

ORDINANCE NO. 2006-_____

AN ORDINANCE ESTABLISHING NEW PARKING AND LOADING STANDARDS, THEREBY AMENDING CHAPTERS 12, 15, 17, 19 and 21 OF THE CITY CODE

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

Section 1. That Chapter 12 of the City Code is hereby amended to read as follows:

CHAPTER 12

PUBLIC PEACE AND SAFETY

ARTICLE II. PROHIBITED CONDUCT

Division A. Public Nuisances

SEC. 12.03. PROPERTY CONDITIONS CONSTITUTING A PUBLIC NUISANCE.

The following property conditions are declared to be nuisances affecting public peace, welfare and safety:

(29) At single family and two-family dwelling units, the parking or storage of more than four vehicles per unit outside of a garage or on-street.

(A) Counting of vehicles. Vehicles temporarily parked at the residence for visitation or business service reasons, Class I recreational vehicles (as defined in Section 19.50.03 of this Code), or any vehicle parked or stored within a garage shall not be counted for the purposes of these numerical limitations. All other vehicles, whether screened or not, including "abandoned vehicles" and "junk vehicles" as defined in Section 8.45 of this Code shall be counted as vehicles for purposes of determining the number of vehicles parked or stored outside of a garage or on-street. Nothing in this Section shall be interpreted as permitting the storage of vehicles if such storage is not otherwise permitted by this Code.

Section 2. That Chapter 15 of the City Code is hereby amended to read as follows:

Chapter 15

BUILDING AND STRUCTURES

ARTICLE I. BUILDING CODE

SECTION 15.13. CONSTRUCTION OR MODIFICATION OF PARKING AREAS.

- (a) In addition to any other permits required, a separate building permit must be obtained before any person can construct, enlarge, improve, in any way resurface, or change the dimensions of a parking area, except for a single-family detached and two-family residence. Before obtaining such a permit, the applicant ~~[shall] must submit [a plan and two copies to the issuing authority]~~ two copies of a plan to the Building and Inspection Division. Said plan must be in conformance with the parking lot performance standards of this Code and Sections 16.50 - .58 of this Code concerning stormwater drainage and wetlands protection and must be approved by the City Traffic Engineer and the Building and Inspection Division.
- (b) Surfacing – The requirements for off-street parking areas and driveways are set forth in Section 21.301.06 of this Code.

Section 3. That Chapter 17 of the City Code is hereby amended to read as follows:

Chapter 17

STREETS AND RIGHTS-OF-WAY

ARTICLE I. DRIVEWAYS, APPROACHES, AND ENTRANCES

SECTION 17.01. DEFINITIONS.

Driveway-

~~[A place on private property for the operation of automobiles and other vehicles.]~~
A private drive to an off-street destination such as a garage or parking lot providing access for motor vehicles from a public way or driveway approach. A driveway does not include off-drive parking or turnaround area.

Driveway approach-

~~An area [construction or facility] between the [roadway of a public street and private property] curb or pavement edge of a public street and the private property line intended to provide access for vehicles from a roadway or a public street to a driveway on private property. [For clarification, a driveway approach must provide access to something definite on private property such as a parking area a driveway, or a door intended and used for the entrance of vehicles.]~~

SECTION 17.12. WIDTHS AND LOCATIONS.

In addition to the width restrictions relative to driveway approaches set out in ~~[the following two]~~ Sections 17.13 and 17.14 of this Code, the following limitations on the width and locations of driveway approaches for each parcel of land ~~[shall] must~~ also be complied with:

- (~~1~~)a) Where the frontage of the parcel of land does not exceed 50 feet in width, there may be constructed only one driveway approach.
- (~~2~~)b) Where the frontage of the parcel of land exceeds 50 feet in width, the curb cuts for driveway approaches ~~[shall] must~~ not exceed 60 percent of the frontage of such parcel of land, provided however, that at least one parallel (18 feet) curb parking space ~~[shall] must~~ separate each driveway approach.

- ([3]c) No portion of a driveway approach except the curb return ~~[shall]~~ may be constructed within 20 feet of a corner and in no case closer than two feet from the property line extended ~~[at an intersection]~~ to the approach curb cut.
- (d) Second Curb Cut and Connecting Driveway. A permit for a second curb cut to a single family site must not be issued unless the site has at least 120 feet of frontage along a single public street or is a corner lot and complies with the standards of Section 17 of this Code. For corner lots, when two curb cuts are present, each curb cut must be to a separate street unless the site has at least 120 feet of frontage along a single public street. More than two curb cuts are prohibited for single or two-family residential sites. In the event a second driveway is installed to service a second garage, the second driveway must meet all driveway standards. In the event a second driveway is installed to serve as a circular driveway, the secondary driveway is limited to 12 feet in width and must meet all other driveway standards.

SECTION 17.13. RESIDENTIAL DRIVEWAY[S AND] APPROACHES.

Additional requirements for single family and two family residential driveways and off-street parking areas are set forth in Section 21.301.06 of this Code.

- (a) ~~[Resident driveway approaches shall not exceed 30 feet in width at the intersected property line, and the curb cut shall not exceed the width of such driveway approach at such property line by more than fifteen feet.]~~ The width of the driveway approach at the property line for a single or two-family residential site must not exceed the width of the driveway it connects to. Turning tapers may be added to the driveway approach between the property line and the street that add up to six additional feet to the width of the driveway approach at its intersection with the street provided that the driveway approach at no point exceeds a maximum width of 30 feet. Curb cuts and turning tapers must not extend beyond the projected side property line, except when consented to in writing by the adjoining property owner and prior approval is granted by the Issuing Authority. For [residences] new residential driveway approaches [hereafter] constructed, the driveway approach [and that part of the driveway between the minimum required front setback line and the street shall] must be paved with Portland cement concrete, [bituminous concrete, blacktop, or equivalent paving. This requirement shall not be construed to reduce paving otherwise required by performance standards in the Zoning Code or required as a condition to the grant of a Conditional Use Permit.] plant bituminous surface (i.e. asphalt) or stone, brick or concrete pavers that are placed with gaps not exceeding one quarter inch. When decorative concrete, stone, brick, or concrete pavers are used in a driveway approach, a three foot concrete apron meeting the appropriate City standard detail must be installed adjacent to the street. Before constructing a driveway approach with pavers, stone, brick or decorative concrete, the property owner must provide the City with a legal description and an executed agreement in a form acceptable to the City, along with proof that the agreement has been filed with the records for the property in the office of the Hennepin County Recorder or Registrar of Titles agreeing that the landowner and all of the landowner's successor and assigns will, in the event that City work within its right of way results in damage to, or the removal of, the driveway approach:
- (1) Bear sole responsibility for all of the additional costs incurred by the City for the removal of the driveway approach attributable to the use of these materials;
 - (2) Hold the City harmless for any and all claims for damage or loss of use occurring to the driveway approach or its construction materials; and
 - (3) Assume sole responsibility for the reconstruction of the driveway approach if the desired reconstruction material is something other than Portland cement concrete or plant bituminous surface, as approved by the Issuing Authority.

~~[(b) — **Setbacks.** Except as allowed below, the minimum setbacks of driveways from property lines shall be as follows:~~

Side property line	5 feet
Rear property line	10 feet
Side or rear property line abutting a public street	30 feet
Rear property line of a corner lot	5 feet

- ~~(1) — **Expansion of Existing Driveways.** Resident driveways constructed prior to January 1, 1991 with a setback of less than five (5) feet from a side property line may be maintained at, or expanded to, a side yard setback of not less than two (2) feet from a side property line which does not abut a public street subject to the following restrictions:~~
- ~~(A) — All driveway surface drainage shall be directed away from the side property line and the abutting property by a slope, curb, retaining wall or other measure approved by the Issuing Authority; or~~
 - ~~(B) — Driveway surface water drainage is conveyed by a graded swale in a drainage easement(s) of record with the appropriate office of Hennepin County, and subject to the approval by the City Engineer.~~
- ~~(2) — **Resurfacing Existing Nonconforming Driveways.** Resurfacing or replacement of driveways in existence prior to January 1, 1991, and having a setback of less than five (5) feet from a side property line is permitted. Applicants for permits to resurface existing driveways may be required to correct deficiencies in surface water drainage which may damage adjacent properties. No permit application to resurface an existing driveway with a setback of less than five (5) feet shall be approved until the Issuing Authority has inspected the driveway and determined that no such deficiencies exist.~~
- ~~(3) — **Common Driveways.** Setbacks from a side or rear property line may be zero (0) feet where a driveway common to abutting properties has been required by the City or has been approved by the City Traffic Engineer, and a common driveway easement is of record with the appropriate office of Hennepin County.~~
- ~~(4) — **Reduced Setback of Garages.** When a variance has been approved by the City Council to reduce the setback of any garage from a side or rear property line, the setback of the driveway serving that garage parallel to a side or rear property line may be greater than or equal to the setback of the garage, subject to the provisions of subsections (b)(1)(A) and (B) and (c) of this Section.~~
- ~~(c) — **Existing Utilities.** Prior to issuance of a permit for any driveway with a setback from a side or rear property line of less than five feet, the permit application shall be reviewed by the City Engineer. The Issuing Authority shall not issue a permit for a driveway which encroaches upon a utility easement where an installed utility is known to exist. When a driveway is installed in an easement area where no public utilities currently exist, the property owner assumes all responsibility for replacement of any private improvements should damage to such improvements occur due to lawful access to or use of public easements.~~
- ~~(d) — **Variances.** Variances to driveway setbacks from property lines may be processed as Administrative Variances, in accordance with the provisions of Chapter 2, Article II, of this Code.~~
- ~~(e) — **Permit Required.** A building permit is required for construction, replacement, overlay or alteration of a resident driveway. The permit fee shall be \$25.00.]~~

~~***~~

Section 17.14. BUSINESS DRIVEWAY[~~S AND~~] APPROACHES.

- (a) Business driveway approaches ~~[shall]~~ must not exceed 25 feet in width at the property line, ~~[shall]~~ must have at least one curb parking space (18 feet) between driveway approaches,

and the curb cut ~~[shall]~~ must not exceed the width of the driveway approach at the property line by more than ten feet.

- (b) All business ~~[driveways and]~~ driveway and/ or parking lot approaches ~~[shall]~~ must be paved with Portland cement concrete ~~[or asphaltic concrete]~~ or equivalent paving material as approved by the Issuing Authority .
- (c) Loading docks, ramps, and vehicular entrances ~~[shall]~~ must be located in such a manner that backing onto and maneuvering within the street right-of-way is avoided or eliminated and in such a manner that driveways greater in width than that specified by this Article shall not be required.

