

ORDINANCE NO. 909

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

**AN ORDINANCE AMENDING THE NEW BRIGHTON ZONING
CODE TO UPDATE PARKING REGULATIONS**

THE CITY OF NEW BRIGHTON ORDAINS:

SECTION 1. Chapter 11 of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows.

The existing Article 1 is deleted in its entirety and is replaced with the following language:

Article 1. General Conditions, §§ 11-010–11-050

Article 1. General Conditions

Sec. 11-010. General Requirements.

- (1) ***Application.*** Off-street parking and loading regulations shall apply to all buildings and land uses established after <the effective date of this ordinance>.
 - A. At the time a property is redeveloped where cumulatively half the property area or more is altered, or whenever an existing parking lot is expanded, the developer and/or property owner shall work with the Department of Community Assets and Development to bring all parking and loading areas into conformance with the regulations of this Chapter as much as possible.
 - B. In the event a property owner is expanding parking through reconfiguration of existing parking areas or is taking actions to decrease an existing nonconformity, regulations from this chapter may be waived, subject to review and approval of the Department of Community Assets and Development.
 - C. Any change in use that requires more parking under this Chapter may only be undertaken if the property owner or developer provides additional spaces to meet parking requirements for the new use.

- (2) **Purpose.** Off-street parking and loading regulations are established to protect the health, safety, and welfare of residents and visitors. Furthermore, the standards of this Chapter promote beneficial and sustainable systems to:
- A. Improve and promote safe, attractive, and efficient parking areas;
 - B. Improve drainage flow and infiltration opportunities to reduce non-point source pollutants, including chlorides;
 - C. Reduce heat-island effects at the local scale;
 - D. Promote alternative modes of transportation and connectivity to local and regional trail systems (transit, ride-share, bicycle/scooter, etc.);
 - E. Increase availability of electric vehicle charging stations and proximity to facility entrances;
 - F. Provide surmountable curb for wildlife migration and improved lighting that complies with dark-sky guidelines
 - G. Improves accessibility and safety through improved line-of-sight and reduced issues due to winter freeze-thaw events
- (3) **Required Plan.** Except for single- and two-family residences, all applications for a building permit or for a certificate of occupancy (CO) shall include a site plan drawn to scale indicating the location of all off-street parking and loading spaces serving the property. Approval of the building permit or CO is subject to available parking being in compliance with this Chapter.
- (4) **Use of Parking or Loading Space.** Unless otherwise permitted by the City, required parking or loading spaces shall not be used for alternative purposes including but not limited to: the storage of goods or trash disposal containers, storage of inoperable vehicles, or the parking of vehicles for sale or lease. Up to 15% of parking spaces in parking areas may be used for snow storage during winter conditions.
- (5) **Location of Parking.** Except as provided elsewhere in this ordinance, required off-street parking spaces shall be provided on the same lot as the principal building. Additionally:
- A. The location of parking in Mixed Use zoning districts shall be in accordance with the provisions of Section 6-530.
 - B. Structured parking shall be placed to minimize impacts on surrounding development and be designed to be compatible – in terms of form, materials, and architectural style – with adjacent development.
 - C. Parking lots are discouraged from locating withing floodplain and flood-prone areas.
- (6) **Buffers and screens.** Off-street parking for single- and two-family residences shall not be required to be screened. Off-street parking areas of four or more spaces and loading areas on properties shall be regulated by the following provisions:
- A. Where a surface parking lot directly abuts a street or public space, a minimum five-foot wide landscape buffer shall be adorned with groundcover plantings and trees located a minimum of thirty (30) feet on center.

- B. In mixed use areas, the required landscape buffer shall also contain a continuous row of shrubs capable of growing to at least four (4) feet tall within 2 years, or a combination of other features (i.e. opaque wall, landscape berm, and smaller shrubs) to achieve the same effect. Walls, if proposed, must be constructed with materials that are compatible with the primary building and are subject to approval by the Department of Community Assets and Development.
- C. Screening shall be setback from parking areas and pedestrian pathways to not create winter shade on saltable surfaces. Deciduous trees shall be exempt from this requirement.

(7) ***Landscaping and Vegetation.*** Vegetation may be used for natural filtration as part of a site's drainage system where drainage patterns align to flow towards these areas prior to stormwater runoff reaching surface water resources.

A. General Requirements:

- 1. Trees planted on the south side or within parking areas shall be deciduous to improve sunlight reaching paved areas during winter months in order to improve surface melting.
- 2. Landscaping or plantings shall consist of native vegetation species and not require the use of pesticides, herbicides, insecticides or other, plant treatments, especially neonicotinoids.
- B. Landscaped parking lot islands shall be a minimum of (nine) 9 feet wide and long enough to protect adjacent parking spaces shall be required at the beginning and end of each parking row to break up longer rows. This requirement may be waived if the parking lot design achieves all of the following:
 - 1. Consolidates landscape and stormwater management areas into large medians,
 - 2. Demonstrates adequate traffic calming,
 - 3. Implements design techniques for using less salt in winter conditions (Section 11-020 (13), and
 - 4. Medians can function as adequate snow storage as part of a snow storage plan.
- C. Parking spaces and rows shall be organized to provide consolidated landscaped areas and on-site stormwater management.

(8) ***Lighting.***

A. Maximum site illumination shall be regulated as follows:

- 1. Site illumination shall not exceed .5 foot-candles at ground level when measured at an adjoining residential property in residential areas and 2.0 footcandles in non-residential areas.
- 2. Lighting on the site and building shall be full cut-off directional lighting directed downward, and installed so as to prevent direct light from being detectable at the lot line of the site on which the light source is located.
- 3. The site plan or alternate design documentation must contain illuminance models showing light levels throughout the site as determined necessary by the city.

