

CITY OF LEXINGTON
COUNTY OF ANOKA
STATE OF MINNESOTA

ORDINANCE NO. 20-04

AN ORDINANCE REVISING CHAPTER 11 REGARDING THE REGULATION OF
ZONING AMENDMENTS

WHEREAS, the Planning and Zoning Commission considered the adoption of these revisions to Chapters 11, 14 and 15, of the Lexington Code of Ordinances on January 7, 2020, and did RECOMMEND the ordinance revisions set forth herein.

WHEREAS, the first reading of this Ordinance occurred on February 6, 2020.

WHEREAS, the second reading of this Ordinance occurred on February 20, 2020.

THE CITY COUNCIL OF LEXINGTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 11.02 DEFINITIONS:

~~**“Outdoor Storage”** – *The storage of any goods, junk, equipment, wood, trailers, material, merchandise, supplies or vehicles not fully enclosed in a building for more than twenty-four hours.*~~

“Exterior Storage” - The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.

SECTION 11.60. PERFORMANCE STANDARDS.

Any item outside of a principal or accessory structure is allowable as either an Accessory Use or Conditional Use in each land use district. “Exterior storage” as set forth in Chapter 11, shall govern business and multiuse districts. “Outside storage” as set forth in Chapter 15, shall govern residential district.

Subd. 12. Exterior Storage.

- A. All materials and equipment shall be stored within a building or fully screened by fencing from adjacent properties and the street, except for the following: clothes lines, recreational equipment, patio furniture, firewood and operable and currently licensed automobiles and trucks weighing not more than one ton.
- B. In non-residential and multiuse districts, all materials, equipment, and items shall be stored within a building or fully screened from adjacent properties and the

street. The exceptions are: (1) merchandise being displayed for immediate sale; (2) materials and equipment currently being used for construction on the premises; (3) merchandise located on service station pump islands.

- C. In non-residential district, up to three commercial vehicles such as delivery and service trucks up to 12,000 pounds of gross weight may be parked without screening if such vehicles relate to the principal use. Construction equipment, trailers, and vehicles over 12,000 pounds shall require screening.

NOTE, SUBDIVISION 14 IS DELETED AND MOVED TO CHAPTER 15.

~~Subd. 14. **Parking or Storage of Motor Home or Travel Trailer.** One travel trailer, motor home, camper, or similar vehicle may be parked or stored on a residential site when used by the family residing in the dwelling on such site. Such vehicles or items shall have affixed thereto current registration or license plates as required by law and shall be stored so that same shall meet all minimum side, front and rear yard setback requirements of the residential district of this Chapter and such parking or storage shall otherwise meet all other requirements of any other City Code provision and State laws. None of such parked or stored vehicles or items shall be connected to any water or sewage disposal system on said residential property where same is so parked or stored.~~

SECTION 15.102. DEFINITIONS.

Subd. 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this Chapter.

- A. **"Recreational vehicle"** – The following are considered Recreational Vehicles:
- a. Motor vehicles and trailers which include living quarters designed for temporary accommodation; or,
 - b. Mobile vehicles used for recreational purposes capable of being towed or being self-propelled, including but not limited to boats, watercraft, snowmobiles, or all-terrain vehicles.
 - c. A recreational vehicle does not include a manufactured home, construction trailer, or any other vehicle or trailer designed for permanent habitation as evidenced by its capability for a permanent connection to a water, sewer or electricity service.
- B. **"Trailer"** - An unpowered vehicle capable of being towed by another.
- C. **"Fish house"** - A shelter, generally used for ice fishing or fish spearing, commonly known as an ice shelter, dark house, fish house, or wheelhouse, otherwise requiring a license from the State. These shelters include any shelter ever licensed for use when taking fish from public waters. Once any structure or

shelter is licensed by the State for use as a fish house, it is thereafter designated to be a "fish house" under this definition.

SECTION 15.103. GENERAL REQUIREMENTS.

Subd. 1 (F) [GOVERNING RESIDENTIAL PROPERTY]

Outside Storage. Where allowed in a zoning district, the outside storage of materials, equipment or other personal property on or adjacent to any building property shall conform to the following:

1) All materials, equipment or other personal property shall be stored within a building or fully screened by fencing from adjacent properties and the street, except for the following: clothes lines, recreational equipment, patio furniture, firewood and operable, currently licensed automobiles and trucks weighing not more than one ton, and those other exceptions defined in subsection 3 (below).

2) No commercial vehicles of over one (1) ton capacity or commercial trailers shall be parked or stored in any residential district except when loading, unloading or rendering a service. All vehicles equipped with truck parking permits shall be exempt.