Section 4. That Chapter 19 of the City Code is hereby amended to read as follows:

Chapter 19

ZONING

ARTICLE I. GENERAL PROVISIONS

Division B. Definitions

SEC. 19.03. DEFINITIONS

Driveway -

A private drive to an off-street destination such as a garage or parking lot providing access for motor vehicles from a public way or driveway approach. A driveway does not include off-drive parking or turnaround area.

Driveway approach -

An area, between the curb or pavement edge of a public street and the private property line intended to provide access for vehicles from a roadway or a public street to a driveway on private property.

Garage, private -

A building or portion of a building used by the tenants of the building or buildings on the premises which is designed primarily for the storage of motor vehicles including but not limited to automobiles, trucks, motorcycles, and mopeds.

Garage, width –

The linear width of the garage along the widest façade that includes garage doors measured from the outer edge of the garage wall to the outer edge of the opposite garage wall. For the purposes of determining driveway width in Section 21.306 of this Code, garage width may not exceed the cumulative width of the garage doors on the measured façade plus ten feet.

Grocery store -

A retail establishment that offers for sale food products, beverages, household items and may include pharmacy, and prepared food items.

Group home -

A residential treatment facility for six or fewer persons that is licensed by the state as residential facility or registered with the state as a housing with services establishment and permitted as a single-family use pursuant to Minnesota statutes section 462.357, as may be amended or recodified from time to time.

Industrial -

(A) General Manufacturing/Industrial- An establishment engaged in the manufacture of products or parts, predominantly using previously prepared material, including processing, fabrication, assembly, treatments, and packaging of such products, and the incidental storage, sales and distribution of such products.

(B) Warehousing, Storage- An establishment that is engaged in the storage of materials, equipment or products that will be distributed.

Off-drive parking area -

An off-street area connected to a driveway intended for the parking of vehicles.

Off-drive turnaround area (hammerhead) -

An off-street area connected to a driveway intended to allow vehicles to turn around on site and exit on to roadways in a forward facing position.

Office, high intensity/call centers and telemarketing -

An establishment principally engaged in the sale of merchandise or services by phone.

Parking island -

Raised or depressed non-traffic areas in off-street parking lots, the placement of which is intended to improve safety and an orderly flow of traffic in the parking lot. Parking islands in surface parking lots may often contain landscape plantings which also serve to visually break up large expanses of asphalt.

Parking of vehicles off-street-

The temporary placement of motor vehicles for a period of less than 48 hours.

Parking reduction flexibility measures -

Methods, agreements and strategies by which a property owner may achieve a reduction in the required number of constructed parking spaces for off-street parking associated with a land use.

Parking structures -

A structure or portion of a structure composed of one or more levels or floors used exclusively for the parking of vehicles and which may be totally below grade (as in an underground garage) or either partially or totally above grade with those levels being either open or enclosed. A parking

garage structure is deemed an underground garage for the level(s) of parking which are fully below grade and are unexposed except for entrance and exit points.

Restaurant and club –

[Any restaurant (except a drive-in restaurant or a take-out restaurant as defined in this Chapter)]. An establishment engaged in the preparation and on site retail sale of readily consumable food and beverages, and characterized by sit down table, counter or drive-through service to customers. Establishments may include but are not limited to a coffee shop, cafeteria, fine dining, bar, fast food, take out, drive-in or [short order cafe, luncheonette, tavern,] sandwich stand [drugstore and soda fountain] serving food, and all other eating or drinking establishments.

Storage, outside (exterior) -

Exterior stockpiling or safekeeping of materials, machinery, equipment, tools, products, vehicles, shopping carts, snow, and accessories. The parking of vehicles for a period of less than 48 consecutive hours does not constitute outside storage.

Division C. Buildings and Obstructions

SEC. 19.08. PERMITTED ENCROACHMENTS INTO REQUIRED YARDS AND SETBACK AREAS.

- (c) (6) Underground garages, in accordance with Section ~~[19.64(k)(1)]~~ 21.301.06(h) may encroach into any required front, side or rear setback, provided that a front setback of not less than 15 feet and side rear setbacks of not less than five feet shall be maintained. There shall be no encroachment into public easements of record without the written approval of the Issuing Authority.

ARTICLE II. ADMINISTRATION AND PROCEDURE

SEC. 19.22. ISSUANCE OF CONDITIONAL USE PERMITS.

Except when the findings and decisions of the Planning Commission are affirmed by the City Council in accordance with Chapter 2, Article V, Division C, of this Code, a conditional use permit for a new use shall not be granted unless the minimum standards and requirements of the district are met. No conditional use permit shall be granted unless the Council finds the following:

- (3) Industrial Districts: Industrial Park (I-1), Limited Industry (I-2), and General Industrial District (I-3) -
 - (C) Special conditions to retail sales in Limited Industry (I-2) and General Industry (I-3) Districts:
 - (i) The use is located adjacent to an arterial street.
 - (ii) Access and loading are off of an interior industrial street.
 - (iii) Traffic generated will not interfere with normal patterns of industrial district circulation or with the arterial street system.
 - (iv) A retail sales use shall not open out onto a residential zone.

- (v) Parking as for retail shopping uses ~~[shall be required for the area devoted to retail floor space]~~ must meet or exceed the minimum parking requirements set forth in Section 21.301.06 of this Code.
- (vi) For retail sales which are a part of warehousing or wholesale business, except retail sales of heavy equipment, including industrial, manufacturing, and construction machinery and equipment, the following additional requirements apply:
 - (a) Retail sales account for no more than 45 percent of gross sales.
 - (b) The area devoted to retail selling shall not exceed 15 percent of the total floor space.

ARTICLE III. DISTRICT USES

Section 19.27.01. LARGE LOT SINGLE FAMILY RESIDENTIAL DISTRICT RS-1.

(d) Dimensional Requirements-

- (5) Minimum Off-Street Parking:
 - A. Two spaces per dwelling unit in a garage or at a location where a garage can be constructed.
 - B. Two surface parking spaces provided in a driveway location.
 - C. For non-residential uses, as specified in Section ~~[19.64]~~ 21.301.06.

Section 19.28.01. MULTIPLE-FAMILY RESIDENTIAL(RM-12) DISTRICTS.

(g) Minimum off-street parking -

Multiple family dwelling units: see requirements set forth in Section 21.301.06 of this Code.

~~[A minimum of 2.2 parking spaces shall be provided for each dwelling unit. The documentation of factors including but not limited to the present or future availability of transit services, shared parking, pedestrian orientation and occupancy characteristics may allow, at the discretion of the City Council, the parking requirements in the RM-12 District to be reduced to 1.75 parking spaces per unit.]~~

~~At least one space per unit shall be provided in either a garage or indoor parking stall.]~~

SEC. 19.28.02. MULTIPLE-FAMILY RESIDENTIAL (RM-24) DISTRICTS.

(g) Minimum off-street parking -

Multiple family dwelling units: see requirements set forth in Section 21.301.06 of this Code.

~~[A minimum of 2.0 parking spaces shall be provided for each dwelling unit. The documentation of factors including but not limited to the present or future availability of transit services, shared parking, pedestrian orientation and occupancy characteristics may allow, at the discretion of the City Council, the parking requirements in the RM-24 District to be reduced to 1.6 parking spaces per unit.]~~

At least one space per unit shall be provided in either a garage or indoor parking stall.]

SEC. 19.28.03. MULTIPLE-FAMILY RESIDENTIAL (RM-50) DISTRICTS.

(g) Minimum off-street parking -

Multiple family dwelling units: see requirements set forth in Section 21.301.06 of this Code.

- ~~{(1) A minimum of 1.8 parking spaces shall be provided for each dwelling unit. The documentation of factors including but not limited to the present or future availability of transit services, shared parking, pedestrian orientation and occupancy characteristics may allow, at the discretion of the City Council, the parking requirements in the RM-50 District to be reduced to 1.4 parking spaces per unit. At least one space per unit shall be provided in either a garage or indoor parking stall.~~
- ~~(2) For other uses, the documentation of transit services, shared parking and pedestrian orientation that will reduce the need for individual parking lots to accommodate peak demand may allow the parking requirements in the RM-50 District to be reduced to 80 percent of the requirements in Section 19.64 of this Code, as determined by the Issuing Authority.]~~

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

(i) Parking.

- ~~(1) [Number of motor vehicle parking spaces required. Due to access to frequent transit service, opportunities for shared parking, opportunities for customers to walk to businesses from nearby residences and offices, and the expected benefits of Travel Demand Management (TDM) programs, motor vehicle parking requirements in the HX-R zoning district are lower than in other zoning districts.~~
 - ~~(A) Motor vehicle parking requirements in the HX-R zoning district are 70 percent of the citywide requirements set forth in Section 19.64 of this Code.~~
 - ~~(B) The City Council may further reduce motor vehicle parking requirements as for development in the HX-R zoning district:
 - ~~(i) If the City Council determines that the reduced motor vehicle parking levels are warranted based on the results of a motor vehicle parking study, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant; or~~
 - ~~(ii) If the City Council determines that sufficient additional motor vehicle parking spaces to meet City Code requirements can be constructed on the site in the future, if deemed necessary by the City Council. The location and viability of the potential future motor vehicle parking spaces ("proof of parking") must be documented in the application materials and its construction upon City request must be required in a recorded development agreement.]~~~~

~~[G]The number of motor vehicle parking spaces provided within a development must not exceed 130 percent of the citywide requirements set forth in Section [19.64] 21.301.06 of this Code, unless the City Council determines that additional motor vehicle parking levels are warranted based on the results of a motor vehicle parking study, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant.~~

SEC. 19.31.01. REGIONAL COMMERCIAL (CR-1) DISTRICTS.

(i) Special Provisions -

- (3) **Reserved** . [Parking for each provisional or conditional use shall meet the requirements of Section 19.64 of this Code for that use.]

SEC. 19.33.01. INDUSTRIAL PARK (IP) DISTRICT.

- (i) **Off-street Parking.** Off-street parking for the IP District [~~shall~~] must be provided in accordance with the requirements of Section [~~19.64~~] 21.301.06 and Section 19.52 of this Code and with the following additional design standards:

- (2) **Reserved.** [~~Three-foot high solid screening as described in Section 19.52(e)(1)(B) shall be provided in these landscaped yards between the off-street parking and the public right-of-way.~~]

SEC. 19.34. FREEWAY DEVELOPMENT (FD-1 AND FD-2) DISTRICTS.

(d) Conditional uses -

- (19) (B) Adequate parking for all uses within the building or complex of buildings shall be provided in conformance with the requirements of Section [~~19.64~~] 21.301.06 of this Code.

ARTICLE III. A. ADDITIONAL ZONING DISTRICTS

SEC. 19.40.06. MIXED-USE DISTRICT CX-2.