- B. Lighting structures shall be located around the perimeter of the parking area and shall not be placed as freestanding structures within the parking area. Lighting structures may be placed within a traffic safety island when the parking area is sufficiently large enough to allow snow plows unimpeded access around and between island during winter snow events.
- C. Light structures within parking lots may not exceed 20 feet in height in vehicular areas and a maximum of 15 feet in height in pedestrian areas.
- D. Lighting as described in this Subsection shall not shine directly into the public right-of-way, onto any residential use, or into any natural areas, including wetlands, ponds, prairies, and forested areas.

Section 11-020. Construction and Maintenance.

- (1) **Surfacing.** All off-street driving, loading, and parking areas shall have a paved surface. No vehicle may be parked and no property owner shall allow a vehicle to be parked off-street unless the vehicle is on and over an approved bituminous, concrete, brick, or decorative block surface that spans the entire vehicle. Permeable surfaces are allowed, such as permeable pavers, permeable asphalt, or other approved and improved permeable materials. Permeable surfaces must be designed, constructed, and maintained to allow infiltration or collection of stormwater in order to count as a permeable surface. For the purposes of calculating impervious surfaces, permeable surfaces allowed for parking areas may count against impervious surface maximums found in residential zoning districts and shoreland requirements. The definition of a "vehicle" in Minn. Stats. §169.011 is hereby adopted for the purpose of this ordinance and includes any conveyance with an axle. Parking areas and driveways shall be kept free of dirt, dust, debris and waste. In winter months, required parking areas shall be cleared of snow and ice within a reasonable time.
- (2) **Curbing.** All off-street driving, loading, and parking areas shall be constructed with poured-in-place concrete curb except for single- and two-family residences. Curbs shall be surmountable to allow for better snow management in addition to facilitating wildlife crossing areas to the extent practicable, especially in areas of park setting, natural vegetation, or water resource locations.
- (3) **Striping.** All parking stalls shall be marked with white or yellow painted lines not less than four inches wide except for single- and two-family residences. Such markings shall be maintained in a clearly legible condition.
- (4) **Traffic Safety Islands.** Traffic safety islands shall be used to maintain safe and orderly flow of traffic within the parking lot when deemed necessary by the Department of Community Assets and Development. Where a traffic safety island is installed, a drainage management plan shall be required and the meltwater from snow piled on the island must be controlled. Any lighting located within a parking area must be located within a traffic safety island.
- (5) **Boulevard Parking.** The boulevard portion of the street right-of-way shall not be used for parking except for improved driveways serving single- and two-family residences.

- (6) **Required Setbacks for Parking Areas, Aisles, and Driveways.** No parking area, aisle, or driveway shall be provided in the following setback areas measured to the lot line except for driveways needed to cross the setback area to provide access to a public right-of-way.

	RESIDENTIAL	BUSINESS	INDUSTRIAL
FRONT YARD	30 ft.	30 ft.	40 ft.
SIDE YARD	5 ft. (15 ft. if zoned R-3A or R-3B and abutting on R-1 or R-2 zoned property)	5 ft. (25 ft. if abutting residentially zoned property; shared driveways may have no setback)	5 ft. (60 ft. if abutting residentially zoned property; shared driveways may have no setback)
REAR YARD	5 ft. (15 ft. if zoned R-3A or R-3B and abutting an R-1 or R-2 zoned property)	5 ft. (25 ft. if abutting residentially zoned property)	5 ft. (60 ft. if abutting residentially zoned property)
SIDE STREET YARD	30 ft.	30 ft. *15 ft. by Special Use Permit	40 ft. (60 ft. if across from residentially zoned property) *20 ft. by Special Use Permit

** May be allowed by the City Council by approval of a Special Use Permit in accordance with the standards of Section 8-130 and where it is determined no adverse impact would be created and would be compatible with the planned and existing characteristics of the surrounding streets and land uses.*
(Ord. No. 756, 2-26-08)

- (7) **Parking Space and Aisle Standards.** All parking spaces and aisles shall comply with the minimum standards specified in this Subsection. Spaces for accessible parking shall conform to US Access Board Guide to the ADA Accessibility Standards, Chapter 5.

Standard Parking			
ANGLE	STALL WIDTH	STALL LENGTH	AISLE WIDTH
(DEGREES)	(FEET)	(FEET)	(FEET)
90	9.0	18	24
60	9	19	15*
45	9	18	13*

** All angle parking requires one-way aisles.*

(8) ***Driveway and Curb Cut Standards.***

- A. In all districts except R-1 and R-2 and in all multiple family residential, commercial, and industrial uses, no driveway entrances shall be less than fifty feet from any right-of-way line of a street intersection.
- B. For single- and two-family residences located in R-1 and R-2 districts, no driveway entrances shall be less than twenty feet from any right-of-way line of a street intersection.
- C. Parking stalls may not obstruct access to enclosed parking spaces and be counted toward the minimum number of parking stalls required, except for single-family, two-family, and townhome residences.
- D. The distance between driveways on the same parcel for single family and two family residences shall be no less than forty feet. In a “circle” or “loop” driveway situation, driveways may not be closer to a neighboring driveway than fifty feet along the right-of-way.
- E. In all other cases, the distances between single-family and two-family residential driveways shall be no less than ten (10) feet.
- F. Driveways shall intersect streets at a ninety-degree (90) angle.
- G. No property under common ownership and used as a single unified use shall be entitled to more than two curb cuts or access points, including shared accesses, unless a site plan or site plan amendment for a greater number is approved by the City Council.
- H. For new development along existing streets where curb cuts already exists, the number of curb cuts to the site shall not be increased. Where possible, existing curb cuts should be consolidated, and access points shared as much as possible.
- I. Wherever possible, vehicular access to a site or building shall occur through an alley or on-site private drive aisle rather than by a curb cut from the street.
- J. No curb cut or access point shall be created directly into any street of collector status or greater unless approved by the City or County.
- K. The minimum and maximum widths for curb cuts and driveways shall be as follows:

Single and Two Family Residences			
Driveways (Measured at the property line)			
Minimum	14	Maximum	30
Curb Cuts (Measured along the curb)			
Minimum	14	Maximum	24

Other Residential*							
Driveways & Curb Cuts							
One Way				Two Way			
Minimum	14	Maximum	18	Minimum	24	Maximum	30

Non Residential*							
Driveways & Curb Cuts							
One Way				Two Way			
Minimum	14	Maximum	24	Minimum	24	Maximum	36

* For driveways crossing existing or planned future public trails, along designated safe routes to school, and in areas designated as areas of high pedestrian and cyclist use, the Department of Community Assets and Development may require limiting driveways to the minimum width allowed.

