

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 826

**AN ORDINANCE AMENDING CHAPTERS 902, 916, 917, 919 AND 920
OF THE ZONING ORDINANCE**

WHEREAS, the Zoning Study Task Force, Planning Commission, City Council, and City staff have been engaged in work to update Zoning Ordinance provisions related to commercial, institutional, and residential zoning districts;

WHEREAS, on September 26, 2022 and on January 30, 2023, the Task Force reviewed potential revisions to the Definitions, the General Building, Performance Requirements, and Off-Street Parking sections of the Zoning Ordinance to ensure clarity and consistency is provided throughout the entire Zoning Ordinance;

WHEREAS, on March 6, 2023, the Planning Commission discussed the changes at a workshop, and on April 3, 2023, the Planning Commission discussed the changes at a regular meeting;

WHEREAS, City staff has prepared proposed Zoning Ordinance amendments that are a direct continuation of the Zoning Ordinance updates completed in 2022 under Ordinance 811 to bring the Zoning Ordinance more in line with such updates and the goals and guidance of the 2040 Comprehensive Plan, and to make it easier to understand and administer; and

WHEREAS, the Planning Commission has reviewed and updated such proposed amendments, and recommends approval and adoption of them as detailed in the Report and Recommendation of the Planning Commission dated April 17, 2023.

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Adoption of Findings. The findings set forth in the Report and Recommendation of the Planning Commission dated April 17, 2023 are hereby adopted.

Section 2. Amendments to Chapters 902, 916, 917, 919 and 920 of Part IX of City Code (Zoning Ordinance). Chapter 902 - Rules and Regulations; Chapter 916 - General Building and Performance Requirements; Chapter 917 - Accessory Buildings, Structures, Uses and Equipment; Chapter 919 - General Yard, Lot Area, and Building Regulations; and Chapter 920 - Off-Street Parking and Loading of the Zoning Ordinance are hereby amended to read in their entirety as set forth on Attachment A of this Ordinance (~~struck~~ text deleted, underlined text added).

Section 3. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this 16th day of May, 2023.

Johanna Mouton
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading: May 2, 2023
Second Reading: May 16, 2023
Publication: May 25, 2023

Attachment A

Amendments to Chapters 902, 916, 917, 919 and 920 of Part IX of City Code (Zoning Ordinance)

CHAPTER 916 GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

916.01 Purpose.

The purpose of this Section of the Zoning Ordinance is to establish general development performance standards. These standards are intended and designed to ensure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

916.02 Dwelling Unit Restriction.

- A. No garage, tent, accessory building (excluding accessory dwelling units), travel trailer or motor home shall at any time be used as living quarters, temporarily or permanently.
- B. Tents, play houses or similar structures may be used for play or recreational purposes only and may not be used as a dwelling unit.
- C. Basements and cellars may be used as living quarters or rooms as a portion of the principal residential dwelling as per Section 937.03A.

916.03 Platted and Unplatted Property.

- A. Any person desiring to improve property shall submit to the Building Official a survey of said premises and information on the location and dimension of existing and proposed buildings, location of easements crossing the property, encroachments, and any other information which may be necessary to ensure conformance to City Ordinances.
- B. All buildings shall be so placed so that they will not obstruct future streets which may be constructed by the City in conformity with existing streets, adopted plans, and according to the system and standards employed by the City.
- C. Substandard lots of record shall be governed by Chapter 915 of this Ordinance.
- D. Except in the case of planned unit development as provided for in Chapter 933 of this Ordinance, not more than one principal building shall be located on a lot. The words "principal building" shall be given their common, ordinary meaning as defined in Chapter 902 of this Ordinance. In the case of doubt or on any questions or interpretation, the decision of the Zoning Administrator shall be final, subject to the right to appeal to the Planning Commission and City Council. Except in the C-2 District, shopping centers shall be interpreted as having more than one principal building.
- E. On a through lot (a lot fronting on two parallel streets), both street lines shall be front lot lines for applying the yard and parking setback regulations of this Ordinance. In addition, no home on a through lot or corner lot in any residential zone shall maintain direct access to any arterial street designated as such by the Comprehensive Plan.
- F. When a development is proposed which is to be located on two or more lots, and such lots are required to meet the minimum district area and frontage requirement and/or are required to accommodate the use, the lots shall be combined in accordance with the City's Subdivision Ordinance, prior to the issuing of a building permit.
- G. When two or more lots are located in the same residential district, one or more of which lack adequate area or dimensions to qualify for residential use under the current Ordinance requirements and are contiguous and held in one ownership, they shall be combined for use in order to meet the lot requirements by subdividing the property in accordance with the Subdivision Ordinance.

916.04 Grading and Drainage.

- A. No land shall be developed and no use shall be permitted that results in water runoff causing flooding, erosion, or deposit of minerals on adjacent properties. Such runoff shall be properly channeled into a storm drain, water course, ponding area, or other public facilities subject to a permit issued through the City Engineer's office.
- B. In the case of all residential subdivisions, multiple family, and business developments, the grading and drainage plans shall be submitted to the City Engineer for review and the final drainage plan shall be subject to a permit issued through the City Engineer's office. In the case of such uses, no modification in grade and drainage flow through fill, erection of retaining walls or other such actions shall be allowed until such plans have been reviewed and received written approval from the City Engineer.
- C. The City Engineer, the top of the foundation and garage floor of all structures shall be one foot above the grade of the crown of the abutting street upon which the property fronts, except for permits issued through the City Engineer's office.
- D. Modifications which serve to alter the average and typical natural grade of an individual lot more than two feet shall require the approval of the City Council.

916.05 Traffic Sight Visibility Triangle.

No fences, structures, or plantings shall be permitted to exceed 30 inches in height within any front or side yard areas on a corner lot which may interfere with the visibility across the corner. A minimum sight triangle shall be established on each corner lot at every street intersection through which motorists shall have an unobstructed view. The minimum sight triangle is a triangle located at the corner of intersecting streets. The adjacent sides shall be located along the curb line or along the gutter line of streets without curb and gutter and shall be 60 feet in length. The third side shall be a straight line joining the end points of the adjacent sides. The City may order removal of vision obstructions located within the minimum sight triangle. These requirements shall not apply to conditions that legally exist prior to the effective date of this Ordinance unless such conditions are determined to constitute a safety hazard by the Zoning Administrator.

916.06 Glare.

Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged as to deflect light away from any adjoining residential property, over public water or from the public streets, and it shall comply with Section 909.24 of the zoning ordinance. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property or over public water. The source of lights shall be hooded or controlled in some manner so as not to direct light to the sky, adjacent property or over public water. Bare incandescent light bulbs shall not be permitted in view of adjacent property, over public water, or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one-foot candle (meter reading) as measured from the center line of said street. Any light or combination of lights which cast light on residential property or over public water shall not exceed four-foot candles (meter reading) as measured from said property.

Where used LED (Light Emitting Diode) luminaires shall have a minimum Color Rendering Index (CRI) of 80 and a Correlated Color Temperature (CCT) between 2700-3500K.

916.07 Smoke.

The emission of smoke by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.08 Dust and Other Particulate Matter.

The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.09 Odors.

The emission of odor by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.10 Noise.

Noises emanating from any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NCP 7010, and Chapter 708 of city code as amended.

916.11 Refuse.

- A. Passenger automobiles and trucks not currently licensed by the State, or which are because of mechanical deficiency incapable of movement under their own power, parked or stored outside for a period in excess of 72 hours, and all materials stored outside in violation of the City Ordinances are considered refuse or junk and shall be disposed of.
- B. Any accumulation of refuse on any premises not stored in containers which comply with City Code, or any accumulation of refuse including car parts on any premises which has remained thereon for more than one week is hereby declared to be a nuisance and may be abated by order of the City Health Officer, as provided by Minnesota Statutes and the cost of abatement may be assessed on the property where the nuisance was found, as provided by law.