3) The outside storage of *large items is permitted* and shall conform to the following:

a) *Outside storage of these following large items is permitted:*

i) *Recreational vehicles;*

ii) *Boats;*

iii) *Fish houses; and,*

iv) *Trailers:*

a) *Boat trailers;*

b) *Trailers designed to accommodate recreational vehicles; and,*

c) *Other types of unoccupied trailers with a maximum gross weight of 3,000 pounds which are not intended for commercial use.*

b) *Outside storage of permitted large items is limited to the following areas on each parcel:*

i) Rear yard at least ten (10) feet from the rear property line;

ii) Side yard at least five (5) feet from the side property line;
and,

iii) *Except that outside storage in the front yard is limited to recreational vehicles and trailers where they can only park on a driveway surface at least ten (10) feet from the back of the curb line.*

iv) *In no case shall the location of any recreational vehicle, boat, fish house, or trailer cause a safety hazard due to poor traffic sight distance or make properties inaccessible by public safety personnel or vehicles.*

c) *Outside storage of permitted large items is subject to the following conditions:*

i) *When permitted large items are stored in the permitted areas of a rear yard or a side yard (except the front yard portion of a side yard) they are exempt from Section 11.60, subdivision 22 (H), which otherwise requires them to park, stand or operate only on a hard and dust-free.*

ii) *Permitted large items are required to have current registration or licensure as required by law, and proof of registration or licensure shall be conspicuously affixed thereto.*

iii) *No permitted large items shall be connected to any water or sewage disposal system.*

iv) *No person shall occupy a permitted large item except to load, unload, repair, or clean.*

v) *Trailers stored pursuant to this section may not be used to store materials, garbage, equipment, or other unintended articles on or about the trailer, except that a boat trailer or recreational vehicle trailer may store a boat or recreational vehicle(s) in a manner as intended for use with the trailer.*

5) The outside storage of firewood shall be restricted to the side or rear yards provided it is no closer than five (5) feet to any property line. Such wood shall be stacked in a neat, orderly, safe manner. The maximum height allowed is six (6) feet. Storage of firewood in the front yard shall be permitted for loading and unloading on temporary basis only not to exceed five (5) days.

6) For purposes of this section, materials or equipment existing outside of a building for a period greater than 24 hours shall be considered "stored." Stored materials, permitted large items, equipment or personal property shall not be used for human habitation.

NOTE, SECTION 15.103 REQUIRES AN EXCEPTION FROM THE PARKING REQUIREMENT IN SECTION 11.60

Section 11.60 PERFORMANCE STANDARDS

Subd. 22. Parking. H. Design, Maintenance, and Installation. 1) All open off-street parking areas and access to those areas shall be paved and improved with a hard and dust-free surface, **and vehicles shall park, stand or operate only on that surface.**

PROPOSED STORAGE PER DISTRICT

These Accessory and Conditional Uses would be added to the existing Table of Uses.

LAND USE DISTRICT INTENT	USES PERMITTED PRINCIPAL	ACCESSORY	CONDITIONAL
M-1		<u>-No RV, Trailer, or Fish House Storage on property with any commercial use</u> <u>-Outside, RV or Fish House Storage allowed on residential property</u>	<u>Outside or exterior storage on property with any commercial use</u>
M-2		<u>-No RV, Trailer, or Fish House Storage on property with any commercial use</u> <u>-Outside, RV or Fish House Storage allowed on residential property</u>	<u>Outside or exterior storage on property with any commercial use</u>
B-1		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
B-2		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
B-3		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
B-4		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
B-5		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
R-1		<u>-Allowed: Outside Storage, RV, Trailer, or Fish House Storage</u>	
R-2		<u>-Allowed: Outside Storage, RV, Trailer, or Fish House Storage</u>	
R-3		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
R-4		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>
R-5		<u>-No RV, Trailer, or Fish House Storage</u>	<u>Outside or exterior storage</u>

Subdivision 2. The City Attorney is authorized to renumber and reletter the paragraphs of this subdivision accordingly.

Subdivision 3. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

The first reading of this Ordinance occurred on February 6, 2020. The second reading of this Ordinance occurred on February 20, 2020.

Effective Date. This ordinance shall be effective immediately upon its passage.

PASSED AND DULY ADOPTED this 20th day of February 2020 by the City Council of the City of Lexington.



Mike Murphy, Mayor

Attest:



Bill, Petracek, City Administrator

Published in the Quad Press on _____, 2020