



## STAFF REPORT

DATE: May 29, 2019

**REGULAR**

ITEM #: 5C

**MOTION**

**TO:** Planning Commission  
**FROM:** Ben Prchal, City Planner  
**AGENDA ITEM:** Boat and Trailer Parking Regulations in the Rural Residential Zoning District  
**REVIEWED BY:** Ken Roberts, Planning Director

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### **BACKGROUND:**

City Staff is starting the research process of addressing trailer/recreational vehicle storage on residential properties, as directed by the Planning Commission work plan. Staff has been dealing with code enforcement regarding boat/trailer storage on a regular basis.

### **REVIEW AND ANALYSIS:**

The City had discussed whether or not recreational vehicles should be allowed within the front yard or on approved parking pads, meaning driveways. The amendments that were proposed in 2011 would have allowed recreational vehicles in such a location. The following information outlines the current City Code that Staff is working with as well as some examples from other communities. Please understand that Staff has summarized the code used as examples from other communities, the full section(s) has been included as an attachment.

### **Lake Elmo:**

Unfortunately there are two sections of code that Staff and the residents have to work with when it comes to screening, Section 150.001 and 154.407. Staff believes there was good intent when it was created but now the sections are so similar and seem to compete with each other which makes it difficult for Staff and Residents. Section 154.407 specifically outlines the screening requirements for the rural districts where sections 150.001 is more generic and does not specify its application. There are specific screening requirements for the urban residential district as well (154.455 H). Staff speculates that 150.001 was put into place to encompass all of the districts but as the code continued to developed it was “forgotten” as new language was added into the zoning code. The catch to all of this is that Staff must follow the more restrictive version of the Code. For trailers that is section 150.001. As of now Staff doesn't necessarily interpret section 154.407 as prohibiting boat or trailer parking on the driveway.

### **§ 154.407 ACCESSORY USES.**

A. *Exterior Storage in Residential Districts.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

1. Laundry drying
2. Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.
3. Agricultural equipment and materials, if they are used or intended for use on the premises.
4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Article 5, Section 154.102. (This reference does not make sense, it should be 210)
5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view from adjacent properties.
6. Outdoor parking

## **§ 150.001 PROHIBITED WITHOUT SCREENING.**

(A) *Storage of property in Agricultural and Residential districts.* All personal property shall be stored within a building or fully screened so as not to be visible from adjoining properties and public streets, except for the following:

- (1) Laundry, drying;
- (2) Recreational equipment commonly used in residential yards;
- (3) Construction and landscaping materials, and equipment currently (within a period of 6 months) being used on the premises;
- (4) Off-street parking of licensed operable passenger automobiles and pick-up trucks;
- (5) Boats and trailers less than 25 feet in length, if stored in the rear yard more than 10 feet distant from any property line;
- (6) Merchandise being displayed for sale in accordance with the provisions of the zoning code;
- (7) Farm implements in the AG Zoning District; and/or
- (8) Firewood storage for personal use.

As you can see the sections are somewhat similar but deliver a different expectation for where trailers can be stored. Section 150.001 states storage is fine without screening as long as it is in the rear yard, 10 ft. from the property line, and less than 25 ft. The City does not have a definition for what does and does not constitute “accessory equipment.” Perhaps the Code was left open but Staff is not convinced at this time that boats and trailers would not fall under the umbrella of accessory equipment. With that being said it would seem reasonable to place a limit on the number of equipment that should be allowed. As you can see in the Planning Commission minutes from 2011 they discussed allowing a limited number of trailers, you will see that other communities also place limits.

### **Other Communities:**

#### **Mounds View:**

- Parking in Yards: No person shall allow any motor vehicle or trailer to be parked in any yard adjacent to a public street, except in a designated off-street parking space.
- Parking in Boulevards: No person shall allow any motor vehicle or trailer to be parked upon the boulevard of a public roadway.
- Recreational Vehicles and Equipment<sup>1</sup>: No person shall allow any recreational vehicle or equipment to be parked off-street closer than fifteen feet (15’) to the paved surfaces of a public roadway.

#### **City of Orono:**

The City of Orono has created a categories for certain trailers. Staff is focusing in on boats/boat trailers and utility trailers. The R District seems to represent their residential districts.

- Non-boat trailers can be stored for longer than 24 hours as long as they are stored on the side or rear yard and are 5 ft. or more from the lot line.
- All vehicles stored on any property shall be operable and licensed and in the case of boats licensed to the property owner/occupant.
- Lakeshore lots. Boats may be stored in a side yard, street yard, side street yard and lakeshore yard as long as they meet required setbacks and have no significant impact on lake views enjoyed by adjacent neighbors.
- Nonlakeshore lots. Boats maybe stored in a side yard and rear yard; trailerable boats may be stored on trailers in a driveway in a front yard or side street yard.
- Required setbacks. Boats and unoccupied boat trailers shall be stored no less than five feet from any lot line and no less than 15 feet from the principal residence structure on any adjacent lot.

**City of Woodbury:**

Rec. Equipment as defined by Woodbury:

“Recreational equipment. Camping trailers including those which telescope or fold down, chassis mounted campers, house cars, motor homes, tent trailers, slip in campers, converted buses, converted vans, snowmobiles, boats, trailers, toppers and vans are units designed and used for human living quarters and meeting the following qualifications similar equipment. Camping trailers, chassis mounted campers, house cars, motor homes, tent trailers, slip in campers, converted buses and converted:...”

In residential districts recreational equipment up to 24 feet in length may be parked or stored outdoors as follows:

- (a) One piece of recreational equipment per dwelling unit. When recreational equipment is on a trailer, the trailer and piece of recreational equipment shall be considered as one. Measurement does not include tongue of trailer or motor (if applicable).
- (b) On any rear or side lot not within five feet of the lot line on concrete or blacktop.
- (c) In the front lot, not within 15 feet of the curb on concrete or blacktop.
- (d) Recreational equipment may not be parked or stored on a public street.
- (e) Recreational equipment shall be maintained in good condition and currently licensed if applicable.

Staff believes their code coupled with some aspects of the Orono or Forest Lake could provide some solid language for Lake Elmo. At first glance Staff believes that it may be a good idea to limit the number of trailers/equipment per dwelling. The Woodbury code is structured in a way that is almost identical to ours. There are however, changes to make the code fit with th4e goals and ideas of each City.

**Forest Lake:**

The Forest Lake code is very similar to ours as well as Woodbury’s. Section 153.260 has been included as an attachment. But in summary it lists out boats, trailers, and other equipment.

A) All material and equipment related to and located on agricultural and residential property shall be stored within a building or fully screened, as required herein, so as not to be visible from streets, highways, or neighboring property except for the following:

- (4) Motorized or non-motorized recreational vehicles. See § 153.260 for further requirements;
- (3) Off-street parking of licensed and operable passenger automobiles and pickup trucks. See § 153.260 for further requirements;

**FISCAL IMPACT:**

Staff does not foresee a fiscal impact.

**COMMENTS AND RECOMMENDATION**

Staff believes that there is room for improvement in Lake Elmo City Code regarding parking and screening. Staff would be recommending removing section 154.001 from the Code of Ordinances and then add clarifying language into Section 154.407 about parking and storage in the rural residential zoning districts.

- Direct Staff to prepare draft code amendments to section 154.407
- Do not direct Staff to proceed with amendments.

**ATTACHMENTS**

- Minutes from 2011 Planning Commission meeting
- Mounds View Code
- City of Orono Code
- Woodbury Code
- Forest Lake Code