916.12 Exterior Storage/Display.

- A. **Exterior Storage.** In all zoning districts, all materials and equipment except as specifically noted and as provided for in Chapter 937 of this Ordinance shall be stored within a building or fully screened so as not to be visible from adjoining properties and the public right-of-way, except for the following:
 - 1. Clothesline pole and wires.
 - 2. Not more than two recreational vehicles and equipment. Refer to Section 920.08.A of the Zoning Ordinance regarding Off-Street-Parking.
 - 3. Construction and landscaping material currently being used on the premises.
 - 4. Off-street parking of passenger vehicles and non-commercial trucks not exceeding a gross weight of 12,000 pounds in residential areas (both on and off-street).
- B. **Outdoor Display.** In C-2 and C-3 Zoning Districts, merchandise which is offered for sale may be displayed beyond the confines of a building, but the area occupied by such outdoor display shall not constitute a greater number of square feet than ten percent of the ground floor area of the building housing the principal use. No storage of any type shall be permitted within the one-half of the required setback nearest a street nor within any required interior side yard or rear yard setback. Additional parking spaces shall be provided pursuant to Chapter 920 of this Ordinance for any such permanent display space based upon the square footage of the area involved.

916.13 Sewage Disposal.

Once available, all on-site sewage disposal systems shall be connected to the public sanitary system within two years.

916.14 Waste Material.

Waste material is regulated under Chapter 410 of the City Code of Ordinances.

916.15 Bulk Storage (Liquid).

All uses associated with the bulk storage of all gasoline, liquid fertilizer, chemical, flammable and similar liquids shall comply with requirements of the Minnesota State Fire Marshall's and Minnesota Department of Agriculture Offices and have documents from those offices stating the use is in compliance.

916.16 Radiation Emission.

All activities that emit radioactivity shall comply with the minimum requirements of the Minnesota Pollution Control Agency.

916.17 Electrical Emission.

All activities which create electrical emissions shall comply with the minimum requirements of the Federal Communications Commission.

916.18 Building Security.

All multiple family buildings shall be provided with security systems subject to comment of the Chief of Police and the Building Official.

916.19 Sales in Residential Areas.

A. Personal Vehicles.

1. Vehicles sold in residential areas shall be the personal property of the property owner or occupant.
2. Sales of personal vehicles shall be limited to no more than one vehicle per calendar year, unless approved by the Zoning Administrator.
3. Vehicles for sale shall not be parked in any portion of the public right-of-way, public boulevard, or required front yard except a designated, improved driveway.
4. For sale signs on or in such vehicles shall be limited to two square feet.

B. Garage or Rummage Sales.

1. Merchandise offered for sale shall be the personal property of the property owner or occupant.
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. All goods shall be confined within a building and improved driveway with no display occurring within other portions of the front yard.
4. Signs shall be governed by Chapter 927 of this Ordinance.

CHAPTER 917 ACCESSORY BUILDINGS, STRUCTURES, USES AND EQUIPMENT

917.01 Single Family Detached Structures.

- A. With the exception of an attached garage servicing a residential use, or a guest or caretaker's house in the R-1A Zoning District, no accessory building or equipment may be placed within a front yard.
- B. Within the R-3 and R-3A Zoning Districts, the total floor area of either an attached garage or a detached garage for a single family detached dwelling shall not exceed 750 square feet of floor area and not exceed the ground coverage of the dwelling.
- C. No accessory building, structure, and/or detached garage or combination thereof for a single-family dwelling shall occupy more than 25 percent of the area of the rear yard.
- D. Except in the R-1A and R-1 Zoning Districts, no building permit shall be issued for more than one detached or attached private garage for each single-family dwelling.
- E. With the exception of the R-1A and R-1 Zoning Districts, no building permit shall be issued for the construction of more than one accessory building and/or structure.

917.02 Garages with Alley Access.

Private garages having direct access onto an alley shall be setback 20 feet from the alley lot line.

917.03 Accessory Building Size.

The total of all accessory buildings shall not exceed 50 percent of the gross floor area of the principal buildings. In those cases where the standards are exceeded .

917.04 Setbacks.

Accessory buildings shall be setback from adjoining lots as prescribed in the applicable district and shall not be located within a utility easement.

917.05 Time of Construction.

No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

917.06 Building Materials.

The same or similar quality exterior material shall be used in the accessory building and in the principal building. All accessory buildings shall also be compatible with the principal building on the lot. "Compatible" means that the exterior appearance of the accessory building is not at variance with the principal building from an aesthetic and architectural standpoint as to cause:

- A. A difference to a degree to cause incongruity.
- B. A depreciation of neighborhood values or adjacent property values.
- C. A nuisance. Types of nuisance characteristics include unsightly building exterior.

917.07 Trash Receptacles.

All buildings, with the exception of single-family homes, having exterior trash receptacles shall provide an enclosed area in conformance with the following:

- A. Exterior wall treatment shall be similar and/or complement the principal building.
- B. The enclosed trash receptacle area shall be located in the rear or side yard.
- C. The trash enclosure must be in an accessible location for pick-up hauling vehicles.
- D. The trash receptacles must be fully screened from view of adjacent properties and the public right-of-way.
- E. The design and construction of the trash enclosure shall be subject to the approval of the Building Official.
- F. Recycling space must be provided as required by the State Building Code.

917.09 Opt-Out of Minn. Stats. § 462.3593.

Pursuant to authority granted by Minn. Stats. § 462.3593, Subd. 9, the City of Wayzata opts-out of the requirements of Minn. Stats. § 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

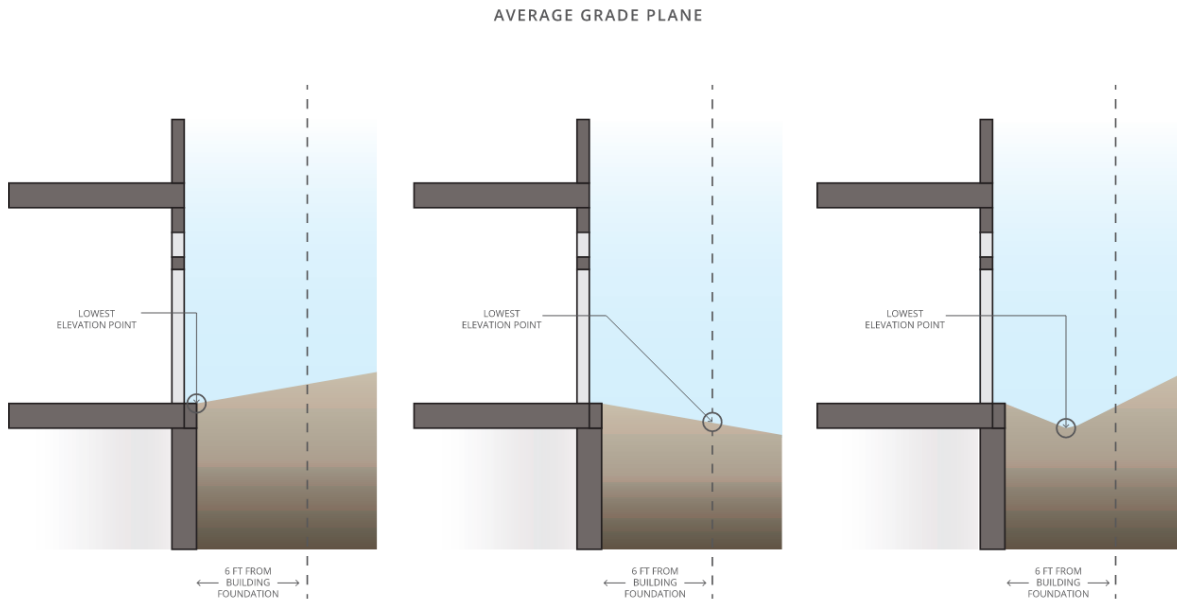
CHAPTER 919 GENERAL YARD, LOT AREA AND BUILDING REGULATIONS

919.01 Purpose.

This Section identifies yard, lot area, building size, and building type and height requirements in each zoning district.

919.02 Height Requirements.

- A. A building which actual height from the foundation to the top peak of any portion of the roof exceeds the allowable building height in the applicable zoning district by more than five feet or roof pitches of more than a 45-degree angle for those structures at the building height limitation may be allowed as a conditional use permit, provided that:
 - 1. The architectural appearance of the building shall not be so dissimilar to the existing neighboring buildings as to constitute a blighting influence within a reasonable distance of the lot.
 - 2. The construction does not limit solar access to abutting and/or neighboring properties.
 - 3. The provisions of Section 904.02.F, Conditional Uses, are considered and satisfactorily met.
- B. The building height limits established in each zoning district shall not apply to the following list of uninhabitable items, except that no such structural element may exceed 40 feet in total height or exceed the maximum height of the building by more than five feet, whichever is greater, except by conditional use permit:
 - 1. Belfries.
 - 2. Chimneys or flues.
 - 3. Minarets or spires.
 - 4. Cooling towers.
 - 5. Communication reception/transmission devices.
 - 6. Cupolas and domes which do not contain usable space.
 - 7. Elevator penthouses.
 - 8. Flag poles.
 - 9. Monuments.
 - 10. Parapet walls.
 - 11. Necessary mechanical and electrical appurtenances.
- C. Modifications to the site grading of a lot may not be undertaken as a means of achieving increased building height, unless approved by the City Engineer through the permit process as outlined in Section 916.04.D.
- D. As may be appropriate, applicants shall be required to submit a detailed survey for all new residential and non-residential structures to determine the Average Grade Plane. The Average Grade Plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building. The lowest elevation points for this calculation should be no more than 20 feet apart horizontally.



