MDR - Medium Density Residential	23.67	.6%
HDR - High Density Residential	99.21	2.5%
MU - Mixed Use	198.04	5.0%
COM - Commercial	117.33	2.9%
AIR - Airport	199.33	5%
I - Industrial	155.42	3.9%
LI - Light Industrial	327.73	8.2%
ROW - Right Of Way	606.85	15.2%
P - Parks and Recreation	265.97	6.7%
IN - Institutional	195.05	4.9%
UTL - Utility	33.45	.8%
O - Office Space	0	0%
OS - Open Space	204.36	5.8%
RR - Railroad	82.73	2.1%
WAT - Water	291.44	7.3%
Railroad		



The Future Land Use map is a representation of various maps and ordinances that make up the City of South St.Paul zoning code.Percentage of Acreage is calculated from county parcel data. Results are representational and not to be used for purposes other than zoning. For detail information pertaining to a specific property or zoning district, please contact the City of South St.Paul Planning Department at <http://www.southstpaul.org/>

Print Date: Tuesday, November 10, 2020
 Last Updated: October 12, 2020
 Prepared by: South St Paul GIS

Figure received by City of Newport Staff from City of South Saint Paul on 8/23/2021

Attachment A





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MEMORANDUM

Date: September 9, 2021
To: City of Newport Planning Commission
From: Harry Davis, City Planner
Travis Brierley, Assistant to the City Administrator
Subject: Residential Parking Ordinance

Meeting Date: September 14, 2021

Applicant: City of Newport (City Council)

Request:

Review and feedback on draft ordinance changes to residential parking allowances.

Background:

The Council has discussed potential changes to the residential parking ordinance. The various options were in response to resident complaints and concerns. The Council directed staff to research neighboring communities regarding their residential parking ordinances and to the number of vehicles being allowed at a residential property.

Discussion:

The draft ordinance is being presented after staff researched the ordinances of Woodbury, Cottage Grove, St. Paul Park, and South St. Paul. The changes to the parking ordinance presented include changes to the traffic ordinance. Council has discussed and made changes to the draft ordinance as a result of several workshops, the referenced ordinances from surrounding cities, and a year of citizen feedback and staff attention.

The following questions require additional research and input:

- Should the city allow storage of trade vehicles on (residential) private property?
- What should be the definition of a commercial vehicle?

Recommendation:

Discuss the above two questions and the draft ordinance. Any recommendations will be forwarded to City Council.

Attachments:

- Proposed Draft Ordinance
- Ordinance Research
 - o Woodbury
 - o Cottage Grove
 - o South St Paul
 - o St Paul Park

Sec. 36-163. Standards for residential districts.

- (a) *RE, R-1 and R-1A standards.* The following standards are applicable to the RE, R-1 and R-1A Residential districts:
- (1) *Exterior storage and screening.*
- 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 four vehicles, trailers, recreational vehicles, recreational equipment, truck, bus, off-road vehicles, or similar may be parked or stored in the front yard on a residential property at any one time, only one of which may be over 6,000 pounds gross vehicle weight or over 20 feet in length.~~
 23. ~~Recreational vehicles stored outside of a fully enclosed building must conform to Sec. 32-39(h).~~
 34. ~~Vehicles parked on a trailer shall be counted as a one.~~
 3. ~~Additional operable vehicles above the limit of three may be parked in the front yard on a temporary basis, for no more than 48 consecutive hours.~~
 - d. ~~No more than three four vehicles, trailers, recreational vehicles, recreational equipment, truck, bus, off-road vehicles, or similar may be parked or stored in the front yard on a residential property at any one time, only one of which may be over 6,000 pounds gross vehicle weight or over 20 feet in length.~~
 - e. All exterior storage in the street side yard of a corner lot shall be fully screened from the street

Sec. 32-39. Residential zones.

