

ORDINANCE NO. 1594

CITY OF BURNSVILLE, MINNESOTA

AN ORDINANCE REVISING TITLE 10 ZONING, SECTION 4-1-5: LANDSCAPING, SECTION 7-1-11: PARKING AND SECTION 7-1-8-2: REGULATION OF STORAGE; TRAILERS AND CAMPING VEHICLES

THE CITY COUNCIL OF THE CITY OF BURNSVILLE ORDAINS AS FOLLOWS:

SECTION 1: “TITLE 10 ZONING, SECTION 4-1-5: LANDSCAPING, SECTION 7-1-11: PARKING AND SECTION 7-1-8-2: REGULATION OF STORAGE; TRAILERS AND CAMPING VEHICLES” of the Burnsville Municipal Code is hereby amended as follows:

10-4-2: Definitions

RECREATIONAL MOTOR VEHICLE: Any self-propelled vehicle, power assisted vehicle, and any vehicle propelled or drawn by a self-propelled vehicle, powered by a combustion engine or electric motor, including, but not limited to, trail bikes, mini-bikes, go-carts, all-terrain vehicles, snowmobiles, hovercraft, or other vehicles not licensed under the provisions of Minnesota statutes chapter 168, excluding motor vehicles used in the performance of lawn/yard maintenance or snow removal, or designed for construction, commercial, medical, industrial, or agricultural use. This does not apply to licensed mopeds, motorized bicycles, personal assistive mobility devices (also known as "segways"), or electric assisted bicycle, as defined in Minnesota Statutes, Section 169.011 and regulated within Minnesota Statutes, Chapter 169 or any ADA approved mobility device.

RECREATIONAL VEHICLE: A vehicle that is built on a single chassis, is four hundred (400) square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this title, the term recreational vehicle shall be synonymous with the term travel trailer/travel vehicle.

10-6-2: Map

- C. Official maps shall be reviewed by the planning commission and meet requirements of ~~title 4, chapter 9~~ Title 7, Chapter 7 of this code. (Ord. 1316, 4-8-2014)

10-7-4: Accessory Buildings And Structures

- F. No accessory structure or building except detached garages and flagpoles shall be located nearer to the front lot line than the principal building or structure on that lot. This includes portable recreational structures such as trampolines and play sets.
- Accessory structures, detached garages and buildings in the R-3D District are exempt from this standard and subject to the requirements of subsection 10-18-6(~~BA-C~~) of this title.
 - Trash enclosure accessory structures on lots with two (2) or more frontages in the R-3A, R-3B, ~~HOCTOD~~, MIX, All Business, CRD, and Industrial Districts

are exempt from this standard and subject to the front yard setback of their respective zoning districts.

10-7-19: Fences

Fences shall be permitted in all yards subject to the following:

- H. Swimming Pool Protection: Pool barrier and screening requirements shall comply with title 4, chapter ~~6~~2 of this Code. (Ord. 1092, 9-17-2007)
- J. Mixed Use Districts Fencing: Unless otherwise stated, Mixed Use Zoning Districts (MIX and ~~HOCTOD~~) are considered Commercial Zoning Districts for purposes of this section.

10-7-26: General Parking And Access Requirements

D. Design Standards:

- 5. Surfacing: The entire parking area including parking stalls, aisles and driveways shall be surfaced with concrete, bituminous, pavers, or pervious paving/paver systems provided appropriate soils and site conditions exist for the pervious systems to function. The City Engineer shall make the final determination if soils are conducive for use of pervious paving/paver systems. The use of pervious paving/paver systems is encouraged for pedestrian walkways, overflow parking areas, snow storage areas, within raised medians and islands, emergency vehicle lanes and other low traffic areas. The owner shall provide soils information to demonstrate to the satisfaction of the City Engineer that appropriate conditions exist for the pervious paving/paver systems to function and the owner shall enter into a maintenance agreement to ensure ongoing maintenance and operation of all pervious paving/paver systems. This requirement also applies to open sales lots, open rental lots, and outdoor storage or display areas. Other materials such as decorative rock, gravel, sand, or bare soil are prohibited, except for temporary parking with written City approval as specified in this subsection below:
 - a. Temporary parking on unpaved surfaces such as decorative rock, gravel, Class 5, sand, bare soil or grass is permitted subject to the following provisions:
 - (1.) Temporary parking on unpaved surfaces does not apply to outdoor vehicle storage as permitted in Section 10-7-54 of this Chapter.