(9) **Circulation.** Except in the case of single- and two-family residences:

A. For vehicles:

1. Parking areas shall be designed so that circulation between parking stalls or aisles occurs within the designated parking lot and does not depend upon a public street or alley.
2. Parking area designs that require backing into the public street shall be prohibited, with the exception of emergency vehicles or vehicles plowing snow.
3. "Entrance only" and "exit only" signs may be required by the Department of Community Assets & Development where necessary to ensure sufficient circulation and access to a public street.
4. Cross access and circulation across adjoining parcels is required where appropriate and feasible, to be determined by the Department of Community Assets and Development. Joint circulation shall be documented in a cross access and circulation easement and agreement, subject to approval by the city.

B. For pedestrians:

1. Pedestrian access points shall be provided at all pedestrian arrival points to the development including the property edges, adjacent lots, abutting street intersections, crosswalks, and at transit stops if applicable. Pedestrian access shall be coordinated with existing development to provide circulation patterns between developments.
2. Planned trail connections as identified in the City's Comprehensive Parks Plan shall be accommodated and incorporated into projects as may be necessary by the Department of Community Assets & Development.
3. Pedestrian walkways and trails shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances, and between buildings.

4. Pedestrian access and walkways shall meet the following minimum design standards:

- i. Access and walkways shall be luminated and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic;
- ii. Access and walkways shall be a minimum of six (6) feet of unobstructed width and meet City standards for surfacing of walkways or sidewalks;
- iii. Access shall be usable by mobility-impaired persons and shall be designed and constructed to be easily located by the sight-impaired pedestrian by either grade change, texture or other equivalent means;
- iv. A clearly delineated crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles. Raised crosswalks or speed bumps may be required at all points where a walkway crosses the lane of vehicle travel.
- v. Parking stalls shall not be located where they obstruct doorways, driveways, or pedestrian walkways.
- vi. In large parking lots of over 60 stalls, a combination of traffic safety islands or landscape medians, with pedestrian circulation, shall be provided to divide the parking lot into sections. No parking stall shall be over two-hundred 200 feet from a median or traffic safety island with pedestrian circulation.
- vii. Trail designs shall meet requirements as spelled out by the Department of Community Assets & Development.

(10) **Drive-Thru Facilities.** Commercial uses containing drive-in or drive-up facilities shall be permitted only by issuance of a Special Use Permit. Such special use shall be considered in accordance with Section 8-130 and the following standards:

- A. The drive-thru facility does not negatively impact traffic on public rights-of-way.
- B. A stacking lane shall be provided with a minimum of four spaces per lane in addition to the number of required parking spaces.
- C. The stacking lane shall be a minimum of ten feet wide.
- D. The vehicle stacking lane shall not extend beyond the street right-of-way line.
- E. The vehicle stacking lane shall be delineated so that vehicles waiting in line will not unreasonably interfere with the primary driving, entrance, exit, and parking facilities on site. Employee-only designated parking may be considered in an effort to comply with this condition.
- F. The principal pedestrian connection to the entrance of the use from a public sidewalk may not cross the drive through facility stacking lane.
- G. Any pedestrian walkway that is adjacent to or crosses the stacking lane must be marked and clearly indicated with signage or painted crosswalk.

H. The drive-thru use may be limited so as not to unreasonably interfere with adjacent and nearby uses. Limits of use may include, but is not limited to, prohibition of certain uses that may be inappropriate due to their demand on parking and stacking needs, such as fast-food establishments.

I. The following hours of operation shall be imposed:

1. For properties abutting R-1, R-1A and R-2: Sunday – Thursday 7:00 AM – 9:00 PM and Friday – Saturday 7:00 AM – 10:00 PM.
2. For properties abutting all other zoning districts: Sunday – Thursday 6:00 AM – 11:00 PM and Friday – Saturday 6:00 AM – 12:00 PM.

The City Council may impose different hours of operation based upon specific characteristics of adjacent and nearby uses.

J. Any menu/ordering signage interior to the site with an intercom shall not be audible from residentially zoned property and if illuminated shall be directed away from residentially zoned property.

K. Fencing and or landscaping may be required to shield head-light illumination from adjacent and nearby areas but shall not shade saltable surfaces.

(11) *Drainage and Stormwater Management.*

- A. All developments with parking lots, with the exception of single- and two-family residences, shall include plans and details of proposed drainage patterns.
- B. Parking lots must incorporate drainage standards to reduce non-point source pollution and improve capturing stormwater. Improved drainage should also include infiltration and/or natural treatment processes prior to outflow to creek, stream, wetland or other area.

(12) *Electric Vehicle (EV) Charging.*

- A. All developments with parking lots, with the exception of single- and two-family residences, may include one or more locations to allow for electric vehicle charging, or place infrastructure nearby to facilitate future station installation.
- B. The thresholds for adding EV charging spaces to new developments are as follows:

EV Charging Space Thresholds	
<i># of Parking Spaces Planned/Existing</i>	<i>Required # of EV Spaces and Level of Charging</i>
29 or fewer	None Required
30-49	Multi-family: 5% at Level 1 or greater Non-residential: 2 spaces at Level 2 charging or greater
50+	Multi-family: 10% at Level 1 or greater; 1 space at Level 2 or greater Non-residential: 5% at Level 2 charging or greater

(13) ***Snow and Snowmelt Management.*** All developments with parking lots, with the exception of single- and two-family residences, may include locations of proposed drainage patterns for snowmelt and adequate snow storage areas, subject to the following requirements:

- A. Parking lots must have a location for storing snow in a low area of the property towards areas of existing or proposed native vegetation for infiltration. An area for snow storage must be 15% the size of parking areas and walkways to be maintained in winter conditions.
- B. Drainage and stormwater management infrastructure and designated snow storage areas may not overlap with or impede the use of accessible spaces, transit stops, sidewalks, or other pedestrian access areas.
- C. Parking lots must incorporate drainage standards to reduce non-point source pollution and improve snow melt footprint to reduce salting. Drainage should also include infiltration and/or natural treatment processes prior to outflow to creek, stream, wetland or other area.