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- Recreational equipment* includes, but is not limited to, operable and licensed, as required by the state, travel trailers, recreational vehicles, chassis-mounted campers, tent trailers, slide-in campers, airplanes, and converted buses; snowmobiles and trailers, boats/watercraft and trailers, all-terrain vehicles, motorcycles and utility trailers. A fish house, boat, snowmobile or other recreational equipment when stored or kept on a trailer shall be considered as one unit. The term "recreational equipment" does not include a motor vehicle designed or used for off-road racing, off-road use or demolition derby.
- Residential zone* means all areas zoned for residential uses (R-1, R-1-A, R-2, R-3 & RE) and Planned Development District (PDD) areas in the city.
- (b) *Truck or bus parking in residential zones.* No person shall park, stop, or stand any vehicle licensed by any state at over 12,000 pounds for more than two hours upon any private property or public street in a residential zone. Parking, either on-street or off-street, of vehicles licensed by any state at over 12,000 pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two acres in size.

-
- (c) *Equipment.* No person shall park, stop, or stand any trailer that weighs over 10,000 pounds (lbs), back-hoe, front-end loader, bobcat, grader, asphalt paver, asphalt roller, or related road machinery or equipment for more than 24 hours upon any private property or public street in a residential zone, except as permitted under subsection (d) of this section. No more than one such vehicle or piece of equipment shall be allowed on a single parcel of property.
 - (d) *Construction parking.* In the event building construction or grading is to be performed in a residential zone, the clerk-administrator may grant permission for parking equipment restricted under subsection (c) of this section upon the premises for a reasonable period of time during construction. The permission shall be in writing, provided that the permission may at the clerk-administrator's discretion be endorsed on the building permit issued for the construction.
 - ~~(e) *Length of Parking.* A vehicle may not be upon any residential or non-residential street or right-of-way in any one place for a longer continuous period than 24 hours.~~
 - ~~(ef) *Exemption for large parcels.* The provisions of this section shall not apply to parcels of two acres or greater, provided that such parcels may not be used as rental vehicle or equipment parking space. In addition, any vehicle permitted under this exemption shall be screened from view from any adjacent lot by trees, fencing, or a storage building as permitted by the underlying zoning requirements. In no case shall any vehicle permitted under this exemption be parked closer than 40 feet from any adjacent property line.~~
 - ~~(f) *Exemption for recreational vehicles.* The provisions of this section shall not apply to recreational vehicles.~~
 - (g) *Conditions and restrictions.* The city council may grant the privilege of truck parking in areas zoned for planned development district in the required conditional use permit for planned development districts, subject to conditions and restrictions as to truck use of the area.
 - (h) *Recreational equipment storage.*
 - (1) *Generally.* Except as provided or as specifically allowed within the specific zoning districts, all materials and equipment shall be stored within a building.
 - (2) *Exceptions.* Licensed and operable recreational equipment units may be parked or stored on property outside a building as follows:
 - ~~a. In the front yard, provided they are kept on an established driveway, and entirely on the equipment or vehicle owner's property. Recreational equipment may not be parked or stored on public property or an improved street right-of-way.~~
 - ~~b.a.~~ In the side yard abutting an attached or detached garage provided the recreational equipment is not closer than two feet from the side lot line. The area must be surfaced with asphalt, concrete or crushed decorative rock but shall not be placed within drainage and utility easements unless approved by the zoning administrator. Parking or storage of recreational equipment on the side yard abutting the principal building is prohibited.
 - ~~c.b.~~ In the rear yard not closer than five feet from the rear lot line, five feet from the side lot lines, and not within drainage and utility easements.
 - ~~d.c.~~ A property can only store recreational vehicles and equipment that are registered to or licensed by the owner or occupant of the property.

