

**PLYMOUTH COMMUNITY
DEVELOPMENT DEPARTMENT**

**PLANNING AND ZONING
STAFF REPORT**

TO: Plymouth Planning Commission

FROM: Shawn Drill, Senior Planner (509-5456) through Barbara Thomson, Planning Manager

MEETING DATE: May 6, 2015

APPLICANT: City of Plymouth

SUBJECT: Annual Update to the Zoning Ordinance and City Code

INTRODUCTION:

The City of Plymouth adopted a new zoning ordinance and zoning map in 1996. Each year, the city conducts an annual update of the zoning regulations to keep them current.

The annual update includes proposed amendments to the zoning ordinance and to related sections of the city code. The proposed amendments include both technical and substantive revisions. Technical revisions include correcting typographical errors or making minor changes for clarification or consistency. Substantive revisions involve adding, deleting, or substantially changing a regulation. The draft ordinances (attached) show proposed new language as underlined text, and proposed deleted language as ~~stricken~~ text.

Notice of the public hearing was published in the city's official newspaper.

ZONING ORDINANCE AMENDMENTS (EXHIBIT A):

This update includes 30 proposed amendments to the zoning ordinance, and three related amendments to the city code. A brief description of each proposed amendment is provided in the attached summary list. Most of the proposed amendments are self-explanatory. Staff is, however, providing additional background in this report on some of the more noteworthy proposed amendments, as follows:

- **Definitions** (*Ord. Items #1 and 3, P. 1*)

Deletes telephone booths from the definition of “Essential Service Structures” and deletes the definition of “Hardship” from the ordinance because the language is now obsolete and no longer relevant or needed.

- **Building/Performance Standards** (*Ord. Item #5, P. 2*)

Adds “vehicles” to the listing of features that are not allowed to be used as living quarters on a regular basis. This amendment arose from a case where a person was living in a van parked in their driveway.

- **Exterior Lighting Regulations** (*Ord. Items #9-12, 14 -15, and 17, Pp. 3-7*)

Adds an asterisk and related verbiage to all LZ3 (lighting zone 3) references to clarify that LZ3 is allowed by conditional use permit only. This amendment is designed to help end-users (who are generally lighting designers/contractors) so they can better understand the city’s lighting regulations when developing site lighting plans.

- **Parking** (*Ord. Item #23, P. 11*)

City staff reviewed the parking regulations last year for auditoriums, theaters, religious institutions, and sports arenas. This review was completed in conjunction with a proposed expansion at Golgotha Slavic Church, 12300 18th Avenue. The review found that most other similar metropolitan cities require one parking space per three seats at such facilities. At the conclusion of the parking review, the City Council directed that the ratio of parking spaces be increased to one parking space per three seats (from the current requirement of one parking space per four seats) as part of the next annual update. This amendment is not anticipated to have adverse effects on such existing facilities in Plymouth, because most already provide enough parking to comply with the proposed regulation.

CITY CODE AMENDMENTS (EXHIBIT B):

One noteworthy change relates to timing for completion of building exteriors for buildings that do not require a building permit (see item C on P. 5). This amendment arose from a case last year where an individual began construction of a shed, but left it unfinished (just the framing was visible) for about one year according to neighbors. Since no building permit is required for certain sheds (those containing 120 square feet or less in 2014 and before), the city had no way of verifying when 180 days had passed since the construction started. The amendment would help staff and the city attorney address future nuisance complaints of a similar nature, by providing 60 days to complete the exterior of such buildings upon written notification by the city.

RECOMMENDATION:

Community Development Department staff recommends that the Planning Commission conduct the public hearing, review and discuss the proposed amendments listed in the draft ordinances, and subsequently provide its recommendation to the City Council. The Planning Commission may formulate a recommendation that adds, deletes, or changes proposed amendments as it sees appropriate.