(14) ***Parking Structure Design.*** All parking structures in developments shall conform to the following provisions:

- A. Parking garage design should be compatible with adjacent buildings in terms of form, massing, scale, materials, and façade articulation. Pedestrian-level lighting must be included on facades abutting pedestrian walkways.
- B. Spandrel panels or opaque screening systems, such as louvers, at least thirty-six (36) inches in height shall be used to screen vehicles from view on all levels.
- C. Any parking garage façade that is visible from public view shall be designed such that the internal ramping system is not visible.
- D. Wherever possible, especially for parking garage façades that face a public street, the ground floor of the parking structure should incorporate retail, commercial, or other nonresidential uses to help activate the street.
- E. Any ground-level façade of a parking garage that is visible from the street and does not provide retail, commercial, or other active ground floor uses shall include at least two (2) of the following design features:
 - 1. Façade articulation through change in vertical plane or a change in building material.
 - 2. The use of windows or false windows defined by frames, lintels, or sills.
 - 3. Integration of multiple building entrances.
 - 4. Buffering along the street edge with landscaping, street trees, green walls, or trellises with vines.
- F. Vehicular entrances to buildings and parking garages that contain a ramp shall be screened from view of the street or adjacent public space in as much as possible. Where a vehicular entrance or ramp directly abuts a pedestrian walk, appropriate cautionary signs shall be used to alert pedestrians of the presence of vehicles and to inform drivers that pedestrians have the priority.

Sec.11-030. Minimum Number of Off-Street Parking Spaces Required.

- (1) **Computing Requirements.** In computing the number of parking or loading spaces required the following rules shall govern:
 - A. Gross floor area of the specific use is calculated on the basis of the exterior floor area dimensions of the building, structure or use, multiplied by the number of floors.
 - B. When determining the number of off-street parking spaces, fractional results are rounded up to the nearest whole number.
 - C. Except as provided for under joint parking and shopping centers, if a structure contains two or more types of use, the area of each use shall be calculated separately in determining the total number of off-street parking stalls required.
- (2) **Accessible Parking.** For all uses where automobile parking spaces are provided except single- and two-family residences, accessible parking facilities for persons with disabilities must be provided for accessible parking, and shall be identified for such use in accordance with all applicable state regulations.
 - A. The number and type of accessible parking spaces to be provided shall be based upon the US Access Board Guide to the ADA Accessibility Standards, Chapter 5. Accessible parking spaces are required for each parking facility on a site, such as lots and garages. Requirements apply equally to public and employee or restricted parking. On sites with multiple parking facilities, the minimum number of accessible spaces must be calculated separately for each parking facility instead of on the combined total of parking spaces provided on the site.
 - B. At least one of every six (6) accessible spaces, or fraction of six (6), in each parking facility must be sized to accommodate vans.
 - C. Such parking shall be located as close as practicable to a building entrance providing improved accessible ingress into the main lobby or corridor of the building. A continuous, permanently designated pathway at grade shall be provided which links the parking spaces to the building entrance. Such pathway shall be made of concrete, asphalt paving, or similar permanent material with a slip-resistant surface, at least forty-eight (48) inches wide and with a slope not to exceed one vertical to twenty horizontal.
 - D. No parking area drainage patterns shall flow towards or be placed within accessible parking areas.
 - E. See Minnesota State Building Code, Chapter 1240.1900, for information regarding accessible parking symbols and signage.

(3) ***Number of Spaces Required.***

A. The following table is the minimum required number of parking spaces per use.

Land Use	# of Spaces/Unit Ratio
<u>Residential</u>	
Single-Family	2/DU
Two-Family	2/DU (1 Enclosed)
Townhouses	2.25/DU (Included: 1 Enclosed; .25 for Visitor Parking)
Multi-Family	1.85/DU (Included: 1 Enclosed; .25 for Visitor Parking)
Senior Housing	1.25/DU (Included: .5 Enclosed; .25 for Visitor Parking)
Sanitarium, Convalescent Home, Rest Home, Nursing Home, Congregate Care/Assisted Living	0.25/Bed (Visitors); 1/Employee on Shift
Group Homes, Nursing Homes, Boarding and Lodging Houses	0.5/Bed
<u>Community and Institutional</u>	
Places of Public Assembly	0.33/Seat
School (K-12, Primary/Secondary/Post-Secondary)	Parking Study Needed
Hospitals	3/Bed and 0.75/Employee
Libraries, Museums, Post Offices, Art Galleries	2/Employee and 2/1,000 sq ft GFA
Municipal Administration Buildings	1/200 sq ft Floor Space
Undertaking Establishments	20/Chapel or Parlor; and 1/Employee
<u>Commercial</u>	
Auto/Motor Fuel Stations and Convenience Stores	5/1000 sq ft GFA
Auto Repair, Auto Sales, Trailer Sales, Marine, Garden Center Sales	2/Employee
Beauty Shops, Barber Shops, Tanning Salons	2 Minimum and 1/Chair
<i>(continued on next page)</i>	