**CITY OF WOODBURY
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE NO. 2000

**AN ORDINANCE OF THE CITY OF WOODBURY, WASHINGTON COUNTY,
MINNESOTA PROVIDING THAT THE CITY CODE BE AMENDED BY AMENDING
CHAPTER 24- ZONING ORDINANCE, ARTICLE V- SUPPLEMENTAL DISTRICT
REGULATIONS, DIVISION 2- OFF-STREET PARKING AND LOADING, SECTION
24-245- PROHIBITED VEHICLES AND EQUIPMENT WITHIN RESIDENTIAL
ZONES.**

THE CITY COUNCIL OF THE CITY OF WOODBURY, WASHINGTON COUNTY,
MINNESOTA DOES ORDAIN:

SECTION ONE. Amendment that Chapter 24 –Zoning, Article V – Supplemental District Regulations, Division 2- Off-street Parking and Loading, Section 24-245 – Prohibited vehicles and equipment within residential zones be amended to delete the same in its entirety and substitute the following therefore:

Sec. 24-245. – Prohibited vehicles and equipment within residential zones.

Unless loading, unloading, or rendering a service, the following shall be prohibited from being parked or stored within residential zoning districts:

1. Trailers over 3,000 pounds. GVW. *Exceptions:* Trailers licensed as RVs/campers and agricultural/livestock trailers when located on property permitted as, and in use as, an agricultural use.
2. Police, fire and emergency medical vehicles (both in service and out of service.)
Exception: sedans, pick-ups and SUVs
3. Limousines.
4. Step vans, food trucks and food trailers.
5. Military vehicles (both in service and out of service). *Exception:* sedans, pick-ups, and SUVs
6. Dump vehicles in excess of eight (8) feet in height. Height shall be measured from grade to the highest point of the vehicle or attached equipment.
7. Box trucks and flatbed trucks in excess of eight (8) feet in height. Height shall be measured from grade to the highest point of the vehicle or attached equipment.
8. Tow vehicles in excess of eight (8) feet in height. Height shall be measured from grade to the highest point of the vehicle or attached equipment.
9. Modified pick-up trucks and vans exceeding eight (8) feet in height. Modifications may include items such as business signage, warning lights, plows, ladder racks, and other exterior add-ons typically used in business or for business operations. Height shall be measured from grade to the highest point of the vehicle or attached equipment.

Sec. 66-32. Parking longer than 24 hours prohibited.

No vehicle shall be parked upon any street in any one place for a longer period than 24 hours.

(Code 1982, § 21.02(g))

Sec. 66-37. Truck, tractor and semitrailer parking in residential areas prohibited.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Semitrailer means a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor semitrailer combination as defined in M.S.A. § 168.002(30).

Truck means any truck licensed by any state exceeding a gross weight of 12,000 pounds as defined in M.S.A. § 168.002(13).

Truck-Tractor means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than part of the weight of the vehicle and load draw; and a motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles or boats and capable of carrying motor vehicles or boats on its own structure as defined in M.S.A. § 168.002(38).

- (b) Except as provided in subsection (c) of this section, it shall be unlawful for any truck, tractor and semitrailer to park on any street within the city located in any residence district for a period of longer than 15 minutes.
- (c) This section shall not apply to any truck parked temporarily on any street in any residence district when necessary for the purpose of delivering any materials or the furnishing of any service to the occupant of any building within the city.
- (d) It shall be unlawful to park or to leave standing on any public street, any nonmotorized vehicle or component part thereof, such as dumpsters and trailers separate from cab, without first obtaining permission from the chief of police of the city.
- (e) Any vehicle or equipment parked, stopped or standing on residential property in violation of this section as of June 1, 1996, shall be removed from the property no later than June 1, 1999; provided that no such vehicle or equipment shall be permitted to remain on residential property after June 1, 1996, unless the owner has obtained a permit from the city administrator allowing such parking until June 1, 1999. No such permit shall be issued unless the owner agrees in writing to remove the vehicle or equipment no later than June 1, 1999. Such permit may be transferred to apply to a replacement vehicle or piece of equipment. No more than one vehicle or piece of equipment shall be allowed on a single parcel of property.
- (f) It shall be unlawful for any truck, tractor, or semitrailer to operate in any residential district except vehicles engaged in delivery of goods or providing services in the residential area. Truck, tractor and semitrailers are prohibited from operating in residential districts for the purpose of drivers training.

(Code 1982, § 21.03; Ord. No. 585, § 1, 7-7-03; Ord. No. 655, §§ 1, 2, 4-5-10)

Sec. 32-39. Residential zones.