919.03 Building Type and Construction.

- A. The requirements of the Design Standards shall be applied to properties located in the Lake Street District, Bluff District, and Wayzata Boulevard District, and Wayzata Boulevard as defined in Chapter 909 of this Ordinance.
- B. No galvanized or unfinished steel, galvalume or unfinished aluminum buildings (walls or roofs), except those specifically intended to have a corrosive designed finish such as corten steel shall be permitted in any zoning district.
- B. Buildings in all zoning districts shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the property values of the abutting properties or adversely impact the community's public health, safety and general welfare.
- C. Exterior building finishes shall consist of materials comparable in grade and quality to the following:
 1. Brick.
 2. Natural stone.
 3. Decorative concrete block.
 4. Cast in place concrete or precast concrete panels.
 5. Wood, provided the surfaces are finished for exterior use and wood of proven exterior durability is used, such as cedar, redwood, cypress.

6. Curtain wall panels of steel, fiberglass and aluminum (non-structural, non-load bearing), provided such panels are factory fabricated and finished with a durable non-fade surface and their fasteners are of a corrosion resistant design.
7. Glass curtain wall panels.
8. Stucco.
9. Vinyl.
10. Other materials as determined by the Zoning Administrator, but not including galvanized or unfinished metal.

919.04 Yards.

Except as provided below, no lot, yard or other open space shall be reduced in area or dimension so as to make such lot, yard or open space less than the minimum required by this Ordinance. No required open space provided for any building or structure shall be included as part of any open space required for another structure.

- A. The following shall not be considered as encroachments on yard setback requirements:
 1. Cantilevers up to 10 feet in width, chimneys, flues, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than 2½ feet into a required yard. Each cantilever must be separated by at least 10 feet.
 2. Uncovered terraces, steps, decks, porches, stoops or similar features provided they do not extend above the height of the ground floor level of the principal structure or to a distance less than five feet from a side yard and rear lot lines, or more than five feet into a required front yard. No encroachment shall be permitted in existing or required drainage and utility easements.
 3. In rear yards, recreational and laundry drying equipment, arbors and trellises, detached outdoor living rooms, and air conditioning or heating equipment not exceeding established State noise levels, provided they are at a distance of ten feet from any lot line. No encroachment shall be permitted in existing or required drainage and utility easements.
 4. A one story entrance for a detached single family or duplex dwelling constructed prior to January 1, 1975, may extend into the front yard setback not exceeding five feet subject to the approval of a conditional use permit.
- B. Required Front Yard Setback Exceptions. In the case of lots platted prior to the date of this Ordinance, the required front yard setback as established by the respective zoning districts may be reduced, upon the approval of the Zoning Administrator, to a distance equaling the average setback of principal buildings within the block frontage in which the lot is located. In no case shall this distance be less than 15 feet, nor shall a principal structure be placed more than five feet beyond the setback of any principal structure on a directly abutting lot. The Zoning Administrator's approval shall be given as a matter of right if there is compliance with this Ordinance and any other applicable Ordinance.
- C. Corner Lots. Front yard requirements shall be observed on each street frontage of a corner lot. Where the rear boundary line of a corner lot is part of the side boundary of a residential lot no part of any structure or building on the corner lot shall exceed the front yard building setback required in that residential zoning district.

919.05 Residential Standards in Non-Residential Districts.

Existing single family or two-family residential uses within R-4, R-5, INS, C-1, C-2, C-3 and C-4 Districts shall conform with R-3 District standards.