ATTACHMENTS:

1. Summary List of Proposed Zoning Ordinance Amendments and City Code Amendments
2. Draft Ordinance Amending Zoning Ordinance (Exhibit A)
3. Draft Ordinance Amending City Code (Exhibit B)

City of Plymouth
Zoning Ordinance Amendments
(2014100)

Summary List of Proposed Amendments
May 6, 2015 Planning Commission Meeting

Type of Amendment:

T = Technical Change/ Correction

S = Substantive Amendment/ New Regulation

Item	Sec. #	Type	Chapter	Description
Definitions-				
1.	1	T	21005.02	Amends definition of “ Essential Service Structures ” to remove obsolete language (telephone booths) from the listing of essential services.
2.	1	T	21005.02	Amends definition of “ Floor Area, Gross ” to correct a minor typographical error (changes word “of” to “or”).
3.	1	T	21005.02	Deletes definition of “ Hardship ” because it is no longer a variance term used under State Statute or by the zoning ordinance.
Site Plan Review-				
4.	2	T	21045.07	Subd. 2 (o): Amends site plan information requirement pertaining to erosion, sediment, and waste controls for consistency with a recent state law change.
Building/Performance Standards-				
5.	3	S	21105.02	Subd. 1: Amends regulation to add “vehicles” to the listing of features that are not allowed to be used as living quarters.
6.	4	T	21105.03	Subd. 6: Adds/deletes language to clarify the provision because a “parcel” is not always the same as a “lot”.
7.	5	T	21105.03	Subd. 9: Adds language to clarify that the minimum amount of lot frontage on the public street that provides access must comply with the lot width standards specified for the zoning district where the lot is located.
Exterior Lighting Regulations-				
8.	6	T	21105.06	Subd. 4 (a): Eliminates unneeded numbering “(1)” from the provision, because there are no subsequent items.
9.	6	T	21105.06	Subd. 4 (b) (1) Table 2: Adds asterisk and related verbiage to clarify that LZ3 (lighting zone 3) is allowed by conditional use permit only.
10.	6	T	21105.06	Subd. 4 (d) (1) Table 3: Adds asterisk and related verbiage to clarify that LZ3 (lighting zone 3) is allowed by conditional use permit only.
11.	6	T	21105.06	Subd. 4 (d) (1) Table 4: Adds asterisk and related verbiage to clarify that LZ3 (lighting zone 3) is allowed by conditional use permit only.

Item	Sec. #	Type	Chapter	Description
12.	6	T	21105.06	Subd. 4 (d) (2) Table 5: Adds asterisk and related verbiage to clarify that LZ3 (lighting zone 3) is allowed by conditional use permit only.
13.	6	T	21105.06	Subd. 4 (d) (2) Table 5, footnote 1: Corrects two minor typographical errors.
14.	6	T	21105.06	Subd. 4 (d) (2) Table 6: Adds asterisk and related verbiage to clarify that LZ3 (lighting zone 3) is allowed by conditional use permit only.
15.	6	T	21105.06	Subd. 4 (d) (2) Table 7: Adds asterisk and related verbiage to clarify that LZ3 (lighting zone 3) is allowed by conditional use permit only.
16.	6	T	21105.06	Subd. 4: Corrects lettering system to rename second item (d) to item (e). Also re-letters subsequent items to (f) through (h).
17.	6	T	21105.06	Subd. 4, re-lettered (e), (1): Adds verbiage to clarify the LZ3 is allowed by conditional use permit only.
18.	6	T	21105.06	Subd. 4, re-lettered (h): Deletes unneeded parenthesis around the number 50.
General Building Regulations-				
19.	7	T	21115.09	Subd. 1, items (c) and (e): Adds verbiage to clarify that "gross floor area" is used when applying the provision.
Accessory Buildings, Structures, and Uses-				
20.	8	T	21120.02	Subd. 4: Increases (from 120 square feet to 200 square feet) the size of accessory building that is exempt from obtaining a building permit, for consistency with a recent change to the State Building Code.
21.	9	T	21120.02	Subd. 8: Adds verbiage to clarify that the provision requiring a dumpster enclosure applies only to multiple-family dwellings and to non-residential (e.g., commercial, industrial) buildings.
22.	10	S	21120.04	Subd. 3: Adds new item (h) to require a by-pass lane related to drive-through service windows.
Parking-				
23.	11	S	21135.11	Subd. 2: Increases the ratio of parking stalls needed at auditoriums, theaters, religious institutions, and sports arena from one space per four seats to one space per three seats.
24.	12	S	21135.11	Subd. 3: Deletes verbiage relating to providing more parking spaces than required, due to the trend for smaller office spaces.
25.	13	T	21135.16	Corrects reference to another code section.
Private Drives-				
26.	14	S	21137.01	Subd 3: Amends provision to state that private drives cannot gain access from arterial roadways. Private drives would be able to gain access from "major collector" roadways, and could continue to gain access from "local streets" and "minor collector roadways".
Building Relocation-				
27.	15	S	21140.01	Increases (from 120 square feet to 200 square feet) the size of accessory buildings that are allowed to be relocated within a lot or onto another lot without a conditional use permit – for consistency with a recent change to the State Building Code that exempts accessory buildings of 200 square feet or less from requiring a building permit.