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Recreational equipment includes, but is not limited to, operable and licensed, as required by the state, travel trailers, chassis-mounted campers, tent trailers, slide-in campers, airplanes, and converted buses; snowmobiles and trailers, boats/watercraft and trailers, all-terrain vehicles, motorcycles and utility trailers. A fish house, boat, snowmobile or other recreational equipment when stored or kept on a trailer shall be considered as one unit. The term "recreational equipment" does not include a motor vehicle designed or used for off-road racing, off-road use or demolition derby.

Residential zone means all areas zoned for residential uses (R-1, R-1-A, R-2, R-3 & RE) and Planned Development District (PDD) areas in the city.

- (b) *Truck or bus parking in residential zones.* No person shall park, stop, or stand any vehicle licensed by any state at over 12,000 pounds for more than two hours upon any private property or public street in a residential zone. Parking, either on-street or off-street, of vehicles licensed by any state at over 12,000 pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two acres in size.
- (c) *Equipment.* No person shall park, stop, or stand any trailer that weighs over 10,000 pounds (lbs), back-hoe, front-end loader, bobcat, grader, asphalt paver, asphalt roller, or related road machinery or equipment for more than 24 hours upon any private property or public street in a residential zone, except as permitted under subsection (d) of this section. No more than one such vehicle or piece of equipment shall be allowed on a single parcel of property.
- (d) *Construction parking.* In the event building construction or grading is to be performed in a residential zone, the clerk-administrator may grant permission for parking equipment restricted under subsection (c) of this section upon the premises for a reasonable period of time during construction. The permission shall be in writing, provided that the permission may at the clerk-administrator's discretion be endorsed on the building permit issued for the construction.
- (e) *Exemption for large parcels.* The provisions of this section shall not apply to parcels of two acres or greater, provided that such parcels may not be used as rental vehicle or equipment parking space. In addition, any vehicle permitted under this exemption shall be screened from view from any adjacent lot by trees, fencing, or a storage building as permitted by the underlying zoning requirements. In no case shall any vehicle permitted under this exemption be parked closer than 40 feet from any adjacent property line.
- (f) *Exemption for recreational vehicles.* The provisions of this section shall not apply to recreational vehicles. (see 26-16)
- (g) *Conditions and restrictions.* The city council may grant the privilege of truck parking in areas zoned for planned development district in the required conditional use permit for planned development districts, subject to conditions and restrictions as to truck use of the area.
- (h) *Recreational equipment storage.*
- (1) *Generally.* Except as provided or as specifically allowed within the specific zoning districts, all materials and equipment shall be stored within a building.
 - (2) *Exceptions.* Licensed and operable recreational equipment units may be parked or stored on property outside a building as follows:
 - a. In the front yard, provided they are kept on an established driveway, and entirely on the equipment or vehicle owner's property. Recreational equipment may not be parked or stored on public property or an improved street right-of-way.

Sec. 58-98. Length of parking.

A vehicle may not be upon any street in any one place for a longer continuous period than 20 hours.

(Code 1992, § 1305.13)

Sec. 58-103. Residence parking permit.