919.06 Minimum Floor Area Per Dwelling Unit.

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- A. **Single Family Dwelling Units.** Except as otherwise specified in the zoning district provisions, single family homes as classified below shall have the following minimum floor areas per unit:
- One Bedroom: 880 square feet above grade.
- Two Bedroom. 960 square feet above grade.
- Three Bedroom. 1040 square feet above grade.
- B. **Multiple Dwelling Units.** Except for elderly housing units, living units classified as multiple dwelling shall have the following minimum floor areas per unit:
- Efficiency Units. 500 square feet.
- One Bedroom Units. 700 square feet.
- Two Bedroom Units. 900 square feet.
- More than two-bedroom units. An additional 150 square feet for each additional bedroom.
- C. **Elderly (Senior Citizen) Housing.** Living units classified as elderly (senior citizen) housing units shall have the following minimum floor areas per unit:
- Efficiency Units. 440 square feet.
- One Bedroom Units. 520 square feet.
- More than one-bedroom units. An additional 80 square feet for each additional bedroom.
- D. **Two Family and Townhouses Dwelling Units.** Except as otherwise specified in the zoning district provisions, two family, and townhouses dwelling units, as classified below, shall have the following minimum floor area per one bedroom unit:
- Two Family. 650 square feet first floor above grade, plus 100 additional square feet for each additional bedroom.
- Townhouses. 600 square feet first floor above grade, plus 100 additional square feet for each additional bedroom.
- E. **Assisted Living or Memory Care Dwelling Units.** Except as otherwise specified in the zoning district provisions, assisted living and memory care units as classified below shall have the following minimum floor areas per unit:
- Units without Kitchen Facilities: 330 square feet
- Units with Kitchen Facilities: 370 square feet

919.07 Minimum Lot Area Per Unit.

The lot area per unit requirement for two family, townhouses, multiple family dwelling units and planned unit developments shall be calculated on the basis of the total area in the project and as controlled by an individual and joint ownership as per the specific zoning district regulation. Areas qualifying as wetlands pursuant to this Ordinance shall not be included in the calculation of total area.

919.08 Usable Open Space.

Except in the case of elderly (senior citizen) housing, memory care, or assisted living, each multiple family dwelling site shall contain at least 250 square feet of usable open space as defined in Section 902.02 of this Ordinance for each dwelling unit contained thereof.

919.09 Two Family, Townhouse, Multiple Family Uses.

- A. No single townhouse structure shall contain more than five dwelling units.
- B. Minimum unit lot frontage for townhouses shall be not less than 20 feet.
- C. Subdivision of Two Family or Townhouse Lots. The subdivision of base lots containing two family dwellings or townhouses to permit individual private ownership of a single dwelling within such a structure is acceptable upon the approval by the City. Approval of a subdivision request is contingent on the following requirements:
 - 1. Two family and townhouse lots intended for owner occupancy shall be subdivided on an individual lot basis .
 - 2. Prior to a two family dwelling or townhouse subdivision, the base lot must meet all the requirements of the zoning district.
 - 3. Except for planned unit developments, there shall be no more than one principal structure on a base lot in all residential districts. The principal structure on the base lot created in a two family or townhouse subdivision will be the portion of the attached dwelling existing or constructed on the platted unit lot.
 - 4. Permitted accessory uses as defined by the zoning districts are acceptable, provided they meet all the zoning requirements.
 - 5. A property maintenance agreement must be arranged by the applicant and submitted to the City Attorney for review and approval. The agreement shall ensure the maintenance and upkeep of the structure and lots to meet minimum City standards. The agreement is to be filed with the Hennepin County Recorder's Office as a deed restriction against the title of each unit lot.
 - 6. Separate public utility service shall be provided to each subdivided unit and shall be subject to the review and approval of the City Engineer.
 - 7. The subdivision is to be platted and recorded in conformance to the requirements of the Subdivision Regulations of the City.
 - 8. Structural requirements of the Uniform Building Code at the time of subdivision are complied with.
- D. Subdivision of multiple family, two family duplex and other such units.
 - 1. The subdivision is to be platted and recorded in conformance with the requirements of the Subdivision Regulations of the City as applicable.
 - 2. The subdivision shall comply with applicable cooperative or condominium laws of the State of Minnesota.