Item	Sec. #	Type	Chapter	Description
Sign Regulations-				
28.	16	T	21155.06	Subd. 1 (c) (3): Corrects a typographical error by deleting an unneeded "1" within the provision.
CC, City Center District-				
29.	17	S	21475.17	Subd. 4 (h): Increases (from 100 square feet to 150 square feet) the minimum island size needed per tree to ensure proper root development.
P-I, Public/Institutional District-				
30.	18	S	21650.13	Amends the provision to specify that the maximum allowable height for accessory buildings containing 120 square feet or less would be 10 feet, for consistency with current residential regulations. The maximum allowable height for accessory buildings that contain over 120 square feet would remain 20 feet.

City Code Amendments (2014100)

Summary List of Proposed Amendments

Type of Amendment:

T = Technical Change/ Correction

S = Substantive Amendment/ New Regulation

Item	Sec. #	Type	Chapter	Description
Street Design Standards-				
A.	1	T	524.05	Subd. 2: Corrects lettering system to rename second item A to item D. Also re-letters subsequent items to E through I.
B.	1	T	524.05	Subd. 2, re-lettered item I: Corrects minor typographical error (changes word "insure" to "ensure").
Nuisances-				
C.	2	S	2010.01	Subd. 1 F: Amends the provision relating to how long building exteriors can remain unfinished for buildings that do not require a permit. Staff cannot track when construction began in cases where no permit was required. The amendment would help staff to address nuisance complaints by stating that the exteriors of such buildings must be finished within 60 days upon receipt of notice from the city. The amendment would not affect the timeline (180 days upon permit issuance) for exterior completion of buildings that require a permit.

CITY OF PLYMOUTH
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 2015-__

AN ORDINANCE AMENDING CHAPTER 21 OF THE PLYMOUTH CITY CODE, ENTITLED
THE PLYMOUTH ZONING ORDINANCE (2014100)

THE CITY OF PLYMOUTH ORDAINS:

SECTION 1. Amendment. Section 21005.02 of the Plymouth City Code (RULES AND DEFINITIONS—DEFINITIONS) is amended by adding, deleting, or changing the following definitions as follows:

Essential Service Structures: Structures and buildings necessary for the operation of essential services, including but not limited to: telephone buildings, telephone booths, gas regulator stations, substations, electrical stations, water tanks, lift stations. Essential service structures shall not include transmission/reception antennas.

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building or portion thereof devoted to a particular use, as measured from the inside perimeter walls of the building or portion thereof devoted to a particular use. The definition includes accessory storage areas located within selling or working space such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production of or processing of goods, or to business or professional offices. However, the floor area shall not include: basement or cellar floor area other than area devoted to retailing activities, the production or processing of goods, or to business or professional offices. The floor area of a residence shall not include the cellar area. *(Amended by Ord. No. 2008-09, 03/25/08)*

~~**Hardship:** A situation where property in question cannot be put to a reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to the property, not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under terms of the official controls.~~

SECTION 2. Amendment. Section 21045.07, Subd. 2 (o) of the Plymouth City Code (SITE PLAN REVIEW—INFORMATION REQUIREMENT) is amended as follows:

(o) Erosion-control measures and sediment controls and waste controls meeting the requirements of the Minnesota Pollution Control Agency's General Permit to Discharge Stormwater Associated with Construction Activity Permit No. MN R100001.

SECTION 3. Amendment. Section 21105.02, Subd. 1 of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—DWELLING UNIT RESTRICTION) is amended as follows:

Subd. 1. No model home, garage, tent, accessory building, vehicle, or recreational camping vehicle shall at any time be used as living quarters, temporarily or permanently, except as may be approved in emergency cases by the Zoning Administrator as an administrative permit.