- (g) **Reserved.** [~~**Minimum Off-street Parking.** Transit service, shared parking, and pedestrian orientation will reduce the need for individual parking lots to accommodate peak demand; therefore, the parking requirements in the CX-2 district are 80 percent of the requirements in Section 19.64 of this Code.]~~]

SEC. 19.40.07. COMMERCIAL SERVICE DISTRICTS CS-0.5 AND CS-1.

- (h) **Reserved.** [~~**Minimum Off-street Parking.** Transit service, shared parking, and pedestrian orientation will reduce the need for individual parking lots to accommodate peak demand; therefore, the parking requirements in the CS Districts are 80 percent of the requirement of Section 19.64 of this Code.~~]

SEC. 19.40.07.01. HIGH INTENSITY MIXED USE DISTRICT HX-2.

(f) Off-Street Parking.

- (1) **Reserved.** [~~Transit service, shared parking, and pedestrian orientation will reduce the need for individual parking lots to accommodate peak demand; therefore, the parking requirements in the HX-2 District are 80 percent of the requirements in Section 19.64 of this Code.~~]

SEC. 19.40.08. COMMERCIAL OFFICE DISTRICTS CO-0.5 AND CO-1.

- (h) **Reserved.** [~~Minimum Off-street Parking. Transit service, shared parking, and pedestrian orientation will reduce the need for individual parking lots to accommodate peak demand; therefore, the parking requirements in the CO districts are 80 percent of the requirements in Section 19.64 of this Code.~~]

SEC. 19.40.08.01. COMMERCIAL-OFFICE/MIXED-USE DISTRICT CO-2.

- (h) **Reserved.** [~~Minimum Off-street Parking. Transit service, shared parking, and pedestrian orientation will reduce the need for individual parking lots to accommodate peak demand; therefore, the parking requirements in the CO-2 district are 80 percent of the requirements in Section 19.64 of this Code.~~]

SEC. 19.40.09. RESIDENTIAL OFFICE DISTRICT RO-24 AND RO-50.

(g) Reserved. [~~Minimum Off-street Parking.~~

- (1) ~~Multi-family dwelling units:~~

Number of Bedrooms:	Required Number of Spaces per Unit:
0	4
4	1.5
2 or more	2.0

~~At least one space per unit shall be provided in either a garage or indoor parking stall.~~

- (2) For other uses, transit service, shared parking, and pedestrian orientation will reduce the need for individual parking lots to accommodate peak demand; therefore, the parking requirements in the RO Districts are 80 percent of the requirements in Section 19.64 of this Code.]

SEC. 19.40.10. CONSERVATION DISTRICT SC.

- (g) **Minimum Off-Street Parking.** As specified in Section [~~19.64~~] 21.301.06 of this Code.

ARTICLE IV. DISTRICT REGULATIONS

SEC. 19.41. MINIMUM DISTRICT REQUIREMENTS.

(a) **Single-family residences**

(2) **Minimum Land Area Requirements.**

~~[(E) For parking space provided under a multiple-family building 750 square feet may be deducted from the total area requirement listed in subparagraph (b)(2)(B) and (b)(2)(C) of this Section provided that such parking space be so designed as to provide protection from radioactive fallout with a minimum protection factor of 40; and for each space, provided five square feet of storage space for fallout shelter supplies; and that the area designated as a fallout shelter be permitted for public use as a fallout shelter. The use of the 750 square foot deduction is limited to one such space for each unit and is not to be applied in addition to that shown in subparagraph (b)(2)(D) of this Section. The term "protection factor" as used in this Section is defined in Section 7.30(c) of this Code.]~~

SEC. 19.42. EXCEPTIONS AND ADDITIONS TO SETBACK REQUIREMENTS.

(d) **Reserved.** ~~[Driveways shall be located no less than five feet from the side or rear lot line. Driveway setbacks shall not apply where an access easement or common driveway agreement is approved by the Issuing Authority, or the driveway complies with the requirements of Section 17.13 of this Code.]~~

SEC. 19.45. PARKING AND STORAGE OF VEHICLES AND TRAILERS IN RESIDENTIAL ZONES.

(c) **Vehicle Parking and Storage Limitations and Requirements.**

(3) Limitations On Numbers of Vehicles for Single Family and Two-Family Residential Sites in Single Family Residential Districts (R-1, R-1A, and RS-1) are specified in Section 12.03 (29) of this Code.

- ~~[(A) The number of vehicles that may be parked or stored in Single Family Residential Districts (R-1, R-1A, and RS-1) shall be limited to the following:~~
- ~~(i) Type I Vehicles, Type II Vehicles, and Class II Recreational Vehicles (as defined in Section 19.50.03 of this Code) other than Class II "hobby vehicle" RV's that are parked or stored within a building, shall be limited in total to the number of licensed drivers residing on the premises, plus one. However, no more than one vehicle of this total shall be a Type II Vehicle or a Class II Recreational Vehicle other than a Class II "hobby vehicle" RV that is parked or stored within a building; and~~
 - ~~(ii) Type III Vehicles are not permitted, except as provided under Subdivision (c)(6) below.~~

~~(B) — Counting of Vehicles. Vehicles temporarily parked at the residence for visitation or business service reasons, recreational vehicles (as defined in Section 19.50.03 of this Code), and motorcycles that are housed in a garage, shall not be counted for purposes of these numerical limitations. All other vehicles, whether screened or housed in a garage or not, including "abandoned vehicles" and "junk vehicles", as defined in Section 8.45 of this Code, as well as vehicles that would be "abandoned or junk vehicles" under that Section but for the fact that they are kept in an enclosed garage or storage building, shall be counted as vehicles for purposes of determining the number of vehicles parked or stored on or in front of a residential lot. Nothing in this Section shall be interpreted as permitting the storage of vehicles if such storage is not otherwise permitted by this Code.]~~

- (4) Parking Location Requirements in Single Family Residential Districts (R-1, R-1A, and RS-1). The parking of vehicles on lots in Single Family Residential District (R-1, R-1A, and RS-1) is prohibited on all portions of such lots except (a) within a garage, (b) upon those areas that have been legally improved for driveway or off-drive parking area purposes with an approved paving surface, or (c) upon legally nonconforming unpaved driveway areas ~~[that are not required to be paved under this Code]~~. In no case, however, shall vehicle parking occur within the setback areas established in Section 17.13 of this Code, unless a variance has been granted for a paved surface in that area or unless the driveway is legally noncomplying. These restrictions shall not apply to recreational vehicles, which shall comply with the parking requirements of Section 19.50.03 of this Code.

SEC. 19.54. PARKING FACILITY AND EXTERIOR SECURITY LIGHTING.

(d) Compliance.

- (4) **New structures, additions, or replacements.** When a site is improved with new structures or additions to or replacements of existing structures, the lighting for the new structure, addition or replacement on the site must be upgraded with complying lighting and the parking lot lighting must be upgraded with complying lighting over a portion of the parking area that is equivalent to the amount of parking that would be required for the new structure, addition or replacement by Section ~~[19.64]~~ 21.301.06 of this Code. In the event that the new structure, addition, or replacement is accompanied by new or replaced parking area, the amount of upgraded lighting area shall be that required under this subparagraph (4), or that required under the combination of subparagraphs (2) and 93), whichever is greater.
- (5) **Change of type of occupancy.** When the type of occupancy of a site is changed, the lighting for the site shall be upgraded, as necessary, to comply with this Section for the structure and the parking lot be upgraded for the required parking for the occupancy as established in Section ~~[19.64]~~ 21.301.06 of this Code. For purposes of determining the type of occupancy of a site, the occupancy classifications of the Minnesota State Building Code shall be utilized.

ARTICLE V. PERFORMANCE STANDARDS

SEC. 19.61.01. SELF-STORAGE FACILITY PERFORMANCE STANDARDS.

(c) Site Design Requirements:

- (2) **Parking.** See Section 21.301.06 of this Code.
 - ~~[(A) One space shall be provided for each 50 storage compartments, equally distributed throughout the storage area.~~
 - (B) One space for every 100 storage compartments shall be located at the manager's office for the use of prospective clients.]

SEC. 19.63.01. SENIOR CITIZEN HOUSING PERFORMANCE STANDARDS.

- (8) **Other Performance Standards.** The following area, density, yard and off-street parking requirements apply to senior citizen housing:

- ~~(D) **Off-street parking.** See Section 21.301.06 of this Code. [One off-street parking space shall be provided for each two dwelling units, plus one space for every employee, plus one space for each ten units for visitor parking, with no garaging requirement.]~~

SEC. 19.63.02. HANDICAPPED HOUSING PERFORMANCE STANDARDS.

~~(f)~~ Off-Street Parking.

- ~~(1) One reserved surface or off-street handicapped parking space shall be required for each resident dwelling unit. This requirement may be reduced to as few as two spaces for multiple-family dwellings of five or more dwelling units, or eliminated entirely for buildings with four or fewer dwelling units, based on the needs and disabilities of the intended residents.~~
- ~~(2) One accessible garage space shall be required for each resident dwelling unit. This requirement may be reduced or eliminated based on the needs and disabilities of the intended residents.~~
- ~~(3) Additional surface spaces shall be provided at the rate of one space for each three dwelling units.]~~

SEC. 19.63.03. RESERVED [TRANSIT AND CARPOOLING DESIGN REQUIREMENTS.