Commercial (continued)	
Bowling Alleys	2/Lane
Car Wash (Automatic Drive-Through Service)	2 Minimum and 1/Attendant
Car Wash (Self-service)	10 Minimum and 1/Attendant
Cinemas and Theaters	0.33/seat
Clinics (Medical, Veterinary, Animal Hospital)	5/1000 sq ft Floor Space
Day Care/Montessori	0.3/Person
Motels and Hotels	1.25/Room; add 10/1000 sq ft GFA for lounge/restaurant; add 30/1,000 sq ft GFA for conference/banquet facilities
Banks, Offices	3.5/1,000 sq ft GFA
Restaurants (Drive-in/Fast Food)	15/1,000 sq ft GFA
Restaurants (Sit Down Full Service)	15/1,000 sq ft GFA
Nightclubs/Bars	20/1000 sq ft Floor Space
Retail	3/1,000 sq ft GFA
Shopping Centers	4/1,000 sq ft GFA
Supermarkets	4/1,000 sq ft GFA
Industrial	
Warehouse & Wholesale	1/1,000 sq ft GFA
Warehouse (30%-65% office or showroom space)	1/1,000 sq ft GFA and 1/Employee
Manufacturing or Processing Plants	2.5/1000 sq ft Floor Space or 1/Employee on Shift (Whichever is Greater); and 1/Company Vehicle
Light Industrial/Accessory Manufacturing	2.5/1,000 sq ft GFA
Indoor/Outdoor Self Storage	1.5/50 storage units

- B. The maximum parking allowed for non-residential and mixed-use developments shall be 10% over the minimum. Developments proposing more than the allowed maximum shall submit a parking study and provide parking area enhancements per section Sec. 11-040 (2) E and be approved by City Council.
- C. Non-residential uses may count on-street parking spaces in public right-of-way abutting the site towards satisfying off-street parking requirements. One on-street parking space credit may be taken for each twenty (20) linear feet of abutting street where on-street parking is allowed. Only spaces on the same side of the street as the site may be counted.

D. Non-residential uses and mixed-use developments not providing a minimum number of spaces within ten percent (10%) of the minimum number of parking shall submit a parking study. The parking study shall include documenting that the number of spaces provided will not require off-site parking, not covered under joint parking and shopping centers, or on-street parking away from the property. Approval of the proposed parking ratio is subject to City Council approval, along with constructing elements and/or enhancements to parking areas per section Sec. 11-040 (2).

E. Residential uses not providing the minimum amount of parking shall submit a parking study documenting the number of spaces needed for the development, along with elements and/or enhancements to parking areas per section Sec. 11-040 (2). Approval of the proposed parking ratio is subject to City Council approval.

(4) ***Bicycle and Scooter Parking.*** For all uses where automobile parking spaces are provided except single- and two-family residences, parking facilities for bicycles and scooters must be provided and shall be regulated by the following provisions:

A. The number bicycle and scooter spaces to be provided shall be based upon the following chart:

LAND USE	NUMBER OF SPACES
A. Residential	1.0 per Two (2) Dwelling Units
B. Non-residential	Minimum of 1.0; and 1.0 per 20 vehicle parking spaces

B. A bicycle or scooter space is equal to one-half (.5) bicycle rack. When calculating the number of spaces, the total number is rounded up to the nearest whole number. Long-term bicycle storage indoors may count towards no more than 80% of the required bicycle and scooter spaces.

C. An acceptable bicycle rack is an inverted U shape made of bent metal with two points of contact with the ground. The rack must have a concrete footing or foundation, or similar method of installation affixing it to the ground. Long-term bicycle storage provided indoors is not restricted to a U-shaped rack.

D. The area around bicycle or scooter spaces must have three (3) feet of clearance measured from the furthest extent of the bicycle rack. This clearance may not conflict with pedestrian pathways or circulation. The area within this clearance and underneath the bicycle rack must be paved.

E. Parking for bicycles and scooters must be luminated at night with a dedicated lighting fixture and be located within 100 feet of the main public building entrance on the same property.

(5) ***On-demand and Ride-hailing Transportation Services.*** For all uses where automobile parking spaces are required except single-family, two-family, and townhome residences, parking facilities for transportation services using on-demand methods or platforms for ride-hailing and deliveries and shall be regulated by the following provisions:

A. A business or single residential building may utilize one off-street parking spaces dedicated to ride-hailing and deliveries. A shopping center, residential complex, mixed-use development, or joint facility may utilize two off-street parking spaces dedicated to ride-hailing and deliveries.

B. Businesses and commercial areas within a 1,000 ft radius may organize and designate a total of one on-street space per participating business, where available, for ride-hailing and delivery services.

Sec. 11-040. Special Circumstances.

- (1) ***Proof of Parking for Delayed Construction.*** The City may approve a proof of parking plan that proposes to install initially only a portion of the required parking but that demonstrates that the full complement of required parking could be installed on the property in accordance municipal standards at a later date as determined by the City. In all instances where proof of parking is permitted, a legal instrument which is satisfactory to the City as to form and manner of execution shall be entered into by the parties concerned for a proof of parking agreement. Such instrument must be filed with the City and recorded with Ramsey County.
- (2) ***Parking Space Reductions and Enhancements.*** The following off-street parking reductions may be utilized except as indicated otherwise, subject to a parking analysis and plan adopted by City Council, with a recorded agreement to ensure stipulations for reductions and enhancements are maintained and subject to a maximum reduction of fifteen percent (15%) of required minimum parking spaces:
 - A. Off-street parking facilities for existing uses as of <the effective date of this ordinance> shall not be reduced to an amount less than that required under this Chapter.
 - B. Transit. The minimum number of required spaces for use(s) may be reduced by five percent (5%) if the building is located within one-quarter of a mile from a qualified transit stop; to qualify, the transit stop must be served by regular transit service on all days of the week and adequate pedestrian access must be available between the transit stop and the use(s). Information about transit routes and schedules should be posted in public spaces within the building to encourage the use of transit.
 - C. Car-share parking. A reduction of up to one required space per reserved parking space for car-share vehicles or five percent (5%) of the required parking spaces, whichever is greater, may be granted for any development that provides reserved parking for car-share vehicles. Reserved parking spaces for car-share vehicles may be provided in any required or non-required off-street parking space. Parking spaces for car-share vehicles shall be provided in convenient, accessible locations within one hundred (100) feet of a public entrance to a principal building.
 - D. Ridesharing and Car Pooling. The City recognizes the benefit of ridesharing and carpooling. Any non-residential use that offers rideshare or carpooling to its employees may reduce the number of required spaces by five percent (5%).
 - E. Parking Enhancements. A percentage increase or decrease, depending on the use, in parking may be approved by the City, utilized jointly or separately except as indicated otherwise, provided that one of the following conditions are met. The following enhancements may be used to the benefit of the development:
 1. Incorporation of EV charging stations or installation of infrastructure for future installation, compliant with Sec.11-020 (12), modifies the parking ratio by five percent (5%).
 2. Incorporation of snow and snowmelt management design principles for all surface parking areas, compliant with Sec.11-020 (13), modifies the parking ratio by five percent (5%).
 3. Construction of structures covering fifty percent (50%) or more of provided surface parking spaces, when the structure is designed and built to hold solar panels and passively generate electricity, modifies the parking ratio by five percent (5%).

4. The area which would have been occupied by the eliminated parking spaces in items (1) to (3) above must be devoted to pervious surfaces, stormwater facilities, tree retention or native landscaping as directed by the Department of Community Assets and Development.
- (3) **Other Uses.** Parking requirements for unique uses or unique circumstances not specifically mentioned in this Chapter shall be determined on an individual basis. Factors to be considered shall include: size of building, type of use, number of employees, peak demand hour, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. The applicant shall be responsible for collecting, assimilating and presenting the data to support the request. The data must be documented to the City's satisfaction.
- (4) **Joint Facilities.** The City may approve a special use permit for one or more uses to provide the required off-street parking facilities by joint use of one or more sites if the total number of spaces provided is less than the sum of the total required for each business had they provided them separately. The City shall not approve such a permit unless the following conditions exist:
 - A. No more than fifty percent of the parking facilities required for a theater, bowling alley, dance hall, bar or restaurant may be supplied by the off-street parking facilities provided by types of use specified as primarily daytime in Section 11-030 (3) A.
 - B. No more than fifty percent of the off-street parking facilities required in this Section 11-030 (3) A as primarily daytime uses may be supplied by the parking facilities provided by the following nighttime or Sunday uses: auditoriums incidental to public or parochial schools, churches, bowling alleys, dance halls, theaters, bars, or restaurants.
 - C. No more than eighty percent of the parking facilities required by this section for churches or for auditoriums incidental to public or parochial schools may be supplied by the off-street parking facilities provided by uses specified in Section 11-030 (3) A as primarily daytime.
 - D. For the purpose of this section, the following may be determined by the City Council to be primarily daytime uses: banks, business offices, manufacturing, wholesale and similar uses.
 - E. Required accessible parking spaces and required parking for residential uses may not be located off site.
 - F. Off-site parking areas must be located within a 1,000-foot radius of the use served by such parking, measured from the nearest public entrance door of the use.
- (5) **Conditions Required for Joint Use.** The following conditions shall apply in all instances in which joint use of parking is permitted:
 - A. The building or use for which an application is being made to utilize the off-street parking facilities provided by another building or use shall be located adjacent to such parking facilities.
 - B. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
 - C. A legal instrument, satisfactory to the City as to form and manner of execution, shall be executed by the parties concerned for joint use of off-street parking facilities and filed with the City. Such instrument also shall be recorded with Ramsey County.

- (6) **Setback exception.** Joint or combined parking facilities or adjoining parking facilities on separate lots as authorized and when constructed adjacent to a common lot line separating two or more parking areas are not required to observe the parking area or driveway setback from the common lot line.

Sec.11-050. Off-Street Loading/Unloading.

(1) **Location.**

- A. All loading/unloading areas shall be off-street and located on the same lot as the building or use to be served.
- B. All loading/unloading space curb cuts shall be located a minimum of fifty feet from the intersection of two or more street right-of-ways.
- C. All loading/unloading spaces serving an industrial use shall not be located closer than 100 feet to a residential district.
- D. All loading/unloading spaces shall be in the side or rear yards.
- E. All loading/unloading docks and vehicular doors shall be, when facing a public right-of-way, fifty feet or more from said right-of-way.
- F. Each loading/unloading space shall be located so that it will not block or interfere with any traffic flow.
- G. On the same premises with commercial or industrial uses that require the shipping or receiving of goods or supplies, loading/unloading space shall be provided as follows:

2.0 spaces	Up to 10,000 sq. ft. floor space
+1.0 space	Each additional 15,000 sq. ft. floor space

- (2) **Accessory Use, Parking and Storage.** Any space allocated as a required loading/unloading space or access drive shall not be used for the storage of goods, inoperable vehicles or snow and shall not be included as part of the space required for off-street parking.

SECTION 2. Chapter 4, Article 1, Section 4-030, subdivision (7), of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

- (7) Licensed day care facilities located within a church having a minimum of 5,000 square feet of non-residential building area, 1 acre of lot area, and ~~50 off-street parking stalls~~ meeting parking requirements of Section 11.

SECTION 3. Chapter 4, Article 6, Section 4-482, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

~~Sec. 4-482. Parking in an R-4 District.~~

~~Each dwelling unit shall have two paved or concrete off-street parking spaces no closer than fifteen feet to the street right-of-way and not less than five feet from any dwelling.~~

Sec. 4-482 Reserved.

SECTION 4. Chapter 4, Article 6, Section 4-490, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Subsection (1) is incorporated herein unchanged.

Subsection (2), subsections 1. through 4. are incorporated herein unchanged.