SECTION 4. Amendment. Section 21105.03, Subd. 6 of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—PLATTED AND UNPLATTED PROPERTY) is amended as follows:

Subd. 6. When a development is proposed which is to be located on two or more ~~lots~~ parcels, and such ~~lots-parcels~~ are required to meet the minimum district area and-or frontage requirement and/or are required to accommodate the use, the ~~lots-parcels~~ shall be combined in accordance with the City's Subdivision Ordinance, prior to the issuing of a building permit.

SECTION 5. Amendment. Section 21105.03, Subd. 9 of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—PLATTED AND UNPLATTED PROPERTY) is amended as follows:

Subd. 9. Except as otherwise allowed by property subdivision, each lot shall have frontage (consistent with the minimum lot width specified by the district) and access directly onto an abutting, improved and City-accepted public street. An existing lot of record (vacant or for redevelopment) that does not have frontage and access directly onto an abutting, improved and City accepted public street shall require approval of a conditional use permit prior to issuance of any building permits. (*Amended by Ord. No. 2002-02, 01/22/02*)

SECTION 6. Amendment. Section 21105.06, Subd. 4 of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—EXTERIOR LIGHTING) is amended as follows:

Subd. 4. General Performance Standards:

(a) Luminaire shielding and installation requirements.

(1) Luminares within 300 feet of a residential property line shall be equipped with side shielding (house side shielding), except that luminaires mounted at a height of 12 feet or lower shall be exempt from this requirement provided they meet IESNA U0 rating.

(b) Height Limits.

(1) Pole mounted lighting. Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40 percent of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 2, whichever is lower. Height includes the base and the pole heights.

Table 2 – Maximum Lighting Mounting Height in Feet

Lighting Zone	Lighting for Driveways, Parking, and Transit	Lighting for Walkways, Plazas, and other Pedestrian Areas	All Other Lighting
LZ0	25 feet	12 feet	4.5 feet
LZ1	25 feet	18 feet	8 feet
LZ2	30 feet	18 feet	15 feet
LZ3*	30 feet	18 feet	15 feet

* By conditional use permit only.

(2) Exceptions for pole heights.

a. Mounting heights greater than 40 percent of the horizontal distance to the property line but no greater than permitted by Table 2 may be used provided that the luminaire has a B0 rating if ideally oriented or a G0 rating if not ideally oriented.

b. Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 2.

c. Landscape lighting may be installed in a tree.

(3) Lights mounted to buildings or structures. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than four feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40 percent of the horizontal distance of the light from the property line, whichever is less.

- (4) Exceptions for building mounted lights.
 - a. Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.
 - b. For buildings less than 40 feet to the property line, including canopies or overhangs onto a sidewalk or public right of way, luminaires may be mounted to the vertical façade or underside of canopies at 16 feet or less.
 - c. The top exterior deck of parking garages shall be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line.

(c) Lighting Quality

- (1) All permanently installed lighting for high density residential developments and all non-residential lighting shall have a minimum CRI of 70.
- (2) All permanently installed lighting for high density residential developments and all non-residential lighting shall have a CCT of no greater than 4100K.

(d) Lighting quantity and luminaire distribution.

- (1) Total site lumen limit: The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table 3) or the Hardscape Area Method (Table 4). Only one method shall be used per application, and for sites with existing lighting, existing lighting shall be included in the calculation of total initial installed luminaire lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

Table 3 – Allowed Total Initial Luminaire Lumens per Site per Parking Space Method (May only be applied to properties with no more than 10 parking spaces, including handicapped accessible spaces)

Lighting Zone	LZ0	LZ1	LZ2	LZ3
Allowance	350 lumens/space	490 lumens/space	630 lumens/space	840 lumens/space

* By conditional use permit only.

Table 4 – Allowed Total Initial Luminaire Lumens per Site per Hardscape Area Method (May be used for any project)

Lighting Zone	LZ0	LZ1	LZ2	LZ3*
Base allowance of lumens per square foot of hardscape ¹	0.5	1.25	2.5	5
Additional allowances for sales and service facilities. No more than two additional allowances per site. Use it or lose it.				
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of the sales lot area.	0	4 lumens/sf	8 lumens/sf	16 lumens/sf
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principle viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	0	1,000 lumens/LF	1,500 lumens/LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump	8,000 lumens per pump	16,000 lumens per pump

* By conditional use permit only.

¹When lighting intersections of site drives and public streets or roads, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

(2) Limits to off-site impacts: All luminaires shall be rated and installed according to Tables 5, 6 and 7. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all B, U and G ratings. Luminaires equipped

with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

Table 5 – Maximum Allowable Backlight Ratings

Mounting Condition	LZ0	LZ1	LZ2	LZ3*
Greater than 2 mounting heights from property line or not ideally oriented	B1	B3	B4	B5
1 to less than 2 mounting heights from property line and ideally oriented	B1	B2	B3	B4
0.5 to less than 1 mounting height from property line and ideally oriented	B0	B1	B2	B3
Less than 0.5 mounting height from property line and ideally oriented	B0	B0	B0	B1

* By conditional use permit only.

For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property ~~line~~ line for purpose of determining compliance with this table. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public corridor for the purpose of determining compliance with this table. NOTE: This adjustment is relative to Tables 5 and 7 only, and shall not be used ~~it to~~ increase the Hardscape Area of the site.

Table 6 – Maximum Allowable Uplight Ratings

Description	LZ0	LZ1	LZ2	LZ3*
Area lighting	U0	U0	U0	U0
Ornamental lighting and luminaires not used for area lighting	U0	U1	U2	U3

* By conditional use permit only.

Table 7 – Maximum Allowable Glare Ratings

Mounting Condition	LZ0	LZ1	LZ2	LZ3*
Greater than 2 mounting heights from property line or ideally oriented	G0	G1	G2	G3
1 to less than 2 mounting heights from property line and not ideally oriented	G0	G0	G1	G1
0.5 to less than 1 mounting height from property line and not ideally oriented	G0	G0	G0	G1
Less than 0.5 mounting heights from property line and not ideally oriented	G0	G0	G0	G0

* By conditional use permit only.

(3) Shielding for parking lot lighting: All parking lot lighting shall have a U0 rating, except that ornamental parking lot lighting shall meet the requirements of Tables 5, 6 and 7 without the need for external field-added modifications.

(de) Required lighting controls. Lighting systems for non-residential properties shall be extinguished or reduced in lighting by at least 50 percent beginning at curfew and continuing until dawn or start of business, whichever is sooner. The reduction shall be determined as an overall average for a site. When possible, the lighting system should be turned off entirely.

(1) Curfew. Curfew shall be as follows:
LZ0, the later of 8:00 PM or close of business
LZ1, the later of 8:00 PM or close of business
LZ2, the later of 10:00 PM or close of business
LZ3, the later of midnight or close of business (by conditional use permit only)

(2) Low voltage landscape lighting shall be completely extinguished at the Curfew time stated above or one hour after the site is closed, whichever is sooner.

(3) Exceptions to curfew:

- a. When there is only one (conforming) luminaire for the site.
- b. Code required lighting for steps, stairs, walkways, and building entrances.
- c. When in the opinion of the City Council, reduced lighting levels at a given location will cause unacceptable increased risk and design levels must be maintained.

(ef) Prohibited lighting.

- (1) Mercury vapor lamps
- (2) Luminaires mounted to aim light only toward a property line.
- (3) Luminaires mounted in a way so as to cause confusion or hazard to traffic or to conflict with traffic control signs or lights.

(fg) Following installation of any lighting on a site, the engineer or lighting professional who prepared the lighting plan shall certify in writing that the location, type, mounting height, initial luminaire lumens, and photometric data including BUG ratings all comply with the approved lighting plan.

(gh) Any new lighting installed after the effective date of this ordinance shall be in compliance with the requirements of this Section. Any lighting in existence before the effective date of this ordinance that does not comply with the requirements shall be considered legally non-conforming. However, if a property owner proposes to replace ~~(50)~~ 50 percent or more of the existing exterior luminaires or standards in any one year period, the luminaires or standards must be replaced in conformance with this Chapter.

