

## **ORDINANCE NO. 311**

### **AN ORDINANCE AMENDING ORDINANCE 169, AN ORDINANCE AMENDING SUBDIVISION 10, SECTION 13 OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO OUTDOOR STORAGE**

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SECTION 13, SUBD. 10 SHALL BE AMENDED AS FOLLOWS:**

#### **SUBDIVISION 10. OUTDOOR STORAGE.**

- A. Purpose. The purpose of this Subdivision is to allow exterior storage of certain items in certain zoning districts in a manner that is not a danger to the public's health, safety, or welfare and that does not negatively impact adjacent property values or constitute a public nuisance.
- B. Exemption. Outdoor storage in the U-R Urban Reserve District is exempt from this Section.
- C. General Provisions. The following provisions apply to all zoning districts:
1. No motor vehicles designed to operate on public highways which are unlicensed or in a condition prohibiting normal operation due to mechanical failure, defect, lack of required parts such as tires, or apparent damage from collision shall be stored on private property unless as provided for by the City's nuisance regulations as may be amended. This standard does not apply to instances where auto sales, storage, or repair is specifically allowed as a permitted or conditional use within a commercial or industrial zoning district.
  2. Outdoor storage of items or storage of items in a manner constituting a nuisance as defined by City Ordinance 259, as may be amended is strictly prohibited.
  3. Outdoor storage, including but not limited to equipment storage and the parking of vehicles, shall be prohibited as a principal use of property, unless specifically allowed as a permitted or conditional use within a designated zoning district.
  4. No recreational vehicle, trailer, or motor vehicle may be used as a residence, office, or business. Except that business entities with a valid Peddler's Permit are exempt from this clause. In instances of special public events such as community festivals, the county fair, or civic celebrations the City may by administrative permit allow such use.
  5. The City may order the owner of any property to cease or modify outdoor storage uses, including existing uses, provided it is found that the use constitutes a public nuisance as defined by City Ordinance.

D. Residential Zoning Districts. The following standards apply to outdoor storage in all residential zoning districts.

1. The following types of outdoor storage are allowed.

- i. Clothes lines.
- ii. Fire wood, not exceeding two cords, for use only on the premises provided it is stored in an interior side or rear yard.
- iii. Landscaping or construction materials or equipment to be used on the property within ninety (90) days.
- iv. Off-street parking of no more than four (4) licensed and operable passenger automobiles and pick-up trucks, but not including commercial vehicles provided they are stored in a manner as approved under Section 13, Subd. 10(D)2 of this Ordinance.
- v. Gardens, lawn furniture or fixtures, grills, children's toys, play features, and recreation/sports features such as basketball hoops which are constructed specifically for outdoor use providing they are set back at least five (5) feet from the property line.
- vi. Swimming pools as provided for under Section 13, Subdivision 5 of the Zoning Ordinance, as may be amended.
- vii. Licensed and operable sport recreation equipment (snowmobiles, personal watercraft, ATV's, off highway motorcycles, off road vehicles) not exceeding four total items and subject to Arlington Ordinance 184, an Ordinance regulating the parking of all-terrain vehicles, off-road vehicles, off-highway vehicles, and snowmobiles within the City of Arlington, as may be amended. The standards contained in Section 13, Subd. 10(D)2 of this Ordinance apply.
- viii. Boats may be stored in a front yard in a manner approved under Section 13, Subd. 10(C)2 of this Ordinance. Boats stored outdoors during non-boating season shall be effectively screened from adjacent property lines as viewed from a public street or alley. "Effectively Screened" shall mean eighty percent (80%) of what is stored is not visible from an adjacent property line as viewed from a public street or alley.
- ix. The parking of one (1) licensed and operable camper (camping trailer, truck camper, fifth wheel) or recreational vehicle (motor home, travel trailer) in a manner approved under Section 13, Subd. 10(D)2 and subject to Section 13, Subd. 10(C)4 of this Ordinance. A camper parked outdoors during the winter months shall be effectively screened from adjacent property lines as viewed from a public street or alley. "Effectively Screened" shall mean eighty percent (80%) of what is stored is not visible from an adjacent property line as viewed from a public street or alley.  
screened