Notwithstanding any other provisions of this Code, any final plan for development in a Mixed-Use District (CX-2) and any final site and building plan for development in a Commercial Service District (CS-1), Commercial Office District (CO-1) or Residential Office District (RO-50) shall include the following transit and carpooling design requirements:

- (1) ~~Transit. Sidewalks, pedestrian paths and other similar pedestrian traffic circulation systems located within one-fourth mile of existing transit routes shall be designed to provide easy pedestrian access to transit facilities. Any building located within one-fourth mile of an existing transit route shall be required to have a sidewalk extending from such building to the roadway or sidewalk situated adjacent to the transit route. Developers of such buildings shall provide transit shelters if~~

~~requested to do so by the City of Bloomington or the Metropolitan Transit Commission.~~

- (2) ~~Carpooling. Any proposed industrial and commercial uses, except shopping centers and retail uses, shall be designed so that a minimum of 16% of all required parking spaces can be set aside for carpools and vanpools of two or more persons. These parking spaces shall be designated as reserved for carpool and vanpool vehicles and shall be located approximately the same distance from building entrances as any other parking spaces allocated for vehicles occupied by non-handicapped employees.]~~

ARTICLE VI. ~~[PARKING, LOADING AND]~~ BILLBOARDS

Section 19.64. ~~RESERVED. [PARKING].~~

- {(a) ~~**Surfacing and drainage** – Off-street parking areas, except for single-family residences, shall be paved with Portland cement concrete or plant mixed bituminous surface, except that in addition to the minimum number of required parking spaces, three percent of the gross parking area lying more than 20 feet from the street right-of-way shall be improved and maintained with landscaping consisting of grass and evergreens or other approved plants. Such areas shall be so graded and drained as to dispose of all surface water accumulation within the area. Open sales lots for cars, trucks, and other equipment shall also be graded, drained, and paved but the interior landscaping is not required except as required by Section 19.22(4) (E) of this Code.~~
- (b) ~~**Location** – All accessory off-street parking facilities required herein shall be located as follows:~~
- ~~(1) – Spaces accessory to one and two-family dwellings on the same lot as the principal use served.~~
 - ~~(2) – Spaces accessory to multiple family dwellings on the same lot as the principal use served or within 400 feet of the main entrance to the principal building served.~~
 - ~~(3) – Spaces accessory to uses in a Business or Industrial District; within 800 feet of a main entrance to the principal building served.~~
 - ~~(4) – Where the setback is 40 feet or less there shall be no parking in such setback,~~
 - ~~(5) – In Industrial Park (I-1), Institutional (IN-1) and Freeway Development (FD-1) Districts, the off-street parking shall be located at the side or rear of the building. If located at the side of the building, parking may extend to within 40 feet of the front property line. Visitor parking may be located in front of industrial buildings, at the rate of ten spaces per principal building, plus one space for each 10,000 square feet of principal building floor area over 20,000 square feet.~~
- (c) ~~**Design** -~~
- ~~(1) – A parking space shall be not less than 300 square feet of standing and maneuvering area.~~
 - ~~(2) – Off-street parking areas shall be so designed that vehicles are parked in an orderly fashion. Site plans shall show proposed parking spaces, driveways, loading areas, landscaping and screening, and the parking area shall conform to such site plans. Aisle entrances shall be kept clear by appropriate design.~~
 - ~~(3) – Parking areas shall have interior poured-in-place Portland cement concrete curbs defining the perimeter.~~
 - ~~(4) – Traffic safety island shall be installed at the ends of each parking tier~~
 - ~~(5) – Additional traffic safety islands may be required to maintain a safe and orderly flow of traffic within the parking lot.~~

- (d) ~~**Access**—All off-street parking spaces must have access off driveways and not directly off the public street.~~
- (e) ~~**Other parking in residential areas**—Parking, except under a conditional use permit, in residential areas (off-street and on-street) shall be limited to the use of the residents of those homes, except that the temporary parking of vehicles of visitors or of a business loading, unloading, or providing a service at the residence is permitted when otherwise authorized by this Code. The numbers of vehicles that may be parked on or in front of a residentially zoned lot shall be as defined in Section 19.45 of this Code.~~
- (f) ~~**Sale of parking areas**—property that constitutes required off-street parking area may not be separated, through sale or other means, from the property containing the principal use for which the parking area is required.~~
- (g) ~~**Minimum number of off-street parking spaces required**—One space equals minimum of 300 square feet surface area; one stacking space equals minimum of 250 square feet surface area. The number of spaces provided shall be in accordance with the provisions of this subsection. A lesser number of spaces may be allowed, provided that a site plan indicating that the required number of spaces can be placed on the site meeting all ordinance requirements is approved by the Issuing Authority, or a lesser number of spaces shown on final site plans is approved by the City Council, or a variance to the required number or parking spaces is granted in accordance with the provisions of Section 2.98.01 of this Code.~~

- | | |
|---|---|
| <ul style="list-style-type: none"> ((1) — One and two-family residences (2) — Multiple dwelling (3) — Lodging houses (4) — Theaters,
— auditoriums,
— mortuaries, stadiums,
— arenas, dance halls,
— and other places of
— assembly (5) — Churches (6) — Hospitals (7) — Medical and dental
clinics | <ul style="list-style-type: none"> Two spaces per dwelling unit within a garage or within the area which could be occupied by a garage in addition to the required driveway. 2-20 spaces per dwelling unit of which one space per unit must be a garage space. One space per lodger in addition to the regular space requirement for the structure or an additional space per employee whichever is greater. Spaces equal in number to 1/3 of the capacity in persons. Spaces equal in number to 1/3 of the capacity in persons of the main sanctuary or auditorium plus provisions for supplementary parking space needs for other portions of the church facilities as determined by final site and building plans when reviewed by the Planning Commission. One space for each bed and one additional space for each daytime employee and staff person. Five spaces per doctor or dentist, plus one for each staff doctor and one for each employee. |
|---|---|

(8) Business and professional offices (except medical and dental clinics)	One space for each 200 square feet of gross leasable area on each floor including basements.
(9) Retail shopping, including discount establishments	One space for each 85 square feet of retail floorspace.
(10) Motels	One space for each unit and for each employee.
(11) Restaurants and clubs	One space for each 2.5 seats plus one space for each 25 square feet of meeting or banquet room.
(12) Service stations	Three spaces for each enclosed bay and one space for each day-shift employee.
(13) Bowling alleys	Five spaces per lane.
(14) Drive-ins	15 spaces for those serving food or refreshments, and ten spaces for all others.
(15) Other business and industry, including wholesale establishments (selling only to retailers and contractors)	One space for every two employees plus one space for each vehicle used in conduct of the enterprise, or one space for each 800 square feet of floor area, whichever requirement is the greater.
(16) Drive-in banks	Six stacking spaces per customer lane.
(17) Automobile laundries	60 spaces for each washing lane plus one space for every employee plus three spaces for miscellaneous needs and service vehicles.
(18) Warehouses	One space for each employee plus one space for each vehicle used in conduct of the enterprise.
(19) Rest homes, nursing homes, sanitariums, homes for the aged and for children	One space for each four beds plus one for each employee and one for each staff doctor.
(20) New and used car sales agencies	360 spaces for display and storage of used vehicles plus 20 spaces new or for service department vehicles plus 40 spaces for employees plus 30 spaces specifically reserved for customers, except when part of a planned shopping center.
(21) Uses not covered by This Schedule	Spaces as required for the most similar listed use, or as determined by the Director of Building Inspection.

(22) Other Business and Industry	One space for every two employees (based upon maximum planned employment during any work period) or one space for each 800 square feet of floor area, whichever requirement is the greater.]
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- (h) **Joint facilities** ~~Required parking facilities serving two or more uses may be located in 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. The City Council may approve the joint use of parking facilities by the following uses or activities under the following conditions:~~
- ~~(1) For the purposes of this subsection, the following uses are considered as daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair and service shops, manufacturing wholesale and similar uses.~~
 - ~~(2) The following are to be considered as night-time or Sunday uses: auditoriums incidental to a public or parochial school, churches, bowling alleys, dance halls, theaters, bars or restaurants.~~
 - ~~(3) Up to 50 percent of the parking facilities required for daytime uses may be supplied by the off-street parking facilities provided by day-time uses, and vice-versa.~~
 - ~~(4) Conditions required for joint uses:

 - ~~(A) The proposed joint parking space is within 500 feet of the use it will serve.~~
 - ~~(B) The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.~~
 - ~~(C) A properly drawn legal instrument, executed by the parties concerned, for joint use of off-street parking facilities shall be filed with the Division of Building and Inspection.~~~~
- (i) **Permit.** ~~No person shall construct, enlarge, or in any way resurface or change the dimensions of a parking area, except for a single-family detached and two-family residence except where a patching repair of up to 20 percent of a parking area surface, unless and until a permit is first secured from the Issuing Authority. A permit must first be secured for all right-of-way improvements.~~
- (j) **Floor area and lot coverage calculations.** ~~For the purposes of calculating building floor area and percentage lot coverage by structures, a parking structure or the portion of a structure used for parking shall not be counted as building floor area or structure coverage.~~
- (k) **Parking structure setbacks.** ~~A parking structure shall be subject to review of the following criteria for the purposes of establishing setbacks.~~
- ~~(1) A parking structure shall be deemed an underground garage for the level(s) of parking which are below grade and are unexposed except for entrance and exit points. Where the roof or any portion of the roof of such a qualifying structure is used as surface parking, such parking shall meet the applicable zoning district and other ordinance requirements regarding surface parking location, setbacks, and screening.~~
 - ~~(2) A parking structure with one or more parking levels which may be all or partially below grade, which does not qualify as an underground garage, and where all such parking levels can be screened by the required Subsections 19.52(a),(d), and (e) shall meet the applicable zoning district and other ordinance requirements regarding surface parking location, setbacks, and screening.~~
 - ~~(3) Any parking structure or portion thereof, other than a parapet wall screening a~~

~~parking level, which does not qualify as an underground garage as in paragraph (1) above or which cannot be screened as in paragraph (2) above shall be deemed a structure for the purpose of meeting the applicable zoning district and other ordinance requirements regarding building setbacks and screening.]~~

Section 19.65. RESERVED [OFF-STREET LOADING] .

~~[(a) In connection with any structure which is to be erected or substantially altered, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, there shall be provided off-street loading space on the basis of the following minimum requirements:~~

Square-foot of aggregate gross floor area	Minimum required number of berths
Up to 10,000	0
10,000 to 16,000	1
16,000 to 40,000	2
For each additional 40,000	1 additional

~~The size of the berths will depend upon the size of the trucks to be used.~~

- ~~(b) No loading berth of vehicles over two-ton capacity shall be closer than 100 feet to any residential district unless completely enclosed by building walls not less than eight feet in height.~~
- ~~(c) Where noise from loading or unloading activity is audible in a residential district, the activity shall terminate between the hours of 7:00 p.m. and 7:00 a.m.]~~

Section 19.66.01. SEVERABILITY.

If any division, section, subsection, sentence, clause or phrase of this Article is for any reason held to be invalid, such decision does not affect the validity of the remaining portion of this Article. The City Council hereby declares that it would have adopted the Article in each division, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more divisions, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 19.66.02. PENALTY.

A violation of this Article shall be a misdemeanor under Minnesota law. Civil administrative penalties shall be subject to assessment against the property pursuant to Section 12.15 of the City Charter and Section 1.19 of the City Code. However, nothing herein shall be construed to limit the City's other available legal remedies including without limitation the revocation and suspension of any City issued license or permit associated with the property or civil injunctive actions. In addition, violations or failure to pay civil fines may result in future license or permit ineligibility.

Section 5. That Chapter 21 of the City Code is hereby amended to read as follows:

CHAPTER 21

ZONING AND LAND DEVELOPMENT

ARTICLE II. DISTRICTS AND USES

Division D. Freeway Commercial Zoning Districts

Section 21.205.05. Freeway Mixed Use (C-5) District.

(c) Standards.