SECTION 7. Amendment. Section 21115.09, Subd. 1 of the Plymouth City Code (GENERAL YARD, LOT AREA AND BUILDING REGULATIONS—SINGLE FAMILY DWELLINGS) is amended as follows:

21115.09. SINGLE FAMILY DWELLINGS: All single family detached homes shall comply with the following:

Subd. 1. Foundation. Dwellings shall be constructed upon a continuous perimeter foundation, except that the following appurtenant structures may be placed upon pier footings:

- (a) Open decks.
- (b) Covered porches, provided that the floor height is three feet or less above ground level.
- (c) Covered porches with a floor height exceeding three feet above ground level, provided that such porch does not exceed 300 square feet in gross floor area.
- (d) Room additions to living area, provided that the floor height is three feet or less above ground level.
- (e) Room additions to living area with a floor height exceeding three feet above ground level, provided that the total area of such living space does not exceed 300 square feet in gross floor area.
- (f) Additionally, the perimeter foundation need not be continuous in the area of an elevated breezeway or similar architectural feature that connects the home to a garage or similar structure.

SECTION 8. Amendment. Section 21120.02, Subd. 4 of the Plymouth City Code (ACCESSORY BUILDINGS, STRUCTURES, AND USES—GENERAL REQUIREMENTS) is amended as follows:

Subd. 4. No building permit shall be required for detached accessory buildings containing ~~120-200~~ square feet in gross floor area or less, however, such buildings shall comply with all applicable regulations set forth in this Chapter.

SECTION 9. Amendment. Section 21120.02, Subd. 8 of the Plymouth City Code (ACCESSORY BUILDINGS, STRUCTURES, AND USES—GENERAL REQUIREMENTS) is amended as follows:

Subd. 8. Trash Receptacles. Except as otherwise provided, all multiple-family dwellings and non-residential buildings 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) For residential uses, the minimum setback for an enclosed trash receptacle area shall be the same as the setback prescribed for accessory structures. For non-residential uses, the minimum setback for an enclosed trash receptacle area shall be the same as the setback prescribed for the principal building.
- (c) The trash enclosure shall be in an accessible location for servicing vehicles and shall not conflict with site circulation.
- (d) The trash receptacles shall 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 shall be provided as required by the Minnesota State Building Code.
- (g) Noise emanating from trash collection activities shall be minimized so as not to constitute a nuisance as defined and regulated by Section 2010 of the City Code.

SECTION 10. Amendment. Section 21120.04, Subd. 3 of the Plymouth City Code (ACCESSORY BUILDINGS, STRUCTURES, AND USES—NON-RESIDENTIAL USES) is amended as follows:

Subd. 3. Drive Through Businesses. Where allowed, drive through businesses shall comply with the following:

(a) The facility shall be located only on a site having direct access to a minor arterial street, collector or service road.

(b) All portions of drive through facilities established after 7 March 1995, including but not limited to service windows, ordering stations and stacking spaces, shall be set back at least 300 feet from residentially zoned or guided property, unless screened by an intervening building or located across an arterial or major collector street from residentially zoned or guided property.

(c) The facility's public address system shall not be audible from any adjacent residentially zoned or guided property and shall comply with Section 21105.10 of this Chapter.

(d) Required Stacking Space.

(1) Pharmacies. Pharmacies with one drive through lane shall provide stacking space for at least five vehicles, and pharmacies with two or more drive through lanes shall provide stacking space for at least three vehicles per lane, as measured from and including the last pick up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(2) Banks containing less than 6,000 square feet. Banks containing less than 6,000 square feet of gross floor area with one drive through lane shall provide stacking space for at least six vehicles, and banks containing less than 6,000 square feet of gross floor area with two or more drive through lanes shall provide stacking space for at least four vehicles per lane, as measured from and including the last pick up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(3) All Other Uses. Businesses with one drive through lane shall provide stacking space for at least 10 vehicles, and businesses with two or more drive through lanes shall provide stacking space for at least six vehicles per lane, as measured from and including the last pick up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(e) The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections.

(f) Alcoholic beverages shall not be sold or served.

(g) All elements of the drive through service area, including but not limited to associated signage, order stations, teller windows, and vehicle lights from the stacking lanes, shall be screened from adjacent residentially zoned or guided property pursuant to Section 21130.03 of this Chapter.

(h) Sites with drive-through service shall be designed in a manner that allows drivers not using the drive-through, or wishing to exit the drive-through area, to bypass the drive-through lane(s).

SECTION 11. Amendment. Section 21135.11, Subd. 2. of the Plymouth City Code (OFF-STREET PARKING AND LOADING—NUMBER OF OFF-STREET PARKING SPACES REQUIRED) is amended as follows:

Subd. 2. Institutional/Educational/Cultural:	
Auditoriums, Theaters, Religious Institutions, Sports Arenas	One space for each four <u>three</u> 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 Chapter.
Community Center, Libraries, Museums	One space for each 300 square feet of floor area.
Nursing Homes	One space for each three beds.
Private or Private Non-Profit Baseball Fields	One space for each eight seats of design capacity.
School, Elementary and Junior High (Public or Private)	Three spaces for each classroom. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.
School, High School (Public or Private)	One space for each two students based on the design capacity. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.

SECTION 12. Amendment. Section 21135.11, Subd. 3. of the Plymouth City Code (OFF-STREET PARKING AND LOADING—NUMBER OF OFF-STREET PARKING SPACES REQUIRED) is amended as follows:

Subd. 3. Non-Residential:	
Animal Hospitals or Kennels	Five spaces plus one space for each 500 square feet of floor area over 1,000 square feet.
Automobile Washes:	Shall be determined by the type of automobile wash as listed below:
Automatic Drive Through Service	Five spaces or one per employee on maximum shift, whichever is greater.
Self-Service Car Wash	One space per bay.
Motor Fuel Station Automobile Washes	One space in addition to that required for the station.
Beauty Shops	Two spaces for each beauty chair/station.
Bowling Alleys	Five spaces for each lane or alley, plus additional spaces as may be required herein for related uses contained within the principal structure.
Day Care Facilities	One space for each employee, plus one space for each six individuals of licensed capacity.
Drive-In or Convenience Food Establishments	One space for each two and one-half seats plus one space for each 15 square feet of public service and counter area.
Furniture Sales	One space for each 400 square feet of floor area for the first 25,000 square feet, plus one space for each 600 square feet thereafter.
Laboratories	One space for each 350 square feet of floor area.
Manufacturing	One space for each employee on the major shift or one space for each 350 square feet, whichever is less, plus one space for each company motor vehicle on the premises.
Medical, Chiropractic, or Dental Offices or Clinics	One space for every 200 feet of floor area.
Motels, Hotels, Lodging or Boarding Houses	One space per sleeping unit, plus one space per day shift employee plus one space for each 40 square feet devoted to meeting or banquet rooms.
Motor Fuel Stations	Four spaces plus two 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 Chapter.
Office Buildings (Administrative/Commercial) and Banks	One space for each 250 square feet of floor area for the first 100,000 square feet, plus one space for each 350 square feet of floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.

Restaurants, Private Clubs, Food Dispensing Establishments (Except Drive-In or Convenience Restaurants)	One space for each 40 square feet of floor area of dining and bar area and one space for each 80 square feet of kitchen area.
Retail Commercial Uses, Except as Prescribed Herein	One space for each 200 square feet of floor area for the first 100,000 square feet, plus one space for each 350 square feet of floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.
Retail Sales and Service Business with 50 Percent or More of Gross Floor Area Devoted to Storage, Warehouses, and/or Industry	Eight spaces or one space for each 200 square feet devoted to public sales or service plus one space for each 500 square feet of storage area, whichever is greater.
Shopping Centers	One space for each 200 square feet of leasable floor area for the first 100,000 square feet, plus one space for each 350 square feet of leasable floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.
Sports and Fitness Clubs	One space for each 300 square feet of floor area.
Warehousing	One space for each two employees of the largest shift or one space for each 2,000 square feet of floor area, whichever is greater.
Wholesale Showrooms	One space for each 500 square feet of floor area.

SECTION 13. Amendment. Section 21135.16 of the Plymouth City Code (OFF-STREET PARKING AND LOADING—DRIVE THROUGH BUSINESSES) is amended as follows:

21135.16. DRIVE THROUGH BUSINESSES: In addition to the provisions of this Section, drive through businesses are also regulated by Section ~~21120.10~~ 21120.04, Subd. 3 of this chapter.