- (a) *Policy.* The council finds that the occupants of dwellings in certain residential areas may not have suitable and adequate on-street parking available because vehicles of employees, patrons, visitors of commercial establishments, schools, public buildings and similar establishments have occupied the available on-street parking areas in such residential areas, that posted limited parking in such residential areas denies dwelling occupants reasonable on-street parking availability, and that it is in the public interest to afford dwelling occupants reasonable and suitable on-street parking in such residential areas.
- (b) *Parking zones.* The council may by resolution designate residential permit parking zones within residential areas upon a showing of necessity therefor to provide reasonable and suitable on-street parking availability to occupants of dwellings within the zone because of the circumstances set forth in subsection (a) of this section.
- (c) *Permits.* A resident within a designated residential permit parking zone may obtain residential parking permits in such number as may be determined by the council on a case-by-case basis for the parking of resident and guest motor vehicles. The permit authorizes the motor vehicle to be parked in the residential permit parking zone for a continuous period of time, not exceeding 20 consecutive hours, notwithstanding any posted limited parking, but does not authorize parking in a no parking zone nor parking in violation of snow removal provisions of this Code. The permit is issued by the clerk.
- (d) *Fee.* The permit fee shall be as established by chapter 26.
- (e) *Form of permit.* The residence parking permit is circular in shape, red in color, bears the letter "R" on its face, bears a code number representing the residence address of the owner of the vehicle on file in the office of the clerk, and must be capable of affixation to the inside of the rear window of the motor vehicle, or in such format as determined by the council.
- (f) *Placement.* The residence parking permit must be affixed to the inside of the rear window of the motor vehicle in the lower corner of the driver's side and located so as not to obstruct the vision of the driver; or, in the case of a nonsticker permit, it shall be located visibly in the rear window area on the driver's side or affixed temporarily to the rear window on the driver's side.

(Code 1992, § 1305.25)

Sec. 74-388. Accessory uses.

The following are permitted accessory uses in an R-1 district:

- (1) Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross weight of 12,000 pounds, as regulated by article V, (off-street parking), of this chapter. Private garages are intended for use to share the private passenger vehicles of the family or families resident upon the premises, and in which no business service or industry is carried on. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit.
- (2) Parking of recreational vehicles and equipment owned by the occupants for their personal use.
- (3) Home occupations.
- (4) Noncommercial greenhouses and conservatories.
- (5) Tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- (6) Swimming pools shall be permitted subject to the conditions imposed in section 18-81 et seq. Between June 1 and June 10 of each year, the owner of the swimming pool shall be required to file with the city administrator an affidavit attesting to the fact that any pool owned by the affiant is in compliance with all the provisions of city ordinances.
- (7) Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment shall not exceed the square footage specified in section 74-219(c).
- (8) State licensed in-home day care serving 14 or fewer persons in a single family detached dwelling.

(Code 1982, § 15.172; Ord. No. 627, § 2, 12-18-06; Ord. No. 700, § 2, 9-16-13)

Travis Brierley

From: Conner Jakes <CJakes@cottagegrovemn.gov>
Sent: Thursday, August 12, 2021 10:16 AM
To: Travis Brierley
Subject: RE: Residential Parking

Hey Travis,

https://codelibrary.amlegal.com/codes/cottagegrovemn/latest/cottagegrove_mn/0-0-0-3358

Basically our code:

- Maximum of 4 vehicles to be parked on a property (outside of an enclosed structure, such as a garage).
- Must be parked on improved surface
 - o Asphalt or concrete in front of the front plain of the house (unless gravel driveway was put in place before 2005 as the code was updated)
 - o Can be Class V, patio pavers, etc. if in rear yard
- Recreational vehicles follow the same requirements as other vehicles (parked on improved surface, operable condition, etc.)
 - o No size limit on recreational vehicles (you can have a large RV on your property as long as it's on improved surfaces and in an operable condition)
- Commercial vehicles are classified into 2 categories
 - o Class I: not allowed to be parked in residential areas, only allowed for loading/unloading. Vehicles with axle weight of 5 tons or more or any of the following regardless of axle weight: semitrailers, tractor portion of semitrucks, garbage trucks, tank trucks, dump trucks, flatbed trucks, tow trucks, cattle trucks, trucks carrying explosive material, well drilling equipment, earth moving equipment, or school buses.
 - o Class II: all commercial vehicles other than class I commercial vehicles including pickup trucks, vans, trailers, and recreational vehicles which are used for commercial purposes.

Let me know if there's additional information you are looking for.

Thanks,

Conner Jakes

Code Enforcement Officer

City of Cottage Grove

Direct: 651-458-2876 | cjakes@cottagegrovemn.gov

General: 651-458-2804 | www.cottagegrovemn.gov

12800 Ravine Parkway South, Cottage Grove, MN 55016



From: Travis Brierley <tbrierley@newportmn.com>
Sent: Thursday, August 12, 2021 8:54 AM