(6) Residential uses encouraged. To promote the inclusion of residential uses within the C-5 District, the following incentives are available to development that includes residential uses.

(D) Parking Reduction. The requirements for number of parking spaces for residential uses in the C-5 District are 95 percent of the requirements in Section [49.64] 21.301.06 of this Code.

ARTICLE III. DEVELOPMENT STANDARDS

Division A. General Standards

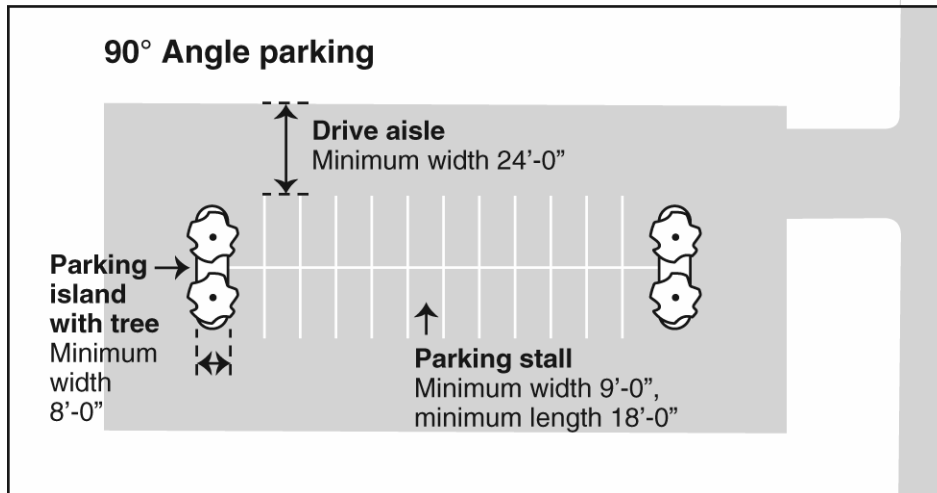
Section 21.301.06. Parking and Loading.

- (a) **Purpose and intent-** The City of Bloomington recognizes the health, safety, welfare, and aesthetic value of providing parking standards in the community. The provisions of this Section are intended to:
 - (1) Promote traffic safety, emergency vehicle access and eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way;
 - (2) Protect and enhance property values;
 - (3) Protect government investments in streets, sidewalks, traffic control and utility devices.
 - (4) Avoid parking spillover conflicts;
 - (5) Offer flexibility in standards when appropriate;
 - (6) Promote access and connectivity, both vehicular, and pedestrian;
 - (7) Minimize environmental degradation;
 - (8) Preserve and improve the appearance of the City through adherence to aesthetic principles, in order to create a community that is attractive to residents and to non-residents who come to live, visit, work or trade;
 - (9) Implement the City’s Comprehensive Plan; and
 - (10) Promote the public health, safety, and general welfare.
- (b) **Location –**
 - (1) **Accessory off-street parking location:**
 - (A) **One and two-family dwellings.** Spaces accessory to one and two-family dwellings must be on the same site as the principal use served.
 - (B) **Multiple family dwellings.** Spaces accessory to multiple family dwellings must be on the same site as the principal use served within 400 feet of the main entrance to the principal building served.

- (C) **Commercial or Industrial Districts.** Spaces accessory to uses in a Commercial or Industrial District must be located on the same site and within 800 feet of a main entrance to the principal building served.
 - (2) **Accessory off-street parking is prohibited in the following locations:**
 - (A) Where the building is 40 feet or less from the planned widened right-of-way line, parking is prohibited between the building and the street. This requirement does not apply to single-family and two-family residences.
 - (B) On grass or landscaped areas pursuant to Section 19.52 of this Code, in addition to the restrictions set out in Chapter 8 of the City Code.
- (c) **Design -**
- (1) **Single family and two family land uses.** See requirements set forth in 21.301.06(i) of this Code.
 - (2) **Other land uses.**
 - (A) **Site plans.** Site plans drawn to scale and dimensioned must show proposed parking spaces including accessibility spaces, driveways, loading areas, landscaping and screening, and the parking area must conform to such site plans.
 - (B) **Drive aisles and entrances.** Drive aisles and entrances must be kept clear of obstructions by appropriate design.
 - (C) **Parking space and drive aisle dimension requirements.** Off-street surface parking spaces and drive aisles must meet the following dimension requirements.
 - (i) Minimum stall size, not including vehicle overhang area, of nine feet by 18 feet for 90 degree angle parking (see Figure 21.301.06(c)(3)(A)). For spaces that are not 90 degree angle, the most recent Institute of Transportation Engineers (ITE) standards will be applied as determined by the Issuing Authority;
 - (ii) Minimum drive aisle width of 24 feet for 90 degree angle parking areas. For parking areas that are not 90 degree angle, the most recent Institute of Transportation Engineers (ITE) standards will be applied for drive aisle width as determined by the Issuing Authority;
 - (iii) Compact spaces may be provided, however, compact spaces will not be counted toward the minimum required number of off-street parking spaces; and
 - (iv) All fire lanes must meet the applicable fire codes, as set forth in Chapter 6 of this Code.
 - (v) Light standards placed at the interior corner of parking stalls in coordination with the parking stall striping as approved by the Issuing Authority are not included in the measurement of parking stall dimensions.

For off-street parking dimension requirements in parking structures, see Section 21.301.06(h).
 - (D) **Surfacing.** Off-street parking areas and driveways, not to include driveway approach areas, must be paved with Portland cement concrete, plant mixed bituminous surface (i.e. asphalt), brick, stone, or form concrete pavers placed touching with gaps not exceeding one-quarter inch, or equivalent material as approved by the Issuing Authority. Consideration may be given by the Issuing Authority for special circumstances such as seasonal uses. Driveway approach areas must be paved with Portland cement concrete, or plant mixed bituminous surface (i.e. asphalt).

- (E) **Concrete curbs.** Parking areas must have in-place Portland cement concrete curbs defining the perimeter or equivalent material as approved by the Issuing Authority.
 - (F) **Access.**
 - (i) **Vehicular access and circulation.** All off-street parking spaces must have access off driveways and not directly off the public street.
 - (ii) **Fire and public safety access and circulation.** Turnarounds and fire lane areas for Fire and other Public Safety vehicles must be provided in accordance with requirements set forth in Section 6.20 of this Code, and are subject to approval of the City Issuing Authority.
 - (G) **Light pollution and glare.**
 - (i) **Vehicle headlights.** Parking lots and parking structures must comply with the screening standards of Section 19.52 of this Code.
 - (ii) **Overhead lighting.** Parking lots must comply with the lighting standards of Section 19.54 of this Code.
 - (H) **Parking islands.**
 - (i) Parking islands must be installed at the ends of each row of parking spaces. Additional parking islands must be provided mid-row at intervals not to exceed 200 feet for interior parking rows and 300 feet for perimeter parking rows. Where a parking lot contains ten parking spaces or less, the requirement for parking islands is waived, unless the Issuing Authority determines islands are needed for traffic circulation and safety.
 - (ii) Where a parking island is immediately adjacent to one or more parking stalls, the island length must be three feet shorter than the adjacent stall to promote ingress and egress into the stall.
 - (iii) A minimum of one deciduous tree must be provided per parking lot island, with exceptions as set forth in Section 19.52 of this Code.
 - (iv) Where one or more trees are present in a parking island, the minimum island width must be eight feet measured from the inside edges of curb to curb (see Figure 21.301.06(c)(3)(A)). Where no trees are present in a parking island, the minimum island width is four feet measured from the inside edges of curb to curb.
 - (v) Parking islands must be delineated by raised concrete curbing or may be depressed to accommodate infiltration for stormwater management purposes.
 - (I) **Setbacks for surface parking.**
 - (i) The required setback for surface parking is a minimum of 20 feet from a planned widened right-of-way line and a minimum of five feet from a property line not abutting a street.
- (3) **Graphic illustration.**
- (A) 90 degree angle parking.



(d) **Number of off-street parking spaces required.**

(1) The minimum number of off-street parking spaces provided within a development must meet the provisions of this subsection, varying by land use as provided in the following table. If more than one land use is present on a site, the required parking is determined by adding together the required number of parking spaces for each use.

If the number of off-street parking spaces results in a fraction, each fraction of one-half or more will constitute another space required. A lesser number of constructed off-street parking spaces may be allowed through flexibility measures (see Section 21.301.06(e) of this Code, parking reduction flexibility measures). The requirements for off-street surface parking space dimensions are set forth in Bloomington Code Section 21.301.06(c).

MINIMUM OFFSTREET PARKING REQUIREMENTS	
<u>RESIDENTIAL</u>	
<u>Single Family & Two Family</u>	<u>Four spaces per dwelling unit, two of which are within a garage or area that could be occupied by a garage</u>
<u>Townhouse/ Rowhouse</u>	<u>One Bedroom - 2.2 spaces per dwelling unit; Two Bedroom - 2.6 spaces per dwelling unit; Three Bedroom - 3.0 spaces per dwelling unit; Four Bedroom - 3.4 spaces per dwelling unit</u> <u>Of which one space per unit must be within a garage, and where party room space is provided, an additional one space per 100 square feet of party room is required. Guest parking spaces must be appropriately provided and dispersed throughout the development, subject to approval of the Issuing Authority.</u>
<u>Multiple-Family Residence</u>	<u>One Bedroom - 1.8 spaces per dwelling unit; Two Bedroom - 2.2 spaces per dwelling unit; Three Bedroom - 2.6 spaces per dwelling unit; Four Bedroom - 3.0 spaces per dwelling unit</u>

	<u>Of which one space per unit must be within a garage, and where party room space is provided, an additional one space per 100 square feet of party room is required. Guest parking spaces must be appropriately provided and dispersed throughout the development, subject to approval of the Issuing Authority.</u>
<u>Senior Citizen Housing</u>	<u>1.5 spaces per dwelling unit, where 0.5 spaces per unit must be available for general parking</u> <u>Where party room space is provided, an additional one space per 100 square feet of party room is required. Guest parking spaces must be appropriately provided and dispersed throughout the development, subject to approval of the Issuing Authority.</u>
<u>Group Home, Nursing Home, Rest Home, Adult Care Home</u>	<u>1.5 spaces for each four beds</u> <u>Guest parking spaces must be appropriately dispersed throughout the development.</u>
<u>Licensed Boarding House Lodging or Rooming Houses</u>	<u>One space per bedroom, where spaces are not stacked in a linear row</u>
<u>NON-RESIDENTIAL</u>	
<u>Automobile Service/ Gas Stations</u> <u>Vehicle Repair</u> <u>Minor</u> <u>(oil, muffler, glass, tires, brakes, batteries)</u> <u>Major</u> <u>(transmission, engine, body work.)</u> <u>Convenience Retail Facility</u>	<u>Parking in addition to fueling for the following:</u> <u>One space per 300 square feet of gross floor area excluding service bays, plus two spaces per service bay;</u> <u>One space per 300 square feet of gross floor area excluding service bays, plus three spaces per service bay;</u> <u>One space per 200 square feet of gross floor area, with no more than one-half of the required spaces located at fuel pumps.</u>
<u>Bank</u> <u>With or Without Drive-Through</u>	<u>One space per 240 square feet of gross floor area; additional six queuing spaces per lane</u>
<u>Car Wash</u> <u>Full Service, or Automatic</u> <u>Self Service Car Wash</u>	<u>Eight queuing spaces per bay plus one space per 375 square feet of gross floor area;</u> <u>Six queuing spaces per bay for Self Service Wash</u>
<u>Child Care Center</u>	<u>1.2 spaces for each ten program participants based on the facility's licensed capacity</u>
<u>Educational Institution</u> <u>Elementary/Middle/Junior High School</u>	<u>One space per 800 square feet of gross floor area, (except for auditoriums, theaters, gymnasiums, or activity centers, where</u>

<u>(Public/Private/Charter)</u> <u>Senior High School</u> <u>(Public/Private/Charter)</u> <u>University, College,</u> <u>Technical College,</u> <u>Seminary, Trade School</u> <u>Business School or</u> <u>Instructional Center,</u> <u>(Public/Private/Charter)</u>	<u>spaces equal in number to one-third capacity in persons are required), plus adequate drop off/ pick up area for students;</u> <u>One space per 400 square feet of gross floor area, (except for auditoriums, theaters, gymnasiums, or activity centers, where spaces equal in number to one-third capacity in persons are required), plus adequate drop off/ pick up area for students;</u> <u>One space per 200 square feet of gross floor area, (except for auditoriums, theaters, gymnasiums, or activity centers, where spaces equal in number to one-third capacity in persons are required), plus adequate drop off/ pick up area for students;</u>
<u>Grocery Store</u>	<u>One space per 225 square feet of gross floor area</u>
<u>Health Club</u>	<u>One space per 250 square feet of gross floor area (not including swimming pools), and additional off-street parking for the following uses: swimming pool-one space per 500 square feet of gross floor area, tennis, handball, or racquetball- two spaces per court</u>
<u>Hotel</u> <u>Hotel</u> <u>Hotel Airport Parking</u>	<u>1.1 spaces per room plus spaces equal in number to one-third capacity in persons for meeting/banquet area;</u> <u>Hotel airport parking or storage is a conditional accessory use and must be in excess of spaces designated for the above hotel related uses. It must not be shared with adjacent uses. The maximum number of off-street vehicle parking spaces provided for hotel airport parking purposes within a development must not exceed one space per ten hotel rooms</u>
<u>Industrial</u> <u>General</u> <u>Manufacturing/Industrial</u> <u>Warehousing, Storage</u>	<u>One space per 500 square feet of gross floor area, plus one additional off-street parking space for each 2,500 square feet of outside storage area as determined by the Issuing Authority;</u> <u>One space per 1,000 square feet of gross floor area, plus one additional off-street parking space for each 2,500 square feet of outside storage area</u>
<u>Office</u> <u>General, and Medical or</u> <u>Dental</u> <u>High Intensity/Call Centers</u> <u>And Telemarketing</u>	<u>One space per 285 square feet of gross floor area;</u> <u>A range from one space per 165 square feet to one space per 100 square feet of gross floor area as determined by the Issuing Authority</u>
<u>Place of Assembly,</u> <u>Indoor or Outdoor</u> <u>Theater, Auditorium,</u> <u>Library, Museum, Arena,</u> <u>Community Center,</u>	<u>Spaces equal in number to one-third capacity in persons. If use includes an educational component, those facilities are required to provide additional parking as provided in the ordinance under Educational Institutions</u>

<u>Religious Institution, Mortuary, Stadium, Dance Hall, and other Places of Assembly</u>	
<u>Restaurant and/or Club</u> <u>With Drive-Through</u>	<u>One space per 2.5 seats, plus spaces equal in number to one-third capacity in persons for meeting/banquet area;</u> <u>Six additional queuing spaces per lane</u>
<u>Retail Sales and/or Service</u> <u>General Retail under</u> <u>10,000 square feet of</u> <u>gross floor area</u>	<u>One space per 180 square feet of gross floor area;</u>
<u>10,000-99,999 square feet</u> <u>of gross floor area</u>	<u>55 spaces plus additional one space per 220 square feet of gross floor area over 10,000 square feet;</u>
<u>100,000 square feet of</u> <u>gross floor area and over</u>	<u>460 spaces plus additional one space per 285 square feet of gross floor area over 100,000 square feet</u>
<u>Self- Storage Facility</u>	<u>One parking space for each 50 storage units, evenly distributed throughout storage area; and one parking space for every 100 storage compartments must be located at the manager's office for the use of visitors</u>
<u>Wholesale Establishments</u> <u>(selling only to retailers and</u> <u>contractors)</u>	<u>One parking space for each 1,000 square feet of floor area for non-showroom area and one additional off-street parking space for each 500 square feet of showroom area</u>
<u>OTHER</u>	
<u>Uses not covered by this</u> <u>Schedule</u>	<u>Parking requirements for uses not listed above will be determined by the Issuing Authority based on similar uses and/ or authoritative sources accepted by the City Issuing Authority</u>

(e) **Parking reduction flexibility measures.**

The City Council may reduce the number of required off-street parking spaces, except for single family and two family residential off-street parking, through the following flexibility measures when the applicant demonstrates in documented form that parking demand will likely be less than required by this Chapter.

(1) **Proof of parking measures.** An applicant may be eligible for a reduction in the required number of off-street parking spaces where the applicant can demonstrate there is lesser need for the required number of off-street parking spaces, and there is a space set aside for Code complying off-site parking spaces to be constructed if a need is later indicated by the City Issuing Authority, provided:

(A) Where the applicant is seeking a reduction in the total number of required constructed parking spaces, the lesser number of constructed spaces may be allowed, provided:

(i) the City may require a parking study conducted in accordance with accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering

professional under the supervision of the City and paid for by the applicant, demonstrating that there is not a present need for the portion of parking for which the applicant is requesting proof of parking flexibility. (Where the applicant is seeking a reduction of ten percent or less in the total number of required constructed parking spaces, the requirement for a parking study is waived);

(ii) a site plan is submitted indicating that the required number of spaces meeting all ordinance requirements can be placed on the site if the need is later indicated by the City Issuing Authority in observance of a lack of available parking and is approved by the Issuing Authority; and

(iii) where a site plan is approved with proof of parking measures, a properly drawn legal instrument, memorializing the parking measures drafted and executed by the parties concerned, must be filed with the records for that property in the Registrar of Titles' or Recorder's Office of Hennepin County with proof thereof presented to the Issuing Authority.

(B) **Suitability of deferred spaces.** The applicant must not assign deferred parking spaces to areas required for landscaping, required buffer zones, setbacks, fire lanes, drive aisles, or areas that would otherwise be unsuitable for parking spaces because of the physical characteristics of the land or other requirements of this Code.

(C) **Conversion of deferred spaces by applicant.** The applicant may at any time request that the Issuing Authority approve a revised site plan to allow conversion of deferred spaces to operable parking spaces.

(D) **Remedies.** Should it be determined at a later date, as indicated by the City Issuing Authority in observance of a lack of available parking, that any or all of the deferred parking spaces are needed, the required number of deferred spaces must be converted to parking spaces that conform to this Code at the applicant's expense.

(2) **Shared parking between businesses or other entities.**

It is the City's policy to encourage efficient use of land and resources by allowing shared parking for multiple use developments or uses that are located near one another and that have different peak parking demands or different operating hours. The City Council may approve the shared use of parking facilities under the following conditions:

(A) **Proximity.** The proposed shared parking space is within 500 feet of the entrance to the use it will serve.

(B) **Conflict in hours.** The applicant demonstrates that, because of the hours, size, and mode of operation of the respective uses, there is no substantial conflict in the peak parking demands of the uses for which shared use of off-street parking facilities is proposed, and there will be an adequate amount of parking available to meet the needs for each use. A shared parking plan must be submitted whenever shared parking is proposed that includes specific analysis on the peaking characteristics of the various uses included. The City may also require a parking study conducted in accordance with accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant, demonstrating that there is not a present need for the portion of parking for which the applicant is requesting proof of parking flexibility.

(C) **Written consent and agreement.** Where shared use of parking exists within the same site or across sites, a properly drawn legal instrument, drafted and executed by the parties concerned, must be filed as a deed restriction on both properties with the records for both properties in the Registrar of Titles' or Recorder's Office of Hennepin County with proof thereof presented to the

- Issuing Authority. The intent in either case is that the agreement will be in the public record in perpetuity, and not altered unless approved by the City Issuing Authority.
- (D) **Revocation.** Failure to comply with the shared parking provisions of this Section constitutes a violation of this Code. A shared parking agreement may be revoked by the parties to the agreement only if off-street parking is provided as otherwise set forth in Section 21.301.06 of this Code, or if an alternative shared parking plan is approved by the City Issuing Authority.
- (3) **Travel Demand Management plan (TDM).**
- (A) Off-street parking requirements may be reduced subject to approval by the City Council, where a TDM plan is submitted and approved by the City Issuing Authority that addresses the transportation impacts of the development and proposed TDM mitigating measures. The TDM measures may include but are not limited to on-site transit facilities, preferential location of car and van pool parking, telecommuting, on-site bicycle and pedestrian facilities and employer subsidies to employees for transit passes. Where a TDM plan is approved by the City Council, the exact terms of the TDM must be memorialized by the applicant in a properly drawn legal instrument, executed by the parties concerned, and filed with the records for that property in the Registrar of Titles' or Recorder's Office of Hennepin County with proof thereof presented to the Issuing Authority.
- (B) **TDM plan content.** The TDM must at a minimum contain the following:
- (i) A description of the TDM goals;
 - (ii) A description of the transportation impacts of the development based on full development, forecasts of trips generated and anticipated parking demand;
 - (iii) A parking and transportation study demonstrating that peak parking demand would be reduced by the mitigating measures proposed. The parking and transportation study must be conducted in accordance with accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant; and
 - (iv) Implementation measures.
- (C) **Revocation.** Failure to comply with the provisions of the approved TDM plan constitutes a violation of this Code. A TDM plan may be revoked only if off-street parking is provided as otherwise set forth in Section 21.301.06 of this Code, or if an alternative TDM plan is approved by the City Issuing Authority.
- (4) **Enhanced linkages to mass transit.** Off-street parking requirements may be reduced subject to approval by the City Council, where a parking and transportation study conducted in accordance with accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant, shows that parking demand will be decreased by access to nearby transit.
- (5) **Planned development (PD).** Off-street parking requirements may be reduced through the planned development process when an applicant demonstrates the need for a lesser number of off-street parking spaces. The Issuing Authority may require a parking and transportation study conducted in accordance with accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant.
- (6) **On-street parking.** Off-street parking requirements may be reduced subject to approval by the City Council, when an applicant demonstrates need for a lesser number of off-street spaces due to available permitted on-street parking spaces. The Issuing Authority may require a parking study conducted in accordance with

accepted methodology approved by the City Issuing Authority, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant.

- (f) **Non-parking uses in off-street parking and loading areas.**
- (1) **Snow removal and storage.** Provision must be made in parking, access aisles and loading areas for adequate snow storage or removal to ensure that the required number of off-street parking and loading spaces are available at all times during the year. Snow storage areas, if applicable, must be shown on the site plan.
 - (2) **Cart storage.** Provision must be made in parking areas for adequate cart storage where carts are used on the premises, to ensure the required number of off-street vehicle parking and loading spaces are available and unencumbered with carts. Cart storage if applicable must to be shown on the site plan.
 - (3) **Accessory storage or retail display.** If allowed in the appropriate zoning district, accessory storage or retail display must not occupy required off-street vehicle parking spaces.
- (g) **Permit.** No person may construct, enlarge, or in any way resurface or change the dimensions of a parking area on private property, except where a patching repair of up to 20 percent of a parking area surface, unless and until a permit is first secured from the Issuing Authority. A permit must first be secured for all right of way improvements.
- (h) **Parking structures.**
- (1) **Parking structure setbacks.** A parking structure is subject to the following setback requirements, unless otherwise specified in the Code or the International Building Code.
 - (A) **Underground parking structure** - The required setback for an underground parking garage structure is a minimum of 15 feet from a planned widened right-of-way-line and a minimum of five feet from a property line not abutting a street;
 - (B) **Surface parking at an underground parking structure** - The required setback for surface parking is a minimum of 20 feet from a planned widened right-of-way-line and a minimum of five feet from a property line not abutting a street (also see Section 21.301.06(c) Design); and
 - (C) **Above grade parking structure** -The required setback for an above grade parking structure is as set forth for buildings in the underlying zoning district.
 - (2) **Screening and design requirements.**
 - (A) **Screening** - Above grade parking structures must meet the applicable zoning district requirements regarding screening of surface parking. Where the roof or any portion of the roof of an underground structure or a qualifying structure is used for surface parking, such parking must meet the applicable zoning district requirements regarding screening of surface parking. Parking garage structures which are abutting a single-family or two-family use must provide and maintain a visual screen at the entrance and exit areas to the structure. See Section 19.52 of this Code for screening requirements.
 - (B) **Structure design and exterior building materials of a parking garage** - must be compatible with the surrounding buildings.
 - (i) Parking structures must be designed to block the visibility of vehicle headlights from the exterior.
 - (ii) Parking structure facades that front on public streets must be enhanced through architectural details that match or complement the building the facility serves, including but not

limited to piers, pilasters, recessed window openings, masonry trim, ornamental grillwork, accent materials, or decorative artwork and through exterior materials and colors that match or complement the building the facility serves.

(iii) Parking structure access points fronting a public street must be architecturally articulated to add visual interest.

(C) **Structured parking space dimensions-** Parking spaces and drive aisles in structured parking must meet the following dimension requirements.

(i) The minimum stall size, not including vehicle overhang area, is 8.5 feet by 18 feet for 90 degree angle parking. For spaces that are not 90 degree angle, the most recent Institute of Engineers (ITE) standards will be applied as determined by the Issuing Authority);

(ii) The minimum drive aisle width is 24 feet for 90 degree angle parking in structured parking. For parking areas that are not 90 degree angle, the most recent Institute of Transportation Engineers (ITE) standards will be applied for drive aisle width as determined by the Issuing Authority;

(iii) Compact spaces may be provided, however, compact spaces will not be counted toward the minimum required number of off-street parking spaces; and

(iv) All fire lanes must meet the applicable fire codes, as set forth in Chapter 6 of this Code.

For off-street surface parking dimension requirements, see Section 21.301.06(c).

(3) **Gates, access and limiting devices.**

Gates or access limiting devices for parking structures and surrounding off-street parking areas must be designed and maintained to avoid causing vehicle queuing within the public right-of-way.

(i) **Single Family and Two Family Residential Driveways and Off-Street Parking.**

(1) **Driveway location.** New driveways may not be constructed and existing driveways may not be expanded unless they lead directly to and connect with a garage. If there is no garage present on a site, a maximum of one driveway may be constructed provided it leads to a location where a garage could legally be constructed and the length of the driveway does not exceed 50 feet or the maximum distance of the front façade of the principal building from the street, whichever is greater.

(2) **Driveway approach dimensions.** Driveway approach dimensions must comply with the applicable City construction detail for driveway approaches.

(A) **Maximum driveway approach width.** The width of the driveway approach at the property line for a single or two-family residential site must not exceed the width of the driveway it connects to. Turning tapers may be added to the driveway approach between the property line and the street that add up to six additional feet to the width of the driveway approach at its intersection with the street provided that the driveway approach at no point exceeds a maximum width of 30 feet.

(3) **Driveway dimensions.**

(A) **Minimum driveway width.** The width of the driveway must be at least ten feet.

(B) **Maximum driveway width for single family sites with a garage of 30 feet or less in width.** The width of the driveway must not exceed the width of the garage it serves.

(C) **Maximum driveway width for single family sites with a garage over 30 feet in width.**

- (i) The width of the driveway between zero feet and ten feet from its intersection with the property line must not exceed 30 feet.
 - (ii) The maximum width of the driveway between ten and 26 feet from its intersection with the property line must not exceed the width of the garage it serves at any point and may transition at a 45 degree angle from 30 feet in width to the width of the garage, up to a maximum of 46 feet in width.
 - (iii) The width of the driveway between 26 feet and 100 feet from its intersection with the property line must not exceed the width of the garage it serves up to a maximum of 46 feet in width.
 - (iv) The width of the driveway beyond 100 feet from its intersection with the property line must not exceed the width of the garage it serves.
- (D) **Maximum driveway width for two-family sites with a common driveway.**
- (i) The width of the driveway between zero feet and ten feet from its intersection with the property line must not exceed the width of the garages it serves up to a maximum of 30 feet.
 - (ii) The maximum width of the driveway between 10 and 28 feet from its intersection with the property line must not exceed the width of the garages it serves at any point and may transition may transition at a 45 degree angle from 30 feet in width to the width of the garage, up to a maximum of 48 feet in width.
 - (iii) The width of the driveway beyond 28 feet from its intersection with the property line must not exceed the width of the garage it serves up to a maximum of 48 feet.
- (E) **Maximum driveway width for two-family sites with separate driveways on the same street.** The width of each driveway must not exceed the width of the garage it serves up to a maximum of 24 feet.
- (F) **Maximum driveway width for two-family sites with separate driveways on separate streets.**
- (i) The width of the each driveway between zero feet and ten feet from its intersection with the property line must not exceed the width of the garage it serves up to a maximum of 30 feet.
 - (ii) The maximum width of each driveway between ten and 16 feet from its intersection with the property line must not exceed the width of the garages it serves at any point and may transition may transition at a 45 degree angle from 30 feet in width to the width of the garage, up to a maximum of 36 feet in width.
 - (iii) The width of each driveway beyond 16 feet from its intersection with the property line must not exceed the width of the garage it serves up to a maximum of 36 feet.
 - (iv) The width of the driveway beyond 100 feet from its intersection with the property line must not exceed the width of the garage it serves.
- (G) **Maximum driveway width for sites without garages.** The width of the driveway must not exceed 24 feet.
- (4) **Vehicle parking.** The parking and storage of vehicles is prohibited on all portions of single and two-family sites except within a garage or upon legally constructed driveways or off-drive parking areas. The storage of recreational vehicles must conform with the standards of Section 19.50.03 of this Code.
- (5) **Off-drive parking areas.** The construction of new or the expansion of existing off-drive parking area must comply with the following standards and is allowed only when the cumulative total width of all driveways on site is 26 feet or less. See Figure 21.301.06(c)(12)(A).
- (A) One off-drive parking area of up to 12 feet in width and accessible by a standard vehicle from the driveway is permitted. The off-drive parking area

may be located on either side of the driveway provided all setback and other standards are met;

- (B) The off-drive parking area may extend adjacent to the side of the garage but may not extend farther from the street than the rear of the garage. When adjacent to a garage, the off-drive parking area must be at least nine feet in width;
 - (C) The off-drive parking area must meet the setbacks as set forth in Section 21.301.06(i)(9) of this Code except that a portion of an off-drive parking area may encroach into the required 20 foot front setback area as it transitions to full width. For sites with a principal building setback of less than 36 feet, off-drive parking area may begin to transition to full width at a 45 degree angle between 5 feet and 17 feet back from the property line adjacent to the street. For sites with a principal building setback of 36 feet or greater, off-drive parking area may begin to transition to full width at a 45 degree angle between 10 feet and 22 feet back from the property line adjacent to the street.
 - (D) The off-drive parking area must be an approved surface as set forth in Section 21.301.06(i)(7) of this Code;
 - (E) The 35 percent maximum impervious surface coverage requirement must be met for all single family sites as specified in Sections 19.27 (f) (2) and 19.27.01 (f) (1) (B) of this Code;
 - (F) In the event a site has a second driveway, second garage or a circular driveway, off-drive parking area is allowed only adjacent to one driveway/garage; and
 - (G) For two-family dwellings with a common driveway, each unit may have an off-drive parking area subject to the standards of this Section provided the driveway width does not exceed the maximum driveway widths set forth in Section 21.301.06 (i) (3) (D) of this Code.
- (6) **Off-drive turnaround areas.** The construction of new or the expansion of existing off-drive turnaround (hammerhead) area must comply with the following standards and is allowed only when the total width of the driveway and any adjacent off-drive parking area at a given point does not exceed 36 feet. See Figure 21.301.06(c)(12)(A).
- (A) In order to allow vehicles to turn around on-site and exit onto roadways in a forward facing position, one off-drive turnaround area up to 12 feet in width and 18 feet in depth is allowed abutting a driveway. The maximum width of driveway plus off-drive parking area plus off-drive turnaround area must not exceed 36 feet at any point. The off-drive turnaround area may be located on either side of the driveway provided all setback and other standards are met;
 - (B) The off-drive turnaround area must be an approved surface as set forth below in Section 21.301.06(i)(7) of this Code;
 - (C) The 35 percent maximum impervious surface coverage requirement must be met for all single family sites as specified in Sections 19.27 (f) (2) and 19.27.01 (f) (1) (B) of this Code;
 - (D) In the event a site has a circular driveway, off-drive turnaround area is not allowed. In the event a site has a second but unconnected driveway, off-drive turnaround area is allowed only adjacent to one driveway;
- (7) **Second curb cut and connecting driveway.** A permit for a second curb cut to a single family site must not be issued unless the site has at least 120 feet of frontage along a single public street or is a corner lot and complies with the standards of Section 17 of this Code. For corner lots, when two curb cuts are present, each curb cut must be to a separate street unless the site has at least 120 feet of frontage along a single public street. More than two curb cuts are prohibited for single or two-family residential sites. In the event a second driveway is installed to service a second garage, the second driveway must meet all driveway standards. In the event

a second driveway is installed to serve as a circular driveway, the secondary driveway is limited to 12 feet in width and must meet all other driveway standards. See Figure 21.301.06(c)(12)(B).

(8) Driveway and off-drive parking area surface.

(A) Driveways and off-drive parking and turnaround areas, not to include driveway approaches, must be paved for the entire length and width of the surface with Portland cement concrete, plant bituminous surface (i.e. asphalt), brick, stone, or concrete driveway pavers that are placed with gaps not exceeding one quarter inch, or equivalent material as approved by the Issuing Authority. Gravel is not permitted.

(B) Driveway approaches must be paved with Portland cement concrete, a plant bituminous surface (i.e. asphalt) or stone, brick or concrete pavers that are placed with gaps not exceeding one quarter inch. When decorative concrete, stone, brick or concrete pavers are used in a driveway approach, a three foot concrete apron meeting the appropriate City standard detail must be installed adjacent to the street. Before constructing a driveway approach with pavers, stone, brick or decorative concrete, the property owner must provide the City with a legal description and an executed agreement in a form acceptable to the City, along with proof that the agreement has been filed with the records for the property in the office of the Hennepin County Recorder or Registrar of Titles agreeing that the landowner and all of the landowner's successor and assigns will, in the event that City work within its right of way results in damage to, or the removal of, the driveway approach:

- (i) Bear sole responsibility for all of the additional costs incurred by the City for the removal of the driveway approach attributable to the use of these materials;
- (ii) Hold the City harmless for any and all claims for damage or loss of use occurring to the driveway approach or its construction materials; and
- (iii) Assume sole responsibility for the reconstruction of the driveway approach if the desired reconstruction material is something other than Portland cement concrete or plant bituminous surface, as approved by the Issuing Authority.

(9) Driveway approach and driveway slope. The driveway approach slope must not exceed ten percent. Where there is a public easement adjacent to the property line, the driveway slope through the easement must not exceed ten percent. The driveway through the private property area may transition to a slope steeper than ten percent with prior approval of the City Engineer. Slopes through sidewalks must not exceed ADA requirements of 1:50 or two percent.

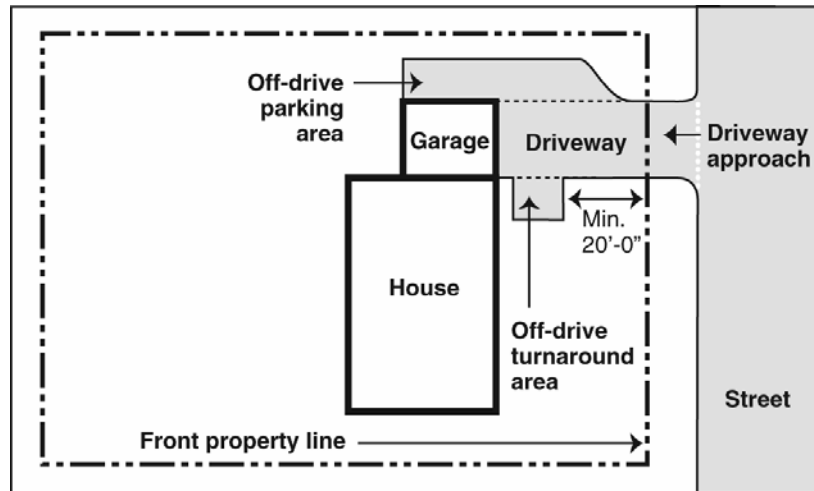
(10) Driveway and off-drive parking area setbacks. Driveways and off-drive parking and turnaround areas must meet the following setback requirements.

(A) **Minimum setback.** Except for driveways crossing front (or side or rear abutting a public street) setback areas in a perpendicular or near perpendicular fashion and as otherwise specifically allowed by the City Code, the minimum setback of driveways and off-drive parking and turnaround areas from property lines is as follows:

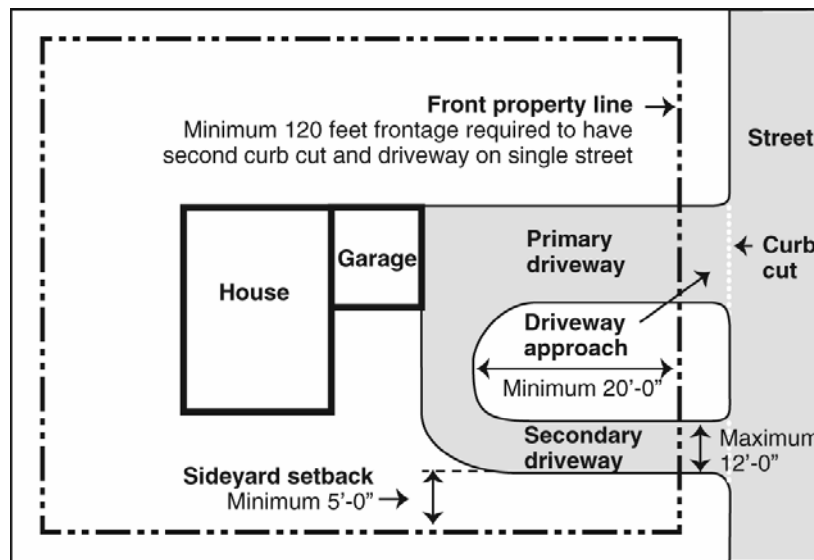
<u>Front</u>	<u>Minimum 20 feet</u>
<u>Side</u>	<u>Minimum 5 feet</u>
<u>Rear</u>	<u>Minimum 5 feet</u>
<u>Side or rear abutting public street</u>	<u>Minimum 20 feet</u>

(B) **Nonconforming driveways.** Legally nonconforming driveways with setbacks of less than five feet from a side property line may be repaired, altered, resurfaced or reconstructed, but not expanded, subject to the following:

- (i) All driveway surface water drainage must be directed away from the side property line and the abutting property by a slope, curb, retaining wall or other measure approved by the Issuing Authority; or
 - (ii) Subject to the approval of the City Engineer, driveway surface water drainage may be conveyed by a graded swale in a drainage easement(s) drafted and executed by the property owners of record and filed with the registrar of Titles' or Recorder's Office of Hennepin County with proof thereof presented to the Issuing Authority.
- (C) **Common driveway setbacks.** Setbacks from a side or rear property line may be zero feet where an access easement or a driveway common to abutting properties has been required by the City or has been approved by the City Traffic Engineer, and an access easement or common driveway easement drafted and executed by the property owners of record is filed with the Registrar of Titles' or Recorder's Office of Hennepin County with proof thereof presented to the Issuing Authority.
- (D) **Reduced setback of garages.** When a variance has been approved by the City Council to reduce the setback of any garage from a side or rear property line, the setback of the driveway serving that garage parallel to a side of rear property line may be greater than or equal to the setback of the garage, subject to the provisions of Section 21.301.06 of this Code.
- (E) **Existing utilities.** Prior to issuance of a permit for any new or replacement driveway with a setback from a side or rear property line of less than five feet, the permit application shall be reviewed with the City Engineer. The Issuing Authority shall not issue a permit for a driveway which encroaches upon a utility easement where an installed utility is known to exist. When a driveway is installed in an easement area where no public utilities currently exist, an encroachment agreement approved by the City Engineer is required, and the property owner assumes all responsibility for replacement of any private improvements damaged or destroyed by lawful access to or use of public easements.
- (F) **Variances.** Variances to driveway setbacks from property lines may be processed as Administrative Variances, in accordance with the provisions of Chapter 2, Article II of this Code.
- (11) **Permit required.** A driveway permit is required for construction, replacement, overlay or alteration of a residential driveway or off-drive parking or turnaround area, with limited exceptions for repairs as set forth in Section 21.301.06 of this Code. If the driveway approach is modified, appropriate permits must be obtained as required in Chapter 17, Article I of this Code.
- (12) **Graphic illustrations.**
- (A) Driveways, driveway approach, off-drive parking area and off-drive turn-around area.



(B) Second curb cut and driveway.



(i) **Off-street loading.**

- (1) **Maneuvering space.** Space must be provided within the off-street loading area so that any maneuvering back into or out of a loading space can be conducted outside of any public right-of-way.
- (2) **Location and design.** Loading areas must be located and designed to ensure that the entering and exiting vehicles do not disrupt vehicle and pedestrian circulation patterns.
- (3) **Loading berth screening.** No loading berth for vehicles over two ton capacity may be closer than 100 feet to any residential district unless completely enclosed by building walls not less than eight feet in height.
- (4) **Noise.** Where noise from loading or unloading activity is audible in a residential district, pursuant to Section 10.30 of this Code, Public Nuisance Noises Prohibited, the activity shall terminate between the hours of 10:00 p.m. and 7:00 a.m.

- (k) **Sale of parking areas.** Property that constitutes required off-street parking area must not be separated, through sale or other means, from the property containing the principal use for which the parking area is required.

- (l) **Compliance and change of use for a structure or site or additions thereto.**
- (1) (A) **Design standards for site redevelopment or addition.** When either a full redevelopment of a site is proposed or an addition that would increase the floor area on a site by 25 percent or greater, the entire site must be brought into compliance with the standards of Section 21.301.06 of this Code, subject to the approval of the City Issuing Authority.
- (B) **Number of off-street parking spaces.** Any change in occupancy, square footage, or use must comply with the minimum and maximum parking requirements as set forth in Section 21.301.06 of this Code, subject to approval of the City Issuing Authority.

Division B. Use Standards

Section 21.302.01. Motor Vehicle Sales.

(h) **Parking.** See Section [19.64] 21.301.06 for applicable standards.

Passed and adopted this _____ day of _____, 2006.

Mayor

ATTEST:

Secretary to the Council

APPROVED:

City Attorney