SECTION 14. Amendment. Section 21137.01, Subd. 3. of the Plymouth City Code (PRIVATE DRIVES—PERFORMANCE STANDARDS) is amended as follows:

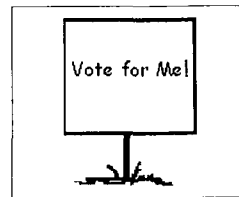
Subd. 3. ~~Any such private drive shall gain access only from streets classified as "local" or "minor collector" by the City's Comprehensive Plan. Private drives shall not gain access from an arterial roadway, as identified by the City's Comprehensive Plan.~~

SECTION 15. Amendment. Section 21140.01 of the Plymouth City Code (BUILDING RELOCATION—REVIEW PROCESS) is amended as follows:

21140.01. REVIEW PROCESS: The relocation of any building or structure onto a lot within the city shall comply with Section 415 of the City Code, and the person requesting the relocation shall obtain prior approval of a conditional use permit pursuant to the procedures and requirements set forth in Section 21015 of this Chapter. This provision does not apply to relocation of structures within the same lot, provided such relocation complies with Section 415 of the City Code and all applicable provisions of this Chapter. Additionally, accessory buildings containing ~~one hundred twenty (120)~~ 200 square feet in gross floor area or less shall be allowed to be relocated within a lot or onto another lot without issuance of a conditional use permit, but shall comply with all other provisions of this Chapter.

SECTION 16. Amendment. Section 21155.06, Subd. 1 (c) (3) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

(3) Non-commercial Signs. Temporary non-commercial signs of any size and in any number may be posted from 46 days before the state primary ~~+~~ in a state general election year until 10 days following the general election, and from 13 weeks prior to any special election until 10 days following the special election. Signs shall be removed not more than 10 days after an election. The owner or manager of the sign, the owner of the land, or the political candidate shall be equally responsible for the proper location, maintenance, and ultimate removal of the signs. Setback requirements may be waived for such signs, provided that they are located on private property with the express consent of the property owner, and provided that they do not impede safety by obstructing vision of pedestrians or motor vehicle operations. Such non-commercial signs do not require a sign permit, pursuant to Section 21155.07, Subd. 2 (h) of this Section. *(Amended by Ord. No. 2010-05, 05/11/10)*



SECTION 17. Amendment. Section 21475.17, Subd. 4 (h) of the Plymouth City Code (CC, CITY CENTER DISTRICT—SPECIAL DESIGN AND PERFORMANCE STANDARDS) is amended as follows:

(h) Shade trees shall be planted in all parking lot islands. A minimum of one tree shall be planted in each island and one tree shall be planted for each ~~400~~ 150 square feet of island.

SECTION 18. Amendment. Section 21650.13 of the Plymouth City Code (PI, PUBLIC/INSTITUTIONAL DISTRICT—AREA REQUIREMENTS AND CONSTRUCTION LIMITATIONS) is amended as follows:

21650.13. AREA REQUIREMENTS AND CONSTRUCTION LIMITATIONS: The following requirements shall be observed in the PI District subject to additional requirements, exceptions, modifications set forth in this Chapter:

District Area Minimum	Minimum Lot Area (acres)		Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Maximum Structural Coverage (a)		Minimum Setbacks (feet)		Maximum Building Height	
2 acres	Community Centers	3	100	None	General Uses	50%	Abutting Residential District (b)		Princ. Bldg	45 feet
	Elementary Schools	15			Correctional Facilities	8%	Front yard (b)	75	Acc. Bldg. 120 sq. ft. or less	20 feet
	Hospitals	10					Side yard (b)	75	Acc. Bldg. over 120 sq. ft.	20 feet
	Junior High Schools	30					Rear yard (b)	75		
	Religious Institutions	3					Abutting Non-Residential District			
	Senior High Schools or Correctional Facilities	50					Front yard	50		
	Other uses	2					Side yard corner lot	50		
							Side yard interior lot	15		
							Rear yard	15		
							Correctional Facilities			
							Front	200		
							Side	400		
							Rear	400		
(a) Special requirements apply for environmental overlay districts - See appropriate text										
(b) Where a P-I District abuts a residential district or is separated from a residential district by a local or minor collector street.										

SECTION 19. Effective Date. This Ordinance shall be in full force and effect upon its passage.

ADOPTED by the City Council this 26th day of May, 2015.

Kelli Slavik, Mayor

ATTEST:

Sandra R. Engdahl, City Clerk