~~5. Parking Areas.~~

~~a. Detached garages shall be prohibited. Underground or attached parking shall be required at a ratio of one space per dwelling unit. Such parking shall be in fully enclosed buildings of a building type, material and color that is compatible with the principle structure. Additionally, all applicable parking requirements in Section 11-010 through 11-040 of the Zoning Ordinance shall be met. (Ord. No. 726, 2-8-05).~~

~~b. A landscaped buffer area at least ten feet (10') in width shall be provided between any parking area and adjacent side or rear property lines.~~

~~c. No parking area or drive shall be closer than fifteen feet (15') to any portion of a building other than a garage entrance or loading apron. This fifteen foot (15') area shall be used for walkways and landscaping consisting of at least fifty percent (50%) vegetative coverage.~~

~~d. Where parking spaces are located so that the headlights of vehicles shine onto a wall containing ground level windows, a year round landscaping or other means shall be provided to eliminate light shining through the windows. Techniques used to control headlights shining into windows should not create safety problems.~~

~~e. Outside storage of boats, campers, trailers, and other recreational vehicles shall be prohibited.~~

~~6-5.~~ Signage and Lighting.

SECTION 5. Chapter 5, Article 1, Section 5-030, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Subsections (1) through (4) are incorporated herein unchanged.

(5) Racquet clubs, subject to the following:

- A. The racquet club building shall be designed as to have an appearance compatible with a residential area.
- B. Only such buildings as are necessary for the racquet courts and associated activities shall be permitted on the premises. No buildings or additions to buildings for additional accessory uses shall be permitted.
- ~~C. A surfaced parking lot shall be located in conformance with the standards of this Chapter and Chapter 6 of the Zoning Code except that it shall be of sufficient size to accommodate the required number of parking spaces per court. The number of required parking spaces shall be seven spaces per court.~~
- ~~DC.~~ Sales of goods and services shall be permitted only upon the following conditions:
 - 1. All sales shall be conducted within the clubhouse building.
 - 2. Sales shall be limited to the following:
 - a. Services necessary or incidental to the teaching and playing of the game.
 - b. Equipment, clothing and supplies necessary or incidental to the playing of the game.
 - c. Food, beverages, and confections for the convenience of those playing the game.
- ~~ED.~~ Plantings, berming and/or other types of landscaping treatment shall be provided to buffer surrounding residential areas and to ensure the compatibility of the racquet club.
- ~~FE.~~ The special use permit for the racquet club may include as a condition the conduct of indoor recreational, educational, and artistic activities that are special events of a temporary nature and may be permitted with the authorization of the City Council. This authorization is separate from and in addition to the permit for a racquet club and may be granted on the following conditions: 1. Authorization by the City Council shall specify each separate activity permitted. 2. Authorization by the City Council may limit the dates, times, and maximum number of participants. 3. Such activity will not create objectionable sound or sight to neighboring lands.

SECTION 6. Chapter 6, Article 3, Section 6-230, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Sec. 6-230. Permitted Uses in a I-3 District.

- (1) Any use permitted in the Business District.
- (2) Any use permitted in the Light Industrial District excluding those uses that the City Council determines do not meet the following requirements:
 - A. Development and/or uses shall have no adverse effect on adjacent land due to unsightliness, noise, odor, dust, smoke, glare, air pollution, excessive or heavy vehicular traffic, bulk chemical storage, or fire or safety hazards.
 - B. There shall be only one outside storage area of materials, products, etc., and commercial semi trucks not to exceed twenty percent of the gross floor area of the building on the site. The storage area shall be screened with an opaque six to eight foot fence. This storage area shall be located only in the rear yard.
 - C. There shall be no external bulk chemical storage for either use or sale except as necessary for auxiliary heating.
 - D. There shall be no more than six trips per day of commercial trucks with six or more wheels per vehicle per 10,000 square feet of building gross floor area.
 - E. There shall be no excessive vehicular traffic between 8:00 p.m. and 6:00 a.m. as from shift changes.
 - F. The buildings and grounds shall be of an appearance that is in harmony with surrounding land uses.
 - ~~G. All parking, maneuvering, driveway, and storage areas shall be surfaced with asphalt or concrete.~~

SECTION 7. Chapter 6, Article 5, Section 6-710, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Sec. 6-710. Site Standards.

- (1) Lot Area, Lot Width, and Yard Requirements.
 - A. Minimum lot width: 100 feet
 - B. Minimum lot area: 20,000 square feet
 - C. Setback – Principal Structure:
 1. Front: 10 feet minimum, 40' maximum unless a greater front setback is authorized by Special Use Permit
 2. Side: 0 (zero) feet
 3. Corner Side: same as Front
 4. Rear: 15 feet minimum
 - D. Setback – Accessory Structure:
 1. Front: At least 5 feet greater than Principal Structure setback
 2. Side: 0 (zero) feet
 3. Corner Side: same as Front

4. Rear: 5 feet minimum

~~E. Setback Parking~~

~~1. Front: 10 feet~~

~~2. Side: 0 (zero) feet~~

~~3. Corner Side: same as Front~~

~~4. Rear: 5 feet minimum~~

Subsections (2) through (4) are incorporated herein unchanged.

SECTION 8. Chapter 6, Article 5, Section 6-740, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows as follows:

~~Sec. 6-740. Parking Requirements.~~

- ~~(1) Off-street parking shall be provided at a ratio of four spaces per thousand square feet of floor area of retail, commercial and office development. For the purposes of this section net floor area shall mean floor area minus hallways, bathrooms, lobby, lunch/break rooms and the like.~~
- ~~(2) Parking for residential units in the NBE District shall be provided on site, and shall be calculated as follows:~~
 - ~~A. Townhouses: two spaces per unit plus one visitor space per four units, so that there are at least two visitor spaces within 200 feet of every unit.~~
 - ~~B. Other multi-story multi-family: 1.5 spaces per unit, plus one visitor space per four units.~~
 - ~~C. Multi-family devoted exclusively to seniors aged 55 years and older: 1.1 spaces per unit, plus one visitor space per four units, located so that the majority of visitor spaces are within 100 feet of the entrance to the building.~~
 - ~~D. One family detached dwelling units: 2 enclosed per unit.~~
- ~~(3) Residential parking spaces shall be specifically reserved for the use of residents and visitors only, separate from any commercial, office, or other uses on site or nearby, and shall not be counted as part of any shared parking or joint parking arrangement.~~
- ~~(4) Parking for restaurants shall be calculated as required in Chapter 11 of this code.~~
- ~~(5) If present, on-street parking directly in front of a given building or lot shall count toward fulfilling the total parking requirement.~~

Sec. 6-740 Reserved.