- x. The parking of one (1) licensed and operable commercial vehicle a gross weight rating of less than 10,000 pounds in a manner approved under Section 13, Subd. 10(D)2 of this Ordinance. An additional commercial vehicle may be stored on a residential property provided an interim use permit is issued under Section 15.5 of the Zoning Ordinance, as may be amended.
  - xi. The parking of one (1) licensed and operable trailer in a manner approved under Section 13, Subd. 10(D)2 of this Ordinance. An additional trailer may be stored on a residential property provided an interim use permit is issued under Section 15.5 of the Zoning Ordinance, as may be amended. Horse and stock trailers are prohibited from being stored outdoors in a residential zoning district.
2. Outdoor storage area standards. The following standards apply to all outdoor storage areas in residential districts.
- i. Outdoor parking/storage areas in front yards and street-side corner yards shall be completely surfaced with an all-weather dustless material such as asphalt, concrete, pavers, bricks, or other equivalent material. Compacted gravel and/or rock is not a suitable surface. Existing outdoor parking/storage areas in front yards and street-side corner yards shall be brought up to all-weather, dustless surfacing standards upon receipt of a zoning application to improve, enlarge, and/or expand said parking or storage areas.
  - ii. The aggregate area of a front yard or street-side corner yard used for any combination of drive-way, sidewalk, parking, and/or storage shall not exceed the following:
    - 1. Parcels with a total lot area of 5, 999 square feet or less – fifty (50) percent of the front yard.
    - 2. Parcels with a total lot area of more than 5,999 square feet but less than 7,500 square feet – forty-five (45) percent of the front yard.
    - 3. Parcels with a total lot area of 7,500 square feet or more but less than 10,000 square feet – forty (40) percent of the front yard.
    - 4. Parcels with a total lot area of 10,000 square feet or more – thirty-five (35) percent of the front yard.
  - iii. Any parking or storage area shall be a minimum of five (5) feet from any property line and shall not interfere with sight lines at intersections or placed over public sidewalks.
  - iv. Outdoor storage of items shall be done in a neat and orderly manner meaning there is a regular systematic approach to storage of items as opposed to storage of items in piles or in a sporadic manner.
  - v. Vehicular access to outdoor storage areas in a rear or a side yard shall occur on the fee owner's private property and shall not interfere with a public or private easement.

3. Outdoor storage on vacant residential lots. Outdoor storage is allowed on vacant residential lots provided:
  - i. No more than one vacant residential lot is used for storage.
  - ii. Said vacant lot directly abuts, that is has a common lot line with, a property under the same fee ownership.
  - iii. One of the lots contains an established dwelling.
  - iv. The total volume of outdoor storage on both lots combined shall not exceed that allowed under Section 13, Subd. 10(D)(1)(i-xi) of the Arlington Zoning Ordinance as may be amended relating to types of outdoor storage allowed in residential districts.

E. Commercial Zoning Districts. The following standards apply to outdoor storage in all commercial zoning districts.

1. Outdoor storage/display. Outdoor storage/display shall be governed by the respective zoning district in which such use is located.
2. All outdoor storage shall be located in a rear or side yard. Outdoor storage is not allowed in a front yard.
3. Outdoor storage shall be screened with suitable materials so as to maintain seventy-five (75) percent or more opacity when viewed from a lot line. This performance standard applies to HVAC equipment and garbage dumpsters which is associated with new construction.
4. The following are exempt from Section 13, Subd. 10(E)(2) and Section 13, Subd. 10(E)(3) of this Ordinance, as may be amended:
  - i. Merchandise being displayed for sale in accordance with zoning district requirements.
  - ii. Temporary storage (i.e. 90 days or less) of materials and equipment currently being used for landscaping or construction on the premises.
  - iii. Merchandise on temporary display (i.e. 90 days or less) for sale.
  - iv. Outdoor dining.
  - v. Outdoor sidewalk sales/signs.

F. Industrial Zoning Districts. The following standards apply to outdoor storage in all industrial zoning districts.

1. Outdoor storage/display. Outdoor storage/display shall be governed by the respective zoning district in which such use is located.
2. Outdoor storage requires the issuance of an interim use permit as provided for under Section 15.5 of this Ordinance, as may be amended.

3. All outdoor storage shall be located in a rear or side yard. Outdoor storage is not allowed in a front yard.
4. Outdoor storage shall be screened with suitable materials so as to maintain fifty (50) percent or more opacity when viewed from a lot line. This performance standard applies to HVAC equipment and garbage dumpsters which is associated with new construction.
5. The following are exempt from Section 13, Subd. 10(F)(2), Section 13, Subd. 10(F)(3), and Section 13, Subd. 10(F)(4) of this Ordinance, as may be amended:
  - i. Merchandise being displayed for sale in accordance with zoning district requirements.
  - ii. Temporary storage (i.e. 90 days or less) of materials and equipment currently being used for landscaping or construction on the premises.

**II. EFFECTIVE DATE.**

This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the City of Arlington on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

For City of Arlington:

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By Richard Nagel  
It's Mayor

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By Liza M. Donabauer  
It's Administrator

First Reading:  
Second Reading:  
Adopted:  
Published: