

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-078

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
ADOPTING NEW OFF-STREET PARKING AND LOADING REGULATIONS FOR ALL USE
CLASSIFICATIONS IN THE LAKE ELMO ZONING CODE**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by repealing City Code Sections 154.095 through 154.096 in their entirety.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Section 051 by removing the following language:

Off-Street Parking: (Also See §§ 154.095 and 154.096) The off-street parking requirements for properties located in the Old Village District and south of Minnesota Highway 5 may be waived by the Zoning Administrator upon demonstration that there are no suitable locations to provide off-street parking in a manner that complies with requirements found below and in §§ 154.095 and 154.096 .	
Eating and Drinking Places	One space for every 2 seats and 1 space for every 2 employees on the average maximum shift
Automobile Service Stations	Three spaces for each enclosed bay plus 1 space for each day shift employee plus a minimum of 2 spaces for service vehicles and 1 additional space for each service vehicle over 2 in number
Retail Stores or Centers	Eleven spaces for the first 1,000 square feet of gross floor area or fraction of floor area: 8 spaces for each 1,000 square feet of gross floor area in excess of 1,000 square feet, but not exceeding 15,000 square feet; 6 spaces for each 1,000 square feet of gross floor area in excess of 15,000 square feet of gross floor area exceeding 30,000 square feet.
Motels and Hotels	One space for each unit plus 1 space for each employee on any 1 shift.
Medical and Dental Clinics	Four spaces for each doctor or dentist, plus 1 space for every employee or 1 for each 150 square feet of gross floor area, whichever requirement is greater.

Other Commercial Uses (excluding wholesale)	One space for each 200 square feet of gross floor area.
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SECTION 3. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Section 055 by removing the following language:

Off-Street Parking (also see § 154.095)	Eating and drinking places: one space for every 2 seats, and 1 space for every 2 employees on the average maximum shift. (Parking spaces for “drive-in” customers shall not be credited as a part of the off-street parking area needed to serve the sales operation conducted within the buildings.)
	Automobile service stations: three spaces for each enclosed bay plus 1 space for each day shift employee plus a minimum of 2 spaces for service vehicles and 1 additional space for each service vehicle over 2 in number
	Motel and hotels: 1 space for each unit plus 1 space for each employee on any 1 shift

SECTION 4. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Section 056 by removing the following language:

Off-Street Parking	
Retail Stores or Centers:	Eleven spaces for the first 1,000 square feet of gross floor area or fraction of gross floor area; Eight spaces for each 1,000 square feet of gross floor area in excess of 1,000 square feet
Other Commercial Uses, excluding Wholesale:	One space for each 200 square feet of gross floor area

SECTION 5. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Section 057 by removing the following language:

SECTION 6. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by adding the following language:

ARTICLE 5 GENERAL REGULATIONS

- §154.200 Purpose
- §154.201 Applicability
- §154.202 Permits Required
- §154.203 Essential Services
- §154.210 Off-Street Parking
- §154.211 Off-Street Loading

§ 154.200 Purpose

The purpose of this Article is to establish regulations for activities that may occur in many zoning districts or in association with a variety of land uses, including parking, signage, and activities within yards, to promote the orderly development or use of land and minimize conflicts among land uses.

§ 154.201 Applicability

The provisions of this Article shall be applied to all zoning districts and shall be in addition to the requirements in any specific zoning district. A permit shall not be issued unless all applicable general regulations are met.

§ 154.202 Permits Required.

Permits are required for all changes in use and all development activities, with the exception of signs, in compliance with the standards of Article 3, Administration. Signs shall require a sign permit in compliance with Section 151.115 and Article 3.

§ 154.203 Essential Services

Essential services as defined by this Ordinance are permitted in any district, provided that a site plan for any new or expanded service facility is filed with the Planning Department. The City Council may require site plan review of large facilities, upon the recommendation of the Planning Director.

§ 154.210 Off-Street Parking

- A. *Purpose.* The intent of this section is to prevent or alleviate congestion and promote the public safety and welfare by establishing minimum requirements for off-street parking, and requiring that parking areas are located and constructed in a manner that provides for optimum visibility to vehicles entering and exiting said parking area, accessibility and safety. It is the responsibility of property owners to provide adequate parking to meet their specific needs.
- B. *Applicability.* Off-street parking in accordance with this section shall be provided for all new uses and all expansions of existing uses in all districts. Parking requirements may be waived in the Village Mixed-Use District (VMX), recognizing the availability of on-street and shared parking facilities.
- C. *Location.* All required off-street parking facilities shall be located outside of any street right-of-way, and as follows:
 - 1. Spaces accessory to one- and two-family dwellings shall be located on the same lot as the

principal use served. Spaces within garages are counted toward the required number of spaces.

2. Spaces accessory to multiple-family dwellings and nonresidential uses shall be located on the same lot as the principal use served or within four hundred (400) feet of the main entrance to the principal building served.
3. Off-street parking located elsewhere than on the lot where the principal use being served is located shall be under the same ownership and control, either by deed or long-term lease, as the principal use. The owner of the principal use must file a recordable document with the City requiring permanent provision of off-street parking during the existence of the principal use.
4. Off-street surface parking areas containing more than four parking spaces shall be located a minimum of twenty (20) feet from the boundary of any adjacent lot zoned or used for residential purposes, with the exception of lots zoned Village Mixed-Use (VMX).
5. *Other Parking in Residential Areas.* Parking in residential areas (off-street and on-street) shall be limited to the use of the residents of those homes and their guests
6. *Off-Street Parking in Commercial Areas.* Off-street surface parking areas in commercial districts shall be located in a manner consistent with the setback requirements in §154.552.
7. Required off-street parking spaces shall not be utilized for open storage of goods or for the storage of vehicles which are inoperable or for sale or rent.

D. *Parking Area Design and Maintenance.*

1. *Access to Parking Spaces.* Each required off-street parking space shall open directly to an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to the parking space, as shown in Table 5-1, Minimum Parking Space and Aisle Dimensions, except where accessory to residential uses of up to four (4) units.
2. *Maneuvering Area.* All parking areas except those serving one and two family dwellings on local streets shall be designed so that cars shall not be required to back into the street. If deemed necessary for traffic safety, turn-around areas may be required.
3. *Surfacing and Drainage.* All off-street parking areas shall be surfaced as follows:
 - a. Single-family and two-family dwellings shall provide a durable surface with suitable drainage.
 - b. In all residential, commercial and mixed use districts, all areas intended to be utilized for parking space for five (5) or more vehicles and associated driveways shall be paved with a durable surface including, but not limited to, hot asphalt, bituminous or concrete.
 - c. In industrial districts, all areas intended to be utilized for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. Plans for surfacing and drainage for nonresidential uses shall be submitted for review and the final plan shall be subject to written approval.
 - d. Storage areas for heavy construction equipment that would damage the pavement may be exempt from the paving and surfacing requirement with an acceptable surface approved by the City Engineer.
 - e. Farm dwellings and farm operations are exempt from the paving requirement.
 - f. City parks shall be exempt from the parking requirement if approved by the City Council.
4. *Marking of Parking Spaces.* All parking areas containing five (5) or more spaces or

containing angled parking shall be marked with painted lines at least four (4) inches wide. Such markings shall be maintained in a clearly legible condition.

5. **Curbing.** All open off-street parking areas designed to have head-in parking along the property line shall provide a bumper curb not less than five (5) feet from the side property line or a barrier of normal bumper height not less than three (3) feet from the side property line.
 6. **Landscaping and Screening.** Parking areas shall be screened and landscaped as provided in Article 6, Section 154.258.
 7. **General Maintenance.** Parking areas and driveways shall be kept free of dirt, dust, debris and waste. In winter months, required parking areas shall be cleared of snow and ice within a reasonable time.
 8. **Accessible Parking.** Accessible parking spaces for the disabled shall be provided as required by the International Building Code.
- E. **Dimensions.** The minimum dimensions for required parking spaces are as shown in Table 5-1, Minimum Parking Space and Aisle Dimensions and Figure 5-1, Minimum Parking Dimensions Diagram.

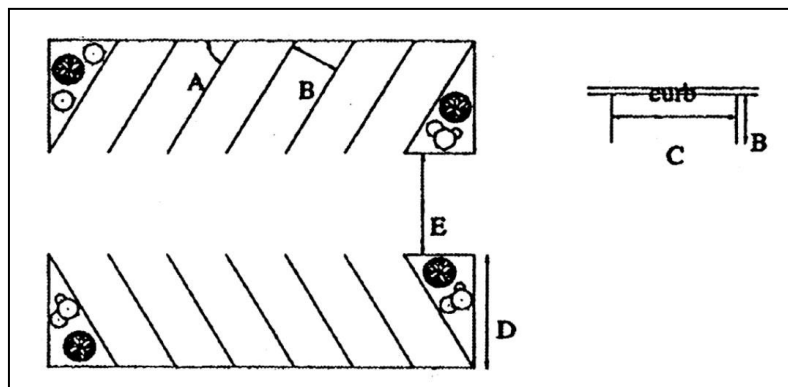
Table 5-1: Minimum Parking Space and Aisle Dimensions

Angle (A)	Width (B) ^a	Curb Length (C)	Stall Depth (D) ^b	1 Way Aisle Width (E)	2-Way Aisle Width (E)
0 (Parallel)	9'	22'	8'6"	14'	22'
45°	9'	12'	18'9"	14'	22'
60°	9'	9'10"	19'10"	18'	22'
90°	9'	8'6"	18'	20'	22'

^a For parking areas containing more than ten (10) parking spaces, compact spaces may account for up to twenty percent (20%) of the total parking area required. They may be reduced in size to a width of eight (8) feet and a stall depth of twelve percent (12%) less than (D) above, and must be grouped and signed appropriately

^b Parking spaces that use an appropriately sized curb overhang over a landscaped island or buffer may be reduced in depth by one and one-half feet (1' 6"). A concrete curb or other means shall be provided to prevent parked vehicles from damaging plant materials.

Figure 5-1: Minimum Parking Dimensions Diagram



- F. *Parking Requirements.* Accessory, off-street parking shall be provided as specified in Table 5-2, Specific Minimum Off-street Parking Requirements, except as otherwise specified in this section.
1. In addition to the requirements in Table 5-2, one (1) parking space shall be provided for each commercial vehicle or vehicle necessary for the operation of the use that is maintained on the premises.
 2. Parking spaces for uses with multiple components, such as hotels with dining and conference facilities, shall be based on the sum of the parking requirements of the separate components. Shared parking standards may be used where applicable.
 3. Proof of parking. The Planning Commission may allow parking requirements for a particular use to be relaxed or lessened in response to an expected demand that is lower than the required standard in this section, provided that one of the following conditions exists:
 - a. Sufficient open area is set aside on the parcel to meet the required standard, if determined to be necessary at a later date.
 - b. If parking will be needed less than twenty-five (25%) of the time during typical hours of use, on-street parking accessible by sidewalk within two blocks of the site may be used in lieu of required off-street parking.
 4. Where a parking study is required, a qualified transportation engineer or transportation planner shall perform the study. The study shall contain information on the anticipated number of employees, customers, visitors, clients, shifts, events, or deliveries to the use, and may refer to other studies or similar situations elsewhere.
- G. *Shared Parking.* Joint use of required parking spaces is encouraged where two or more uses on the same or adjacent sites are able to share the same parking spaces because their parking demands occur at different times. The applicant(s) must submit an analysis showing that peak parking times of the uses will occur at different times and the parking area will be adequate for both uses. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses shall be submitted.
- H. *Truck parking in residential areas.* No commercially licensed trailer shall be parked or stored in a residential district except when loading, unloading or rendering a service. Recreation vehicles and pickups are not restricted by the terms of this provision.

Table 5-2. Specific Minimum Off-Street Parking Requirements

Use	Minimum Parking Requirement	Notes
Residential Uses		
Household Living		
Single-family detached dwelling	2 spaces per dwelling unit	No fee shall be charged for required spaces
Two-family dwelling	1 space per 1-bedroom unit	
Single-family attached dwelling	2 spaces per 2-bedroom or larger unit	
Multifamily dwelling	Single-family attached dwellings shall provide an additional 10% of parking spaces for visitor parking Multifamily dwellings shall also provide 1 visitor space per 4 units	

Use	Minimum Parking Requirement	Notes
Senior (elderly) housing	1 space per dwelling unit	If senior housing may be converted to general housing in the future, proof of additional parking shall be required
Secondary dwelling	1 space per secondary dwelling unit	
Live-work unit	2 spaces per dwelling unit	At least one of the required spaces shall be accessible for client parking
Mobile home park	2 spaces per dwelling unit	
Group Living		
Group home, group residential facility, halfway house, congregate housing	1 space per employee on the largest shift plus 1 visitor space for every 4 residents based on capacity	
Semi-transient accommodations	1 space per bedroom, plus one space for each fulltime staff equivalent	Parking study required
Public and Civic Uses		
Cemetery	As determined by the Planning Director	
College or university, other adult learning center	To be determined by the Planning Director based on parking study	Parking study required
Community services	Parking equal to 30 percent of the capacity of persons or as determined by the Planning Director based on parking study	
Day care center (see under Accessory Uses for Family day care)	1 space per employee on largest shift plus 1 space per 7 students based on capacity; or 1 space per 10 students if an off-street drop-off and pick-up space is provided	
School, public or private	1 space per staff member plus 1 space per 5 students of legal driving age based on design capacity	Existing schools not meeting this standard may be required to develop a parking management plan, but shall not be required to add the minimum number of spaces
Public assembly	1 space per each 4 seats based on design capacity	

Use	Minimum Parking Requirement	Notes
Religious institution, place of worship	1 space per each 6 seats or 10 feet of pews in the main assembly hall	Existing institutions not meeting this standard may be required to develop a parking management plan, but shall not be required to add the minimum number of spaces
Services		
Business center	Total of parking requirements for individual uses, excepting any that meet the shared parking requirements in Section 154.210.G	
Commercial kennel, commercial stable	1 space per employee on the largest shift plus 1 space per 6 animals	
Communication services	1 space per 400 square feet of gross floor area, plus 1 space per company vehicle stored on the site	
Educational services	1 space per staff member plus 1 space per 5 students of legal driving age based on design capacity	
Financial institution	1 space per 100 square feet of usable floor area	
Funeral home	1 space per 100 square feet of floor area in the main assembly room plus one space per staff member	
Transient Accommodations, Lodging	1 space per guest room, plus additional space for meeting or restaurant facilities	Meeting and restaurant facilities may require additional parking, based on square footage of each use as defined in this table.
Medical facilities	5 spaces per medical professional, or 1 space per 200 square feet of gross floor area	
Membership organization (clubs, lodges, etc.)	1 space per 300 square feet of gross floor area	
Nursing and personal care	1 space for each 4 beds, plus 1 space per employee on the largest work shift	
Offices	3 spaces per 1,000 square feet of gross floor area	
Personal services	1 space per 300 square feet of gross floor area	

Use	Minimum Parking Requirement	Notes
Repair and maintenance shop	1 space per 400 square feet of gross floor area	
Self-service storage facility	1 space per 300 square feet of office or sales area	The apron in front of the storage units shall be wide enough for two cars to pass
Trade shop	1 space per 300 square feet of office or sales area, plus 1 space per 3,000 square feet of storage area	
Transportation services	1 space per 300 square feet of office or sales area, plus 1 space per vehicle kept on premises	
Veterinary service	3 spaces per veterinarian, or 1 space per 200 square feet of gross floor area	
Food Services		
Drinking and Entertainment	1 space per 3 customer seats or each 100 sq. ft. of interior space (the greater), plus 1 space per 200 sq. ft. exterior seating area.	
Drive-in Restaurant, Fast Food Restaurant, Standard Restaurant	1 space per 3 customer seats or each 100 sq. ft. of interior space (the greater), plus 1 space per 200 sq. ft. exterior seating area. Drive-throughs shall provide queuing space for at least 3 vehicles in advance of the menu board and 3 vehicles between the menu board and pick-up window	
Sales of Merchandise		
Garden Center, Building Supplies Sales	1 space per 250 sq. ft. of gross floor area plus 1 space per 2,000 sq. ft. of outside sales or display area	
Furniture and Appliance Sales	1 space per 800 sq. ft. of gross floor area	
General Retail	1 space per 250 sq. ft. of gross floor area	Includes any retail uses not specifically listed in this table
Shopping Center	1 space per 250 sq. ft. of gross floor area	Shared parking provisions (Section 154.210.G. of this Article) are encouraged to be used where applicable

Use	Minimum Parking Requirement	Notes
Wayside Stand	1 space per 400 sq. ft. sales area	Spaces need not be paved, but shall be adequately separated and screened from the street and adjacent properties, as determined by the Planning Director
Wholesaling	1 space per 250 sq. ft. of indoor sales area plus 1 space per 2,000 square feet of storage area	
Automobile/Vehicular Uses		
Automobile Maintenance Services, Commercial Vehicle Repair, Gas Station	1 space per 250 sq. ft. of gross floor area used for sales or customer service plus 2 spaces per service bay	Service bay shall not be counted as a parking space
Automobile Parts/Supply	1 space per 250 sq. ft. of indoor sales area plus 1 space per <u>2,000</u> square feet of storage area	
Automobile Rental	1 space per 250 sq. ft. of gross floor area plus adequate storage space for rental vehicles maintained on site	
Car Wash	1.5 spaces per bay, plus 4 stacking spaces per bay, plus 1 space per employee on the largest shift,	
Vehicle Sales and Storage Lots	1 space per 250 sq. ft. of indoor sales area plus 1 space per 2,000 sq. ft. of outside sales or display area and 1 space per 2,000 square feet of storage area	
Outdoor Recreation Uses		
Campgrounds and Trailering	1 space per site, plus spaces required for other uses	
Golf Course	5 spaces per hole plus additional space for meeting or restaurant facilities	
Marina	As determined by the Planning Director	Parking study may be required for large or multiple-use facilities
Outdoor Entertainment	As determined by the Planning Director	

Use	Minimum Parking Requirement	Notes
Outdoor Recreation Facility	1 space per 3 persons based on maximum occupancy load, plus 1 space per employee on the largest shift or as determined by parking study	Parking study may be required for large or multiple-use facilities
Parks and Open Areas	No requirement	
Restricted Recreation	As determined by the Planning Director	Parking study may be required
Swimming pool	1 space per 150 square feet of pool area	
Indoor Recreation/Entertainment		
Adult Establishment	1 space per 250 sq. ft. of gross floor area	
Indoor Athletic Facility	1 space per 250 square feet floor area plus 2 spaces per tennis or racquet games court and 1 space per 150 square feet of pool area	
Indoor Recreation	Bowling alleys: 5 spaces per lane Other facilities: 1 space per 3 persons based on maximum capacity	
Agricultural and Related Uses		
Agricultural Production and Services;	No requirement	
Agricultural Support	1 space per 300 sq. ft. of indoor sales or office area plus 1 space per 1,000 sq. ft. of outside sales or display area and 1 space per 2,000 square feet of storage area	
Forestry Operations	As determined by the Planning Director	
Production, Processing and Storage		
Non-production Industrial Light Industrial Heavy Industrial	1 space per 1,000 sq. ft. gross floor area up to 20,000 sq. ft. plus 1 space per 2,000 sq. ft. in excess of 20,000 sq. ft., or per 5 regular employees, whichever is greater.	Additional parking may also be required for office or retail space, as specified in this table Includes other industrial uses largely carried on in enclosed buildings and not individually listed

Use	Minimum Parking Requirement	Notes
Motor freight and warehousing	1 space per 300 sq. ft. of office or sales area, plus 1 space per 3,000 sq. ft. of storage area	
Landfill, Resource Extraction, Salvage/Recyclable Center	2 spaces per 3 employees on the largest shift, based on maximum planned employment	Includes other industrial uses largely carried on outdoors
Utilities, Transportation and Communications		
Air transportation	As determined by the Planning Director	
Broadcasting or Communication Tower	No requirement	
Essential Services	As determined by the Planning Director	
Local Transit, Railroad Transportation	2 spaces per 3 employees on the largest shift, based on maximum planned employment	
Accessory Uses		
Animals, Domestic	No requirement	
Home Occupation	No requirement unless specified in Conditional Use Permit	
Bed and breakfast	1 space per guest room in addition to dwelling unit requirements	
Family Day Care, Group Family Day Care	1 space per employee not residing on the premises plus one drop-off space	
Kennel, Private; Stable, Private	No requirement	
Interim Uses		
Interim Use	As determined by the Planning Director	

§ 154.211 Off-Street Loading Areas.

Off-street loading space shall be provided in all districts for any nonresidential use which will involve the receipt or distribution of materials or merchandise by trucks or similar vehicles and has a gross floor area of five thousand (5,000) square feet or more, in accordance with the following standards. Off-street loading area requirements may be waived in the Village Mixed-Use District (VMX).

- A. *Number.* For facilities with less than twenty thousand (20,000) square feet gross floor area, a designated loading zone may be provided on site, rather than constructing a loading berth. For facilities with twenty thousand (20,000) square feet gross floor area or greater, one (1) off-street loading berth shall be provided for every thirty thousand (30,000) square feet gross floor area or fraction thereof.

- B. *Location.* All required loading berths shall be off-street. A loading berth shall be located at least twenty-five (25) feet from the intersection of two street rights-of-way and at least fifty (50) feet from a residential district unless within a building. Loading berths shall not occupy the required front yard setback.
- C. *Size.* Unless otherwise specified in this chapter, a required loading berth shall be not less than twelve (12) feet in width, fifty (50) feet in length and fourteen (14) feet in height, exclusive of aisle and maneuvering space.
- D. *Access.* Each required loading berth shall be located with appropriate means of vehicle access to a street or public alley in a manner which will least interfere with traffic. Driveway design is specified in Section 154.209 of this Article.
- E. *Surfacing.* All loading berths and access ways shall be improved with a durable material to control the dust and drainage.
- F. *Accessory use.* Any space allocated as a loading berth or maneuvering area in accordance with this Section shall not be used for the storage of goods, inoperable vehicles or required off-street parking.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 8. Adoption Date. This Ordinance 08-078 was adopted on this seventh day of May 2013, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

This Ordinance 08-078 was published on the ____ day of _____, 2013.