SECTION 9. Chapter 7, Article 1, Section 7-060, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows as follows:

Subsections (1) through (7) are incorporated herein unchanged.

~~(8) There shall be a minimum of two off-street parking spaces per dwelling unit in a planned residential development serviced by a private road. In addition, a minimum of 1/2 space per dwelling unit shall be provided for visitor parking and visitor parking shall be posted "visitor parking only". Reserved.~~

Subsections (9) through (19) are incorporated herein unchanged.

SECTION 10. Chapter 8, Article 1, Division 2 (Landscaping), of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

Subsections (A) through (B) are incorporated herein unchanged.

C. Minimum Landscaping Requirements for New Developments:

1. A minimum of one canopy tree per lot shall be planted within the boulevard area. In situations where there is only one lot, one deciduous tree and one coniferous tree shall be required in the boulevard area.
2. One canopy tree for every 1,000 square feet of building floor area or one canopy tree per 50 feet of site perimeter, whichever is greater.
3. Up to 25% of the required number of canopy trees may be substituted with ornamental trees at a ratio of two ornamental trees to one canopy tree.
4. The makeup of all canopy trees must be at least one-half deciduous and one-half coniferous. In the event there are an odd number of trees required, the applicant may choose either deciduous or coniferous to make up the difference.
5. Not more than 30% of the required number of trees shall be composed of a single species.
6. Preservation of an existing tree shall be credited towards 2 new trees with the greatest credit not to exceed 25% of the total required number of trees.
7. One shrub shall be provided for each 300 square feet of building area or every 30 feet of site perimeter, whichever is greater.
8. At least 10% of the total site area shall be landscaped.
- ~~9. Surface parking lots of 100 stalls or greater shall include one raised island for every 25 parking stalls, with the island being at least 150 SF in area and containing at least one canopy tree.~~
- ~~10.~~ 9. All existing dead or diseased plant materials shall be removed.
- ~~11.~~ 10. Heightened screening shall be implemented on commercial or industrially zoned properties when an adjacent use is residential. Heightened screening shall consist of a berm, fence, or wall, or combination thereof so as to prohibit eye-level vision.
- ~~12.~~ 11. Special consideration for drought-tolerant plant species shall be implemented in areas not irrigated.

D. Minimum Landscaping Requirements for Expansions:

1. One canopy tree for every 1,000 square feet of expanded building floor area.
2. Up to 25% of the required number of canopy trees may be substituted with ornamental trees at a ratio of two ornamental trees to one canopy tree.
3. The makeup of all canopy trees must be at least one-half deciduous and one-half coniferous. In the event there are an odd number of trees required, the applicant may choose either deciduous or coniferous to make up the difference.
4. Not more than 30% of the required number of trees shall be composed of a single species.
5. One shrub shall be provided for each 300 square feet of added building floor area.
- ~~6. Surface parking lot expansions of 50 stalls or greater shall include one raised island for every 50 stalls, with the island being at least 150 SF in area and containing at least one canopy tree.~~
- ~~7-6.~~ Heightened screening shall be implemented to the greatest practical extent on commercial or industrially zoned properties when an adjacent use is residential. Heightened screening shall consist of a berm, fence, or wall, or combination thereof so as to prohibit eye-level vision.
- ~~8-7.~~ Special consideration for drought-tolerant plant species shall be implemented in areas not irrigated.

Subsections (E) through (G) are incorporated herein unchanged.

SECTION 11. Chapter 2, Article 1, Section 2-020, of the Zoning Code of the City of New Brighton, Minnesota, is amended as follows:

All existing definitions shall be incorporated herein unchanged, but shall be renumbered to accommodate the following new definitions to be added in alphabetical order with existing definitions.

Electric vehicle (EV) charging stations. Stations installed in a parking area to replenish the charge of an electric vehicle's battery. Different levels EV charging stations include:

A. Level 1 (or I), which is comparable to a normal 120V outlet.

B. Level 2 (or II), which is approximately 6-19.2 kW or 240 volts and three to four times the amperage of a Level 1 station (24 amps to 80 amps).

C. Level 3 (or III), or DC fast-chargers, are approximately 50-350 kW or typically 400-800 volts.

Non-residential Use. Land, buildings or structures or portions thereof not to be used as a residence or living accommodation.

Permeable surface. A surface that allows water to percolate into the soil to filter out pollutants and recharge the water table.

Residential Use. Land, buildings or structures or portions thereof used, designed, or intended to be used principally (or primarily) as living accommodation for one or more individuals.

Surmountable curb. Surmountable or mountable curbs, sometimes referred to as roll curbs, have sloping faces that allow vehicle, pedestrians, and wildlife to encroach.

Saltable surfaces. A hard surface used for vehicle, pedestrian, or other forms of circulation and travel.

Snow storage area. A topographically low area within or adjacent to a parking area for placing snow during or after winter snow events.

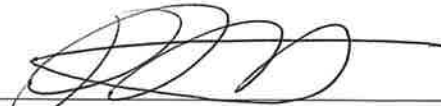
The existing definition for “parking space” is amended as follows:


Parking Space. An designated area ~~of not less than 180 square feet that measures at least 9 feet by 20 feet, exclusive of access or maneuvering area,~~ to be used exclusively as a temporary storage space for a private motor vehicle.

SECTION 12. Effective Date

This ordinance shall take effect upon its adoption by the City Council, its publication in the City’s official newspaper.

ADOPTED this 9th day of January 2024, by the New Brighton City Council with a vote of 4 ayes and 0 nays. (Abdulle Absent)


Karl Niedfeldt-Thomas, Mayor


Devin Massopust, City Manager

ATTEST:


Terri Spangrud, City Clerk