



**CITY OF NEWPORT  
PLANNING COMMISSION MEETING  
NEWPORT CITY HALL  
October 12, 2021 – 5:30 P.M.**

Commissioner:	Anthony Mahmood	City Administrator:	Deb Hill
Commissioner:	Brandon Leyde	Asst. to the City Admin:	Travis Brierley
Commissioner:	Maria Bonilla	City Planner:	Sherri Buss
Commissioner:	Tami Fuelling	City Planner:	Harry Davis
Commissioner:	Michael Kermes	Council Liaison:	Marvin Taylor

**AGENDA**

1. CALL TO ORDER
2. ROLL CALL
3. MEETING MINUTES
  - A. September 14, 2021
4. PUBLIC HEARING- Minor Subdivision 675 10<sup>th</sup> Street
  - A. **P.C. Resolution No 2021-02**- Minor Subdivision 675 10<sup>th</sup> Street
5. PUBLIC HEARING- Residential Parking Ordinance
6. COMMISSION REPORTS
7. ADJOURNMENT



**CITY OF NEWPORT  
PLANNING COMMISSION MEETING MINUTES  
NEWPORT CITY HALL  
September 14, 2021**

**1. CALL TO ORDER**

Chair Anthony Mahmood called the Planning Commission Meeting to order at 5:30 p.m. on September 14, 2021.

**2. ROLL CALL**

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

Not Present (0): None.

**3. MEETING MINUTES**

**A. August 10, 2021**

Commissioner Leyde motioned to approve the Planning Commission Meeting Minutes from August 10, 2021. Seconded by Chair Mahmood. Approved 5-0.

**4. SOUTH SAINT PAUL COMPREHENSIVE PLAN**

City Planner Nathan Fuerst wanted to make the Planning Commission aware that the city received a request for comment from South St. Paul as they are looking at an amendment to their comprehensive plan. Planner Fuerst presented the Commission with a short presentation on comprehensive planning. South St. Paul is currently reviewing a proposal to increase their density from 60 to 75 units per acre in specific areas and are required to notify any affected jurisdictions. Staff investigated and found there will not be any noticeable impact on Newport.

**5. RESIDENTIAL PARKING ORDINANCE**

City Planner Harry Davis stated there have been comments and complaints regarding the number of vehicles parked on residential properties. The Council has discussed potential changes to the residential parking ordinance and has directed staff to research neighboring communities. There is currently a draft ordinance, but there are two questions that the Planning Commission should discuss, and any feedback will be presented back to Council. The questions are should the City allow the storage of trade vehicles on residential private property, and what should be the definition for a commercial vehicle. Assistant to the City Administrator Travis Brierley stated the discussion started with the City Council, but since this is a zoning code, it would need to come back to the Planning Commission for a public hearing. The Commission discussed the pros and cons to the draft residential parking ordinance. The Commission discussed that it is hard to limit the number of vehicles you can park on private property because some residents have large or multi-generational families. Planner Davis stated they considered how to make exceptions, but it gets tricky when you would have to define “family”. Assistant Brierley stated the zoning code will never be perfect, but the goal is to make the code as reasonable as possible. The Commission would like to discuss again before a public hearing and Assistant Brierley recommended a joint meeting with Council.

The Commission discussed how we can define a commercial vehicle. Assistant Brierley stated currently the weight of a commercial vehicle is 6,000 pounds or over 20 feet in length but noted some personal trucks weigh more than 6,000 pounds. The commission recommended defining a commercial vehicle when you meet three out of four criteria items which include weight, logo, length, and DOT number.

**6. COMMISSION REPORTS**

None.

**7. ADJOURNMENT**

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

The Planning Commission meeting was adjourned at 6:20 p.m. on September 14, 2021.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

Signed: \_\_\_\_\_  
Anthony Mahmood, Chairman



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12224 Nicollet Avenue  
Burnsville, MN 55337-1649

Ph: (952) 890-0509  
Fax: (952) 890-8065  
Bolton-Menk.com

## MEMORANDUM

**Memo Date:** October 5, 2021  
**Meeting Date:** October 12, 2021  
**To:** City of Newport Planning Commission  
**From:** Nathan Fuerst  
**Subject:** Minor Subdivision Request – 675 10<sup>th</sup> Street  
**Action Requested:** The Planning Commission is asked to review and recommend an action on the request to the City Council.

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### Overview

**Applicant:** Chad Rheault  
**Address:** 675 10<sup>th</sup> St.  
**PID:** 3602822330006  
**Zoning:** R1 Low Density Residential  
**Future Land Use:** Single Family Detached

### Request Summary:

The applicant is seeking to subdivide his .48 acre parcel into two smaller lots. Parcel 1 will be 10,307 square feet and Parcel 2, on which his home, driveway, and accessory structures sit, is proposed to be 10,306 square feet. Both parcels will remain zoned as R1 Low Density Residential.

### Review

#### Code Requirements:

The City Code requires that a subdivision conform to the following criteria:

- a) That the proposed subdivision conforms with the city's policies (zoning, comprehensive plan, etc.).
- b) That the proposed subdivision conforms with the purpose and intent of the zoning code.
- c) That the physical characteristics of the site are such that the site is physically suitable for the type of development or use contemplated.
- d) That the subdivision or proposed improvements is not likely to cause substantial and irreversible environmental damage.
- e) That the design of the subdivision or the type of improvements will not be detrimental to the health, safety, or general welfare of the public.
- f) That the design of the subdivision or the type of improvement will not conflict with easements on record or with easements established by judgment of a court.

#### Conformance with Newport's Comprehensive Plan:

The City's Comprehensive Plan states the following regarding Single Family Detached Areas:

*Single Family Detached areas in Newport provide for a variety of lot sizes, detached single family housing uses, and a limited set of allowed uses (such as home occupations and small group homes) that are compatible with or support residential uses ...*

Name: Request for Comment – SSP Comp Plan Amend.

Date: September 7, 2021

Page: 2

The permitted residential densities for sewered development within areas guided for Single Family Detached areas is 3-5 units per acre. This proposal would create a residential density of approximately 4.3 units per acre, which is within the acceptable range of density.

### Consistency with Zoning Standards

The following standards are established for lots within the R1 Low Density Residential Zoning District. (F/S/R) stands for Front, Side, and Rear Yard Setbacks.

Standard	Requirement	Standard Met? (Y/N)
Lot Size	7,800 sq. ft.	Y
Lot Width (corner lot)	75 ft.	Y
Lot Depth	130 ft.	Y
Lot Setbacks Principal (F/S/R)	30 ft. / 10 ft. / 30 ft.	Y
Lot Setbacks Accessory (F/S/R)	30 ft.* / 5 ft. / 5 ft.	Y (Parcel 2 is Legal Nonconforming)
Impervious Surface (Lot Coverage)	35%	Y**
Building Height	35 ft.	Y**

\* City Code prohibits placement of accessory structures in front of a principal structure.

\*\* Both parcels must remain in compliance with this standard.

### Access and Right of Way:

If approved, both parcels would continue to front 10<sup>th</sup> Street. The location of an access for Parcel 1 on to 10<sup>th</sup> Street should be approved by the City Engineer.

### City Sewer and Water:

Sewer and Water service are available off the intersection of 6<sup>th</sup> Avenue & 10<sup>th</sup> Street. The Applicant is responsible for the costs of extension of these services through a connection to serve Parcel 1.

### Grading:

Presently, no grading is being proposed. The Applicant is responsible for submitting a grading plan with any future building permit applications.

### Park Dedication:

The subdivision ordinance requires that new developments in the City dedicate parkland, or cash in lieu of parkland, to the City. With respect to small subdivisions, the code states the following:

*When the subdivision is too small for practical dedication of public land, or if no land in the subdivision is suitable for such use, the subdivider shall be required to deposit with the city a cash payment in lieu of land dedication.*

The City's subdivision ordinance requires only newly created lots to dedicate parkland. Therefore, as one lot or unit previously existed, the City should be paid a cash in lieu fee for one unit. The fee should be determined based on the City's most recently adopted fee schedule on the date that the application is filed with the City.

Name: Request for Comment – SSP Comp Plan Amend.

Date: September 7, 2021

Page: 3

**Action Requested:**

The Planning Commission may recommend that the City Council take the following actions with respect to the request:

- Approve
- Approve with conditions
- Deny
- Table

**Staff Recommendation:**

Planning staff recommend approval of the request for a minor subdivision at 675 10<sup>th</sup> St. with the following conditions:

1. The Final Plat shall be substantially in conformance with the survey dated August 16, 2021.
2. Future development on Parcels 1 and 2 shall conform with the City's Zoning Ordinance and Comprehensive Plan.
3. The Applicant shall receive required permits prior to performing any work or development on Parcels 1 and 2.
4. The Applicant shall pay cash in lieu of parkland dedication according to the City's fee schedule when the newly created parcel is developed.
5. The Applicant is responsible for filing the Final Plat with Washington County one year from the date of council approval.
6. The Applicant is responsible for paying any fees and escrows related with this application.

**Attachments:**

- Minor Subdivision Application, received September 9, 2021
- City Subdivision Ordinance ([Link Only](#))
- City Zoning Ordinance ([Link Only](#))

# City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7<sup>th</sup> Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: 8-31-21 Public Hearing Date \_\_\_\_\_

## Applicant Information

Name: Chad Rheault Telephone: [REDACTED]  
Mailing Address: 675 10th Street Telephone: \_\_\_\_\_  
City/State/Zip: Newport, MN 55055

## Property Owner Information

Name: Chad Rheault Telephone: [REDACTED]  
Mailing Address: 675 10th Street Telephone: \_\_\_\_\_  
City/State/Zip: Newport, MN 55055

RECEIVED

SEP 09 2021

City of Newport

## Project Information

Location of Property: 675 10th Street  
Legal Description of Property (Must match description on the Deed) and P.I.D. #: 36.028.22.33.0006  
BROWN'S ADD TO NEWPORT Block 1 BEING S 1/2

- Zoning District: \_\_\_\_\_ Flood Plain: **AE 0.2% Annual Chance Flood Hazard**
- Comprehensive Plan Amendment \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min)
  - Rezoning \$500 plus Escrow
  - Zoning Amendment \$500
  - Variance \$300 plus Escrow
  - Conditional Use Permit
    - Residential \$300 plus Escrow
    - Commercial \$450 plus Escrow
  - Subdivision Approval
    - Minor Subdivision \$300 plus Escrow and Parkland Dedication Fee
    - Major Subdivision \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee
  - Other: \_\_\_\_\_
  - Applicable Zoning Code Chapter: \_\_\_\_\_
  - Review by Engineer Cost: \_\_\_\_\_
  - Total Cost: \_\_\_\_\_

**Escrow Fees**

The City of Newport requires that any developer or every person, company, or corporation that is seeking a planning request must first submit detailed plans to the City. The person submitting the planning request must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. All unused escrow fees will be returned to the applicant upon completion of the request. Additionally, if actual costs are above the paid escrow, the applicant will be required to pay the additional amount. The fees are as follows:

<b>Planning Request</b>	<b>Escrow Fee</b>
Rezoning	\$500
Street/Alley Vacation	\$1,000
Residential Variance	\$500
Commercial Variance	\$1,000
Residential Conditional Use/Interim Use Permit	\$750
Commercial Conditional Use/Interim Use Permit	\$1,000
Preliminary Plat Under 10 Acres	\$3,500
Preliminary Plat Over 10 Acres	\$6,500
Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
8 Units or Less	\$2,000
9 to 40 Units	\$3,200
41 Units or More	\$4,500
Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat, and Planned Unit Development:	
0 to 5,000 Square Foot Building	\$2,000
5,001 to 10,000 Square Foot Building	\$3,000
10,001 to 50,000 Square Foot Building	\$3,750
50,000 Plus Square Foot Building	\$4,500

Typical escrow costs include reviewing the application to ensure that State Statutes and the City Codes are followed, preparing the staff report, findings, and recommended conditions for both the Planning Commission and City Council, and communicating with the applicant as needed to complete the staff report. The average fee is \$100 per hour for the Planner and \$70 per hour for the Engineer.

**Present Use of Property:** Homestead residence of owner

**State Reason for Planning Request:** My intention is to sub-divide the property , maintain the existing house on the East lot and building a new house on the West lot.



ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY APPLY FOR CONSIDERATION OF THE ABOVE DESCRIBED REQUEST AND DECLARE THAT THE INFORMATION AND MATERIALS SUBMITTED WITH THE APPLICATION ARE COMPLETE AND ACCURATE. I UNDERSTAND THAT APPLICANTS ARE REQUIRED TO REIMBURSE THE CITY FOR ALL OUT-OF-POCKET COSTS INCURRED FOR PROCESSING, REVIEWING, AND HEARING THE APPLICATION. THESE COSTS SHALL INCLUDE, BUT ARE NOT LIMITED TO: PUBLICATION AND MAILING OF NOTICES, REVIEW BY THE CITY'S ENGINEERING, PLANNING AND OTHER CONSULTANTS; LEGALS COSTS, AND RECORDING FEES. AN ESCROW DEPOSIT TO COVER THESE COSTS WILL BE COLLECTED BY THE CITY AT THE TIME OF APPLICATION. ANY BALANCE REMAINING AFTER REVIEW IS COMPLETE WILL BE REFUNDED TO THE APPLICANT. NO INTEREST IS PAID ON ESCROW DEPOSITS

SIGNATURE OF APPLICANT: Chad M...

SIGNATURE OF OWNER (IF APPLICABLE): Chad M...

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**For Office Use**

Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Publication of Notice Date: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

P.C. Resolution #: \_\_\_\_\_

Council Action Date: \_\_\_\_\_

Council Resolution #: \_\_\_\_\_

**LEGAL DESCRIPTION:**

The South half of Block 1, Brown's Addition to Newport, Washington County, Minnesota.

**PROPOSED LEGAL DESCRIPTION FOR PARCEL 1:**

The West half of the South half of Block 1, Brown's Addition to Newport, Washington County, Minnesota.

**PROPOSED LEGAL DESCRIPTION FOR PARCEL 2:**

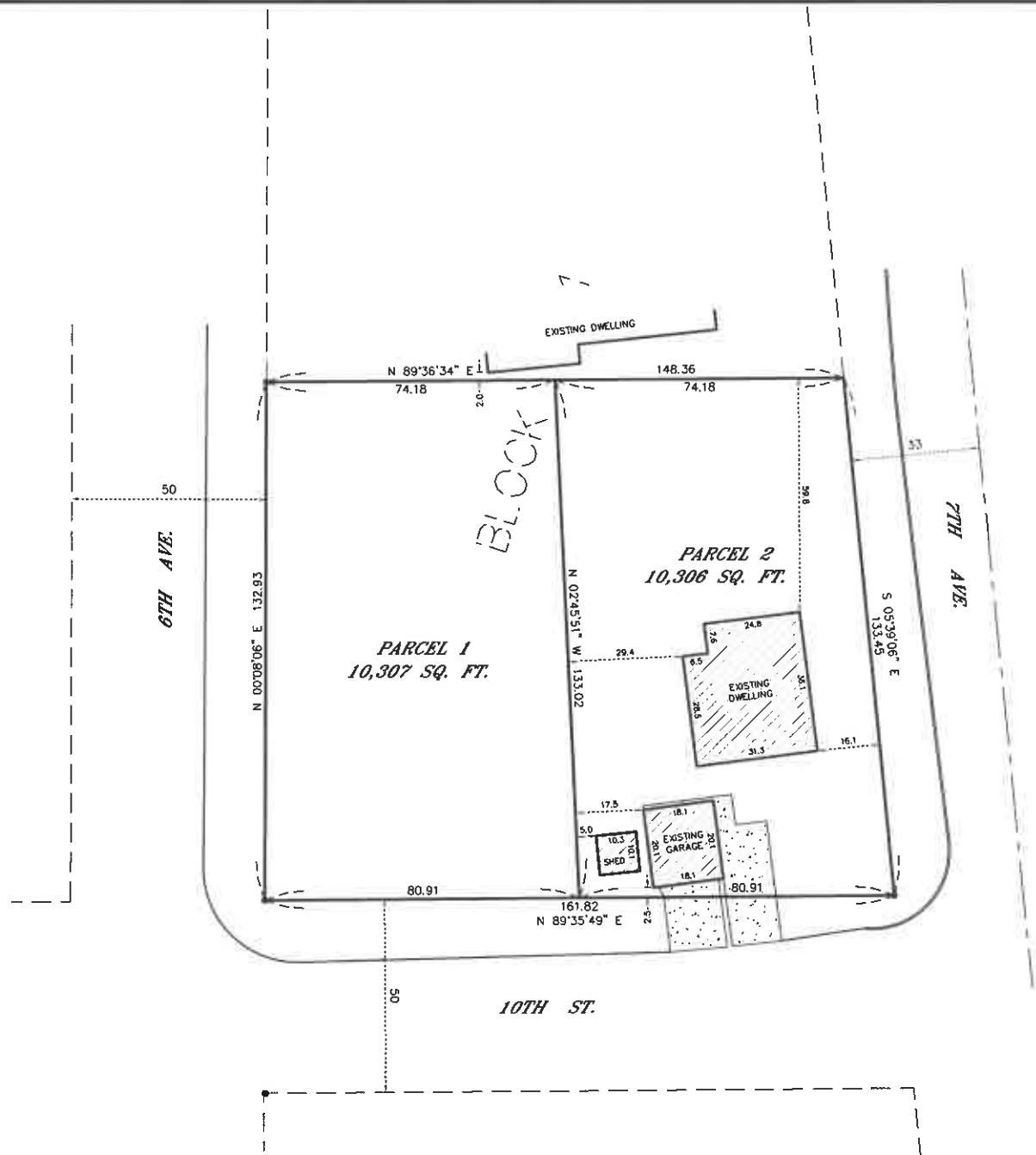
The East half of the South half of Block 1, Brown's Addition to Newport, Washington County, Minnesota.