~~7-1-11: Parking~~ **K. Use of Parking Area**

- 2. Limitations: Off street parking in R-1 Single Family Residential, R-1A One Family Residential, R-2 Two Family Residential, and R-3A Medium Density Residential, R-3B High Density Residential and R-3D Mobile Park Districts shall be limited to the following:
 - b. The parking and storage of recreational vehicles as regulated by the standards under section ~~7-1-8~~10-7-54 of this chapter.
 - c. Parking not in compliance with standards in subsections (~~AK~~)2a through (~~AK~~)2d of this section may be allowed only by conditional use permit. Under no circumstances shall parking facilities accessory to residential structures be used for open air storage of commercial vehicles.
- 3. Parking And Storage Of Certain Vehicles: Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on

any residentially zoned property other than in completely enclosed buildings. Any person guilty of violating this provision shall be guilty of a petty misdemeanor.

a. Automotive vehicles or trailers of any kind or type shall not be parked or stored on any area that is not surfaced with concrete, bituminous, pavers, or pervious paving/paver systems. Parking is prohibited on other materials such as grass, sod, decorative rock, gravel, sand, or bare soil.

1. Trailers and camping vehicles may be parked or stored in a residential district in accordance with section 10-7-54 of this Chapter.

7-1-8-210-7-54: Regulation Of Storage; Trailers And Camping Vehicles

10-12-4: Conditional Uses

~~Standing seam metal roofs on principal and accessory structures.~~

10-12B-2: Permitted Accessory Uses

Within any P Park District, the following uses shall be permitted accessory uses:

- F. Public trash and recycling containers subject to subsection 10-7-18(GF) of this title. (Ord. 1455, 5-8-2018)

10-14-1: Special Minimum Requirements

In the R-2 Two-Family Residential District:

- ~~H. Metal roofs on two-family dwellings and accessory structures shall be permitted subject to review under the Minnesota State Building Code and approval by the building official. No galvanized or unfinished steel or aluminum materials are permitted. No designs other than shakes, shingles, slate, standing seam and tiles are permitted. No exposed fasteners are permitted.~~

10-20-4: Conditional Uses

Nursing home, intermediate care facility, long term care facility, and residential healthcare facility, provided the site shall contain not less than six hundred (600) square feet of lot area for each person to be accommodated and that no building be located less than fifty feet (50') from ~~the~~any lot line; hospitals for human care, provided that all buildings are not located less than sixty feet (60') from the lot line of an abutting R District. For the purposes of this paragraph, the fifty foot (50') setback shall not apply to any property line adjacent to an arterial roadway, including an interstate freeway.

10-30A-3: General Landscape Requirements

General requirements shall apply to all zoning districts and include the following:

- O. Maintenance: All landscaped areas shall be maintained by the property owner and kept neat, clear and uncluttered, and where landscaping is required as part of City approvals, any plant material which is diseased or dies shall be replaced with like kind of the original size by the property owner. No landscaped area shall be used for the parking of vehicles or for the storage or display of materials, supplies or merchandise, unless specifically approved by the City.

- ~~4-1-5~~1. The owner shall be responsible for establishing and maintaining turf grass or sod on all maintained portions of the property within 10 days of the date of

occupancy, or by June 18, if occupancy takes place between September 1 and May 31.

- ~~1.2.~~ Replacement of landscape materials, plantings and screening shall be consistent with the original landscape/screen design or as approved by the City.
- ~~2.3.~~ All repair or replacement shall be done within forty five (45) days of written notification from the City.
- ~~3.4.~~ The responsibility for tree and plant growth and maintenance rests upon the property owner. (Ord. 1142, 11-18-2008)

10-30A-7: Landscaping Requirements In Residential Districts

A. R-1, R-1A And R-2 Residential Districts:

1. Required Landscaping:

- a. All front yards, boulevards and side yards to the rear of the structure shall have sod, hydroseeding, or landscaping with mulch cover properly installed within ten (10) days, weather permitting, of the date of occupancy, or by June 18 if occupancy takes place between September 1 and May 31. During winter conditions, when plants cannot be installed due to weather, the city will issue a temporary certificate of occupancy and specify a date for landscaping to be installed during the growing season pursuant ~~to section 4-1-7 of this code.~~

SECTION 2: This ordinance shall be effective immediately upon its passage and publication.

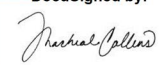
PASSED AND ADOPTED by the City Council of the City of Burnsville this 22nd day of August, 2023.

DocuSigned by:

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Elizabeth B. Kautz, Mayor

ATTEST:

DocuSigned by:

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Macheal Collins, City Clerk