919.10 Minimum Lot Area, Unsewered Lots.

Lot sizes where public sewer is not available shall conform to the minimum requirements set forth below:

- A. The minimum single family lot size is five acres. This minimum lot size shall not apply to smaller separate parcels of record in separate ownership lawfully existing prior to July 1, 1990, provided that it can be demonstrated by means satisfactory to the City that the small parcels will not result in groundwater, soil or other contamination which may endanger the public health.
- B. Commercial developments and multiple family dwellings are not allowable uses.
- C. Subject to the other provisions of the Zoning Ordinance other uses may be allowed by conditional use permit. The minimum lot size for each principal use is five acres. A conditional use permit shall not be granted unless it can be demonstrated by means satisfactory to the City that the use:

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1. Will not result in groundwater, soil or other contamination which may endanger the public health.
 2. Will not increase future City utility service demands and expense.
 3. Will not jeopardize public safety and general welfare.

919.11 Single Family Dwellings.

All single family detached homes shall.

- A. Be constructed upon a continuous perimeter foundation that meets the requirements of this Ordinance and Uniform Building Code.
- B. Shall not be less than 30 feet in length and not less than 22 feet in width over that entire minimum length. Width measurements shall not take account of overhang and other projections beyond the principal walls. Dwelling shall also meet the minimum floor area requirements as set out in this Ordinance.
- C. Have an earth covered, composition, shingled or tiled roof.
- D. Receive a building permit. The application for a building permit in addition to other information required shall indicate the height, size, design and the appearance of all elevations of the proposed building and a description of the construction materials proposed to be used. The exterior architectural design of a proposed dwelling may not be so at variance with, nor so similar to, the exterior architectural design of any structure or structures already constructed or in the course of construction in the immediate neighborhood, nor so at variance with the character of the surrounding neighborhood as to adversely affect the public health, safety or general welfare.
- E. Meet the requirements of the State Uniform Building Code or the applicable manufactured housing code.

919.12 Elevator Service.

Any multiple family dwelling over two stories in height shall be provided with elevator service.

920.11 Off-Street Parking and Loading Requirements.

A. Calculating Space.

1. Floor Area. The term "floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined based on the Gross Floor Area minus ten percent, except as may be hereinafter modified.
2. Computation. When in the process of determining the required number of off-street parking spaces, there occurs a fraction of a space, such fraction shall be deemed as the requirement for an additional parking space. Parking spaces shall not be counted toward meeting a parking requirement when they are sufficiently inconvenient to be of questionable use.
3. Places of Public Assembly. In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each 18 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements.
4. More than One Use. Except for a shopping center, should a structure contain two or more types of uses, the Gross Floor Area of each use shall be calculated and a ten percent reduction shall be made for non-productive space. For mixed-use buildings, the reduction may be increased to up to 20% subject to review of a floor plan that demonstrates no additional impact on parking demand, as determined by the Zoning Administrator. The resulting net usable floor space figure shall be utilized to determine the off-street parking requirement.

- B. **Minimum Number of Spaces.** The minimum number of off-street parking and loading spaces for each use shall be as follows:

	Use	Number of Parking Spaces Required	Off-St. Loading Spaces Required
1.	Animal Clinics, Hospitals or Kennels	Six spaces plus one for each 200 sq. ft. of floor area over 10,000 sq. ft.	One space per structure
2.	Places of Assembly, Theaters Excluding Drive-Ins	One space for each three permanent seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Code.	One space for each structure with over 100,000 sq. ft. of gross floor area
3.	Car Wash, Principal	Four spaces per bay or stall	One space per facility

4.	Car Wash Accessory	One space in addition to that required for the station.	N.A. in addition to that required for the station.
5.	Motor Vehicle Service	Five spaces plus three spaces for each service stall. Those facilities designed for sale of other items than strictly automobile products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Code.	One space
6.	Personal Services including hair and nail salons, therapeutic massage spa, tanning spa, and similar uses	One space for each 200 sq. ft. of floor area.	N.A.
7.	Motor Vehicle Rental and Sales	One space for each 400 sq. ft. of floor area for the first 25,000 sq. ft., plus one space for each 600 sq. ft. thereafter.	One space, plus one additional space for each 25,000 sq. ft. of gross floor area
8.	Places of Assembly	Ten spaces plus one space for each 150 square feet in excess of 2,000 sq. ft. of floor area in the principal structure.	One space for each structure with over 100,000 sq. ft. of gross floor area.
9.	Professional Services (Inc. Finance and Office Uses)	Three spaces for each 1,000 sq. ft. of floor area.	One space for buildings between 30,000 sq. ft. and 100,000 sq. ft. in gross floor area, plus one space for each additional 100,000 sq. ft.
10.	Furniture Sales	One space for each 400 sq. ft. of floor area for the first 25,000 sq. ft., plus one space for each 600 sq. ft. thereafter.	One space plus one additional space for each 25,000 sq. ft. of gross floor area.
11.	Child Day Care Facility, General.	One space for each employee, plus one space for each four children.	One space
12.	Elderly Care Facility	One space for each 1.5 dwelling units.	One space

