

City of Excelsior
Hennepin County, Minnesota

Ordinance No. 555

An Ordinance Amending the Zoning Ordinance of
the Excelsior City Code to Amend Articles 18 of Appendix E relating to Accessory
Buildings

THE COUNCIL OF THE CITY OF EXCELSIOR HEREBY ORDAINS:

SECTION 1. Amendment. That Appendix E, Article 18 be deleted

SECTION 2. Amendment. That Appendix E, Article 11 be titled General
Performance Standards

SECTION 3. Amendment. That Appendix E, Article 11 be amended as:

Sec. 11-1. ACCESSORY BUILDINGS AND STRUCTURES

Article 11 permits certain accessory buildings and structures in commercial and residential districts. The following regulations shall apply to accessory buildings and structures in the following: R-1, R-2, R-3, R-4, B-2 and B-4.

A. General

1. The State Building Code requires a building permit for accessory buildings in excess of 240 square feet floor area, or for buildings that are permanently affixed to the ground by a concrete slab or foundation.
2. No accessory structure shall be constructed prior to construction of the principal building to which it is accessory.

B. Design

1. Accessory buildings shall be compatible with the principal buildings with respect to building materials and design.
2. No plumbing for kitchen or bathroom facilities (including but not limited to toilets and showers) is allowed in any detached garage or other accessory building. Utility sinks are allowed.
3. Accessory buildings shall not be used for dwelling purposes.

C. Location

1. Accessory structures are prohibited in street setbacks.
2. Accessory structures shall be located a minimum of three (3) feet from any rear or interior side lot line.
3. No accessory structure shall be located closer than six (6) feet to the principal building.

D. Number

No lot shall contain an attached garage together with a detached garage and a storage shed. A lot may contain two of the three but not all three.

E. Size

1. The aggregate footprint or coverage of all garages and accessory buildings shall not exceed 800 square feet.

2. No detached garage shall exceed 768 square feet in floor area on lots of 12,000 or greater, or 624 square feet on lots of less than 12,000 square feet in size.
3. No attached garage shall exceed 800 square feet or 75% of the square footage of the footprint of the principal dwelling, whichever is less.
4. Maximum floor area for storage sheds shall be 120 square feet.
5. The garage door opening shall be limited in height to eight (8) feet as measured from the driveway apron or grade at the door opening.

F. Height

1. No detached garage shall exceed 16 feet in height, unless the side and rear yard setback requirements are increased by 1 foot for each additional 1 foot building height allowed over 16 feet, to a maximum of 20 feet.
2. No storage shed shall exceed 12 feet in height.
3. All other accessory structures shall not exceed 16 feet in height, unless otherwise permitted or restricted by this Ordinance.

Sec. 11-2. Waste and Recycling Receptacles and Enclosures

All waste and recycling receptacles shall be stored within the principal structure or within an accessory enclosure area, totally screened from eye level view. All enclosures and receptacles shall be kept in a good state of repair and waste receptacles shall include secure lids or covers to properly contain the waste. All waste and recycling receptacles not contained within principal structures shall be enclosed in conformance with the following:

- A. Exterior walls.** In B Business districts, exterior wall treatment shall be of similar color and materials, and/or complement the principal structure in compliance with the design standards. Exterior walls shall provide screening of at least 80 percent.
- B. Accessibility.** In B Business districts, the enclosure must be accessible to waste and recycling collection vehicles.
- C. Location.** The enclosure shall be located in the side or rear yard and comply with setback requirements.
- D. Screening.** The trash/recycling receptacles in R, Residential districts shall be fully screened from view of adjacent properties and the public right-of-way.
- E. Building permit.** The design and construction of the trash enclosure shall require a building permit and shall be subject to the approval of the building official.
- F. Noise.** Noise emanating from trash collection activities shall be minimized so as not to constitute a nuisance.
- G. Landscaping.** Landscaping shall be provided where appropriate, to surround trash enclosures for screening the structure from view of the public right-of-way and residential properties.

Sec. 11-3. Sales in Residential Areas (accessory use)

- A.** Personal vehicles, recreational vehicles and equipment and similar merchandise offered for sale in residential zoning districts shall comply with the following:
- 1.** The merchandise sold in residential areas shall be the personal property of the occupant unless as approved by the zoning administrator.
 - 2.** Sales of personal merchandise herein addressed shall be limited to no more than two items per calendar year, unless approved by the zoning administrator.
 - 3.** Merchandise items for sale shall not be parked for more than 72 hours on any portion of the public right-of-way or public boulevard. Items shall not be parked on a required front yard except a designated, improved driveway.
 - 4.** For sale signs on or in such merchandise shall be limited to two square feet.
- B.** Garage, sample, tag, or rummage sales conducted in residential zones shall comply with the following:
- 1.** Merchandise offered for sale shall be the personal property of the occupant unless approved by the zoning administrator.
 - 2.** Sales shall be limited to a maximum of four consecutive days and occurring no more than two times within one calendar year per property.
 - 3.** Signs shall include property address, date of sale, hours, and shall be governed by [article 24](#) of this Appendix E.

Sec. 11-4. – Outdoor Storage of Recreational Equipment

- A.** Recreational equipment may be stored outside in the R-1 and R-2 zoning districts under the following conditions:
- 1.** Recreational equipment includes, but is not limited to, camper trailers (pop up), motor homes, all-terrain vehicles, open trailers, pickup campers, snowmobiles, travel trailers, water craft and buildings for winter ice fishing.
 - 2.** No more than three recreational equipment items may be parked or stored outside on lots greater than 8,500 square feet in size. Those three recreational equipment items may include a maximum of one each of - a camper trailer (pop up), motor home, off-road vehicle, open trailer, pickup camper, snowmobile, travel trailer, water craft or ice fishing house.
 - 3.** No more than two recreational equipment items may be parked or stored outside on lots equal to or less than 8,500 square feet in size. Those two recreational equipment items may include a maximum of one each of - a camper trailer (pop up), motor home, off-road vehicle, open trailer, pickup camper, snowmobile, travel trailer, water craft or ice fishing house.
 - 4.** Trailers and contents located thereon shall be considered as one recreational equipment item.
 - 5.** Recreational equipment may not exceed 24 feet in length. Trailers may not exceed 30 feet in length.

- 6.** No recreational equipment shall be stored in the front yard (or rear yard for lots abutting lakeshore), and any stored recreational equipment shall be subject to the side and rear yard setback requirements of accessory structures as found in subsection 11 of this Appendix E. If there is not a practical way to store the recreational equipment in compliance with these requirements, then one such recreational equipment may be stored in the front yard (or rear yard for lots abutting lakeshore). If stored in front yards, recreational equipment must be:
 - a)** Stored on driveways;
 - b)** Not exceed 16 feet (trailers 20 feet) in length, not including outboard motors;
 - c)** Not exceed seven feet in height; and
 - d)** Located no closer than ten feet from the street.
- 7.** All vehicles must be operable and have the current year's registration, if registration is required by law.

- B.** The practices of boat dry-stacking and dry storage create a visual blight and increase congestion on land and water. No boat dry-stacking nor dry storage shall be allowed within the City of Excelsior except that dry stacking shall be permitted in the P, Public Park District, pursuant to duly issued City permit.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect 30 days after its passage and publication.

Adopted by the Council of the City of Excelsior, Minnesota, this 17th day of April 17, 2017.

Mark W. Gaylord, Mayor

ATTEST:

Ann Orlofsky, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance:
Second Reading and Adoption:
Publication of Ordinance:
Effective Date:

January 17, 2017
April 17, 2017
_____, 2017
_____, 2017