**SCOPE OF WORK & LIMITATIONS:**

1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.

**STANDARD SYMBOLS & CONVENTIONS:**

"●" Denotes iron survey marker, found, unless otherwise noted.



DATE	REVISION DESCRIPTION	DWG ORIENTATION	SCALE	CLIENT/JOB ADDRESS	ADVANCE SURVEYING & ENGINEERING, CO.	DATE SURVEYED:	SHEET TITLE	SHEET NO.
				CHAD RHEAULT 675 10TH ST. NEWPORT, MN	<b>Advance</b> Surveying & Engineering, Co. 17917 Highway No. 7 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advance.com	AUGUST 16, 2021	LOT SPLIT SURVEY	S1
						DATE DRAFTED: AUGUST 18, 2021	SHEET SIZE: 17 X 22 DRAWING NUMBER 211469 WP	

City of Newport, MN  
PC Resolution No. 2021-02  
A Resolution Approving A Minor Subdivision Located at  
675 10<sup>th</sup> Street, Newport, MN 55055

**WHEREAS**, Chad Renault, 675 10<sup>th</sup> Street has submitted for the approval of a Major Subdivision; and

**WHEREAS**, the parcel is located on the Northwest corner of 10<sup>th</sup> Street and 7<sup>th</sup> Avenue, Newport, Minnesota, 55055, PID: 36.028.22.33.0006 and

**WHEREAS**, the property is zoned as R-1, and

**WHEREAS**, The Subdivision Ordinance requires that subdivisions and the subdivision process meet the following standards:

1. The proposed subdivision is consistent with the City's Comprehensive Plan.
2. The proposed subdivision is consistent with the requirements of the zoning and subdivision ordinances.
3. The proposed site for the subdivision is physically suited for the proposed development—including factors such as topography, vegetation, susceptibility to erosion, flooding, and similar factors.
4. The design of the proposed subdivision will not cause substantial and irreversible environmental damage.
5. The subdivision will not be detrimental to public health, safety, and welfare.
6. The design of the subdivision will not conflict with easements on record.

and;

**WHEREAS**, the Planning Commission review the proposed subdivision based on the standards in the Subdivision Ordinance and made the following findings:

1. The proposed subdivision is consistent with the City's Comprehensive Plan.
2. With the required conditions for approval, the proposed subdivision is consistent with the requirements of the Subdivision Ordinance and the Zoning Ordinance.
3. The proposed site for the subdivision is physically suited for the proposed development—including factors such as topography, vegetation, susceptibility to erosion, flooding, and similar factors. The conditions for approval require protection of existing vegetation and surface waters to meet the standards of the City's Subdivision Ordinance and Engineering Standards.
4. With implementation of the conditions for approval, the design of the proposed subdivision will not cause substantial and irreversible environmental damage.
5. With implementation of the conditions of approval, the subdivision will not have negative impacts on the health, safety, or welfare of the community.

and;

**NOW, THEREFORE, BE IT RESOLVED**, the Planning Commission recommends the approval the proposed major subdivision of the parcels located at 675 10<sup>th</sup> Street, to City Council, with the following conditions:

1. The Final Plat shall be substantially in conformance with the survey dated August 16, 2021.
2. Future development on Parcels 1 and 2 shall conform with the City's Zoning Ordinance and Comprehensive Plan.

3. The Applicant shall receive required permits prior to performing any work or development on Parcels 1 and 2.
4. The Applicant shall pay cash in lieu of parkland dedication according to the City's fee schedule when the newly created parcel is developed.
5. The Applicant is responsible for filing the Final Plat with Washington County one year from the date of council approval.
6. The Applicant is responsible for paying any fees and escrows related with this application.

Adopted this 12<sup>th</sup> Day of October, 2021 by the Newport Planning Commission.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Mahmood	_____
	Leyde	_____
	Bonilla	_____
	Fuelling	_____
	Kermes	_____

Signed: \_\_\_\_\_  
Anthony Mahmood,  
Planning Commission Chair

Attest: \_\_\_\_\_  
Deb Hill, City Administrator



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## MEMORANDUM

**Date:** October 12, 2021  
**To:** City of Newport Planning Commission  
**From:** Nathan Fuerst, City Planner  
Harry Davis, City Planner  
Travis Brierley, Assistant to the City Administrator  
**Subject:** Residential Parking Ordinance  
**Meeting Date:** October 12, 2021

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**Applicant:** City of Newport (City Council)

**Request:**

Hold a public hearing and make a recommendation to the City Council regarding the changes to residential parking allowances.

**Background:**

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

**Proposal:**

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

**Staff Findings:**

In response to Planning Commission and City Council feedback, staff drafted the attached ordinance changes. A summary of the changes are:

- Adding recreational vehicles to the definition of recreational equipment.
  - o Recreational vehicles must now follow the same rules as recreational equipment.
- Vehicles may not be parked on any residential street or right-of-way for longer than 24 hours.
- No more than four vehicles/trailers/etc. are allowed to be parked or stored outside on the property at any one time.
  - o No semi trucks/trailers/tractors are allowed on private property.
  - o Commercial Vehicles are not to exceed 14,000 pounds or 20 feet.

**Staff Recommendation:**

The Planning Commission should hold a public hearing on this item and make a recommendation to the City Council regarding proposed changes to the ordinance.

Name: Parking Ordinance Amendment

Date: October 7, 2021

Page: 2

**Attachments:**

- Proposed Draft Ordinance

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## Sec. 32-39. Residential zones.

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

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

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

- (b) *Truck or bus parking in residential zones.* No person shall park, stop, or stand any vehicle licensed by any state at over 12,000 pounds for more than two hours upon any private property or public street in a residential zone. Parking, either on-street or off-street, of vehicles licensed by any state at over 12,000 pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two acres in size.
- (c) *Equipment.* No person shall park, stop, or stand any trailer that weighs over 10,000 pounds (lbs), back-hoe, front-end loader, bobcat, grader, asphalt paver, asphalt roller, or related road machinery or equipment for more than 24 hours upon any private property or public street in a residential zone, except as permitted under subsection (d) of this section. No more than one such vehicle or piece of equipment shall be allowed on a single parcel of property.
- (d) *Construction parking.* In the event building construction or grading is to be performed in a residential zone, the clerk-administrator may grant permission for parking equipment restricted under subsection (c) of this section upon the premises for a reasonable period of time during construction. The permission shall be in writing, provided that the permission may at the clerk-administrator's discretion be endorsed on the building permit issued for the construction.

[\(e\) \*Length of parking.\* A vehicle may not be upon any residential street or right-of-way in any one place for a longer continuous period than 24 hours.](#)

- [\(fe\) \*Exemption for large parcels.\* The provisions of this section shall not apply to parcels of two acres or greater, provided that such parcels may not be used as rental vehicle or equipment parking space. In addition, any vehicle permitted under this exemption shall be screened from view from any adjacent lot by trees, fencing, or a storage building as permitted by the underlying zoning requirements. In no case shall any vehicle permitted under this exemption be parked closer than 40 feet from any adjacent property line.](#)

~~(f) *Exemption for recreational vehicles.* The provisions of this section shall not apply to recreational vehicles.~~

- (g) *Conditions and restrictions.* The city council may grant the privilege of truck parking in areas zoned for planned development district in the required conditional use permit for planned development districts, subject to conditions and restrictions as to truck use of the area.
- (h) *Recreational equipment storage.*
- (1) *Generally.* Except as provided or as specifically allowed within the specific zoning districts, all materials and equipment shall be stored within a building.
  - (2) *Exceptions.* Licensed and operable recreational equipment units may be parked or stored on property outside a building as follows:

- 
- a. In the front yard, provided they are kept on an established driveway, and entirely on the equipment or vehicle owner's property. Recreational equipment may not be parked or stored on public property or an improved street right-of-way.
  - b. In the side yard abutting an attached or detached garage provided the recreational equipment is not closer than two feet from the side lot line. The area must be surfaced with asphalt, concrete or crushed decorative rock but shall not be placed within drainage and utility easements unless approved by the zoning administrator. Parking or storage of recreational equipment on the side yard abutting the principal building is prohibited.
  - c. In the rear yard not closer than five feet from the rear lot line, five feet from the side lot lines, and not within drainage and utility easements.
  - d. A property can only store recreational vehicles and equipment that are registered to or licensed by the owner or occupant of the property.

(Code 1997, §§ 910.01, 1300.14; Ord. No. 2017-8, 12-21-2017)

### **Sec. 36-163. Standards for residential districts.**

- (a) *RE, R-1 and R-1A standards.* The following standards are applicable to the RE, R-1 and R-1A Residential districts:
  - (1) *Exterior storage and screening.*
    - a. All waste, refuse, garbage and containers shall be kept in a building or in a fully screened area, except as allowed before a scheduled collection.
    - b. All non-operating vehicles or equipment shall be kept within a fully enclosed building.
    - c. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, subject to the following conditions and exceptions:
      1. All vehicles parked in the front yard shall be on concrete, blacktop, or similar durable hard surface free of dust.
      2. ~~No more than three vehicles may be parked in the front yard at any one time, only one of which may be over 6,000 pounds gross vehicle weight or over 20 feet in length.~~
      3. Recreational vehicles and equipment stored outside of a fully enclosed building must conform to Se. 32-39(h)
      4. Vehicles, recreational vehicles and equipment parked on a trailer shall by counted as one vehicle.
      3. ~~Additional operable vehicles above the limit of three may be parked in the front yard on a temporary basis, for no more than 48 consecutive hours.~~
    - d. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.



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e. No more than four vehicles including passenger cars, trailers, recreational vehicles, recreational equipment, truck, bus, off-road vehicles, or similar may be parked or stored in the front, side, and rear yard on a residential property at any one time.

1. Only one commercial vehicle may be parked on a residential property at any time. Commercial vehicles may not exceed over 14,000 pounds gross vehicle weight or 20 feet in length.

2. Semi trucks, semi tractors, and semi trailers are prohibited from being parked or stored on any residential property.

3. Off-road motor vehicles are prohibited from being parked or stored in the front yard and shall be screened from public view or parked or stored in an enclosed structure.

### **Sec. 36-1. Definitions.**

*Motorcycle*- All two or three wheeled motorized vehicles. Typical vehicles in this category have saddle type seats and are steered by handlebars rather than steering wheels. This category includes motorcycles, motor scooters, mopeds, motor powered bicycles, and three wheel motorcycles.

*Passenger cars*- All sedans, coupes, and station wagons manufactured primarily for the purpose of carrying passengers and including those passenger cars pulling recreational or other light trailers.

*Other two axle vehicle*- All tow axle, four tire, vehicles, other than passenger cars. Included in this classification are pickups, panels, vans, and other vehicles such as campers, motor homes, ambulances, hearses, carryalls, and minibuses. Other two axle, four tire single unit vehicles pulling recreational or other light trailers are included in this classification.

*Off-road motor vehicle*- motor vehicle designed or used for track racing, off-road racing, off-road use or demolition derby