13.	Manufacturing	One space for each employee on the major shift or one space for each 300 sq. ft., whichever is greater.	One space for each 50,000 sq. ft. of gross floor area.
14.	Health Clinics	Six spaces for each doctor or dentist	One space per building
15.	Lodging	One space per Lodging unit, plus spaces equal to 25 percent capacity of any club or lodge.	One space per building
16.	Dwellings, Multiple Family	Two fee free spaces for each living unit, of which one is to be enclosed.	One space for each multiple family building over four units.
17.	Office Buildings and Professional Offices, Other than Any Area for Doctors or Dentists; Banks, Public Administration Offices. Professional Services (Inc. Finance and Office Uses)	Three spaces for each 1,000 sq. ft. of floor area.	One space for buildings between over 10,000 sq. ft. and 100,000 sq. ft. in gross floor area, plus one space for each additional 100,000 sq. ft.
18.	Food and Beverage Establishments	Seating Area: One space per 75 sq. ft. Bar Area: One space per 40 sq. ft. Kitchen Area and all other areas: One space per 150 sq. ft.	One space for each 10,000 sq. ft. of gross floor area.
19.	Retail	Three spaces for each 1,000 sq. ft. of floor area	One space for the first over 10,000 sq. ft. of gross floor area, plus one space for each additional 50,000 sq. ft.
20.	Retail With (50 percent or More of Gross Floor Area Devoted to Storage, Warehouses and/or Industry)	Eight spaces or one space for each 200 sq. ft. devoted to public sales or service plus one space for each 500 sq. ft. of storage area.	One space for the first over 10,000 sq. ft. of gross floor area, plus one space for each additional 50,000 sq. ft.
21.	Educational Facilities that are less than 5,000 square feet. This includes tutoring facilities.	One space for each classroom plus one space for each 50 students of capacity. Adequate space shall be allowed for the dropping off	One space for each structure with over 100,000 sq. ft. of gross floor area.

		and/or picking up of students as determined by the City Engineer.	
22.	School, Public or Private including: elementary schools, junior high/middle schools, high schools and college/trade schools	<p>Elementary and junior high/middle schools: 1 space per staff member on the largest shift, plus 1 space per 2 classrooms.</p> <p>High schools: 1 space per staff member on the largest shift, plus 1 space per 5 students.</p> <p>College/trade schools: 1 space per staff member on the largest shift, plus 1 space per 2 students of the largest class attendance period.</p>	One space for each structure with over and 100,000 sq. ft. of gross floor area.
23.	Shopping Center	One space for each 150 sq. ft. of floor area.	One space or the first 10,000 sq. ft. of gross leasable area plus one space for each additional 50,000 sq. ft. or part thereof.
24.	Dwellings, Single Family or Two-Family Detached	Two spaces per family unit.	N.A.
25.	Micro-production Facility	One space for each 1,000 sq. ft. of floor area.	
26.	Taproom/Tasting Room	One space for each 40 sq. ft. of floor area.	
27.	Brewpub	One space for each 1,000 sq. ft. of Micro-brewing production floor area; one space for each 40 sq. ft. of floor area of dining and bar area; and one space for each 80 sq. ft. of floor area of kitchen area.	
28.	Personal fitness clubs and health clubs	<p>Personal fitness club: 1 stall per 300 sq. ft.</p> <p>Health Club: 1 stall per 100 sq. ft.</p>	

- C. **Non-Specified Uses.** For uses not specifically listed above, off-street parking and loading requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses, building occupancy, projected demand, or parking study. (N.A. = Not Applicable).