

ORDINANCE NO. 2019-50

**AN ORDINANCE AMENDING CHAPTERS 12, 14, 19, AND 21 OF THE CITY CODE
UPDATING REFERENCES TO STATE CODE AND REFERENCES WITHIN 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 by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 12

ARTICLE I: GENERAL PROVISIONS

§ 12.01.01 DEFINITIONS.

NUISANCE SERVICE CALL. Public officer response to a verified incident of any activity, conduct or condition occurring on private property that is likely to unreasonably interfere with the quiet enjoyment of neighboring properties or the safety, health, morals, welfare, comfort or repose of the residents therein or misuse city resources, including without limitation:

(27) Illegal parking or storage of recreational vehicles in violation of § ~~[49.50.03]~~ 21.301.13 of this city code;

ARTICLE II: NUISANCE CONDUCT AND CONDITIONS

DIVISION A: PUBLIC NUISANCE PROPERTY CONDITIONS

§ 12.03 PROPERTY CONDITIONS CONSTITUTING A PUBLIC NUISANCE OR PUBLIC HEALTH NUISANCE.

(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 the street. Counting of vehicles: vehicles temporarily parked at the residence for visitation or business service reasons, Class I recreational vehicles as defined in § ~~[49.50.03]~~ 21.301.13 of this code, or any vehicle parked or stored within a garage shall not be counted for the purposes of this numerical limitations. All other vehicles, whether screened or not, including abandoned vehicles, junk vehicles, inoperable vehicles as defined in § 8.04 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 the street. Nothing in this section shall be interpreted as permitting the storage of vehicles if such storage is not otherwise permitted by this code. Only one vehicle per unit may be a vehicle with a snowplow attached or other Type II vehicle. Type II vehicles will be counted as a vehicle for the purposes of this section.

§ 12.04 PUBLIC NUISANCE OR PUBLIC HEALTH NUISANCE ABATEMENT ORDERS.

It shall be the duty of the City Manager or the Manager's designee to determine and declare the existence of a public nuisance pursuant to city code § 12.03, M.S. §§ 609.74[4]-.745 or M.S. §§ 617.80 et seq., or a public health nuisance pursuant to M.S. § 145A.01 et seq. or a clandestine lab site pursuant to M.S. § 152.0275, all as amended from time to time.

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

Section 2. That Chapter 14 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 14: LICENSES AND PERMITS

ARTICLE VI: TIME-OF-SALE HOUSING EVALUATIONS AND MANUFACTURED HOME PARK REGULATIONS

DIVISION E: MANUFACTURED HOME PARKS, RECREATIONAL CAMPING AREAS AND YOUTH CAMPS

§ 14.545 STANDARDS FOR HEALTH, SAFETY AND NUISANCE PREVENTION.

(r) *Prohibited uses and structures.* The licensee must not allow or permit any illegal activity on the licensed premises, including without limitation the following:

(2) The parking or storage of any Type II or Type III vehicles as defined by § 21.301.06(m) or the storage of recreational vehicles as defined by § ~~[49.50.03]~~21.301.13;

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

Section 3. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 19: ZONING

ARTICLE I: GENERAL PROVISIONS

DIVISION B: DEFINITIONS

§ 19.03 DEFINITIONS.

MANUFACTURED HOME. Synonymous with mobile home, a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. This term also includes any transportable structure which meets all the requirements of state and federal law and with respect to which the manufacturer has filed a certification with the state and has received the certification seal displayed on the structure. This may include transportable structures such as for an office or school space. It does not refer to recreational vehicles which are defined elsewhere in § ~~19.50.03~~21.301.13 of this code.

ARTICLE IV: DISTRICT REGULATIONS

§ 19.48 ~~[EXCEPTIONS TO MINIMUM FLOOR AREA REQUIREMENTS.]~~ RESERVED

~~[(a) In districts where restaurants are allowed as permitted or conditional uses and the minimum floor area requirements of the district for the principal building are in excess of 10,000 square feet, the minimum floor area requirements for restaurants is 10,000 square feet. If, however, the restaurant is included in or is a part of a principal building which meets the minimum floor area requirements of §§ 19.41 and 21.301.01 of this code, there shall be no required minimum floor area for that restaurant.~~

~~(b) The minimum floor area requirements of § 19.41(c) shall not be applicable to:~~

~~(1) Planned business developments; or~~

~~(2) Gasoline service stations when they are included in an integrated roadside development.]~~

ARTICLE V: PERFORMANCE STANDARDS

§ 19.53 TREE PRESERVATION.

(h) *Reforestation plan.* All plat applications that would create one or more new parcels in the R-1, R-1A and RS-1 Zoning Districts must include a reforestation plan if the amount of significant tree caliper inches to be removed or disturbed as shown on the tree survey and tree preservation plans exceeds the removal

threshold. The reforestation plan must be prepared and signed by a registered landscape architect or forester and must comply with the following criteria.

(8) Trees to be planted must be from certified nursery stock as defined and controlled by M.S. Chapter 18[G]H, as it may be amended from time to time, the Plant Pest Act.

ARTICLE X: SIGN REGULATIONS

DIVISION C: GENERAL REGULATIONS

§ 19.105 REGULATED SIGNS EXEMPT FROM OBTAINING A SIGN PERMIT.

(c) *Regulated signs exempt from permit requirements.*

(5) *Flags.*

(A) *Flags, noncommercial.* Noncommercial flags are exempt from obtaining a permit, provided the poles on which they are mounted shall be no taller than 12 feet above the highest outside wall of the tallest building on the site, are placed a minimum of ten feet from the public right-of-way, and maintain a side and rear yard setback not less than the height of the pole. A maximum of two noncommercial flags are permitted per acre. Noncommercial flags are permitted on light poles only if the flag is above the light source and meets all other requirements in this section. The American flag may be illuminated to meet United States Flag Code rules. All flag lighting must comply with § 21.301.07(c)(~~5~~6) of the city code.

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

Section 4. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE II: DISTRICTS AND USES

DIVISION B: RESIDENTIAL ZONING DISTRICTS

§ 21.203.01 SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT.

(c) *Standards.* Development in the R-1 District must comply with the standards in § 21.203(b) and the following:

(1) *Outside storage of a recreational vehicle.* See § ~~[49.50.03]~~21.301.13 for applicable standards and permitting.

§ 21.203.02 LARGE LOT SINGE-FAMILY RESIDENTIAL (RS-1) DISTRICT.

(c) *Standards.* Development in the RS-1 District must comply with the standards in § 21.203(b) and the following:

(1) *Outside storage of a recreational vehicle.* See § ~~[49.50.03]~~21.301.13 for applicable standards and permitting.

§ 21.203.03 RESTRICTED LARGE LOT SINGLE-FAMILY RESIDENTIAL (R-1A) DISTRICT.

(c) *Standards.* Development in the R-1A District must comply with the standards in § 21.203(b) and the following:

(1) *Outside storage of a recreational vehicle.* See § ~~[49.50.03]~~21.301.13 for applicable standards and permitting.

DIVISION H: USES

§ 21.209 USE TABLES

(c) *Residential Zoning Districts.*

<i>Use Type</i>	<i>Zoning District</i>									<i>References; See Listed Section</i>
	<i>R-1</i>	<i>R-1A</i>	<i>RS-1</i>	<i>R-3</i>	<i>R-4</i>	<i>RM-12</i>	<i>RM-24</i>	<i>RM-50</i>	<i>RM-100</i>	
Social and Cultural Facilities										
Place of assembly (does not include a cemetery)	C			C	C	C	C	C	C	19.63, <u>21.302.06</u>

(d) *Neighborhood and Freeway Commercial Zoning Districts.*

<i>Use Type</i>	<i>Zoning District</i>								<i>References; See Listed Section</i>
	<i>B-1</i>	<i>B-2</i>	<i>B-4</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>C-4</i>	<i>C-5</i>	
Social and Cultural Facilities									
Place of assembly		C	CL				CL	CL	19.63, <u>21.302.06</u>

(e) *Industrial Zoning districts.*

<i>Use Type</i>	<i>Zoning District</i>						<i>References; See Listed Section</i>
	<i>IT</i>	<i>I-1</i>	<i>I-2</i>	<i>I-3</i>	<i>IP</i>	<i>FD-2</i>	
Temporary Uses							
Temporary retail sales, donated items	P	P	P	P	P	P	14.61, 21.302.3[4]3

(f) *Specialized zoning districts.*

<i>Use Type</i>	<i>Zoning District</i>		<i>References See Listed Section</i>
	<i>CX-2</i>	<i>LX</i>	
Social and Cultural Facilities			
Place of assembly	P		19.63, <u>21.302.06</u>

§ 21.301.06 PARKING AND LOADING.

(i) *Single-family and two-family residential driveways and off-street parking.*

(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 § ~~[19.50.03]~~21.301.13 of this code.

(m) Parking and storage of vehicles and trailers in residential zones.

(1) *Recreational vehicles.* This section does not regulate recreational vehicles. Recreational vehicles are defined and regulated in § ~~[19.50.03]~~21.301.13.

(2) *Vehicles.*

(C) *Standards.*

(iv) *Limitations on quantity.*

(cc) Vehicles temporarily parked at a residence for visitation or business service reasons, Class I recreational vehicles (as defined in § ~~[19.50.03]~~21.301.13 of this code), or any vehicle parked or stored within a garage will not be counted for the purposes of these numerical limitations.

(4) *Exceptions.* The parking and storage limitations and requirements of this section are subject to the following exceptions:

(E) Trailers that are recreational vehicles as defined by § ~~[19.50.03]~~21.301.13 may be parked or stored on a site if properly parked or stored in accordance with said § ~~[19.50.03]~~21.301.13.

SEC. 21.301.08. FENCES.

(g) *Where fences are required.* At times this code requires fences to protect the public health, safety and welfare.

(4) *Screening.* See §§ 8.16, 10.05, 10.29.05, 10.38, 10.57, 19.31.01, 19.49, ~~[19.50.03]~~21.301.13, 19.52, 19.62.01, 19.63, 19.63.07, 21.206.04, 21.301.05, 21.301.06, 21.301.16, 21.301.17, 21.302.01, 21.302.02, 21.302.13, 21.302.16, and 21.302.31 for specifications on required screening standards, to include fences as a method of screening.

§ 21.302.04 TWO-FAMILY DWELLINGS.

(c) *Standards.*

(10) *Recreational vehicles.* Recreational vehicles on two-family dwelling unit sites must meet the requirements of city code § ~~[19.50.03]~~21.301.13 and are limited to one recreational vehicle per unit stored outside.

Passed and adopted this 16th day of December, 2019.

/s/ Gene Winstead
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney